

President Jim Schrubbe called the regular Board Meeting to order at 7 p.m. on Monday, November 14, 2022.

Roll Call – Loose, Krueger, Roehrig, Nolan, Keuler, Kloehn and Schrubbe. Others present were Dennis DuPrey, Kim Plate, Mike Loose, Mark Fochs, Mary Schwalenberg, Nathan Beyer, Jerin VanCuyk and Ron Ott.

Pledge of Allegiance – The pledge of allegiance was recited by everyone present.

President Schrubbe then called the public hearing to order regarding the proposed 2023 budgets for all funds. The Notice of the 2023 Budget Limit to Qualify for a 2024 Expenditure Restraint Payment was presented to the Board. DuPrey explained that the Village needs to be under 9% to qualify; which we are. This will provide approximately \$8,000 in additional aid. DuPrey then explained that there was some backlash regarding the recommendation to increase the fire contracts for the Town of Woodville and the Town of Chilton. It was felt that those two townships have been kind of blindsided by the increase. Schrubbe stated that he understands where they are coming from and a discussion should have been had with them prior to the increase being recommended. Schrubbe also stated that he was informed that there was a verbal agreement that they would be made aware of any rate changes prior to any recommendations being made. This was not done. It was mentioned; however, that this was never done in prior years either when there was an increase and it has never been an issue then. DuPrey stated that this is quite a significant increase and that could be why. DuPrey stated that if the Board decided to not go ahead with the increase, then the contract would remain at the same cost as it was last year. He needs to get the budget turned into the County and that would not leave enough time to hold another committee meeting. Also, another public meeting would have to occur. Keuler stated that he didn't think the contract should remain the same cost for all of 2023. DuPrey stated that if the Board would decide to raise the amount, then the budget would need to be amended again with a 2/3 vote. DuPrey explained that this will affect the townships more because it will involve their expenditures while ours will only involve our revenue. Keuler stated that prices are going up on everything and asked why should we take the blunt of it? Loose agreed and stated that everyone's budget is increasing. Schrubbe stated that we need to get the information on what exactly our costs were. We need to have that to justify the increases. Krueger stated it would be nice to see like the last 3 years comparison so we know if calls have been up or down and how that affects our costs. We need more data. Keuler stated by not increasing the contract, we and the taxpayers, end up losing. Loose asked if the townships have refused to sign the contracts? DuPrey stated that as of now they don't have the contracts because nothing would get approved until tonight. So, no, no one contacted him directly and stated that. Keuler stated that he thinks we should accept it as it is now with no increase so the budget can get completed; but feels that it should get reviewed and increased as soon as possible. He does not want to wait a full year. It was decided that the contract amount will remain the same for now and meetings will be set up with the townships soon to have a discussion regarding the increases. DuPrey then stated that while he was coming up with the final numbers, he discovered a calculation error under the Street Capital Budget. Even with the changes at the October meeting that were discussed, this error was not in our favor and we were still taking a larger sum out of fund balance to get the budgets to balance. DuPrey had conversations with Plate regarding this and taking into account the Board's desire to complete the paving and curb & gutter for the first phase of Village Meadows, they are making the recommendation to cut 1<sup>st</sup> St. and W. Chestnut St. from 8<sup>th</sup> St. to 9<sup>th</sup> St. from the 2023 street projects. They also are recommending to cut the finish course of Village Meadows, because with potential future development they felt it would be best to start with the binder course to ensure they had a good base throughout. These changes allowed them to place \$30,000 into the reserve fund for the finish course in Village Meadows. After these additional changes, the amount required to come out of fund balance is \$120. The Board agreed with this. DuPrey explained also that the budget documents already incorporated the proposed cuts made by the Village Board in October DuPrey then went over the tax levy summary sheet which incorporates all the different levies that the Village receives. Not all levies are in yet. The Village's estimated tax rate will decrease from \$7.6821 to \$5.5586. DuPrey wanted to let the Board know that with the market reassessment that was done that some residents may be seeing an increase in their taxes. He is estimating that on a property, for example, that let's say has gone up \$90,000 with the reassessment, those owners would see about a \$500 increase on their property tax bills. It's hard to be sure without all the numbers in yet though. The Board then discussed each fund. First up was the Sewer Fund. There were no changes. Action – to adopt the Sewer Fund budget as presented – motion: Loose; second: Krueger; carried. The Water Fund was then discussed. There were no changes. Action – to adopt the Water Fund budget as presented – motion: Roehrig; second: Krueger; carried. The 1<sup>st</sup> Responder Fund was then discussed. There were no changes. Action – to adopt the First Responder budget as presented – motion: Roehrig; second: Loose; carried. The TID #2 Fund was discussed. There were no changes. Action – to adopt the TID #2 budget as presented – motion: Roehrig; second: Krueger; carried. The Capital Improvement Fund was then discussed. DuPrey explained that the capital expenditures and the General Fund go hand in hand. They both are tied together with the tax levy. There were no changes. Action – to adopt the Capital Improvements Fund budget as presented – motion: Keuler; second: Krueger; carried. The last fund discussed was the General Fund. There were no changes. Action – to adopt the Capital Improvements fund budget as presented – motion: Krueger; second: Roehrig; carried. The next item was to set a local

