



## **MEETING MINUTES– VILLAGE BOARD (Regular)**

**Date/Time: Tuesday April 17th 2018 - 6:00 P.M.**

**Location: Village Office**

### **ROUTINE ITEMS TO BE ACTED UPON:**

1. Call to order/Roll Call. Meeting called to order by Rich Heidel at 6:00pm. Roll call: David Dillenburg, Rich Heidel, Ed Kazik and Debbie Schumacher were present. Excused: Tim Carpenter.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by Rich Heidel, second by Ed Kazik, to approve the agenda as presented. The motion passed unanimously.
3. Pledge of Allegiance: Those present recited the Pledge of Allegiance.

### **4. PUBLIC HEARINGS:**

- A. PUBLIC HEARING – Consider Conditional Use Permit for Fitness Facility, 1382 Plane Site Blvd., HB-949-2.** This CUP is for proposed fitness facility. Rich Heidel opened the hearing for discussion at 6:03 pm. There were no comments from those attending. This portion of the hearing was closed.
- B. ACTION on aforesaid agenda item:** Staff has not received any comments either for or opposed to this conditional use request. The fitness center will be located in the S. E. Industrial park in the general area of the Synergy Sports and Driveway Hoops. All of the businesses have operated harmoniously with the area's industrial users or several years. The CUP runs with the owners, not the land. Motion made by Rich Heidel, second by Ed Kazik, to approve the CUP for 1382 Plane Site Blvd., HB-949-2. The motion passed unanimously.
- C. PUBLIC HEARING - Consider Cross Country Plat, 16 Lot Single Family Dwelling Subdivision, Parcels HB-770, HB-771-4** The Board is being asked to consider rezoning the parcels from A1-Agriculture to R2R-Rural Residential. Rich Heidel opened the hearing for the discussion on the plat for HB-770 and HB-771-4. Residents from the Rolling Meadows subdivision were present and spoke about concerns over water contamination. They also said since they have 2.5 acre lots they feel other areas should be developed with the same requirement. The technology of the septic systems was discussed and the DNR requirements for both the Wells and the septic systems explained. One of the comments was that those persons who are concerned should be sure to have their own drain fields/ mounds checked to be certain that they are not contaminating their own wells. One of the comments was that people were not informed. It was explained that the requirements for notifying residents for hearings and meetings are strictly followed. The Village provides the newspaper where the legal advertisement is placed and has it delivered to the resident's homes. The notices are also posted on website, on Facebook and at the village office. All meetings of all committees and Boards are posted/ advertised so all residents can come to any or all meetings to get the information they seek. After those who wished to speak were heard, the hearing was closed at 7:25pm
- D. ACTION on aforesaid agenda item:** Motion made by Rich Heidel, second by Ed Kazik, to postpone action on the changing of zoning for HB-770, HB-771-4 until the May 1, 2018 meeting. The motion passed unanimously.

**5. CONSENT AGENDA:** Motion made by David Dillenburg, second by Rich Heidel, to approve the items on the consent agenda. The motion passed unanimously.

A. Payment of Invoices; B. VILLAGE BOARD: Minutes of April 4th (Regular) 2018; C. PLANNING AND ZONING COMMISSION: Minutes of March 14<sup>th</sup> 2017; D. ALCOHOL AND OPERATORS LICENSES (1).

**6. ITEMS REMOVED FROM CONSENT AGENDA:** None

**7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS:** A question was asked by a resident regarding the difference between trust property and fee property. Rich Heidel explained the jurisdictional issues regarding public safety involved as well as the loss of tax base.

**8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS:** Aaron Kramer, Administrator spoke about the Drug Drop off Event on April 27<sup>th</sup> and the Electronics Event on April 28<sup>th</sup>. The Building Permit Report for March is on the website and the 1<sup>st</sup> Quarter Budget report is available. He also spoke about some of the legislative bills that have been passed this week.

