

Village Board Meeting
October 12, 2015

Call to Order: The meeting was called to order at 7:00 p.m. by President Howells.

Roll Call of Officers: Officers present were President Rich Howells, Trustees Pete Anzia, Vickie Boehnlein, Dale Pfeifer, Josh Borden, Wayne Lambrecht, and Clem Gottsacker. A quorum was established. Also in attendance were Village Attorney Gerry Antoine, Clerk Kaity Olsen, Treasurer Kelly Brinkman, DPW/Water Superintendent Dan Birenbaum, and Wastewater Superintendent Paul Bley.

Open Meeting Law Compliance Check: This meeting is in compliance with the Open Meetings Law of the State of Wisconsin.

Pledge of Allegiance to the American Flag, Moment of Silence: All in attendance stood for the Pledge of Allegiance and moment of silence.

Public Input (2 Minutes/Person – 10 Minutes Total Time) – Rich Howells commented on the following:

- he received the cost estimate regarding the Railroad Crossing on Silver Beach Road and it has come in at less than half of what was originally estimated for the Village's portion. Reconstruction should begin in spring of 2016.
- Bertram Wireless has started their expansion at 178 N. Royal Avenue.
- Mike Speas has built 3 more houses on Peter Thein. The first one sold before it went on the market.
- Howells hopes to form a Tourism Commission

Consent Agenda Items: A motion was made by Howells and seconded by Boehnlein to approve the consent agenda items. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Gottsacker; Noes – none; Abstain – Lambrecht. Motion carried.

- Approval of Minutes
 - Village Board – September 14, 2015
- Finances
 - Approve Payment of Bills

Unfinished Business:

- a. **Questions and Concerns Regarding Land Acquisition on Silver Beach Road – Requested by Lucy Gasser**
– Dan, Lucy, and Luke Gasser were in attendance as well as Town Supervisor, Tom Winker. The Gassers commented that they were concerned about the proposed retention pond, drain tiles and driveway approaches on the land we hope to acquire on Silver Beach Road. Boehnlein commented that Howells had made attempts to negotiate a land swap with the Gassers which the Gassers were not in favor of. Boehnlein commented that the board is not in favor of eminent domain. Howells mentioned that there was another area we were looking at placing the retention pond but it was found that the area was designated wetlands and we could not place it there. Regarding the drain tiles, Howells mentioned that if any drain tiles are damaged during construction, they would be replaced. The driveway approaches will be maintained or made better. Howells suggested that we schedule a meeting with the engineers and the land owners so the engineers could explain in detail the proposed construction to the land owners. Tom Winker stated that most problems would be eased if the details were written in a developer's agreement or memorandum of understanding. Gasser also has concerns regarding access to his back fields if we were to place a retention pond on the southern part of his fields. Boehnlein commented that those details would be worked out in the agreement. The Village has been told by the engineers that the only place this retention pond can go is on that piece of land owned by the Gassers. Appraised value of land was discussed. Boehnlein commented that we are offering the same price per acre for every landowner. We would not offer more to one over another. The Village hopes to go through with this project so as to get a more direct route to the Industrial Park. Hopefully this will bring more business and therefore more revenue to the Village. Howells will contact the engineers and all land owners involved in this property acquisition to schedule a meeting.

- Dan Birenbaum left at 7:41 pm

- b. **Update of Lyman Real Estate Liquidating Trust – Balance to be Paid in Full by November 30th** – Atty. Antoine mentioned that Paul Roth of Lyman Real Estate Liquidating Trust met with the committee and decided they would rather pay off the balance instead of extend this agreement another two years.
- c. **Approve Payment to United Liquid Waste for \$65,500.00 for Sludge Disposal – Budgeted in Sewer Fund** – A motion was made by Howells and seconded by Boehnlein to approve the payment to United Liquid Waste for \$65,500.00 for sludge disposal. Paul Bley commented that this came in under budget and they were able to clean out three cells instead of only two. The last two cells will be budgeted to be cleaned out next year. Bley commented that they were a good company to work with. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