tax rate. Action – to set the local tax rate at \$5.5586561 – motion: Kloehn; second: Krueger; carried. Schrubbe then declared the public hearing closed.

The remaining of the Village Board Meeting then took place.

Citizen Questions and Concerns to be acted on at the next Board Meeting – Jerin VanCuyk addressed the Board regarding the fire contracts. He explained that the Village of Hilbert's Fire Department is contracted by the Village of Woodville and provide fire protection for his neighbors. If the Village raises the contract price, then Woodville may drop Hilbert and switch the fire protection to Harrison. This makes no sense to him. So, his house would be covered by Hilbert but not his 2 neighbors to the west? Keuler questioned but why should we have to pay and lose the additional revenue? VanCuyk asked Keuler, so you would rather lose the whole contract which is about \$17,000 instead of losing just the increase of \$5,000? Financially, that just doesn't add up. Schrubbe reminded the Board that this was citizens concerns and questions only and the Board could not discuss this at this meeting. He would like it to go to the Health Board and VanCuyk could attend that meeting and speak on it with the members at that time. Anything brought up during this section of the meeting is just for the Board's information and cannot be addressed until the next meeting. VanCuyk will be informed when the Health Committee meeting is; along with the Town of Woodville and the Town of Chilton. Mary Schwalenberg (Calumet County Board) then shared some updates with the Board. She stated that the county budget has been passed. Calumet County is 2<sup>nd</sup> in the state for net new construction percentage wise. Approximately \$6 million has been collected in sales tax which will go towards capital improvements such as roads. Salaries are going up by around 4% or more and there will be a new health care provider. The county was also able to add 3 new personnel positions; most of which are funded by a grant.

Announcements – Nomination papers may be circulated beginning on December 1, 2022 and must be filed by 5 p.m. on Tuesday, January 3, 2023. Candidates up for re-election are Village President James Schrubbe and Village Trustees Timothy Keuler, Thomas Roehrig and Anita Loose. The Hilbert/Potter Optimist Bingo Bash will be held Saturday, November 19, 2022 at the Hilbert Community Center. Chief Loose stated that he saw the Santa Visit & Tree Lighting was not mentioned and he would like it to be. This event is Thursday, December 1, 2022. He was unsure of the time yet. Kieso stated that she would get it out on Facebook once she received all the information on it. Kloehn also mentioned to Loose that he should make sure a flyer gets to the school so they can be included in the parents' folders on Wednesday.

