



October 24, 2023

## MEMORANDUM

**TO:** Village President Voll and Village Board Members  
**CC:** Lisa Kerstner, Finance Director  
**FROM:** Kim Manley, Interim Administrator  
**SUBJECT:** Legal Services

In accordance with Gen-001 Consultant Access; Procedure #3 - the Administrator is to make the Village Board aware when the legal services budget line is expected to be completely expended or have a possibility of going over budget.

The information I have at this moment in time shows \$7,891.83 (equals 42.65 hours) remaining in the budget line. Based on the following items that are still being worked on by the Attorney I believe we will go over that amount by year end. A recap of the items that are still pending or being worked on are (Note: Some are not in the General Fund #100):

- 1.) Cell Tower Appeal, Meeting Attendance and possible follow up afterward.
- 2.) Denyon Homes – TID #2 – Land Sale – Pending – legal documents are prepared – deed, etc. but closing date has not been set.
- 3.) Zoning Code Updates – CUP near completion(?), will there be additional work on the zoning code?
- 4.) Meeting with new Director of Public Works & Utilities approved by Village President – 10/26.
- 5.) Work on a Background Waiver Form that was started when the prior Interim Administrator was here-found while cleaning up older emails from prior Administrator. *Put on hold due to cost of review.*
- 6.) Responses to two Class Action Lawsuits notices received needing legal review for possible action by the Village Board – we are not being sued we are part of the “class” that would benefit from the legal action – if we qualify. Finance Director and Director of Public Works & Utilities are working with the Attorney.
- 7.) Looking to the future – would there be possible meeting attendance?
- 8.) Social Media Policy – staff has written but will need review. *I have not authorized it to go any further because of cost for review.*
- 9.) Amended ordinance – per APC 10/24/23 meeting directive - send to Attorney to write amendment.
- 10.) New policies coming per APC 10/24/23 meeting – Finance Director is preparing drafts, possible review.

I have asked the Finance Director to monitor this and inform the Village Board.

Kim Manley,  
Interim Administrator

VILLAGE OF KRONENWETTER  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 10 MONTHS ENDING OCTOBER 31, 2023

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>GENERAL GOVERNMENT</u>					
100-51000-108-110	1,700.00	14,600.00	33,000.00	18,400.00	44.2
100-51000-108-151	130.07	1,117.05	2,524.50	1,407.45	44.3
100-51000-108-320	172.50	458.78	4,778.00	4,319.22	9.6
TOTAL GENERAL GOVERNMENT	2,002.57	16,175.83	40,302.50	24,126.67	40.1
<u>MUNICIPAL COURT</u>					
100-51200-100-333	1,345.17	8,430.41	12,000.00	3,569.59	70.3
TOTAL MUNICIPAL COURT	1,345.17	8,430.41	12,000.00	3,569.59	70.3
<u>DEPARTMENT 250</u>					
100-51250-352-000	.00	.00	25,000.00	25,000.00	.0
TOTAL DEPARTMENT 250	.00	.00	25,000.00	25,000.00	.0
<u>LEGAL</u>					
100-51300-302-000	4,116.25	37,108.17	45,000.00	7,891.83	82.5
TOTAL LEGAL	4,116.25	37,108.17	45,000.00	7,891.83	82.5
<u>DEPARTMENT 400</u>					
100-51400-460-000	358.86	15,689.75	10,000.00	( 5,689.75)	156.9
100-51400-470-000	1,385.05	10,492.60	13,000.00	2,507.40	80.7
100-51400-485-000	3,358.80	108,730.75	152,500.00	43,769.25	71.3
100-51400-510-000	.00	17,051.11	25,000.00	7,948.89	68.2
100-51400-512-000	.00	1,676.49	4,900.00	3,223.51	34.2
100-51400-516-000	150.00	755.33	500.00	( 255.33)	151.1
100-51400-517-000	.00	.00	350.00	350.00	.0
TOTAL DEPARTMENT 400	5,252.71	154,396.03	206,250.00	51,853.97	74.9

**OCTOBER ACTIVITY - LEGAL SERVICES**

<b>Date:</b>	<b>Subject:</b>	<b>Authorized By, For or Due To:</b>
10/2/2023	CLIPP - Kowalski Road Agenda Item/Truck Regulations, etc.	CLIPP Meeting
10/2/2023	3M Class Action Lawsuit - sent for review and possible action by VB	KM/Legal Review
10/4/2023	Notice of Claims - Responses - Preparation 10/09 VB Meeting	VB Insurance Claim
10/4/2023	10/09 Attendance Okay'd by Chris Voll	VP
10/9/2023	VB Meeting Attendance	VP
10/10/2023	Bankruptcy Notice - Response Required - Utilities	Water & Sewer Utility
10/11/2023	Plan Commission - CUP Ordinance	PW/Zoning
10/12/2023	Levy Limit - Fire Dept. Charges Impact	Fire Dept. - Charges/Fee
10/12/2023	Audit Management Letter Response	LK
10/16/2023	Pete Wegner & Staff - Cell Tower Files	VB Ordinance/Process
10/17/2023	Sample Notice of Claim Letter Sent as Directed by VB Action	VB Ordinance/Process
10/18/2023	Response to Staff - Cell Tower Appeal	VB Ordinance/Process
10/18/2023	Inquiries to Zoning & DPW	PW/Zoning
10/18/2023	Send Attorney update from APC meeting - Rewrite Ordinance - Agenda Setting	APC
10/19/2023	Inquiries to Zoning & DPW	PW /Zoning
10/20/2023	VP Voll approved setting up a meeting with the new DPW & Zoning to go over various items - meeting 10/26	VP
10/23/2023	Denyon Homes - Status Concern - Closing?	VB Approved Sale/TID #2
10/23/2023	Background Waiver Form - prior to KM - not followed up on after DM left	DM
10/23/2023	Trustee Charneski - Open Records Request for Emails from 09/19 to 09/27 for Administrator, Attorney, Village President - RE: Gen-001	ORR
10/23/2023	Trustee Charneski - Open Records request for emails from Attorney, Administrator for 8/2, 8/9, 8/15, 8/16, 8/21, 8/28, 8/29, 9/1, 9/11, 9/21, 9/22 and 9/25.	ORR
10/23/2023	Trustee Charneski - Open Records Request for follow up emails to phone conversations between Attorney, Village President 8/16 and 9/1 and Attorney and Chief of Police 8/22 and 9/7	ORR
10/24/2023	Email from/to Trustee Charneski - Elections - FYI only	KM
10/24/2023	Cell Tower - Notice to VB to Read/Materials	VB Ordinance/Process
10/24/2023	Email to VB - Cell Tower Appeal	VB Ordinance/Process
10/27/2023	Attorney to draft response to Marathon County - Zoning	Zoning
10/27/2023	Attorney/Staff - 3M Lawsuit - PFAS - benefit to Village	Water Utility
10/30/2023	Emailed Atty/DPW/VP - Response to DPW Email - 3M Lawsuit - Meeting	Water Utility
10/30/2023	FYI email - "Do Not Reply" option	KM

