

President Mark Breckheimer called the regular meeting of the village board to order at 7 p.m. on Tuesday, April 19, 2016.

Roll Call – all members reported present. Others present were Charlie Fochs, Mike Loose, Ed Byrne from the Brillion News, Nick Mirsberger, Karl Propson and Missy Kieso.

Reorganization of the Board – Breckheimer presented his listing of board standing committees. He stated that he left all of the appointments pretty much the same and substituted Peggy Nolan where Gary Boesch was except for the Street committee. Action – to approve the appointment of board standing committees as presented – motion: Roehrig; second: Koffarnus; carried.

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 – There is going to be a village wide rummage sale sponsored by some residents on April 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>. Spring Clean is scheduled for May 7<sup>th</sup> from 8 a.m. – 11 a.m. Fire Department brat fry is scheduled for 4/30/16. There is an Employee Review meeting on 4/26 at 7:15 p.m. and a Plan Commission meeting on 4/26 at 7:30 p.m.

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

Treasurer's Report for the Village of Hilbert - balances – \$167,234.55 General fund; \$461,066.07 Sewer fund; \$98,438.44 Water fund; \$3.00 Clean Water fund; (\$34,012.86) TID #1 fund; \$722,143.59 T-Plus fund; \$17,956.20 First Responder fund; (\$449,583.33) TID #2, \$4,422.59 CDA; \$221,136.30 Capital Improvements Fund. Action – to approve the treasurer's report as presented – motion: Starfeld; second: Keuler; carried. The fire department treasurer's report was presented to the board. Action – to approve the treasurer's report of the fire department as presented – motion: Koffarnus; second: Starfeld; carried. There was no first responder treasurer's report received.

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

Correspondence – The MEG newsletter was presented to the board for their information. There were no letters from Time Warner Cable. The Focus newsletters were presented to the board for their information. The Boardman & Clark newsletter was presented to the board for their information. There was a request from Eastshore Humane Association for a donation of our dog funds received from the county. DuPrey stated that in the past it had been \$200 and he asked if there could be an increase. He stated that we don't really incur a huge amount of expenses on it and receive about \$500 annually. He stated that they have worked well with the village when we have had to deal with strays. The board felt that it could be increased. Action – to approve a \$250 donation to the Eastshore Humane Association – motion: Roehrig; second; Koffarnus; carried. There was information presented from the LWM on a seminar called Local Government 101. There was information presented from Davis & Keulthau on their 38<sup>th</sup> annual Public Officials Program. There was information presented by Calumet County on their leadership training sessions that they are holding. DuPrey read a thank you card from the family of Donna Boesch.

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. Notice of lottery credit for real estate and personal property paid to the county in the amount of \$35,376.34 was presented to the board for their information. Notice of receipt of lottery credit for mobile homes was presented to the village board for their information. Notice of receipt of the quarterly street aid payment in the amount of \$13,658.69 was presented to the board for their information. DuPrey presented the annual PSC Report for the water utility to the board. He stated that everyone should read this report. It is quite lengthy and has a lot of detail in it. The condition of budget for all funds for the first quarter of 2016 was presented to the board.

Unfinished Business:

2016 Projects – Nothing new.

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

Police Protection for the village – The monthly report from the last two months was presented to the board for their information.

Fire Department – Chief Mike Loose reported that there were 3 calls in the last month. He stated that the department is still seeking funds for the light tower on the new truck. He also stated that the department will be operating the cheese stand for the Cheese Derby in June for another fundraiser. He also informed the board that the only raffle that they are conducting this year is a 50/50 raffle with the ticket cost at \$5 each. There will be no arm's length raffle at the parade as previously. They found out that it was not a proper way to conduct a raffle.

TID District #1 – Nothing new.

TID District #2 – Action – to accept the committee meeting minutes and to place them on file – motion: Koffarnus; second: Starfeld; carried. The recommendation from the TID committee was to approve the developer agreement with Nick & Vicki Mirsberger, LLC for an addition onto the new office building. DuPrey explained the developer agreement and the terms of the agreement. The village would provide a developer assistance grant in the amount of \$25,400 and would add a clause that would allow Mirsberger to sell the stockpiled black ground except for an amount needed by the village. Action – to

approve this recommendation – motion: Koffarnus; second: Piepenburg; carried. There was no further action needed regarding this.

Street Committee – Information was presented on the next regional flood meeting. Piepenburg will attend the meeting.

"Looks of Hilbert" (Aesthetics) – Starfeld reported that there is an agreement on the lettering and appearance of the street signs for Main St. The frames are done and Jean Kloehn is doing the lettering on the signs. The signs will be reflective.