Consent Agenda – Action – to approve the Board Meeting Minutes, the Fire Department Minutes, the First Responder Minutes, the Village Treasurer's Report, the Fire Department Treasurer's Report, the 1<sup>st</sup> Responder Treasurer's Report as presented and place them on file with the correction of adding Mark Fochs in attendance at the October Board Meeting – motion: Roehrig; second: Nolan; carried. The MEG Newsletter and Boardman & Clark Newsletter were also presented to the Board for their information.

Reports - The report of labor hours was presented to the Board for their information. Keuler asked Plate how the new way they were collecting leaves was going (with 2 employees)? Plate stated that it's going very well. The old way they averaged about 3 loads a day and now they are at 7 loads. So, much faster collection. Keuler also questioned why Fochs had ½ hour marked for fire pay on his last paycheck? Fochs explained that he was punched in when there was a fire call and the call lasted until after his lunch hour so he was unable to take a lunch. Because the fire call caused the over-time that is where the cost is allocated too. Loose asked why didn't he just take a lunch when he got back? Fochs stated that he just continued working until 3:30 p.m. Keuler said so you are getting paid from the Village and from the Fire Department for the fire call? DuPrey stated that has been the way it has always been done with any Village employee who is also a fireman. Loose stated that seems like double dipping to her. Chief Loose stated that this is how it's always been through the years. Keuler asked Plate if they will start seeing a reduction in the over-time now that they are fully staffed and have more guys than they ever had? Plate stated that yes there should be less over-time in the future. The monthly report on building permits was presented to the Board for their information. The Notice of the 2022 Aggregate Assessments Ratios for Calumet County was presented to the Board for their information. That ratio is .984085323. The Notice of Preliminary Report on Major Class Comparison for 2022 was presented to the Board for their information. Due to the recent market reassessment the Village is in compliance with everything at this time.

Report of Director of Public Works on projects – Plate explained that the projects on 2<sup>nd</sup> and 3<sup>rd</sup> Streets are now complete and the streets have been repaved. He stated the projects went well but there were some delays on getting supplies, which is beyond our control, but everything has been finished.

Claims – examined and discussed. Action – to pay all claims presented – motion: Roehrig; second: Kloehn; carried.

Unfinished Business –

2022 Projects – nothing new. Change Orders – none. Payment Requests – none.

Recycling/Rubbish – The monthly report was presented to the Board for their information. Schrubbe noted that the recycling is up 3% which is always good to see.

Police Protection for the Village – The monthly report was presented to the Board for their information.

Fire Department – Chief Loose stated there were several calls since the last meeting. He stated that the firemen have been working on the Santa visit and tree lighting event which will be held on Thursday, December 1, 2022. He asked that everyone promote the event and get the word out there about it.

Discussion and possible action regarding request to change locks on fire station building – Chief Loose stated that the department discussed it and it was decided that they would like to replace the broken lock with a similar one to which they have now. Estimated cost is around \$286. Action – to approve the request for the replace the lock at the Fire Department – motion: Roehrig; second: Nolan; carried.

Leave of Absence Letter presented to the Fire Department and the Health Board – J. Schrubbe – Schrubbe stated that he handed in his leave of absence letter because he could better serve as the Village President that way. He felt like there could be a conflict of interest with him serving as Village President and being an active member of the Fire Department.

TID District(s) – nothing.

Wastewater Treatment Plant – nothing. Discussion and possible action regarding computer issues at the treatment plant – Plate stated that the problem has been partially fixed and this line can be removed from the agenda for future meetings. Keuler asked if they were able to get back all the lost data. Plate stated that they got back what they needed for the DNR which was the objective. He informed the Board that all the sludge has been hauled. There was an issue with a leak in the pods in aeration which all three of the Public Works employees have been working on in the last couple of days. They have cleaned it out and it looked like a gasket has failed. He wanted to let the Board to know to expect additional expenses regarding this issue in the upcoming year. It was questioned whether the outside lights got fixed by the hydrant by the WWTP? Plate stated not yet but he has been in contact with Abstract Electric and it will be taken care of. No action needed.

