City of Black River Falls

COMMON COUNCIL – AGENDA

Tuesday – February 6, 2024 – 6:00 PM
City Hall – 101 S. Second Street, Black River Falls, WI

Join Zoom Meeting:

https://us02web.zoom.us/j/81050807650?pwd=NEtvbWhMK05yeFZhSGJUSWxVbW9
Or Dial: 1-312-626-6799 **Meeting ID:** 810 5080 7650 **Password:** cityhall

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Reading of the Minutes of the January 2, 2024 Common Council Meeting – Action
5. Citizens in Attendance
6. County Jail / Justice Center Project
7. Committee Reports:

a. BRF Airport Commission	October 12, 2023
b. BID Board	January 4, 2024
c. Committee of the Whole	January 17, 2024
d. Hiring Committee	January 18, 2024
e. Utility Commission	January 29, 2024

8. Mayor's appointment of Alderperson Justin Dougherty to the Hiring Committee – Action
9. Updated job description for Chief of Police / Criminal Investigator – Action
10. Claim for excessive assessment from Gross Brothers Enterprises, LLC for parcel 206-2214.0000 – Action
11. Claim for excessive assessment from Gross Brothers Enterprises, LLC for parcel 206-2214.0045 – Action
12. Convene in to closed session for the purpose of considering a proposed amendment to the Development Agreement with S.C. Swiderski, LLC and considering a Memorandum of Understanding with the Jackson County Sheriff's Department which is authorized under Section 19.85(1)(e) of the Wisconsin Statutes and confer with legal counsel regarding a proposed settlement agreement for multiple Gross Brothers Enterprises, LLC v City of BRF cases which is authorized under Section 19.85(1)(g) of the Wisconsin Statutes – Action

13. Reconvene in to open session to take or announce action, if any and if appropriate – Action

14. Meetings: Committee of the Whole **Wednesday, February 21, 2024 6:00 PM**

15. Adjourn

Posted: February 1, 2024

The Common Council met at City Hall in the City of Black River Falls on January 2, 2024 at 6:00 P.M. Alderpersons Dougherty, Gearing-Lancaster, Wussow, Brown, Ammann, and E. Rave were present. Alderpersons Olson and M. Rave attended remotely via Zoom meetings. Mayor J. Eddy presided.

It was moved by Alderperson M. Rave, seconded by Alderperson Gearing-Lancaster to dispense with the reading of the minutes of the December 20, 2023 Special Common Council meeting and approve as presented. Motion carried.

CITIZENS IN ATTENDANCE

There was 1 citizen in attendance via Zoom meetings.

COMMITTEE REPORTS

It was moved by Alderperson Ammann, seconded by Alderperson Wussow to place on file the minutes of the December 18, 2023 Utility Commission meeting. Motion carried.

The City Administrator advised the Council that the Black River Area Chamber of Commerce Board of Directors did not approve being designated as the organization to implement the 2024 BID Operating Plan. The BID Board will be meeting again January 4th to discuss options and a recommendation will be coming back to Council for consideration. Alderperson Dougherty serves as the Board President for the Chamber of Commerce and shared some of the topics that were discussed that led to the vote to decline.

The City Administrator advised the Council that Patrol Officer Riley Schmidt has submitted his letter of resignation indicating his final day of employment will be January 7, 2024. Officer Schmidt has accepted a position with the West Salem Police Department.

It was moved by Alderperson Brown, seconded by Alderperson Gearing-Lancaster to approve the Police Department's request to fill a vacant full-time Patrol Officer position. Motion carried.

The City Administrator advised the Council that Parks & Recreation Director Chad Duerkop has accepted the Parks & Recreation Director position for the City of Altoona and is expected to submit a letter of resignation effective January 2024.

It was moved by Alderperson Wussow, seconded by Alderperson Dougherty to approve the request to fill the vacant full-time Parks & Recreation Director position. Motion carried.

It was moved by Alderperson Ammann, seconded by Alderperson Dougherty to approve the updated Title VI / ADA Non-Discrimination Plan. Motion carried.

It was moved by Alderperson Wussow, seconded by Alderperson Gearing-Lancaster to convene in to closed session for the purpose of considering performance evaluation data of a city employee over which the governmental body has jurisdiction or exercises responsibility which is authorized under Section 19.85(1)(c) of the Wisconsin Statutes. Motion carried at 6:14pm.

It was moved by Alderperson Gearing-Lancaster, seconded by Alderperson Dougherty to reconvene in to open session to take or announce action, if any and if appropriate. Motion carried at 6:29pm.