Wastewater Treatment Plant – Interceptor Sewer Main Replacement Project – Charlie Fochs reported that they still have some work to complete to finish it up. WWTP Upgrades – Charlie Fochs reported that the project is winding down. There was some discussion about having an open house so residents can see everything that was done. The board felt that it was a good idea. Change Orders #7 & #8 were presented to the board. Charlie Fochs explained the change orders to the board. Change Order #7 was a reduction of \$2,553 and Change Order #8 was an increase of \$6,998. Action – to approve Change Orders #7 and #8 with Oudenhoven Construction as presented – motion: Koffarnus; second: Keuler; carried. The payment request for billings was then presented for the clean water fund draw. Action – to approve the billings for payments as outlined for the clean water fund draw – motion: Starfeld; second: Roehrig; carried. A letter from the DNR approving Change Order #6 was presented to the board for their information. Hilbert Acres Mobile Home Park – There was nothing new. The reports on engineering bills and clean water fund draws were presented to the board for their information.

#### New Business:

Other Annual Appointments – Plan Commission: A board member for a 1 year term. Breckheimer recommends Jim Koffarnus. Action – to approve this appointment – motion: Starfeld; second: Piepenburg; carried. A citizen member for a 1 year term. Breckheimer recommends Mike Loose. Action – to approve this appointment – motion: Koffarnus; second: Roehrig; carried. A citizen member for a 3 year term. Breckheimer recommends Randy Boesch. Action – to approve this appointment – motion: Koffarnus; second: Starfeld; carried. Board of Appeals: A citizen member for a 3 year term. Breckheimer recommends Sharon Nett. Action – to approve this appointment – motion: Koffarnus; second: Piepenburg; carried. A citizen member for a 3 year term. Breckheimer recommends Karl Propson. Action – to approve this appointment – motion: Keuler; second: Koffarnus; carried. TIF District: A citizen member to replace Don Schultz. Breckheimer recommends Mike Bolwerk. Action – to approve this appointment – motion: Koffarnus; second: Keuler; carried. CDA Committee: A citizen member to be chairperson to replace Mark Breckheimer. Breckheimer recommends Tom Roehrig. Action – to approve this appointment – motion: Keuler; second: Starfeld; carried. Housing Authority: A citizen member to fill the unexpired term of Don Richart until April 2017. Breckheimer recommends Shane Whitney. Action – to approve this recommendation – motion: Koffarnus; second: Roehrig; carried. A citizen member for a 5 year term. Breckheimer recommends Jason Gruett. Action – to approve this recommendation – motion: Roehrig; second: Keuler; carried.

Application for operator licenses – There were none received.

Application for a 6 month Class B License – Hilbert Athletic Association – DuPrey stated that this would have to be conditionally based upon satisfying the 15 day waiting period on publication. Action – to approve the 6 month Class B License for the Hilbert Athletic Association conditionally based upon the 15 day waiting period for publication – motion: Koffarnus; second: Piepenburg; carried.

Classes/Seminars/Schooling for employees – Breckheimer reported that he will be attending the LWMMI conference next Wednesday through Friday.

Health Board – Action – to accept the committee meeting minutes and to place them on file as presented – motion: Koffarnus; second: Starfeld; carried. The first recommendation was to approve to allow the fire department to remove the water tank that needs repair and to haul it there for repairs. Mike Loose explained what he found out regarding this. He stated that they will not pull the tank even if we take the truck there. Action – to approve this recommendation – motion: Piepenburg; second: Roehrig; carried. There was no further action needed regarding this. The second recommendation was to approve Ordinance 2016\_02 regarding Knox Boxes. This was discussed. Koffarnus questioned if there were any complaints regarding it. Loose stated that he had received a couple. He stated that there are apartments where all they inspect is the corridors and that these buildings would not need a Knox Box. Starfeld commented that he felt that we should not make it into an ordinance. He feels that it should be recommended but not forced. He stated that with the Knox Box it is outside and with the keys to his buildings and if you are a criminal, all you have to do is break into the Knox Box and you have full access to his buildings. He stated at that point, they can go into his buildings but it is not considered a break in because he had keys. DuPrey stated that it covers all government buildings so how do we deal with our park buildings and community center, well buildings, etc.? We would have to have a Knox Box also. Starfeld can see the sense with Sargento and Bel Brands because they do not have people here. Breckheimer commented that if you look at the other area municipalities they all pretty much have one requiring Knox Boxes. Keuler asked if we are not getting any resistance on a volunteer basis, why put it in an ordinance. Mike Loose stated that he brought this back previously because they will no longer carry keys on the trucks. Breckheimer stated that when we did research on this, it showed that most municipalities already have this in place. He stated that this is where we got our examples from. He also stated that he checked with the League and they informed him that it is a common ordinance that is out