Well #4 – Update on Project – nothing new.

Village Meadows Subdivision – Subdivision Improvements – nothing new. Phase II Development – nothing new. Change Orders – Change Order #1 is in the amount of \$9,000. DuPrey stated that the Board was aware of this one because it was discussed at a prior meeting. It deals with the pond discharge route being adjusted to account for Phase 3 lot layout and the avoidance of losing a lot. Action – to approve Change Order #1 in the amount of \$9,000 as presented – motion: Krueger; second: Kloehn; carried. Change Order #2 is in the amount of \$7,391.10. An additional breaker was added to account for soft soil and a geo-fabric was added at the new intersection. Action – to approve Change Order #2 in the amount of \$7,391.10 as presented – motion: Kloehn; second: Krueger; carried. Payment Requests – Payment Request #2 is in the amount of \$104,906.20 to Feaker & Sons. Plate stated that they did an excellent job and he was very happy with the work they did. He said it went much more smoothly than the Phase I. However, this was partially due to the weather cooperating which greatly helped. Action – to approve the Payment Request #2 in the amount of \$104,906.20 to Feaker & Sons – motion: Kloehn; second: Krueger; carried.

Fochs Trails Subdivision – nothing new.

Former Bel Brands Property – Update on the Project – DuPrey explained that the paperwork has all been submitted and he's just waiting to get the letter back stating that everything is closed and then the 5-year wait begins to have free will on the selling of the property.

Lead Service Lines in the Village – none. Change Orders – Change Order #2 is no change financially; it involves extending the final completion date to April 30<sup>th</sup> to accommodate DNR Funding Disbursement. Action – to approve Change Order #2 to change the completion date as requested – motion: Roehrig; second: Krueger; carried. Payment Requests – none.

Issues with the rip rap stone on the drainage ditch at the end of Creek St. – Plate stated that this will be a winter project and there are no updates on it.

Drain tile on Cedar Street – Plate informed the Board that the drain tile was installed between 6<sup>th</sup> & 7<sup>th</sup> Streets.

Discussion and possible action regarding seeking proposals for providing backup services for daily Village operations due to a deemed emergency – Keuler stated that the company that he has been in contact with regarding these services has a representative that is willing to come in and give a presentation to the Board if they are interested. The Board agreed that they would like to hear the presentation. Keuler stated that the company will only discuss pricing if the municipality is committed to going this route because they would have to hire someone to come in to fill the position. For example, if we needed someone for DuPrey's position; they would find someone which we could hire through them. Keuler will check to see if they can attend the next Board Meeting.

Discussion and possible action regarding the proposed employee handbook – DuPrey stated that he is still waiting on the Village's insurance to get him in contact with their legal department to review the handbook. He has reached out several times to the legal department and has not received a response. It was stated that he should just keep on them until they respond. No action taken.

New Business:

Application for Operator's license – Action – to approve an operator's license for Kim Baer as presented – motion: Roehrig; second: Nolan; carried. Action – to approve an operator's license for Nirmal Yogi as presented – motion: Roehrig; second: Nolan; carried.

Classes/Seminars/Schooling for Employees – none.

Reports on schooling/training sessions – none.

Discussion and possible action regarding request to extend the final retirement date – D.DuPrey – DuPrey stated that since he has so much vacation time left and he knows the Board wants him in the office so he can train his replacement; he offered them 3 options: (1) Extend his official last date (which is currently February 3, 2023). (2) Use all the hours before his final day and just have less time in the office to train or (3) Payout the unused vacation at the end. Either way his last official in-office day will

remain January 20, 2023. DuPrey stated that he would try to use up as much as possible while still be in the office enough for training but he realizes that he will not be able to get it all in. Action – to extend his official last day up to 63 hours – motion: Roehrig; second: Nolan; carried.

Employee Review/Grievance Committee – Action – to accept the minutes as presented and place them on file – motion: Loose; second: Keuler; carried.