The Mayor announced to those present and on-line that the Council was back in open session.

It was moved by Alderperson Olson, seconded by Alderperson E. Rave to adjourn. Motion carried at 6:31pm.

A. Brad Chown
City Administrator

Airport Commission Meeting

Thursday, October 12, 2023
5:30 p.m.
Black River Falls Area Airport

Commission Members Present: Desiree Gearing-Lancaster; Ed Chamberlain; Garth Rolbiecki; and Kylee Wussow.

Additional attendees: Airport Manager: Dale Klevgard/Jeff Casper, Assistant Manager
Guests/Presenters: Josh Holbrook, Engineer-Short-Elliott-Hendrickson; Mark Graczykowski, Bureau of Aeronautics, Madison WI and Tyler Leslie, Bureau of Aeronautics.

Meeting called to Order: Airport Commission Chairman, Desiree Gearing-Lancaster at 5:30 p.m.

Meeting Minutes from the May 2023 meeting approved and placed on file.

Agenda order changed in order to accommodate presenters/Guests in attendance to present information/proposals related to an "Airport Master Plan."

Informational sheet provided to commission members as to the Black River Falls Area Airport. Short-Elliott-Hendrickson Inc. staff presented information as to the components of the Airport Master Plan process. Explanation as to things to consider before beginning the master plan process and the advantages of master plan development. Considerations include challenges, goals for the airport, how the airport can better service users and the community, identification of stakeholders, and the master plan process, and vision. It was noted that the "Master Plan" is a roadmap to implementation, with the caveat that no two airports are alike. However, the master plan stages are the framework to customizing the master plan for each individual airport.

Economic viability and how to fund the vision discussed. Short-Elliott-Hendrickson and Bureau of Aeronautics staff described the process of planning a 20 year master plan vision, with the five essential steps of development. Discussion as to how to fund the master plan, and the availability of block grants noted. Block grants require an airport master plan. Available funding noted/capital improvement plan. Dollars are tracked for future spending consideration. Different pots of funding is available for infrastructure, with a "use it or lose it" component. It was reported that the cost of a master plan could be in the ballpark of $320,000 to $340,000. Funding can be utilized with entitlement money, and combined with other funding sources. FFA needs to approve via traffic count at the local airport. The master plan would be a living document, providing for revisions, as determined necessary over the timeframe of the master plan.

2021 Entitlement money/funding discussed, which could use infrastructure dollars the first year. It was reported that the 5% local share for the master plan would be around $9,000 or $10,000.

Airport Manager's Report: Approve Vouchers/Transactions: Airport Manager Dale Klevgard provided documents to commission members with included Month and Year-to-Date inventory information. Summery, Transactions by Category, included information related to fuel sales, airport utilization and current needs. It was reported that crack fill project was completed about two weeks prior; however, painting still needs to be done. This project may be completed in October 2023. **Motion made by Ed Chamberlain, seconded by Kylee Wussow, to approve reports, as presented and placed on file. All Commission members voted "aye."**

Airport Entitlements: Airport Manager Dale Klevgard provided documents to members entitled "Black River Falls Airport Federal Entitlement Summary 8/30/2023." **The year 2022 and 2023 entitlements deferred to future block grants.**

Hangar Lease Changes/FAA Hangar Use Policy: Airport Manager Klevgard reviewed status and led discussion as to possible changes to hangar leases and hangar use policy. The hangar's primary use is to house airplanes. This is not always the way that hangars are being used, at this time. Airport Manager Klevgard reported that there is currently a shortage of hangars, and he receives lots of phone calls/inquiries about hangar availability. Airport hangars are not designed for "personal storage." Information provided to commission members related to "Proposed Increase in Airport Revenues Sources." Largest operating cost increases since 2017 include the following: insurance, mowing, snow removal and utilities. Proposals were made to increase revenues to the Black River Area Airport. Current rates and proposed rates increases were presented by Airport Manager Klevgard. In terms of the proposed changes recommended, the airport could bring in an additional $4700 per year, in revenue.

Airport Hangar Site Lease Document presented and discussed: The need for articles and site leases to be in compliance for the use of airport hangars and an increase to lessee to 25 cents per square foot per year was proposed. It was proposed that the use of hangars be more closely monitored, as well. It was reported that 8-10 pilots recently inquired about the availability of hangars. It was also reported that all other expenses associated with the airport has increased. Airport Manager Klevgard will send out hangar site leases out by the end of October 2023.

