

November 26, 2024

*Via U.S. Mail and E-mail*

Ms. Jennifer Poyer  
Deputy Clerk  
Kronenwetter Municipal Center  
1582 Kronenwetter Drive  
Kronenwetter, WI 54455

RE: Village Attorney Services Proposal

Dear Ms. Poyer,

Thank you for the opportunity to present a proposal for the provision of general legal services to the Village of Kronenwetter. Enclosed please find a copy of our municipal services brochure describing the background and qualifications of myself and the members of the municipal practice group, and a representative listing our municipal clientele.

Axley Brynelson is a full service law firm, comprised of more than 60 attorneys, with offices in Madison, Waukesha, and Janesville. We serve as general counsel to over 50 municipal entities throughout the State of Wisconsin, including several intergovernmental entities. We also serve many municipalities on specific legal matters. As such, we are fully versed in all aspects of municipal law.

We firmly believe the best way to provide cost-effective and timely municipal service is to combine the expertise of many different municipal attorneys of varying specialties, with the responsiveness of a single point of contact. By utilizing individuals with specific expertise to suit the issue, and specifically trained non-attorney municipal staff, I am confident we can provide service as cost effectively as our competitors, notwithstanding any variation in hourly rates.

To that end, the undersigned would serve as the Village Attorney and bear overall responsibility for all legal services to the Village, with support from other of the firm's municipal attorneys, paralegals, and non-municipal specialists as appropriate for specific matters. In that way, the Village would have a single point of contact but benefit from the resources of a large firm. I would be available by cell phone on a 24/7 basis.

While I am based in Madison, we have found that modern communication technology allows us to represent local governments throughout the state in a cost-effective manner. We will attend in person meetings at any time Village officials deem it appropriate.

With regard to the specific information sought in the request for proposals:

## **1. Experience and qualifications of the firm**

It would be difficult to list recent municipal experience as requested in the RFP. As mentioned above, we represent numerous municipalities. We, therefore, undertake dozens of municipal matters in any given day. Speaking simply for myself, I would list the following as recent experiences:

- Successfully represented a metropolitan sewerage district in a rate dispute with several municipalities before the Public Service Commission.
- Successfully pursued several structural rate cases, including one currently before the Wisconsin Supreme Court.
- Drafted numerous municipal contracts; such as construction of a fire station, village hall, police station, water tank and associated well; solid waste services; water tank telecommunications leases; municipal boundary agreements; intergovernmental service agreements.
- Overseeing the negotiation and drafting of development agreements for numerous TIF developments valued at over \$130 million within the last year.
- Currently representing a township in efforts to incorporate as a village.
- Advising clerks on a variety of election related matters.
- Drafting ordinances and resolutions on a weekly basis.
- Handling various types of land acquisitions, including sales, purchases, and acquisitions through eminent domain.

Please also refer to the attached municipal services brochure for a detailed overview of our expertise in municipal matters. These matters are specifically discussed on pages 4 through 6, and a listing of other municipal clients is included on page 7.

My philosophy in providing municipal services is simple -- the ability of myself, and all of the people associated with me, to support our families depends on our clients being satisfied with our work. Absent a catastrophe, all phone calls and emails will be returned or responded to within 24 hours, usually within a couple of hours. All tasks are assigned an internal deadline and responsible attorney. They are then tracked by my assistant and discussed with me each morning to ensure they are fulfilled within the Village's timeline. I welcome, and will seek out, constructive criticism in an effort to constantly improve our service. I believe the best indication of my dedication to providing the best possible service is the fact that I still represent every municipality, less one, that has hired me in my entire 34-year career.

## **2. Proposed Attorney or Attorneys**

I would be the lead attorney for the Village and responsible for all the work performed for the Village. Other attorneys of the firm's municipal practice would also regularly perform work for the Village as appropriate based on their specific expertise:

Michelle Martin  
Lori Lubinsky  
Kathryn Sawyer Gutenkunst  
Robert Procter  
Danielle Tierney  
Connor Mooney  
Christopher Nelson  
Michael Van Kleunen

Detailed biographies for each of the above attorneys and myself are included in the attached municipal practice group members brochure.

As a full service law firm, Axley Attorneys possesses the necessary resources to provide comprehensive support to the Village. The municipal practice group is supported by a dedicated municipal paralegal and numerous legal assistants. Village personnel would have our cell phone numbers for availability 24/7. The firm maintains an extensive law library supervised by a dedicated law librarian. In addition, we maintain an information technology department of five full-time IT professionals. They, together with the law librarian, maintain our access to most computerized legal systems.

A conflict check was done for municipalities near the Village of Kronenwetter, and no potential conflicts were discovered. To the extent any conflict should arise, we would seek to obtain conflict waivers if appropriate. If we are unable to obtain a conflict waiver, we will secure substitute counsel for each party as required by the code of ethics.

### 3. References

I have listed three references as that is what was requested in the RFP. However, I am proud to say I have a good working relationship with all of the public officials with whom I work. I would encourage you to contact the leadership of any municipality for whom we serve. I am confident any of which we represent will speak well of the service we provide.

Mr. Marc Houtakker  
Interim City Administrator/Finance Director  
City of Monona  
Phone: (608) 222-2525  
Email: mhoutakker@ci.monona.wi.us

Mr. Alan Wildman  
Village Administrator  
Village of Prairie du Sac  
Phone: (608) 643-2421  
Email: awildman@prairiedusac.net



Ms. Tina Butteris  
Village Administrator  
Village of Windsor  
Phone: (608) 888-0066  
Email: tina@windsorwi.gov

#### 4. Compensation

Services would be billed as follows to the nearest 1/10<sup>th</sup> of an hour by all attorneys:

General Municipal/Municipal Court Matters	\$264 per hour
Litigation Matters	\$287 per hour
TIF/Development/Other Matters	\$366 per hour

Fees are revised annually at the beginning of each year. Itemized invoices are sent on a monthly basis and payment is requested within 30 days.

All out-of-pocket expenses would be charged at cost without administrative write-up and supported by invoices provided upon request. Travel fees would be billed at the standard business mileage reimbursement rate set annually by the IRS. Our office is equipped with videoconferencing capabilities (Zoom, Teams, etc.) to allow for remote appearances at meetings as requested.

It is likely our hourly rates will not be the lowest of our competitors. However, I am confident we can fulfill the responsibilities to the Village at a lower total cost. To that end, I would encourage you to request the monthly invoices for any of our communities (they are all obviously public record) and compare them to the monthly invoices of any of the other firms you are considering.

Thank you for your time and consideration. Please feel free to contact me if I can provide any further information.

Very truly yours,

AXLEY BRYNELSON, LLP



William S. Cole  
WSC:hgm

Enclosures