

President Mark Breckheimer called the regular meeting of the village board to order at 7 p.m. on Tuesday, September 11, 2018.

Roll Call – all members reported present. Please see attached sign-up sheet for others present.

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

Citizen Questions and Concerns to be acted on at the next board meeting – John Noskowiak appeared before the board to discuss concerns regarding the pond located near his property in the Fochs Trails Subdivision. He stated that he had a letter of complaint regarding the pond signed by the surrounding residents. He turned that letter over to DuPrey and was wondering what the status was. DuPrey stated that he gave the letter to the Street Committee chairperson, Starfeld. Starfeld stated that he received it and it will be on the agenda for the next committee meeting. He informed Noskowiak that he would let him know the date and time of that meeting. Noskowiak stated that something needs to be done with it because the algae is getting out of control and the smell has been horrible; so bad that he can hardly sit outside during the last few months. He said the Village may want to think about hiring a professional to take down the cattails also. He said he knows Fochs tried, but they are back worse than ever. Noskowiak also recommended that the Village may want to address the weed issue by laying down some asphalt; which would incur costs, but would look better. The topic will be discussed at the Street Committee meeting.

Announcements – Committee Budget Meetings must be held so all information is turned in for the 2018 Budget by September 30, 2018. 2018 Rural Arts Roadtrip – October 12th and 13th. Economic Development Committee Meeting on 9/12/2018 @ the Hilbert School District campus in the auditorium at 6 p.m.

Minutes – Action – to approve the board meeting minutes as presented – motion: Roehrig; second: Schrubbe; carried. The fire department minutes were presented to the board. Action – to accept the fire department minutes and place them on file – motion: Starfeld; second: Keuler; carried. There were no first responder minutes presented to the board.

Treasurer's Report for the Village of Hilbert - balances – (\$44,181.76) General fund; \$633,054.52 Sewer fund; \$96,070.19 Water fund; \$1.00 DOA Block Grant Fund; \$4,542.49 TID #1 fund; \$1,093,204.99 T-Plus fund; \$19,112.17 First Responder fund; (\$285,609.37) TID #2; \$677,102.47 Capital Improvements Fund. Action – to approve the treasurer's report as presented – motion: Starfeld; second: Keuler; carried. The treasurer's report for the fire department was presented to the board. Action – to approve the fire department treasurer's report as presented – motion: Schrubbe; second: Roehrig; carried. The treasurer's report for the first responders was presented to the board. Action – to approve the first responder's treasurer's reports as presented – motion: Starfeld; second: Keuler; carried.

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

Correspondence – There was no MEG Newsletter presented to the board. The Focus Newsletter was presented to the board for their information. There was no Boardman & Clark Newsletter presented to the board for their information. The Calumet County Focus on Calumet Newsletters were presented to the board for their information. The e-mail from East Central Regional Planning Commission regarding submitting technical assistance project request was presented to the board for their information. DuPrey stated this is the assistance which we are receiving for the Civic Park. Are there any other projects? If so, let him know. DuPrey stated that the Southside land doesn't qualify. The notice from the Department of Administration regarding estimated 1/1/18 population was presented to the board for their information. DuPrey stated that we are down 4 residents from last year. An e-mail from LWMMI regarding 2019 Workers Compensation Rates was presented to the board for their information. DuPrey stated that the mod factor is up and we are looking at an increase of approximately \$6,800.00 for this year and a few years to follow. An article from Insight Magazine regarding Calumet County was presented to the board for their information. Contact Information and upcoming 2019 training events from the League of Wisconsin Municipalities was presented to the board for their information. DuPrey stated that this is helpful information for board members.

Reports - The report of labor hours was presented to the board for their information. The monthly report on building permits was presented to the board for their information. The Notice of 2018 TIF Limitation Report from the Wisconsin Department of Revenue was presented to the board for their information. DuPrey stated that the Village is at 25.75%. You need to be lower than 12% to be able to create a new TID. If you look at TID #2 you will see that it's substantially higher than TID #1; so even when TID #1 terminates in 2020 we will still be over the limit of 12%. A new TID will not be able to be created until 2027 when TID#2 terminates. Sargento had a lot of development with their expansion which increased that overall increment in that district. The Notice of Quarterly cable TV Franchise Fees from Charter Communications in the amount of \$2,461.09 was presented to the board for their information. The Notice of 2018 Net New Construction was presented to the board for their information. DuPrey stated that the Village is at .99% which isn't the best. However, Sargento's latest expansion started late in 2017, most of the construction was in 2018, so that will not show until 2019.