The Commission agreed to charge a fee of $120.00 per month for those hangar owners who are in violation of the FAA Hangar Use Policy which requires an active and flyable aircraft to be housed in the hangar. The $120.00 fee was agreed upon as a comparative amount the hangar owner would be expected to pay for storage at an off airport storage unit.

Motion was made by Garth Rolbiecki; seconded by Kylee Wussow for this increase and the motion was passed with every commission member voting "aye." Motion made by Ed Chamberlain; seconded by Garth Rolbiecki, to approve the recommended changes to the Airport Hangar Site Lease. Motion passed with every member voting "aye."

Airport Manager's Position: Airport Manager Dale Klevgard discussed his interest in maintaining his position as Airport Manager, at this time. Manager Klevgard reported that he started his position in the year 2006. He reports spending approximately 8-10 hours at the airport per week. Manager Klevgard also discussed employee status as city employee versus an independent contractor. Airport Manager Klevgard proposed a discussion with Black River Falls City Administrator Brad Chown as to the advantages. It was noted that Airport Manager Dale Klevgard has a great partner in airport management with Jeff Casper, as Assistant Manager.

Motion to Adjourn: Motion to adjourn meeting made by Kylee Wussow; seconded by Ed Chamberlain. Motion approved, with all commission members voting "aye."

Respectfully Submitted:

Desiree Gearing-Lancaster

Desiree Gearing-Lancaster

A meeting of the Business Improvement District (BID) Board was held at City Hall on January 4, 2024 at 6:00 P.M. Board members Andrea Hoffman and Vincent Meyer were present. Board member Kylee Wussow attended remotely via Zoom meetings. Board member Duane Johnson was excused. Board member Lyall White was absent. City Administrator Brad Chown was also in attendance.

1. The City Administrator called the meeting to order at 6:00 pm.

2. The City Administrator advised the Board that the Black River Area Chamber of Commerce Board of Directors voted not to accept the designation to implement the 2024 BID Operating Plan.

3. There was lengthy discussion on how to move forward which included: by statute the responsibility to implement the Operating Plan falls back on the BID Board, start over and do it differently, form a group that can coordinate events and request funds, biggest problem is finding people willing and able to donate their time, run in to same situation the Downtown Association did, have a public hearing to get business and property owner input, absent having an organization to implement the plan it falls back on the BID Board, grant programs are not specifically in the operating plan and if those are to continue need to develop a process, The BID Board could designate a board member to administer the grants, and the BID Board or its designated member would be responsible for all required accounting and financial reports.

4. It was moved by Andrea Hoffman, seconded by Kylee Wussow to set next BID Board meeting on Monday, February 12, 2024 at 6:00pm at City Hall for a public hearing regarding the continuation of the Business Improvement District. Motion carried.

5. It was moved by Andrea Hoffman, seconded by Vincent Meyer to adjourn. Motion carried at 6:38 pm.

A. Brad Chown
City Administrator
City of Black River Falls

The Committee of the Whole met at City Hall in the City of Black River Falls on January 17, 2024 at 6:00 P.M. Alderpersons Gearing-Lancaster, Wussow, Brown, Ammann, and E. Rave were present. Alderpersons Olson, Dougherty, and M. Rave attended remotely via Zoom meetings. Mayor Jay Eddy presided.

1. There were no citizens in attendance.

2. The City Administrator advised. He was advised by the Sheriff that the Jackson County jail / justice center project may be stalled out. Waiting to hear back from the County Board Chair to see if the standing agenda item for this project should be removed from future agendas.

3. The Department Head monthly reports were reviewed. Department heads present were Darryl Nelson, Chad Duerkop, Interim Parks & Recreation Director Dain Crawford, Jody Stoker, Cara Hart, and Brad Chown.

4. The Parks & Recreation Director introduced Dain Crawford. Dain will be serving as Interim Parks & Recreation Director during the recruitment process. Chad enjoyed his time here, and those in attendance thanked Chad for his contributions.

5. The Fire Chief advised the department took delivery of a new engine (pumper) and will be working over the next several weeks to get it in service. R-4 is a 2014 ambulance and repairs are estimated at approximately $40,000 so may bring that back for approval to move forward with repairs versus spending $300,000 on a new ambulance.

6. It was moved by Alderperson Brown, seconded by Alderperson Wussow to award the bid for a compact track loader and attachments to St. Joseph's Equipment at a cost of $87,700.00. Motion carried.

7. It was moved by Alderperson Ammann, seconded by Alderperson Dougherty to approve filling the vacant Chief of Police/Criminal Investigator position. Motion carried.

8. Financial reports for December 2023 will be presented at a later date after all December invoices have been paid and expensed back to 2023.

