

**Village Board Meeting**  
**November 9, 2015**

**Call to Order:** The meeting was called to order at 7:04 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, Wastewater Superintendent Paul Bley, Administrative Assistant Sherri Erickson (@8:00 pm), and Deputy Marshal Leon Anzia.

**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)** – There was no input from the public.

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

- Approval of Minutes
  - Village Board – October 12, 2015
  - Special Village Board – October 29, 2015
  - Special Village Board – November 2, 2015
- Finances
  - Approve Delta Dental Insurance Renewal–0% Increase–January 1, 2016 through December 31, 2016
  - Approve Delta Vision Insurance Renewal–0% Increase–January 1, 2016 through December 31, 2016
  - Approve Epic Life Insurance Renewal–0% Increase–January 1, 2016 through December 31, 2016
  - Approve Anthem Health Insurance Renewal–4.5% Increase–December 1, 2015 through November 30, 2015
  - Approve Construction of Storm Sewer on Commerce Street–Budgeted \$10,000.00
  - Approve Payment of Bills

**Unfinished Business:**

- a. **Resolution #12-15 – Resolution Accepting Improvements – Tabled from October** – Resolution #12-15 was re-introduced by Howells. A motion was made by Boehnlein and seconded by Borden to approve Resolution #12-15. Atty. Antoine commented that the only change made to the resolution was the inclusion of the Luxembourg American Cultural Society in reference to the Supplemental Donation Agreement. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- b. **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 – Tabled from October** – 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 (DPW) Employees. The cost will be split equally between the General, Water, and Sewer Funds. The smart phones will enable the DPW Employees to utilize the GIS System in the field as well as the Time Clock application. This will also save the employees the risk of subjecting their personal phones to public records law. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- c. **Approve 2% Raise for All Village of Belgium Employees – Carried Over from October** – A motion was made by Howells and seconded by Borden to approve a 2% raise for all Village of Belgium employees. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

- d. **Update and Possible Action on Silver Beach Road and Storm Water Retention Pond Projects** – Howells commented that there have not been any changes since last month with the exception of Mr. Gasser saying he would be willing to work with us on Silver Beach Road but not with the storm water retention pond. At this point there have been no signed agreements from the land owners along Silver Beach Road. Howells commented that we cannot pave the road without putting in the retention pond or we risk have a new road being washed out. He further commented that this project is too important to not do. Gottsacker commented that we should move forward with this project considering the amount of money we have put into this so far. Boehnlein commented that there were some significant changes since we agreed to go forward with the engineering. We thought we would have TIF money available to help us with this which we do not and the TEA Grant may not be as much as we had hoped for. Dave Wagner with Ehlers and Associates commented that we would probably be looking at taking out a loan of 2.5 – 2.7 million dollars to complete the Silver Beach project. There was concern over how the borrowing for both the Silver Beach Project and the Main Street project would impact the taxes for the residents. Wagner commented that at the peak of the borrowing it would add an additional \$1.25 per thousand to the tax base. Birenbaum commented that we do have an issue with the storm water and we will have to do something in the near future to fix the issue. A motion was made by Boehnlein and seconded by Anzia to terminate all future work on this project until after the Main Street project is done with the exception of any previously contracted projects such as the railroad crossing. Ayes – Anzia, Boehnlein, Borden, Lambrecht; Noes – Howells, Gottsacker; Abstain – Pfeifer. Motion carried.

#### New Business:

- a. **Proposed 2016 TIF Budget – Presented by Ehlers and Associates** – Dave Wagner discussed the proposed 2016 TIF Budget. The 2013 and 2014 actual costs tied back to the budgeted costs within \$418.00. Regarding the 2015 costs, there is a \$150,000.00 adjustment that will have to be made regarding the STF Loan that was received. Wagner went through the 2016 TIF Budget. The revenues are driven in part by the tax rates. There is about a \$100,000.00 increase for 2016 in the revenues. The largest expense for 2016 is the proposed lift station in the amount of \$230,000.00 which is dictated by the Developer's Agreement with Ansay and Associates. Wagner commented that there is enough cash flow in the TIF district to accommodate this project. There is \$45,000.00 left of the original \$175,000.00 of capital funds that has been used to help pay for the Silver Beach project thus far. There is \$25,000.00 allocated for operating expenses. Our beginning balance for the 2016 TIF Budget will be at \$161,292.00 and the ending balance will be at \$22,484.00. Wagner commented that there is no reason to carry a balance in this fund. The TIF budget should be adopted at the December Village Board meeting.
- b. **2016 Major Capital Budget – Presented by Ehlers and Associates** – Wagner commented that most of this discussion on the 2016 major capital budget was pertaining to financing Silver Beach Road. Considering the previous motion that what made regarding the Silver Beach project, this presentation is no longer valid.
- c. **Union Pacific Railroad - Approve Dave Wagner to Seek Financing for Crossing at Silver Beach** – The costs for the Railroad Crossing will be about \$225,000.00. There is \$45,000.00 available in the TIF budget but Wagner suggested seeking a STF Loan with a 5-10 year amortization for this. There should be no reason to go more than 10 years on the loan.
- d. **Well #1 Reservoir – Replacement of Piping** – A motion was made by Boehnlein and seconded by Lambrecht to approve the replacement of piping at Well #1 Reservoir. Birenbaum commented that this was inspected last week and it was determined that the piping needs to be replaced. The cost is estimated at \$4,000.00 to \$5,000.00. There is money available in the repair of the water plant account. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- e. **Review, Update, and Approve Meeting and Overtime Pay for Employees and the Allocations for Meeting and Overtime Pay** – Olsen commented that there is no meeting pay currently allocated for Pat Wester, Eric Nierode, or Sherri Erickson. She inquired as to whether or not the board would like to allocate meeting pay for these employees. Olsen also inquired as to if the Board would like to align the meeting pay allocations with the regular wage allocations. Olsen further commented that only Pat Wester has budgeted overtime. There has been nothing budgeted for Eric Nierode or Sherri Erickson. The board concluded that there should be no need to budget meeting pay for those employees. Howells commented that there is already a cushion in Erickson's wages due to calculating her yearly wages based on a 40 hour workweek and 10 months out of the year she works a 32 hour workweek. The board agreed that there should be no need to budget additional money for Erickson for overtime. Regarding Eric Nierode, the board recommended calculating an average of the hours that Paul Bley had worked in the previous few years and applying those hours to Nierode's rate of pay to calculate his overtime. A motion was made by Boehnlein and seconded by Borden to adjust the budget to account for expected overtime for the DPW staff position currently filled by Eric Nierode based on previous hours worked last