KM - Kim Manley

CLIPP - Community Life, Infrastructure and Personal Property

VP - Village President Voll

PW/Zoning - Planning Commission / Zoning

VB/TID #2 - Developer's Agreement Approved by VB/RDA Prior to KM

DM - Dan Mahoney - approved or started prior to KM

ORR - Open Records Requests

LK - Finance Director Lisa Kerstner



<b>POLICY ID: GEN-001</b>		<b>TITLE: Use Of and Access to Village Consultants</b>	
<input type="checkbox"/> ORIGINAL	<input checked="" type="checkbox"/> REVISION	<b>APPROVED BY VILLAGE BOARD:</b> <i>Chad J. [Signature]</i> Village Clerk	<b>DATE:</b> 12/21/2021
<b>EFFECTIVE DATE: Immediate</b>			
<b>APPLIES TO:</b>		<input checked="" type="checkbox"/> FLSA EXEMPT	<input checked="" type="checkbox"/> FLSA NON-EXEMPT
		<input checked="" type="checkbox"/> REPRESENTED EMPLOYEES	<input checked="" type="checkbox"/> Non-REPRESENTED EMPLOYEES
<i>This policy applies to all Village of Kronenwetter employees in the categories checked in this section. Provisions within individual personal contracts or a collective bargaining agreement may supersede certain parts of this policy.</i>			

**Purpose** - It is in the best interest of the Village to have elected officials who are fully informed through information readily available from hired consultants. In order to control costs when using outside consultants, the Village Administrator shall monitor all consultants' work, be responsible for approving their bills, and shall have the responsibility for managing their budgets. Outside consultants shall be defined as attorneys, auditors, accountants, engineers, management consultants, and other outside professionals paid a flat fee per project or an hourly consulting rate by contract or on an as needed basis.

Consulting firms retained by the Village shall be provided a copy of this policy, which shall be signed by the firm's representative and placed on file with the Village Clerk.

**Procedure** - The procedure for access to consultants shall be as follows:

1. Regarding consulting engineers, the Director of Public Works or the Community Development Director shall be the primary contact, and responsible for the efficient use of consultant services. The Village Administrator shall monitor the use of these consultants and provide notice of potential or actual cost overruns to the Director and the Village Board in order to control costs while receiving necessary services.
2. Regarding accountants and financial advisors, the Village Treasurer shall be the primary contact, and responsible for the efficient use of consultant services. The Village Administrator shall monitor the use of these consultants and provide notice of potential or actual cost overruns to the Village Treasurer and the Village Board of accountants and financial advisors in order to control costs while receiving necessary services.
3. In the case of the use of Village legal advisors, the Village Administrator or Village President may authorize in written form, specific Department Heads or Village Trustees to contact the Attorney representing the Village on a specific matter. Contact with Village legal advisors by employees, elected officials or Committee/Commission/Authority members is prohibited unless advanced authorization is received from the Village Administrator, Village President, or responsible Department Head. The Village Administrator shall monitor the cost of legal advisors and provide notice of potential or actual cost overruns to the Village Board in order to control costs while receiving necessary services.
4. The following steps shall be taken to research questions raised by staff or trustees before outside consultants are contacted:
  - a. Staff or trustees needing information about a project or issue should first contact the department head for answers or background information.
  - b. If the Administrator or staff cannot provide a reliably accurate answer to the question, the Administrator shall contact the appropriate consultant or authorize the department head to do the same.

- c. Whenever possible, all staff or elected official contact with consultants shall be in written form. Telephone or in-person conversations shall be followed up by an email documenting all pertinent points of the conversation.
5. All responses by Village staff to information requests involving consultants shall include the full text of the question asked of the consultant, and the consultant's reply.
6. In all cases, it is recognized by the Village Board that the Village of Kronenwetter is the client/beneficiary of all taxpayer funded consultant services. As such, any and all elected officials are representatives of that client. All information obtained from any consultant current or past shall be made readily, completely, and promptly available to any elected official requesting it.
7. No information shall be denied without a documented legal reason for doing so, and confidential information shall be clearly identified as such along with the reason for that restricted status.