9. It was moved by Alderperson Olson, seconded by Alderperson Wussow to adjourn. Motion carried at 6:22pm.

A. Brad Chown
City Administrator

A meeting of the Hiring Committee was held at City Hall in the City of Black River Falls on January 18, 2024 at 5:30pm. In attendance were Mayor Jay Eddy, Alderperson Desiree Gearing-Lancaster, Alderperson Travis Brown, Alderperson Gary Ammann, and City Administrator Brad Chown. Mayor Eddy presided.

1) The meeting was called to order by Mayor Eddy at 5:30pm.

2) The Parks & Recreation Director job description that was approved by Council on November 4, 2020 was reviewed. The normal work week will be updated to reflect the accurate schedule of Monday-Friday 7:00am-3:30pm.

3) It was moved by Alderperson Brown, seconded by Alderperson Ammann to set the application deadline for the Parks & Recreation Director position as February 16, 2024 and plan to schedule interviews the week of March 4-8, 2024. Motion carried.

4) It was moved by C.A. Chown, seconded by Alderperson Gearing-Lancaster to post the Parks & Recreation Director position on the city's website, on the city's Facebook page, in the Banner Journal & Shopper, with the Wisconsin Parks & Recreation Association (WPRA), with the League of Wisconsin Municipalities (LWM), and in the Arrow Shopper. Motion carried.

5) The proposed recruitment notice and print ad for the Parks & Recreation Director position were reviewed and finalized.

6) It was moved by Alderperson Ammann, seconded by Mayor Eddy to recommend the Common Council approve a revision to the Chief of Police/Criminal Investigator job description to add "or equivalent" after "Associate Degree" in the Education and Experience Requirements section. Motion carried.

7) It was moved by Alderperson Brown, seconded by Alderperson Gearing-Lancaster to set the application deadline for the Chief of Police/Criminal Investigator position as February 16, 2024 and plan to schedule interviews the week of March 4-8, 2024. Motion carried.

8) It was moved by Mayor Eddy, seconded by Alderperson Brown to post the Chief of Police/Criminal Investigator position on the city's website, on the city's Facebook page, in the Banner Journal & Shopper, on WILENET, and with the League of Wisconsin Municipalities (LWM). Motion carried.

9) The proposed recruitment notice and print ad for the Chief of Police/Criminal Investigator position were reviewed and finalized.

10) It was moved by Alderperson Ammann, seconded by Mayor Eddy to adjourn at 6:42pm. Motion Carried.

A. Brad Chown
City Administrator

BLACK RIVER FALLS UTILITY COMMISSION MEETING MINUTES

January 29, 2024

Utility Commission President John Lund called a meeting of the Black River Falls Municipal Utility Commission to order on January 29, 2024 at 4:29 p.m. in the Utility Conference Room at 349 South McKinley Street. Commissioners in attendance were Jeff Amo, Jay Eddy, Don Mathews, and Pete Olson (via telephone). Also present were General Manager Casey Engebretson, Electric Supt. Kevin LaValley, and Garrett Aleckson (Banner Journal).

A motion was made by Commissioner Eddy and seconded by Commissioner Mathews to approve the minutes from the December 18, 2023 regular meeting.

Aye: Lund, Amo, Eddy, Mathews, and Olson
Motion carried.

A motion was made by Commissioner Olson and seconded by Commissioner Amo to approve the accounts payable vouchers; CK #41754 - #41822; EP #100786 - #100793 – Totaling $1,159,218.21.

Aye: Lund, Amo, Eddy, Mathews, and Olson
Motion Carried.

The Commission reviewed 2023 year-end unaudited financial statements.

The Commission reviewed the December 2023 arrears.

Casey Engebretson outlined the need for a Simplified Water Rate case (SRC) in 2024. The Water Utility's Rate of Return for 2023 was only 0.87%, driven primarily by an increase in the cost of operations and unforeseen repairs. The last water rate increase was in 2019. A SRC typically results in an increase of 3-6%.

Casey Engebretson revisited a past discussion regarding the need for east side water system improvements. The City has been receiving inquiries from potential new businesses regarding vacant properties and it has been determined that the current water infrastructure lacks the capacity to support future growth. The Utility is currently conducting a water system study in an effort to determine system upgrade needs.

Casey Engebretson informed the Commission that the WWTP has completed the pilot study using a new lower cost chemical for phosphorus removal. The results were positive as the new chemical maintained effective phosphorus removal capabilities and low sludge production. WWTP staff plans to continue the use of this chemical.