**9. COMMITTEE REPORTS AND ACTIONS:**

**A. DISCUSSION AND ACTION - Cross Country Plat, 16 Lot Single Family Dwelling Subdivision, Parcels HB-770, HB-771-4 (Final Plat) (Planning and Zoning Commission).** The Board is being asked to consider Final Plat approval. Motion made by David Dillenburg, second by Ed Kazik, to postpone action on the final Plat for HB-770 and HB-771-4 to the May 1<sup>st</sup> meeting. The motion passed unanimously.

**B. DISCUSSION AND ACTION - Bicycle and Pedestrian Master Plan (Community Development Authority):** At its March 28<sup>th</sup> meeting, the CDA recommended moving forward with a Master Bicycle and Pedestrian Plan. Ashwaubenon and Town of Lawrence will also be included in the planning for the trail. Aaron Kramer, Administrator will develop the RFP. Motion made by Rich Heidel, SECOND BY Ed Kazik, to authorize staff to issue the RFP for the bicycle and pedestrian plan. The motion passed unanimously.

**10. OLD BUSINESS:**

**11. NEW BUSINESS (Including items for future agenda consideration or Committee assignment):**

**A. DISCUSSION AND ACTION – 2017 Financials (General Fund and Debt Service Fund)**

Aaron Kramer, Administrator presented a series of proposals relating the allocation of the 2017 General Fund Reserve Surplus. The proposal would use half of the undesignated cash on hand to the Debt Service and half to the reserve accounts. Motion made by Debbie Schumacher, second by Ed Kazik to place \$50,292.30 into the Debt Reserve Fund and \$50,292.30 to the designated reserve accounts per the policy. The motion passed unanimously.

**B. DISCUSSION AND ACTION – Amending 2018 Capital Projects Budget and approval of Public Works Contracts:**

With the favorable bids received for the roadwork for this season, staff proposed a second round of road improvement projects for this summer:

1. To approve a Change Order to Contract 2320-18-02 with Northeast Asphalt (\$114,451.27) for the following projects: 1) Geneva Road and 2) Village Hall Parking Lot
2. To approve Contract 2320-18-04 with MCC, Inc (\$205,778.18) for the following projects: 1) North Overland Road, 2) Rose Hill Drive, 3) Hidden Trail, 4) Crooked Creek Road and Lane, 5) Noah Road, and 6) Miscellaneous items.

Motion made by Debbie Schumacher, second by Ed Kazik, to approve the change order to contract 2320-18-02 to add two projects for \$114,451.27. The motion passed unanimously.

Motion made by Rich Heidel, second by Debbie Schumacher, to approve contract 2320-18-04 with MCC for 2018 road projects in the amount of \$205,778.18. The motion passed unanimously.

**C. DISCUSSION - Items for future agenda consideration or Committee assignment:** The Snow and Ice policy will be reviewed at the May 1, 2018 meeting. TID analysis to reevaluate road work for 2019 will come to the Board for discussion as well. Discussion of holding an "Annual" meeting again at Hillcrest school.

**D. ADJOURN to CLOSED SESSION:** Motion made by Rich Heidel, second by Ed Kazik, to move into closed session. Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. The Board moved into closed session at 8:30pm.

- 1) Under Wisconsin State Statute 19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Fee-to-trust issues, Abandoned railroad R-O-W, Special event permit litigation and Easement Agreement re: Thornberry Creek Golf Course
- 2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Projects

**E. CONVENE into open session:** Motion made by Rich Heidel, second by Ed Kazik, to return to open session. Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. The Board returned to open session at 11:20pm.

**F. ACTION from closed session:** Motion made by Ed Kazik, second by Debbie Schumacher, to purchase HB:1389 327 Riverdale. The motion passed unanimously. Motion made by David Dillenburg, second by Ed Kazik, to approve the option to purchase with VMI Inc. The motion passed unanimously. Motion made by Rich Heidel, second by Ed Kazik, to appeal the court decision in Hobart VS/ Bodart Electric. The motion passed unanimously.

**12. ADJOURN:** Motion made by Rich Heidel, second by Ed Kazik, to adjourn. The motion passed unanimously. Meeting adjourned at 11:28pm.