Unfinished Business:

2018 Projects – There are no payments or change orders to present to the board.

Discussion and possible action regarding Resolution 2018-04 to amend the 2018 budget – This resolution is to amend the 2018 budget to transfer the \$6,000 budgeted for sidewalk repair in the General Fund to Capital Improvements Fund for the sole purpose of installing new sidewalk on both

sides of 11th St. and Hwy 114 (W. Main St.) to Milwaukee Street. Action – to approve Resolution 2018-04 to amend the 2018 budget – motion: Starfeld; second: Schrubbe; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Recycling/Rubbish – The monthly report was presented to the board for their information.

Police Protection for the Village – The police protection report was presented to the board members for their information.

Fire Department – Assistant Chief Dave Franz was present. He informed the board that there were 3 calls since the last meeting. Two were for the dive team and one was for the tornado warning. He stated that the Fire Department will be selling 50/50 tickets for the Hilbert Pub Crawl on October 6th. He also said that on Sept. 22nd they will be members of the Fire Department doing the Commemorative Walk Up the Steps at Lambeau Field where all funds raised will go to the families of 9/11.

TID District #1 – The 2018 Statement in TID Value was presented to the board for their information.

DuPrey stated that it stayed stagnant which is what was expected.

TID District #2 – The 2018 Statement in TID Value was presented to the board for their information.

DuPrey stated that it also was more or less stagnant but there was a slight drop. This goes back to the Department of Revenue correction that was made the previous year.

Wastewater Treatment Plant – nothing new.

Hilbert Acres Mobile Home Park – DuPrey stated that there was an e-mail sent from Anita stating that 2/3 of what is left to be done will be completed by the end of September/early October. Starfeld stated that we'll give them a chance to get it done and address it again at the October Board Meeting.

Village South Residential Development Property – Breckheimer stated that he is expecting there to be a joint Plan Commission/Economic Development Committee Meeting towards the end of September/early October.

Village Economic Development Plan –

Discussion and possible action on Resolution 2018-05 A Proclamation by the Village Board in Support of Fair Housing – DuPrey stated that this ties in with the CDBG Grant for the Village-Wide Development Plan and that it is a requirement of the grant. Action – to approve Resolution 2018-05 A Proclamation by the Village Board in Support of Fair Housing – motion: Schrubbe; second: Starfeld; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Village Website Update – Kieso stated that more information was sent to Brett Halderson and he was going to be working on the website this weekend. A meeting then will be set up for Halderson to meet with Kieso and DuPrey to wrap everything up and getting the website to go live.

ATVs/Golf Carts – Action – to accept the Police & License Committee meeting minutes as presented and place them on file – motion: Schrubbe; second: Keuler; carried.

Discussion and possible action regarding Ordinance 2018-01 Allowing the Use of Golf Carts in the Village – Starfeld stated that DuPrey found out more information regarding this topic. DuPrey contacted the sheriff's department with questions on the signage required. Brett Bowe returned his call just a few hours ago. He informed DuPrey that he spoke to the Department of Transportation and has now found out, that according to the wording of the statute, Golf Carts/ATV's are actually allowed on Highways if the speed limit is 35 mph or less. Not just County Roads but also State Highways. This is new information. DuPrey thinks this needs to go back to the committee for further review and to get an interpretation from our attorney regarding the statute. Do we allow it on State Highways? That's the board decision to make. It opens up a whole new realm of questions that need to be answered. You don't want to pass an ordinance and then have to change it in 2 months. You want to do it right the first time. The signage issue would have to be addressed also depending on whether or not the Village includes State Highways. If the Board doesn't allow State Highways then extra signs will be needed since then the whole Village would not be Golf Cart/ATV friendly. Starfeld said we just need to send it back to committee. Everything back to committee. DuPrey agreed that it should all go back and nothing should get approved tonight. Starfeld stated that we need to find out more information in light of what we just learned. It will all get tabled and brought back to committee. No action taken.

Discussion and possible action regarding Ordinance 2018-02 Allowing the Use of ATV's/UTV's in the Village – This was tabled and sent back to committee. No action taken.

Discussion and possible action regarding the application form/inspection form for Golf Carts/ATV's/UTV's – This was tabled and sent back to committee. No action taken.

Discussion and possible action regarding the signage and decals – This was tabled and sent back to committee. No action taken.

Discussion and possible action regarding the 2019 Budget – DuPrey stated that he kept the hours the same regarding the police contract and figured a 3% increase. Action – to submit the 2019 budget for consideration – motion: Roehrig; second: Starfeld; carried.

Purchase & Claim Committee - Action – to accept the committee meeting minutes as presented and place them on file – motion: Roehrig; second: Starfeld; carried.