Kevin LaValley updated the Commission on the voltage conversion project. Kevin stated we may be receiving the power transformer in late 2025 and other associated equipment in 2026. Kevin will continue to work with our electrical engineer on planning and procurement. Casey Engebretson added that he has been researching grant and funding opportunities.

Casey Engebretson informed the Commission of issues with the keyless entry and intrusion monitoring systems at the Operations Center. Casey was told by technicians with Johnson Controls, Inc. (JCI) that a

control box was bad and they wanted to replace all three (3) control boxes, since it was under warranty. JCI completed the work and subsequently sent the Utility an invoice for approximately $21,000. Casey refuted the invoice and is currently awaiting a response from JCI.

Casey Engebretson presented the Commission with a Community Contribution donation request from the BRFFD/National Fire Safety Council for fire prevention educational materials.

A motion was made by Commissioner Mathews and seconded by Commissioner Amo to approve a donation of $105.00.

Aye: Lund, Amo, Eddy, Mathews, and Olson
Motion Carried.

Casey Engebretson presented the current debt schedules with the Commission and a brief discussion ensued.

The next meeting is scheduled for February 26, 2024.

A motion was made by Commissioner Olson and seconded by Commissioner Eddy to adjourn the meeting at 5:05 p.m.

Casey Engebretson, General Manager

comm.mtg.minutes.1.29.2024

01/30/2024

Mayor Eddy and City Administrator Chown,

I am writing to inform you of my decision to resign from my position on the city council, effective 01/30/2024. It has been an honor to serve on the council as an Alderperson/President and represent our community for the past 6 years.

I have decided to move forward with pursing another avenue to assist the great citizens of Black River Falls, and can no longer hold the council position while pursuing this opportunity. I will miss representing the citizens and the camaraderie of the council. I would like to thank you and the citizens for the time we spent together in this official capacity.

Respectfully,

Travis P Brown

City of Black River Falls Job Description

POLICE DEPARTMENT

JOB TITLE: Chief of Police / Criminal Investigator

Department: Police Department
Direct Supervisor: City Administrator
Reports To: City Administrator / Mayor / Common Council
FLSA Status: Salary / Exempt

POSITION SUMMARY

The Chief of Police/Criminal Investigator is a Sworn Police Officer appointed by the Black River Falls Hiring Committee. Such appointment shall become effective on the approval of the full Common Council. The Chief/Investigator shall hold office, subject to suspension or removal by the Police and Fire Committee for cause, as defined in the Wisconsin State Statutes §62.13.

ESSENTIAL DUTIES AND RESPONSIBILITIES

- Serves as the Chief Executive Officer of the Police Department and is the final departmental authority in all matters of police administration and operations
- Has command of all City of Black River Falls Police Department employees
- Obeys all lawful orders of the City Administrator, Mayor and the Common Council.
- Exercises all lawful powers of the office of Chief of Police as provided for in Wis. Statute 62.09(13)
- Issues such lawful orders as are necessary to assure the effective and efficient operation of the Department
- Responsible for general supervision of the police department including planning, research, organization, budgeting, disciplinary actions, scheduling, training, crime prevention programs, and public relations
- Responsible for managing, supervising, directing, assigning, and evaluating subordinates.
- Responsible for meeting the department goals set by the Chief, the Mayor, and/or the Common Council
- Attends Committee of the Whole meetings, union negotiations, public speaking engagements relevant to the department, and other meetings to which assignment and notification are made
- Administration of and compliance with the collective bargaining agreement.
- Maintains all departmental personnel files/records and educational/training files
- Develops short and long term plans and goals for the Police Department
- Hiring, promoting, and disciplining according to the City Employee Handbook, the Police Department Policies & Procedures Manual, and the collective bargaining agreement when applicable
- Develops the Police Department's annual budget subject to Common Council approval
- Prepares and maintains all grants related to the Police Department
- Prepares, publishes, and distributes written directives pertaining to Police Department operations and ensures all directives are added to the department's Policies and Procedures Manual within 7 days of being issued.
- Prepare monthly department report for the Common Council / Committee of the Whole
- Provides an annual report to the Committee of the Whole no later than the third Wednesday in February. The report shall include the types of cases handled and the number of each, number of citizen complaints received and status of each, use of force situations and the status of each, and the financial accounting for all money raised through fundraising efforts sponsored by the department and/or the union representing the department officers.

