

Belgium Village Board Meeting
Monday, May 8, 2017 7:00 p.m.
Belgium Village Hall, 104 Peter Thein Ave., Belgium, WI, 53004

- 1. Silence All Cell Phones**
- 2. Call to Order, Roll Call of Officers:** The meeting was called to order at 7:00 pm by Village President Vickie Boehnlein. Officers present were: Village President, Vickie Boehnlein, Trustees; Josh Borden, Clem Gottsacker, Pete Anzia, and Rose Sauers. Gail Kowalkowski and Dale Pfeifer were excused. A quorum was established. Also in attendance were: Clerk Julie Lesar, DPW Superintendent Dan Birenbaum, Wastewater Superintendent Paul Bley, Treasurer Kelly Brinkman, Village Marshal Leon Anzia, Village Attorney, Gerry Antoine, and Wendi Unger from Bake Tilly. Laura Logan from RJ Investment Property was in attendance. Approximately ten to twelve residents from South Avenue were also in attendance.
- 3. Open Meeting Law Compliance Check:** This meeting is in compliance with the Open Meetings Law of the State of Wisconsin.
- 4. Pledge of Allegiance to the American Flag, Moment of Silence:** All in attendance stood for the Pledge of Allegiance and a moment of silence
- 5. Public Input (2 Minutes/Person – 10 Minutes Total Time):** Approximately a dozen residents from South Avenue attended the meeting to voice their concerns regarding the property easement request from WE Energies along the northern property line of Heritage Park. An invitation letter with information was mailed to the residents that currently live on South Avenue. Residents are concerned about the plans for utility poles and wires to be put up in their back yards. Boehnlein explained that this is WE Energies plan in order to connect the buried utilities on Main Street to the junction on County Road KW. She added that the Board does not have control of WE Energies construction plans. Per WE Energies, these wires cannot be buried. Resident, Tom Peterik requested that the Board contact the Public Service Commission to verify what WE Energies is planning. Boehnlein replied that the Board needs to make a decision regarding allowing easement on the north end of Heritage Park. This item was also discussed at the April 10 and April 18 Village Board meetings. Boehnlein added that if the Village does not grant the easement request, WE Energies could decide to put the Utility poles and wires in the front easement of the properties located on the south side of South Avenue. The Village has been working with WE Energies to come up with a solution with minimal impact to the residents. At 7:20 Boehnlein made a request to move on to the next item. Resident, Fred Krier shared information about a popular court game called pickle ball. He made a request of the Village to consider providing a pickle ball court in the Village. Parks, Recreation, and Forestry committee chairperson, Pete Anzia, informed Mr. Krier that this item will be on the upcoming meeting's agenda.
- 6. Consent Agenda Items (items a-c):** A motion was made by Boehnlein and seconded by Gottsacker to approve the consent agenda items (6 a through 6c). Ayes – Anzia, Boehnlein, Borden, Gottsacker, and Sauers; Noes – none; Abstain – none, motion carried.
 - a. Approve Minutes:**
 - i. Finance & Personnel Committee Meeting, October 25, 2016
 - ii. Village Board Meeting, April 10, 2017
 - iii. Special Village Board Meeting April 18, 2017
 - b. Finances**
 - i. Approve Payment of Bills
 - c. Reports – Acceptance of Monthly Reports**
 - i. Belgium Area Chamber of Commerce Report – report included
 - ii. Belgium Area Chamber of Commerce Tourism Report – report included
 - iii. Ozaukee County Sheriff's Report – report included
 - iv. Fire Chief's Report – report included
 - v. Staff Reports

1. Clerk – report included
2. Treasurer – report included
3. Administrative Assistant – report included
4. DPW/Water Superintendent – report included
5. Wastewater Superintendent – report included
6. Village Marshal – report included
7. Building Inspector’s Report – report included

vi. Committee Report

1. Finance and Personnel – no report
2. Public Safety – report included
3. Public Service – no report
4. Public Works – no report
5. Parks, Recreation, and Forestry – no report
6. Public Utilities – no report