- Kelly Brinkman left at 8:00 pm

- d. **Merging of Phone Lines and Garage Internet Under One Vendor** – Olsen explained that she had proposed this to the board last month and they had requested she receive another quote. Olsen received a quote from Frontier in addition to the quote she had received from Lambeau Telecom. The price comes in about the same for the merging of phone lines. Lambeau would provide one phone bill for all buildings and Frontier would provide a separate phone bill for each building. Olsen would like to recommend the Board go with Lambeau Telecom for the phone and internet service. Bley mentioned that we would be able to get rid of the phone line at the Village Garage which would save us more money. The internet at the Village Hall would remain with the county since we do not pay for it currently. A motion was made by Boehnlein and seconded by Howells to merge our phone lines and garage internet under Lambeau Telecom. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

- Kaity Olsen left at 8:06 pm

New Business:

- a. **Approve Resolution #11-15 – Refund of \$4,559.06 to Time Warner Cable for Error in 2014 Personal Property Taxes – Personal Property #180000047000** – Resolution #11-15 was introduced by Howells. A motion was made by Boehnlein and seconded by Pfeifer to approve Resolution #11-15. Atty. Antoine commented that the Wisconsin Department of Revenue had decided that certain equipment was considered exempt. The money for this certain equipment was collected on last year's Personal Property taxes and Time Warner Cable is requesting a refund for the full amount. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- b. **Approve Resolution # 12-15 – Accepting Improvements for Village Square** – Atty. Antoine commented that Bill Taibl, Attorney for the Ansay Corporation, mentioned that the Ansay Corporation still needs to dedicate the property to the Village for the Village Square. Howells mentioned that there are still issues with the splash pad lights so he does not feel comfortable accepting the improvements. The item will be tabled until next month.
- c. **Approve Resolution # 13-15 – Fee Resolution – Effective January 1, 2016 – Updated Fees Pertaining to Permits** – Resolution #13-15 was introduced by Howells. A motion was made by Boehnlein and seconded by Lambrecht to approve Resolution #13-15. Building Inspector, Roger Kison, explained that some of the building fees were no longer in line with current pricing from the surrounding communities. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- d. **Approve Contracting with Grota Appraisals for Village Assessment Services Commencing January 1, 2016 – Recommended by Finance and Personnel 10/05/15** – A motion was made by Howells and seconded by Pfeifer to approve contracting with Grota Appraisals for Village assessment services commencing January 1, 2016. The Village is currently unsatisfied with the service we are getting from our current assessment company. Gottsacker checked the references that were provided by Grota Appraisals and they were all very satisfied with the service Grota provides. The other company we received a quote from did not provide any references. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- e. **Approve Contract for Annual Assessment Services to Include a Full Revaluation of 20% of Village on a Yearly Basis with the Remaining 80% to Receive Regular Maintenance – Recommended by Finance and Personnel 10/05/15** – A motion was made by Howells and seconded by Borden to approve the contract for annual assessment services to include a full revaluation of 20% of the Village on a yearly basis. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- f. **Approve Purchase of Two Additional Smart Phones for use by the Department of Public Works employees. The cost to be Split between General, Water, and Sewer Funds (How will it be split?) – Recommended by Finance and Personnel 10/05/15** – A motion was made by Howells and seconded by

Gottsacker to approve the purchase of two additional smart phones for use by the Department of Public Works employees. The cost to be split between general, water, and sewer funds. There are currently two employees using their own phones for business related to the Village. This opens the employees' phones up to potential open records requests. There is also the possibility that the phone would be damaged while at work and if it is their own phone, they would need to pay for the repair. Boehnlein inquired as to why we would provide a smart phone rather than a basic phone. Adding two smart phones will add about \$100.00/month to the current plan. Howells mentioned that the smart phone would allow the employees to use the new timecard system with their phones. Howells retracted his motion and tabled the item until next month. He would like the employees' input as well.