- Reviews and endorses case reports submitted by officers under his/her command to ensure they are accurate and meet Department standards
- Conducts background investigations as directed
- Examines scene of crime to obtain clues and gather evidence
- Directs City personnel and outside agencies with regards to the crime scene to secure crime scene integrity
- Testifies before court and grand jury and appears in court as witness
- Ensures that laws and ordinances are enforced and that public peace and safety is maintained
- Cooperates and exchanges information with County, State, Tribal, and Federal law enforcement agencies as appropriate where activities of the Police Department are involved
- Coordinates activities with supervisors and other City departments
- Exchanges information with the District Attorney's Office, Circuit Court, asnd other government agencies
- Obtains advice from the City Attorney, Administrator, and Municipal Prosecutor's Office regarding cases, policies, and procedures
- Other duties as assigned

PERIPHERAL DUTIES

- Directs investigation of major crime scenes
- Performs the duties of subordinate personnel as needed
- Analyzes and recommends improvements to equipment and facilities as needed
- Schedules and conducts meetings

EDUCATION AND EXPERIENCE REQUIREMENTS

- Minimum of an Associate Degree, or equivalent, in police science or related field
- 10 years of full-time Law Enforcement Service with at least 3 of those years serving in a supervisory position are preferred.

KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED

Knowledge:

- Thorough knowledge of modern law enforcement principles and practices of Police Administration and Criminal Investigations.
- Thorough knowledge of Police Science, organization and operation as applied to field patrol activity, crime prevention, traffic patrol, criminal investigations, and various functional services utilized in police operations.
- Thorough knowledge of modern police communication methods and techniques
- Thorough knowledge of weaponry, public safety, and security operations, rules, regulations precautions, prevention, and the protection of people, data and property
- Thorough knowledge of laws, court procedures, precedents, government regulations, executive orders, agency rules and the democratic political process
- Thorough knowledge of state statutes, city ordinances and other regulations which apply to city property and facilities
- Thorough knowledge of the Incident Command System (ICS).

Skills:

- Excellent interpersonal skills in dealing with the public in enforcement situations required
- Utilize effective communication skills; be polite, courteous and professional in manner

- Problem Identification skills – identifying the nature of problems
- Social Perceptiveness skills – being aware of other' reactions and understanding why they react the way they do
- Critical Thinking skills – using logic and analysis to identify the strengths and weaknesses of different approaches
- Speech skills – talking to others to effectively convey information
- Active Listening skills – listening to what other people are saying and asking questions as appropriate
- Judgment and Decision Making skills – weighing the relative risks and benefits of a potential action
- Information Gathering skills – knowing how to find information and identifying essential information
- Active Learning skills – working with new material or information to grasp its implications
- Information Organization skills – finding ways to structure to classify multiple pieces of information
- Writing skills – communicating effectively with others in writing as indicated by the needs of the situation

Abilities:

- Documenting/Recording Information – entering, recording, storing, or maintaining information in written, oral and/or electronic data format
- Resolving Conflict, Negotiating with Others – handling complaints, arbitrating disputes, resolving grievances or otherwise negotiating with others
- Communicating with Other Workers – observing, receiving, and otherwise obtaining information from all relevant sources via contact with supervisors, fellow workers and subordinates, the public, government and other external sources
- Operating Vehicles or Equipment – running, maneuvering, navigating, or driving vehicles or mechanized equipment
- Performing General Physical Activities – performing physical activities that require moving one's whole body, such as in climbing, lifting, balancing, walking, stooping, where the activities often also require considerable use of the arms and legs such as in physical handling of persons or objects
- Establish and Maintain Relationships – developing constructive and cooperative working relations among the county and other agencies
- Ability to read and interpret documents and laws in the English language
- Ability to listen to and understand information and ideas in spoken and written format so individuals may effectively understand and convey communications
- Ability to add, subtract, multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals
- Ability to compute rate, ratio, and percent
- Ability to apply common sense understanding to carry out instructions furnished in written, oral, or diagram form
- Inductive and deductive reasoning – ability to combine separate pieces of information, or specific answers to problems, to form general rules or conclusions; includes coming up with a logical explanation for why a series of seemingly unrelated events occur together and deciding if an answer makes sense

CERTIFICATES, LICENSES, REGISTRATIONS

- Possess and maintain valid Wisconsin Driver's License that will allow unrestricted performance of Patrol Sergeant duties
- Maintain up-to-date certifications, licenses, and registrations.