there and that there has never been any litigation with liability or anything due to the ordinance. Keuler stated that Chilton doesn't have Knox Boxes at their treatment plant or city hall. He questioned why we would have to incur this extra expense. Starfeld stated that if someone doesn't want their door smashed, then put in a Knox Box. Roehrig stated that he understands where Starfeld is coming from but there could be a liability issue if we just knock a door in. Someone might come back and ask, why this door. Couldn't you have knocked this other door down? Couldn't you have gone through this window? Starfeld stated that he is not going to have his keys to his building in a box outside of his building. Roehrig stated that we are not inventing the wheel here. He stated that this ordinance is in other cities and villages already. He stated that we are not the first to try this. Piepenburg stated that the goal is to get quick entry into a building if needed. Keuler questioned the penalty on it. DuPrey stated that it follows our penalty ordinances. Breckheimer stated that if they want if they want to pursue it then they could send it to committee and clarify government buildings. Starfeld stated that we should get all of the businesses in here and get their opinion. There was some question if this would apply to everyone in the fire district? This would need to be clarified. The board decided to send it back to committee and send a letter to everyone when the committee meeting would be held.

Plan Commission – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Starfeld; second: Keuler; carried. The first recommendation was to amend the zoning code for accessory structures. There was some discussion about the ordinance and questions on definition of a garage vs. an accessory building. There were also questions if a detached garage could be placed in front of the principal building. It was decided to send this back to the plan commission to get the questions clarified. There was no public hearing set.

Street Committee – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Roehrig; carried. The recommendation from the committee was to approve a culvert to be installed at 4<sup>th</sup> St. & Calumet St. on the condition that the pipe had to be in good condition, it must be sized by the engineer and there is no cost to the village. Charlie explained the history of getting to this point. He stated that the culvert would be a 4' flat culvert and the engineer has okayed the size and type of culvert for drainage purposes. Action – to approve this recommendation – motion: Koffarnus; second: Keuler; carried. There was no further action needed regarding this.

First Responders – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Keuler; carried. The recommendation from the committee was to approve the transfer of funds from available cash so that 5 new pagers could be purchased. Action – to approve Resolution 2016\_02 approving the transfer of \$1,200 from available cash balances to allow the purchase of 5 new pagers – motion: Koffarnus; second: Keuler; Roll Call Vote – yes: Piepenburg, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. There was no further action needed regarding this.

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

Request to purchase a new BOD Probe and Meter – Charlie brought this to the board. The current one is in need of repair but is quite old. Cost for a new one would be \$2,104.50 and they have \$2,000 budgeted so it would be over by \$104.50. Action – to approve the purchase of the new BOD Probe and Meter at a cost of \$2,104.50 – motion: Koffarnus; second: Keuler; carried.

Village Employee Informational Report – Charlie Fochs brought up that they will be flushing hydrants on this Friday if anyone wants to help. DuPrey reported that the spring election's turnout was much higher than anticipated. The last Presidential Preference Election brought out 239 voters. This one had 425 voters. He stated that he did run out of ballots at the end (30 short) but everyone used the touch screen machine so the ballots could be tabulated right away. He stated that everyone was very understanding but he will be ordering extra ballots for November.

President's Report – none.

Adjournment – Action – to adjourn – motion: Piepenburg; second: Roehrig; carried. The meeting was adjourned at 8:21 p.m.

*Dennis DuPrey*

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Dennis DuPrey, Clerk

President Mark Breckheimer called the special meeting of the village board to order at 7:15 p.m. on Tuesday, May 3, 2016.

Roll Call – all members reported present. Others present was Charlie Fochs.

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 – Breckheimer stated that he needed to correct himself regarding the Knox Boxes from last month. He stated that he said that Chilton and Brillion had the same ordinance but they do not. He stated that he was working on a couple of ordinances at once and that he got them mixed up.

Unfinished Business:

New Business:

Plan Commission – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Keuler; carried. The first recommendation was to approve an amendment to our sign code regarding setback requirements for signs in commercial and industrial districts. Right now the current code states that there has to be a 20' setback. This doesn't make real sense since you can build buildings right up to the lot line. The propose Ordinance 2016\_04 incorporates the change to remove the setback requirement. The sign entire sign must still be back behind the right of way. Action – to approve Ordinance 2016\_04 amending Section 9.03(4)(c) of the Village of Hilbert Code of Ordinances as presented – motion: Koffarnus; second: Starfeld; Roll Call Vote – yes: Piepenburg, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. The second recommendation was to leave the proposed zoning code change as it was originally presented last month. The questions from last month were answered at the plan commission level and they are comfortable with the proposed language change. The next set would be to set up the public hearing. Action – to set the public hearing on the proposed zoning code change regarding garages and accessory buildings for 7 p.m. on Tuesday, June 14<sup>th</sup> – motion: Koffarnus; second: Keuler; carried. The public hearing would be conducted at the beginning of our regular board meeting.