- g. **Approve Wage Allocations for Employees for 2016** – A motion was made by Howells and seconded by Boehnlein to approve the wage allocations for employees for 2016. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- h. **Approve Purchase of Truck for Sewer Department in 2015 – Cost not to Exceed \$35,000. – Monies to Come From Sewer Truck Sinking Fund and Proceeds of Sale of Existing Sewer Department Truck – Recommended by Public Utilities 10/06/15** – A motion was made by Howells and seconded by Boehnlein to approve the purchase of a truck for the Sewer Department in 2015 with a cost not to exceed \$35,000.00. The money is to come from the sewer truck sinking fund and the proceeds of the sale of the existing sewer department truck. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- i. **Approve Change in Adopted 2015 Sewer Budget – Recommended by Public Utilities 10/06/15** – A motion was made by Howells and seconded by Lambrecht to approve the change in the adopted 2015 sewer budget. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- j. **Approve Broncos Equipment Shed Agreement at Heritage Park – Recommended by Plan Commission 09/28/15** – A motion was made by Howells and seconded by Boehnlein to approve the Broncos Equipment Shed Agreement at Heritage Park. The structure will match in composition and color to the existing concession stand. The location has been approved by Dan Birenbaum. There is existing sewer and water there. This will be conveyed to the Village upon completion, but the Broncos will have exclusive control and use of the building so long as it remains occupied. The Broncos will be responsible for the maintenance of the building. The insurance will be covered by the Village. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- k. **Approve New Operator's License Application Form** – A motion was made by Howells and seconded by Lambrecht to approve the new operator's license application form. The Public Safety Committee likes this form because it asks very specific questions related to liquor licensing. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- l. **Approve New Operator's Licenses – Melike Birlik, Whitney Williams** – A motion was made by Howells and seconded by Borden to approve the new operator's licenses for Melike Birlik and Whitney Williams. Ayes – Anzia, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – Boehnlein. Motion carried.
- m. **Approve Endorsement for the 2015 European Christmas Celebration** – A motion was made by Howells and seconded by Gottsacker to approve the endorsement for the 2015 European Christmas Celebration. This is just an endorsement and the committee is not looking for a monetary donation. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- n. **Community Development Block Grant and HOME Investment Partnership Program Agreement** – Howells explained that we were a member in the past but we are not a current member of the Community Development Block Grant and HOME Investment Partnership Program. This organization sent out a new agreement which has many changes from the original agreement that we signed in 2004. We have never received a notice to Opt Out of this agreement since its first three year term renewal in 2007. A motion was made by Borden and seconded by Howells to not adopt the Community Development Block Grant and HOME Investment Partnership Program Agreement. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- o. **Approve Purchase of New Liner for Ice Rink** – A motion was made by Howells and seconded by Pfeifer to approve the purchase of a new liner for the ice rink. Bley mentioned the cost of a new 2-3 year liner is \$1,377.00 or \$1,932.00 for a new 3-5 year liner. The money is to come out of the contingency fund. The Board directed Bley to have Birenbaum purchase the less expensive liner for \$1,377.00. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- p. **Closed Session**

- A motion to convene to closed session at 9:08 pm per §19.85 (1) (c) for the purpose of considering compensation and performance evaluation data of all Village of Belgium Employees was made by Howells. Members of the Board were polled: Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- The Village Board reconvened to open session at 10:15 pm
- Actions relative to closed session: All Village of Belgium employees will receive a 2% raise commencing January 1, 2016.

President’s Report: Howells had nothing further to report.

Chamber of Commerce Report: Howells commented on the following items:

- Chamber Awards Banquet on November 4th – It would be nice to see all the Board members at the banquet.
- European Christmas Celebration on December 5th – The event will take place on Saturday, December 5th starting at 4:30 pm.

Reports – Acceptance of Staff and Committee Reports: A motion was made by Howells and seconded by Borden to accept all Staff and Committee Reports as listed below. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

- a. **Ozaukee County Sheriff’s Report**
- b. **Building Inspector’s Report**
- c. **Fire Chief’s Report**
- d. **Staff Reports**

- **Clerk**
- **Treasurer**
- **Administrative Assistant**

e. **Committee Reports**

- **Mid-Moraine** – No report submitted
- **Finance and Personnel** – No report submitted
- **Public Safety** – Nothing to report
- **Public Services** – No report submitted

- **DPW / Water Superintendent**
- **Wastewater Superintendent**
- **Marshal / Deputy Marshal**

- **Public Works** – No report submitted.
- **Parks, Recreation & Forestry** – No report submitted.
- **Public Utilities** – No report submitted.
- **Village Hall** – No report submitted.

Motion to Adjourn: A motion to adjourn at 10:16 pm was made by Howells and seconded by Borden. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

Respectfully submitted,

Kaity Olsen
Village Clerk

Approved by Village Board 11/09/15