- Must meet all the requirements of the State of Wisconsin Law Enforcement Standards Board and hold current certification as a Law Enforcement Officer in the State of Wisconsin.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The employee is regularly required to stand, walk, use hands to finger, handle or feel objects; reach with hands and arms, hear and talk. The employee frequently is required to run, sit, stoop, kneel, crouch, crawl, climb, balance, taste and smell. Required to regularly lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus. Vision must be correctable to 20/20. Weak eye corrected vision can be 20/30. Specific hearing: no more than a correctible 20 decibel hearing loss in either ear at 1000, 2000, 3000 and 4000 hertz.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The employee is regularly exposed to wet or dry conditions, outside weather conditions, variations from extreme cold to extreme heat. The employee is exposed to moving parts, high precarious places, fumes or airborne particles, risk of electrical shock, occasional exposure to toxic or caustic chemicals, and vibration, and any other type of environment normal for the course of this job.

WORK SCHEDULE

The normal work week is Monday through Friday 8:00am-4:30pm. The Chief/Investigator will also be expected to attend the monthly Committee of the Whole meeting, other meetings as needed and work varying hours as needed for investigations and other department business.

This job description should not be interpreted as all inclusive. It is intended to identify major responsibilities and requirements of the job. The incumbents may be requested to perform job-related responsibilities and tasks other than those stated on this description.

This job description does not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs of the employer and the requirements of the job change.

The City of Black River Falls is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Reinhart

Reinhart Boerner Van Deuren s.c.
P.O. Box 2018
Madison, WI 53701-2018

22 East Mifflin Street
Suite 700
Madison, WI 53703

Telephone: 608-229-2200
Facsimile: 608-229-2100
reinhartlaw.com

Don M. Millis
Direct Dial: 608-229-2234
dmillis@reinhartlaw.com

January 29, 2024

CLAIM FOR EXCESSIVE ASSESSMENT

SERVED BY PROCESS SERVER

A. Brad Chown, City
Administrator/Clerk/Treasurer
City of Black River Falls
City Hall
101 South Second Street
Black River Falls, WI 54615

Dear Clerk: Re: Tax Parcel No. 206-2214.0000

Now comes Claimant, Gross Bros. Enterprises, LLC, owner of parcel 206-2214.0000 (the "Property") in Black River Falls, Wisconsin, by Claimant's attorneys Reinhart Boerner Van Deuren s.c., and files this Claim for Excessive Assessment against the City of Black River Falls (the "City"), pursuant to Wis. Stat. § 74.37. You hereby are directed to serve any notice of disallowance on the undersigned agent of the Claimant.

1. This Claim is brought under Wis. Stat. § 74.37(3)(d), for a refund of excessive real estate taxes imposed on Claimant by the City for the year 2023, plus statutory interest, with respect to the Property.

2. Claimant is the owner of the Property, is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 101 South Second Street in the City.

4. The Property is located at 1009 Commerce Drive, within the City and is identified in the City's records as Tax Parcel No. 206-2214.0000.

5. The Wisconsin Department of Revenue determined that the aggregate ratio of property assessed in the City was 69.756257% as of January 1, 2023.

6. For 2023, property tax was imposed on property in the City at the rate of $26.426074 per $1,000 for of the assessed value for Property.

7. For 2023, the City's assessor set the assessment of the Property at $2,847,500.

8. Claimant appealed the 2023 assessment of the Property by filing a timely objection with the City's Board of Review pursuant to Wis. Stat. § 70.47 and otherwise complying with all of the requirements of Wis. Stat. § 70.47, except Wis. Stat. § 70.47(13).

9. The City's Board of Review without justification unlawfully denied Claimant a hearing and dismissed its objection.

10. The assessment of the Property for 2023 remained the same as the 2022 assessment. Therefore, Claimant is entitled to pursue a claim for assessment and refund pursuant to *Duesterbeck v. Town of Koshkonong*, 2000 WI App 6, 232, Wis. 2d 16, 605 N.W.2d 904.

11. The City imposed tax on the Property in the amount of $75,248.25.

12. Claimant timely paid the property taxes imposed by the City on the Property for 2023, or the required installment thereof.

13. The fair market value of the Property as of January 1, 2023 was no higher than $2,043,000.

14. Based on the aggregate ratio 69.756257%, the correct assessment of the Property for 2023 is no higher than $1,425,120.

15. Based on the tax rate of $26.426074 per $1,000 of assessed value, the correct amount of property tax on the Property for 2023 should be no higher than $37,660.

16. The 2023 assessment of the Property, as set by the City's Board of Assessors and compared with other properties in the City was excessive and, upon information and belief, violated Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution. As a result, the property tax imposed on the Property for 2023 was excessive in at least the amount of $37,588.

17. Upon information and belief the City will take the position that the assessment of property in the City is at market value and, if true, then an over assessment of the Property constitutes a Uniformity Clause violation. As a result of the assessment of the Property, the Property bears an unreasonably disproportionate share of taxes on an ad valorem basis.