Discussion and possible action regarding drainage tile on properties along 7<sup>th</sup> St. between Main St. & Cedar St. – Plate stated that the water is flowing east to the ditch. He stated the best option would be to run a new pipe and tile to the east. By doing this, only two easements would be required. Keuler questioned if more sump pumps are a possibility? Plate stated they could back-up on the residents. If it had to be then they could go that route. Right now, the pipe goes out underneath the street. So, he doesn't want to do anything with that pipe because that would mean tearing up the street. He is just waiting on a price from the contractor. It will be a Spring project. No action taken.

Discussion and possible action regarding Ordinance 2022-10 Amending Ordinance 4.01 Traffic Laws –

DuPrey explained that this ordinance will: (1) Incorporate the stop sign on Tanglewood Drive in the Village Meadows Subdivision and (2) right now the parrel parking by businesses are listed as the businesses' names and addresses; he is changing this to the addresses only. This way, every time a new business takes over a location the ordinance will not have to be amended. Roehrig asked if there was going to be parking spot lines marked by The Local Lounge. Plate stated that is the plan. Action – to approve Ordinance 2022-10 Amending Ordinance 4.01 Traffic Laws as presented – motion: Kloehn; second: Krueger; Roll Call Vote – yes: Loose, Krueger; Roehrig, Nolan, Keuler, Kloehn, Schrubbe; carried.

Discussion and possible action regarding an increase to the current sewer rates – Plate stated that at the last meeting it was said that there was going to be a Water & Sewer Committee meeting to discuss this; and there was not. He is requesting that this happens so the committee can address this topic and then put a recommendation to the Board if they decide to. It was agreed that this line item would be tabled until after the committee meeting. No action taken.

Discussion and possible action regarding the notice to terminate the contract with the Village for janitorial services and proposals from another janitorial service – DuPrey informed the Board that L&B Janitorial Services handed in a letter stating that they would no longer be servicing the community center and the clerk's office as of November 15<sup>th</sup>. DuPrey stated that he had checked with 3 different janitorial services and has only received one reply back. He presented this to the Board. For each day rented at the community center that the janitorial company needs to come in and clean before the next rental, they would charge \$505.00. We did not receive a quote for the clerk's office. Kieso stated that in December there are 9 rentals; so that's a total cost of over \$4,500 for that one month. Right now, L&B charges \$500 for the entire month including the clerk's office. Roehrig asked if that was something Betty might be interested in doing? It was something to ask her. Ron Ott mentioned that he knew of a smaller janitorial service out of Chilton that may be interested in it. He will supply DuPrey with the contact information. DuPrey stated that he asked L&B to stay until the end of December just to make it through the holidays. He has not received an answer yet. It was agreed by the Board that the \$4,500 expense is not feasible and other options would need to be found. Someone mentioned advertising for it. It was decided to hold off on that until DuPrey can check on the service mentioned by Ott. No action taken.

2023 Projects – Discussion and possible action regarding Resolution 2022-13 “Initial Resolution to Special Assess for Curb & Gutter” in Village Meadows – DuPrey started by handing out the procedures that must be followed in order to do the special assessment. Last time, this process was started but steps were skipped so it could not be completed. The timeline is as follows: 11/14/2022 – The Preliminary Resolution Declaring Intent to Levy Special Assessments is approved by the Village Board. 11/21/2022 – The Notice of the Public Hearing and Report on Proposed Special Assessments is mailed to all affected property owners. 11/24/2022 – The Notice of Public Hearing is published in the Brillion News. 12/13/2022 – The Public Hearing on the Proposed Special Assessments is held at the beginning at 6:30 p.m. This hearing is separate from the regular Board meeting which will be held the same night. 12/13/2022 – The Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefitted Property is approved at the regular December Board meeting. 12/14/2022 – A copy of the Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefitted Property is mailed to each interested person (property owner). 12/22/2022 The Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefitted Property is published as a Class 1 Notice in the Brillion News. Advertisements for bids can take place after the publication of the Final Resolution on 12/22/2022. It cannot be the same week at the publication of the Final Resolution. The bids would be opened once the advertising takes place and there is ample time for contractors to submit a bid. The publication of the ads and the awarding of the bids could be timed so that it could be opened a regular Board meeting night. If we would advertise in January, we could open bids so that they could be awarded at the February 2023 Board meeting. Ron Ott (a resident within Village Meadows Subdivision) stated that we just need to do it right this time so the project happens and gets completed. Schrubbe agreed and said shame on us last time for missing the steps that should have been taken. Krueger is abstaining from the vote because he is a resident within the Village Meadows Subdivision. Action – to approve Resolution 2022-13 “Initial Resolution to Special Assess for Curb & Gutter” in Village Meadows as presented – motion: Roehrig; second: Loose; Roll Call Vote – yes: Loose, Roehrig, Nolan, Keuler, Kloehn, Schrubbe; carried. Krueger abstained.

