

## Staff suggests 'average' cost of copying Village records

**SHOREWOOD, Wis. (May 1, 2004)** -- The Wisconsin legislature did not state an exact price but it was pretty specific about how a governmental entity should determine how much to charge for copies of public records.

After signing a Settlement Agreement in *Davidian v. Village of Shorewood* on April 19, 2004, in which Village officials vowed to have staff determine the actual costs of making Photocopies and agreed to institute a revised schedule of charges, Madere's interim replacement, James Bartnicki, suggested that as a compromise the cost of copying public records be set at 15 cents per page, across the board.

*'An authority may impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the record, unless a fee is otherwise specifically established or authorized to be established by law.'* Wisconsin statutes

But documents obtained from Village Hall this week suggest that Shorewood has been charging as much as six times the 'actual, necessary and direct cost' for copies of records requested from former Village Manager Edward Madere's Office, and nearly 175% the 'actual, necessary and direct cost' of record copies from the Village clerk.

[Here](#) is Mr. Bartnicki's recommendation.

After reviewing Mr. Bartnicki's suggestions, ShorewoodVillage.com has proposed an alternative schedule of charges, based not on compromise but on actual costs.

"Actual costs" are not something that are negotiated. They are the "actual costs" associated with providing Photocopies of public records to the public. Actual costs are not a rounded off number meant to make it easy for government employees to make change, and actual costs are not an average meant to simply deny the government a profit from the service.

Actual costs are actual costs. It cannot be much clearer. [Here is our letter.](#)

## Some questions for the Village Board to ponder this year

**SHOREWOOD, Wis. (May 2, 2004)** — When the newly configured Village Board gathers Monday for the first time since Trustee-Elect Michael Phinney's election, they will be met by a plate filled with left-over garbage that has been piling up for years.

One of the most pressing issues is whether the Village is getting adequate legal counsel from Crivello, Carlson & Mentkowski, the by-the-hour Milwaukee firm that handles plea bargains in Municipal Court, prosecutions for ordinance violations and Village business such as property condemnation.

A review of the [legal bills](#) submitted over the past several years suggests the firm is imprecise in its billing, lumping together numerous matters in a way making it impossible to determine which department is utilizing how much legal access.

The bills also show that the Village is paying an hourly rate to the Village's attorneys to cut deals with

attorneys representing drunk drivers and other offenders. Any ordinance violator can call the Village's lawyers to cut a deal, and the taxpayers pay by the hour. That is, the village attorneys fix tickets for violators and bill the Village for their time. In addition, Trustees call for advice; so do department heads and reporters, but the billing is so imprecise it is impossible to determine how much time was spent giving advice to whom.

Former Village President Rodney Dow calls Village Attorney Raymond Pollen without authority to do so, and Pollen bills the Village.

Not until Village employees and officials keep their own records of contacts with the Village attorney and rules are created determining when a call for advice is warranted will the Board be able to decide the issue that could resolve this problem: Would the Village get more bang for the buck hiring a full-time village attorney?

In the meantime, the village attorney must be directed to report with specificity in bills, delineating each expenditure of time by department, issue, person spoken with and length of time.



Village Attorney Raymond Pollen

### News you can use

**MONDAY, MAY 3, 2004**

**At the Village Center, 3920 N. Murray Ave., Shorewood:**

**5:00 p.m. -- [Shorewood Library Board of Trustees](#)**

**At Village Hall, 3930 N. Murray Ave., Shorewood:**

**6:30 p.m. -- [Budget & Finance Committee](#)**

- [Accounts payable](#)
- [Replace DCD inspection personnel](#)
- [Consider copy charge ordinance](#)
- [Consider filling police clerk vacancy](#)
- [Consider sidewalk replacement bids](#)
- [Consider hiring part-time public works typist](#)
- Fund balance update
- Other matters authorized by law

**7:15 p.m. -- [Judiciary, Personnel & Licensing Committee](#)**

- Operator's licenses for Scott L. Powers and Franz J. Buchholz
- Food dealer's license: AFC Sushi, Pick 'n Save
- Other matters authorized by law

**7:15 p.m. -- [Police & Fire Committee](#)**

- [Consider authorizing 2nd Police Citizen's Academy](#)
- [Discuss creation of Village security policy](#)
- Other matters authorized by law

**7:30 p.m. -- [Shorewood Board of Trustees regular meeting](#)**

**WEDNESDAY, MAY 5, 2004**

**At the Shorewood High School library**

**7:30 P.M. -- [Village Board/ School Board meeting](#)**

## New Village Board Committee assignments announced

**SHOREWOOD, Wis. (April 28, 2004)** – Village President Mark Kohlenberg has reconfigured trustee membership on boards and committees following the departure of former Trustee Vida Langenkamp and the election of Michael Phinney to replace her.

The new committee membership effective May 3 is as follows:

### **Streets and Buildings**

**Chair:** Jim Rice  
Ellen Eckman, Mike O'Brien

### **Budget and Finance**

**Chair:** Kellie Lang  
Guy Johnson, Michael Phinney

### **Community and Business Development**

**Chair:** Ellen Eckman  
Mike O'Brien, Jim Rice

### **Development and Long Range Planning**

**Chair:** Guy Johnson  
Michael Phinney, Kellie Lang

### **Police and Fire**

**Chair:** Mike O'Brien  
Ellen Eckman, Jim Rice

### **JP&L**

**Chair:** Michael Phinney  
Guy Johnson, Kellie Lang

### **Outside Committees and Boards:**

**Health** - Jim Rice  
**Plan Commission** - Guy Johnson  
**Police Commission** - Mike O'Brien  
**CDA** - Ellen Eckman and Michael Phinney  
**BID** - Michael Phinney

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