18. Claimant is entitled to a refund of 2023 tax in the amount of $37,588, or such greater amount as may be determined to be due to Claimant, plus statutory interest.

19. The amount of this claim is $37,588, plus interest thereon.

Dated at Madison, Wisconsin, this 29th day of January, 2024.

Sincerely,

Don M. Millis
Agent for Claimant

51150165

Reinhart

Reinhart Boerner Van Deuren s.c.
P.O. Box 2018
Madison, WI 53701-2018

22 East Mifflin Street
Suite 700
Madison, WI 53703

Telephone: 608-229-2200
Facsimile: 608-229-2100
reinhartlaw.com

Don M. Millis
Direct Dial: 608-229-2234
dmillis@reinhartlaw.com

January 29, 2024

CLAIM FOR EXCESSIVE ASSESSMENT

SERVED BY PROCESS SERVER

A. Brad Chown, City
Administrator/Clerk/Treasurer
City of Black River Falls
City Hall
101 South Second Street
Black River Falls, WI 54615

Dear Clerk: Re: Tax Parcel No. 206-2214.0045

Now comes Claimant, Gross Bros. Enterprises, LLC, owner of parcel 206-2214.0045 (the "Property") in Black River Falls, Wisconsin, by Claimant's attorneys Reinhart Boerner Van Deuren s.c., and files this Claim for Excessive Assessment against the City of Black River Falls (the "City"), pursuant to Wis. Stat. § 74.37. You hereby are directed to serve any notice of disallowance on the undersigned agent of the Claimant.

1. This Claim is brought under Wis. Stat. § 74.37(3)(d), for a refund of excessive real estate taxes imposed on Claimant by the City for the year 2023, plus statutory interest, with respect to the Property.

2. Claimant is the owner of the Property, is responsible for the payment of property taxes and the prosecution of property tax disputes involving the Property and is authorized to bring this claim in its own name.

3. The City is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 101 South Second Street in the City.

4. The Property is located at 1011 Commerce Drive, within the City and is identified in the City's records as Tax Parcel No. 206-2214.0045.

5. The Wisconsin Department of Revenue determined that the aggregate ratio of property assessed in the City was 69.756257% as of January 1, 2023.

6. For 2023, property tax was imposed on property in the City at the rate of $26.426074 per $1,000 for of the assessed value for Property.

7. For 2023, the City's assessor set the assessment of the Property at $2,353.000.

8. Claimant appealed the 2023 assessment of the Property by filing a timely objection with the City's Board of Review pursuant to Wis. Stat. § 70.47 and otherwise complying with all of the requirements of Wis. Stat. § 70.47, except Wis. Stat. § 70.47(13).

9. The City's Board of Review without justification unlawfully denied Claimant a hearing and dismissed its objection.

10. The assessment of the Property for 2023 remained the same as the 2022 assessment. Therefore, Claimant is entitled to pursue a claim for assessment and refund pursuant to *Duesterbeck v. Town of Koshkonong*, 2000 WI App 6, 232, Wis. 2d 16, 605 N.W.2d 904.

11. The City imposed tax on the Property in the amount of $62,180.56.

12. Claimant timely paid the property taxes imposed by the City on the Property for 2023, or the required installment thereof.

13. The fair market value of the Property as of January 1, 2023 was no higher than $1,989,000.

14. Based on the aggregate ratio 69.756257%, the correct assessment of the Property for 2023 is no higher than $1,387,452.

15. Based on the tax rate of $26.426074 per $1,000 of assessed value, the correct amount of property tax on the Property for 2023 should be no higher than $36,665.

16. The 2023 assessment of the Property, as set by the City's Board of Assessors and compared with other properties in the City was excessive and, upon information and belief, violated Article VIII, Section 1 (i.e., the Uniformity Clause) of the Wisconsin Constitution. As a result, the property tax imposed on the Property for 2023 was excessive in at least the amount of $25,516.

17. Upon information and belief the City will take the position that the assessment of property in the City is at market value and, if true, then an over assessment of the Property constitutes a Uniformity Clause violation. As a result of the assessment of the Property, the Property bears an unreasonably disproportionate share of taxes on an ad valorem basis.

18. Claimant is entitled to a refund of 2023 tax in the amount of $25,516, or such greater amount as may be determined to be due to Claimant, plus statutory interest.

19. The amount of this claim is $25,516, plus interest thereon.

Dated at Madison, Wisconsin, this 29th day of January, 2024.

Sincerely,

Don M. Millis
Agent for Claimant

51150353