Village Board Member Informational Report – Roehrig stated that whoever painted the gazebo did an

excellent job and it looks great. Plate stated that Kenny Geiser did and it's a great improvement. Nolan asked about the property on the corner across from the post office. She is concerned about the mess that is there since the owner was told by the building inspector to stop his project. DuPrey stated that we could address it as a property maintenance issue and he would just need Schrubbe to check it out and give him permission to address it.

Village Personnel Information Report – DuPrey stated that the election went very well and Kieso did a great job running it with his assistance. The workers did great and they were done at 9:05 p.m.

President's Report – Schrubbe stated that a while back we were discussing the Dan Beil maintenance issue regarding a ditch. Beil was under the understanding that a contract was signed years ago between him and the Village (Charlie Fochs) saying that the Village would maintain it. There was no contract provided by Beil and the Village employees had no recollection that one existed. Kieso was in the back files the other day and had come across the original contract; which states that the Village would be in charge of the maintaining it. Schrubbe stated now that we have this, we will need to readdress this subject at an upcoming meeting. Also, a reminder that the meeting for the Special Assessment will be held at 6:30 p.m. prior to the December Board Meeting on Tuesday, December 6, 2022.

Notice is further given, that the Board will convene into closed session to discuss compensation of a Public Employee.

The Village Board then convened into closed session under S.19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Action – to convene into closed session – motion: Kloehn; second: Roehrig; Roll Call Vote – yes: Loose, Krueger, Roehrig, Nolan, Keuler, Kloehn, Schrubbe; carried.

The Board then reconvened back into open session. Action – to reconvene back into open session – motion: Loose; second: Kloehn; Roll Call Vote – yes: Loose, Krueger; Roehrig, Nolan, Keuler, Kloehn, Schrubbe; carried.

Discussion and possible action regarding compensation of a Public Employee – Action – to grant DuPrey permission to further negotiate – motion: Krueger; second: Roehrig; carried.

Notice if further given, that the Board will then reconvene into closed session to discuss the possibility of pursuing to purchase public property and investing public funds.

The Village Board then convened into closed session under S.19.85(1)(e) to deliberate or negotiate the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Action – to convene into closed session – motion: Loose; second: Kloehn; Roll Call Vote – yes: Loose, Krueger, Roehrig, Nolan, Keuler, Kloehn, Schrubbe; carried.

The Board then reconvened back into open session. Action – to reconvene back into open session – motion: Loose; second: Nolan; Roll Call Vote – yes: Loose, Krueger; Roehrig, Nolan, Keuler, Kloehn, Schrubbe; carried.

Discussion and possible action regarding the purchase of public property, investing public funds and other directly related items of business – Action – to reject the counter offer as presented – motion: Roehrig; second: Loose; carried.

Adjournment – Action – to adjourn – motion: Loose; second: Kloehn; carried. The meeting was adjourned at 8:54 p.m.

*Missy Kieso*

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Missy Kieso, Deputy Clerk Treasurer