7. Unfinished Business – Consideration, Discussion and Possible Action Regarding:

- a. **Approval of zoning district change request by RJ Investment Property LLC for property on Lakeview Drive:** Boehnlein made a motion to approve conditional rezoning of the southern portion of the parcel, with the condition being that the property owner complete a land division of the current parcel no later than August 15, 2017 dividing the current parcel into two separate parcels as depicted on applicant’s Exhibit “A”, and if the land division is completed by that date then the newly created southern parcel be immediately thereafter rezoned to M-1 Light Manufacturing District but if the land division is not completed by that date then the conditional rezoning is null and void. The motion was seconded by Sauers. The Board reviewed the parcel division. A vote was taken: Ayes - Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried. Boehnlein made a motion to approve Ordinance 3-17 the official rezoning ordinance with the stated conditions for the property on Lakeview drive (parcel No. 18-023-05-02.00). Motion was seconded by Sauers. Ayes - Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried.
- b. **Approve revised property easement request from WE Energies along northern property line of Heritage Park.** Boehnlein requested a poll of the residence regarding the approval of the revised easement. A majority were in favor of the revised easement request. There was additional discussion regarding burying the cable. Birenbaum explained that the phase 3 cable that is used is not buried because of maintenance issues. Boehnlein added that WE Energies informed the Village that once this connection line is complete, neighboring homeowners have the option to have an underground connection from their home to the phase 3 cable at their expense. Boehnlein made a motion to approve the revised property easement request form WE Energies along northern Property line of Heritage Park. Motion was seconded by Gottsacker. Ayes - Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried.

8. New Business – Consideration, Discussion and Possible Action Regarding:

- a. **Presentation, discussion, and acceptance of 2016 Audit Report by Baker Tilly:** Wendi Unger from Baker Tilly reviewed the 2016 Financial Highlights report and the 2016 Audit Report which she shared with the Board. Boehnlein made a motion to accept the 2016 Audit report as presented by Baker Tilly, Motion was seconded by Borden. Ayes – Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried.
- b. **Approve Finance and Personnel’s recommendation to approve “Village of Belgium Key Agreement” form and revised “User Agreement for Village Park or Village Hall Property” form:** Boehnlein made a motion to approve the Key Agreement form and the revised User Agreement for Village Parks or Village Hall Property. Motion was seconded by Borden. Boehnlein explained that the Village currently does not have a key agreement form for Village Trustees to sign out a key when needed. The Village also did not have a user agreement for the rental of Village Hall. A fee is not charged to renters of Village Hall. The Village Hall was added to the existing “User Agreement for Village Parks” Ayes – Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried

- c. **Approve Finance and Personnel’s recommendation to increase Special Meeting fee for Plan Commission to \$400:** Boehnlein made a motion to approve the fee increase to \$400 for Special Plan Commission meeting. Motion was seconded by Gottsacker. Village Attorney, Antoine pointed out that the fee for a Special Plan Commission meeting is stated in an existing resolution. The resolution should be revised and approved at the next Village Board meeting. He also recommended that the Board review other fees at this time to determine any additional updates to be addressed all at once at the next Board meeting. Boehnlein explained that the meeting pay for Plan Commission was increased last year. The current \$300 dollar fee does not cover the actual cost of a special meeting request. Ayes – Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried.
- d. **Approve Finance and Personnel’s recommendation to use Village President’s Office for operation of BACC Tourism Entity during regular business hours when building is staffed with Village employees:** Boehnlein made a motion to approve the use of the Village President’s Office for operation of BACC Tourism entity during regular business hours when building is staffed with Village employees as recommended by Finance and Personnel. Boehnlein added that the BACC will provide their own furniture and equipment. Motion was seconded by Gottsacker. Ayes - Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried.
- e. **Approve Finance and Personnel’s recommendation to amend Duties and Responsibilities documents for Village Treasurer, Village Clerk, and Administrative Assistant:** Boehnlein made a motion to approve the revised job duties and responsibilities documents for Village Treasurer, Village Clerk, and Administrative Assistant as presented and to add the following statement to Clerk/Treasurer document: “Village Clerk/Treasure is responsible for all statutory duties detailed in Wisconsin Statutes or required by the Belgium Village Board of Trustees” and add to Administrative Assistant document: “The Administrative Assistant will be responsible for any additional duties as assigned by the Village Clerk and Village Treasurer”. Motion was seconded by Gottsacker. Ayes - Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried
- f. **Approve Finance and Personnel’s recommendation to assign Village Clerk the responsibilities as stated in the Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged Obligations and Continuing Disclosure.** Boehnlein made a motion to approve assigning Village Clerk the responsibilities as stated in the Post-Issuance Compliance Policy. Motion was seconded by Sauers. Ayes - Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried
- g. **Approve Joan Gottsacker appointment to the Zoning Board of Appeals, three year term:** Boehnlein made a motion to approve Joan Gottsacker to the Zoning Board of Appeals for a three year term. Motion was seconded by Sauers. J. Gottsacker will be replacing Mike Sells. Ayes Boehnlein, Borden, Anzia, and Sauers; Noes – none; Abstain – Gottsacker. Motion carried.
- h. **Approve recommendation from Public Services to have Village Attorney add language to the Village ordinance that reflects the need to recoup costs to the Village when resolving recycle center violations, i.e.: cost of cleanup, cost of investigation.** Boehnlein made motion to approve Village Attorney add language to the Village ordinance that reflects the need to recoup costs to the Village when resolving recycles center violations. Motion was seconded by Gottsacker. Boehnlein explained that the current Residential Recycling Center User Agreement states at the bottom “violation of any of these rules will result in a citation in the amount of \$50 plus curt costs and may result in revocation of access to the Recycling Center. However, the Village Ordinance § 231-25.B(2) states any person who violates a provision of this article may be required to forfeit not less than \$10 nor more than \$1,000 for each violation. Boehnlein asked Antoine if it is necessary to have additional verbiage than what already exists. Antoine responded that the Village may want to draft a letter which states the violation and any costs that are owed to the Village. Boehnlein also suggested adding a statement to the user agreement that states charging additional costs as a result of a violation. Boehnlein withdrew her original motion at this time. Boehnlein made a motion to add to the Residential User Agreement: “the Village will charge the cardholder any costs incurred by the Village of Belgium when a violation occurs.” Motion was seconded by Gottsacker. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried. Borden made motion to amend § 231-25.B (1) to change the forfeit fee for the first violation to \$100, second violation to \$200, and the third to not more than \$2,000. Motion was

seconded by Sauers. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain – none. Motion carried

- i. **Approve recommendation from Public Service to have Village Attorney to investigate whether the Village needs to establish a written policy for transfer or termination of recycle card if the homeowner moves out of the Village.** The Board discussed the need for policies regarding violations of the recycling center. Boehnlein made a motion to set a policy that when a resident moves out of the Village; their card access to the recycle center will be turned off. Motion was seconded by Sauers. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain –none. Motion carried. Boehnlein made a motion to have the Superintendent of Public Works evaluate, based on circumstances, whether card access to the recycle center should be suspended or terminated for recycle center violations. Motion was seconded by Sauers. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain –none. Motion carried. Boehnlein made a motion to allow the Superintendent of Public Works to close off access to the recycle center if/when the dumpsters are full and to post that the recycle center is temporarily closed. Motion was seconded by Borden. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain –none. Motion carried.
- j. **Presentation of repair costs for Well #1, budgeted repair expense:** Birenbaum explained that the repair costs for Well #1 is coming in \$20,000 over budget. He stated that \$30,000 has been put aside for this repair costs. Brinkman added that the water tower fund has funds available to cover the additional cost. Boehnlein made a motion to approve the repair costs for Well #1, using the \$30,000 budgeted repair cost and the remaining balance to come from the water tower fund. Motion was seconded by Gottsacker. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain –none. Motion carried.
- k. **Approve payment of invoice estimate of \$324,108.49 from Charter Communication for Main Street Project work:** Boehnlein made a motion to approve the payment of the invoice estimate of \$324,108.49 from Charter Communication for Main Street Project work. Motion was seconded by Gottsacker. Ayes Boehnlein, Borden, Anzia, Gottsacker, and Sauers; Noes – none; Abstain –none. Motion carried.

9. President's Report: Boehnlein had nothing to report.

10. Motion to Adjourn: Gottsacker made a motion to adjourn at 8:30 pm. Motion was seconded by Boehnlein. Ayes – Anzia, Boehnlein, Borden, Gottsacker, and Sauers; Noes – none; Abstain – none, motion carried.

Respectfully Submitted,

Julie Lesar, Village Clerk
Approved VBM June 12, 2017