Discussion and possible action regarding offer to purchase property on South 4th Street – Lyle Thiel addressed the board and explained that he owns property across the street from the location and is asking the board to deny the offer. He thinks it's not a good spot for storage units since it will be across from two houses that were just moved there. John Noskowiak feels like there are enough storage sheds in the Village already. Tim Halbach, attorney, stated that he cannot state the names of the clients he is

representing but he has been given several reasons why the offer should not be accepted: It would be taking away green space on Main Street, it may block the view for people to see if a train is coming, the area is used for the Cheesehead Run and the 4th of July parade, near-by neighbors may not like it and it may not tie in with the Village's Economic Development Plan. Halbach stated that if the property is for sale, he would ask it to be available for open bids, this way the Village can choose from multiple offers. Keuler asked if the board is thinking of keeping it as green space or would possible sell it in the future? Breckheimer stated that is something that would need to explored farther. Roehrig asked if there was a proposal seen by the committee? It was stated that the proposal was the one presented at the August Board Meeting. The committee's recommendation is to deny the offer to purchase. Action – to deny the offer to purchase property on South 4th Street – motion: Starfeld; second: Nolan; carried. No further action needed.

New Business:

Application for Operator Licenses – Action – to approve the operator license for Jenna Sieckert – motion: Schrubbe; second: Starfeld; carried.

Classes/Seminars/Schooling for Employees –

Report on Seminars Attended – DuPrey presented the board with his report from the WMCA Conference which he attended.

Discussion and possible action regarding request to attend the water system operations basics class – Mark Fochs is requesting approval to attend the water system operations basics class. The estimated cost is \$400 and he will use the Village's public works truck to commute. Once the class is completed he will be taking the test on November 4th. Action – to approve for Mark Fochs to attend the water system operations basics class – motion: Starfeld; second: Schrubbe; carried.

Discussion and possible action regarding questions and concerns brought forward by individual(s) for the property located at 132 S. 8th St. – Breckheimer stated that he would first like to go over the answers to the questions that were raised at the last meeting. The Village does not own the 132 S. 8th St. property. The Hilbert Revitalization Group owns it. The Hilbert Revitalization Group is not affiliated with the Village of Hilbert. When asked for a listing of the members and their contact information the Village was told to direct questions to the number listed; which is the office of Todd Thiel. No list was provided. In 2017, the Village issued a weed violation letter and then a citation followed in the fall of 2017. In 2018, it was switched to AG use; still zoned residential but for agriculture use. Marsh grass was planted and the Village cannot enforce the weed ordinance on AG property. The taxes classified as AG use with the current tax rate is approximately \$102.54/yr. compared to normal taxes of that property being \$1351.00/yr. The assessor is the one responsible for classifying property as AG use and he follows the regulations of the State of Wisconsin and the Farm Land Advisory Council. Once a crop is planted it's considered AG use. Keuler asked how can we avoid this situation in the future? He said there has to be other municipalities that have dealt with the same problem. People in this community should not have to deal with it. The Revitalization Group should be invited here to answer for how the lot looks. Breckheimer stated that they were invited to this meeting. Starfeld suggested having the assessor to the next Board Meeting to answer all these questions directly because he doesn't understand why that lot would be Ag use since it's mainly weeds. He said anyone can throw corn seeds out on their grass and call it a crop and see if it grows. Mathes questioned whether anyone could call the assessor? DuPrey stated anyone can and he would get her the contact information. Laurie Mathes said there's actually more properties in the Village labeled as AG use than she realized but most are on the outskirts of the Village. She said she is under the understanding that the crop has to be harvested at least once. DuPrey stated that this actually may not be the case. He recently found out that the statute on whether the crop has to be harvested is a gray area and not clear cut. It doesn't directly state that it does have to be harvested. Mathes stated that the weeds were 6 ft tall and that the neighbors had to put up with that all summer and they are owed an apology. Now that the marsh hay is cut and laying there that's more cover for rodents. Keuler said the next thing that will happen is a rat problem. He encouraged everyone to call the number listed for the Hilbert Revitalization Group and question why they are doing this. Nolan stated that there are hammocks hanging in the trees located on the property and people are climbing up there and sleeping throughout the day. Breckheimer stated that the Village did make an offer of \$150k to purchase the property in January and received no reply. It was decided to have the assessor come to the next board meeting to answer additional questions. No action taken.

Discussion and possible action regarding regulating the use of drone in the Village – Starfeld stated that he had a resident address him with a concern about drones flying over his property. Starfeld asked the board if they would like him to look into drone ordinances and to dig farther on the topic. Breckheimer replied that since there will be a committee meeting for the Golf carts/ATV's that the drone topic should also get put on the agenda for that meeting and looked at then. Starfeld agreed; it will go to the committee. No action taken.