year for that position. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried. A motion was made by Boehnlein and seconded by Pfeifer to adjust all allocations whether overtime or meeting pay to reflect the current wage allocation schedule.

- f. **Approve Original Alcohol Beverage Retail License Application – Belgium Plaza Inc. – 105 Lakeview Drive** – A motion was made by Howells and seconded by Gottsacker to approve the Original Alcohol Beverage Retail License for Belgium Plaza Inc at 105 Lakeview Drive. Ayes – Anzia, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – Boehnlein. Motion carried.
- g. **Approve Amended AT&T Lease** – A motion was made by Howells and seconded by Boehnlein to approve the amended AT&T lease. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- h. **Approve Amended Agreement for Fire Protection and Emergency Medical Services** – A motion was made by Howells and seconded by Boehnlein to approve the amended agreement for fire protection and emergency medical services. Atty. Antoine commented that the only changes made to this agreement were the Exception of Section 6 and changing the annual budget meeting date to the fourth Monday in October. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Lambrecht, Gottsacker; Noes – none; Abstain – Borden. Motion carried.
- i. **Resolution #15-15 – Resolution Accepting Improvements – Conveyance and Dedication of Land** – Resolution #15-15 was introduced by Howells. A motion was made by Boehnlein and seconded by Howells to approve Resolution #15-15. Atty. Antoine instructed Olsen to label the two Conveyance and Dedication documents as Exhibit 1 and Exhibit 2. He also reminded Olsen that these original documents needed to be filed with the Register of Deeds. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- j. **Discussion and Possible Action on Filling of Village President Vacancy as of November 25, 2015** – Howells handed his written resignation to the Clerk and Trustees. The resignation will take effect November 25<sup>th</sup>. He recused himself from discussion and voting on this item. Per Atty. Antoine’s memorandum, the process for filling the vacancy is to either fill the vacancy by appointment by a majority of the members of the Village Board for the remainder of the unexpired term or until a special election is held which if the resignation is takes place prior to December 1<sup>st</sup> may be called for the following Spring Election. A current trustee is eligible to be appointed as the Village President to fill the unexpired term. Gottsacker suggested we appoint someone to fill the vacancy until we hold a special election this coming spring. Lambrecht suggested we fill the vacancy through the end of the term and not call a special election this spring. A motion was made by Anzia and seconded by Lambrecht to nominate Vickie Boehnlein to serve as Village President through the end of the unexpired term. Pfeifer would like to hold a special election this spring. Boehnlein commented that she would not accept the nomination under those circumstances. Gottsacker commented that he would have accepted the position if he had been nominated. Members of the board were polled: Ayes – Lambrecht, Borden, Boehnlein, Anzia; Noes - Gottsacker, Pfeifer; Abstain – None. Motion carried. Atty. Antoine commented that when Boehnlein assumes the position as Village President on November 26<sup>th</sup>, there will then be a vacant Trustee position. The Board will seek applications for the vacant Trustee position.
- k. **Approve Advertising for Village Clerk/Deputy Treasurer Position** – A motion was made by Howells and seconded by Borden to approve the advertising for the Village Clerk/Deputy Treasurer position. Olsen asked the Village Board if there is anything they would like to include in the advertisement that she did not include. The Board made no comments. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.
- l. **Proposed 2016 General Fund Budget** – A motion was made by Howells and seconded by Anzia to defer Item 8.L. to after Item 11 and take care of Items 9-11 first. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

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

- Atty. Antoine left the meeting at 8:41 pm

**Chamber of Commerce Report:** Olsen commented that the European Christmas Celebration is coming along smoothly. Howells commented that the Chamber of Commerce is in the process of re-writing their bylaws and the election process will be changing. They will also be adding a Tourism Commission as a subsidiary of the Chamber. He would like to see that this becomes an agenda item on the December agenda. The reason for the Tourism Council is to ensure that the money we bring in through room tax is spent locally rather than being turned over to the county to spend anywhere they choose in Ozaukee County.

**Reports – Acceptance of Staff and Committee Reports:** A motion was made by Howells and seconded by Boehnlein 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** – Report included
  - **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.

**8. I. – Proposed 2016 General Fund Budget (deferred from earlier)** – The Board reviewed the proposed 2016 General Fund Budget. Additions and deletions were made. Olsen will update the proposed budget tomorrow and send it to the Board to review prior to adoption on November 12<sup>th</sup>.

**Motion to Adjourn:** A motion to adjourn at 9:24 pm was made by Pfeifer and seconded by Howells. Ayes – Anzia, Boehnlein, Pfeifer, Howells, Borden, Lambrecht, Gottsacker; Noes – none; Abstain – none. Motion carried.

Respectfully submitted,

Kaity Olsen  
Village Clerk

Approved Village Board Meeting 12-14-2015