Park and Recreation Committee – Action – to accept the committee meeting minutes as presented and place them on file – motion: Schrubbe; second: Starfeld; carried.

Discussion and possible action regarding the request from Hilbert High School to host a bonfire as part of homecoming week – DuPrey stated that he received a request from Tony Sweere to hold a bonfire at the school campus on September 20th after the volleyball game. Starfeld questioned whether Sweere contacted the Fire Department. DuPrey stated that Sweere will get in contact with the Fire Department.

Action – to approve the request from the Hilbert High School to host a bonfire – motion: Starfeld; second: Roehrig; carried.

Discussion and possible action regarding allowing more than one driveway entrance for properties in residential areas – Keith Berchum addressed the board and explained that he is purchasing a corner lot on Friendship Way. Besides having the driveway on Friendship Way, he would also like to be able to put a driveway on Elm Street for an accessory building that he plans on building. The building would face the same way as the house and the driveway would be curved. The current ordinance allows one driveway per residence. DuPrey said that one option would be to allow 2 driveways on a corner lot. Another option would be to require a conditional use permit. DuPrey stated that the conditional use permit is the route that the attorney suggested. This gives the Village more control as what they want to allow and they can take each request separately. Nolan stated that would be a good way to evaluate it. It was decided to send it to committee to research further. No action taken.

Health Board - Action – to accept the committee meeting minutes as presented and place them on file – motion: Roehrig; second: Starfeld; carried.

Committee recommendation regarding appointment of interim fire chief – Since Chief Loose will be out of town for an extended time due to work obligations the committee is recommending that Assistant Chief Dave Franz be appointed the interim fire chief. Loose will still remain on the fire department but will take a leave of absence during this time. Action – to approve Dave Franz as interim fire chief – motion: Schrubbe; second: Keuler; carried. No further action needed.

Village Board Member Informational Report – Schrubbe brought up the train tracks on Cedar Street. He's not sure if it's in our control or not. The tracks are starting to fall apart. There are large gaps. Can we mention this to the railroad? Fochs stated that this is the way they get their trucks in and out. He talked to them regarding this issue before and they told him to just block it off if it's too bad. Fochs stated you can mention it to them but doesn't know if it'll make a difference.

Village Personnel Information Report – Fochs stated that there is a stain on top of the water tower. The vent cover that the DNR required us to change is rusting away. This type of vent is put on many towers and there's never been an issue. Lane Tank is coming back later this month to get the stain off. If they cannot, they will drain the tower, sandblast and repaint it. They don't know why it happened. Keuler asked if could be from lightning? Fochs said they don't think so; it's just deteriorating. It's all warranted. Fochs said that he's not worried about it; he knows it'll get taken care of it. DuPrey added there has been another request regarding a pot belly pig as a pet. Breckheimer stated that the ordinance refers to no pigs being allowed; which means all pigs. DuPrey stated that we may want to review the ordinance to be more specific or clear in case this gets to be an ongoing issue.

President's Report – Breckheimer told everyone to stay after the Board Meeting to set up budget committee meetings.

The board then convened into closed session under Section 19.85(1)(c) of the Wisconsin Statutes to discuss the possibility of pursuing the purchase of public property. Action – to convene into closed session – motion: Starfeld; second: Schrubbe; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

The board then reconvened back into open session. Action – to reconvene back into open session – motion: Schrubbe; second: Roehrig; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Discussion and possible action regarding submitting a bid to purchase public property – No action taken.

Discussion and possible action regarding retaining outside legal counsel to represent the village in a real estate transaction – Action – to retain outside legal counsel to represent the Village in a real estate transaction – motion: Schrubbe; second: Starfeld; carried.

Adjournment – Action – to adjourn – motion: Keuler; second: Starfeld; carried. The meeting was adjourned at approximately 8:25 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk

President Mark Breckheimer called the special meeting of the village board to order at 7 p.m. on Tuesday, September 25, 2018.

Roll Call – all members reported present. Also present were Charlie Fochs and Dennis DuPrey.

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

Citizen Questions and Concerns to be acted on at the next board meeting – None.

Announcements – None.

President's Report – None.

The board then convened into closed session under Section 19.85(1)(c) of the Wisconsin Statutes to discuss the possibility of pursuing the purchase of public property. Action – to convene into closed session – motion: Starfeld; second: Roehrig; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

The board then reconvened back into open session. Action – to reconvene back into open session – motion: Schrubbe; second: Bolwerk; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Discussion and possible action regarding the purchase of public property and investing public funds – No action taken.

Adjournment – Action – to adjourn – motion: Starfeld; second: Keuler; carried. The meeting was adjourned at approximately 7:24 p.m.

Dennis DuPrey

Dennis DuPrey, Administrator Clerk Treasurer