Employee Review/Grievance Committee – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Roehrig; carried. The recommendation from the committee was to offer the part-time position of wastewater treatment plant lab technician to Betty Ruppenthal for up to 16 hours per week at \$11 per hour. This was discussed by the board. Keuler stated that he has a problem with the starting wage. He stated that he talked with some other ones and they have a problem with it. He stated that he didn't feel that she should be hired at \$11 per hour when our seasonal summer help who has been here for 3 years and is making \$10 per hour. He never received a raise this last year. He stated that he is concerned about losing that employee when ½ of her job is the same as his and she is being paid more for that. Keuler questioned how we came up with \$11. He stated that if they want to do this and lose him or have him upset, then do it. He stated that he would not vote yes for it. Breckheimer stated that her job entails more responsibility. Keuler stated that ½ her job is the same. Breckheimer stated that he is right but the other ½ of her job which is the lab job which requires more recordkeeping, etc. Keuler stated that he doesn't feel it is right. Breckheimer asked Charlie Fochs if he had made any comments to him along the way. Charlie stated no. Starfeld questioned why she can't start out at \$10 per hour. Piepenburg asked if all of her training was going to be in house. Yes it will be. Roehrig questioned if there was any merit with her position being year round and Gow's being seasonal? Keuler stated that he thought Gow would get more hours over the course of the year. Keuler stated that he appreciates everything Gow does and we have a good thing going here and he doesn't want to lose it. Roehrig asked if this was going to be the standard going forward. He questioned if we pay anyone else in this range. DuPrey stated that the election workers get \$10 per hour and crossing guards are paid \$10 per session which is usually a ½ hour each time. Breckheimer stated that each person's wages are done individually and they are not all uniform. Piepenburg stated that he didn't think that they are all tied together. Roehrig stated that we are doing that now if we bring her down to \$10 per hour. Keuler stated that he is concerned that if Gow becomes disgruntled is he going to do as good a job and is he going to stay. Roehrig stated that this is a whole separate issue. Keuler asked Roehrig how he would feel if he was working somewhere for 3 years and someone else comes in and is paid more. Roehrig stated that his feelings get hurt every day to Keuler. Keuler stated that we could be back here and looking for a new part-time employee. Charlie Fochs stated that he believes Gow likes his job a lot and is happy here and if he voiced that opinion to Keuler then he is the first one he has told. Charlie Fochs stated that he has never said anything to him. Keuler stated then he is the first one and he would be offended by it. I guarantee it. Keuler stated that he went and talked with Gow about this. Piepenburg questioned Keuler on why he did that. Keuler stated that he did that to try to save the board some work on having to do it again. Keuler stated that he did not give him any information or divulge any information. He only asked him if he would be offended. Piepenburg stated that this is kind of like telling him. Breckheimer stated that if they want to risk and see if she will take it at \$10 per hour we can do that and look at it at budget time and make adjustments to wages at that time. It was asked if this position was in the budget. DuPrey stated that it was. Roehrig stated that he is fine at \$11. Piepenburg asked Charlie if he could explain the difference in the jobs to Gow. He stated that he could. Starfeld questioned why we are putting Charlie out there to do it. Charlie stated that he would like Breckheimer there with him. There was some discussion about who made the motion and second to set it at \$11 per hour. Keuler stated that he did not second the motion. Breckheimer stated that if something like then happens then point it out right away. Action – to deny the recommendation from the committee to offer the position to Betty Ruppenthal at a rate of \$11 per hour – motion: Keuler; second: Roehrig; carried. The board then continued the discussion on the rate per hour. Roehrig stated that he would like to see her at \$11 per hour because it is a totally different job. Then next year, if Gow is worth \$12, \$15, \$25 per hour then pay him. He says right now we are dealing with this. He stated that this is so piddly. Piepenburg agreed with Roehrig. Nolan asked when wages are addressed with Gow. Breckheimer stated that it would be in the fall for next year. Nolan questioned why we can't just explain that to him. She says it is two different positions. She can see what Keuler says but they are two different jobs. She questioned if everyone's wages is public knowledge. She was informed that they were. Action – to offer

the position to Betty Ruppenthal at a rate of \$11 per hour – motion: Roehrig; second: Piepenburg; carried by majority vote.

Street Committee – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Piepenburg; carried. The first recommendation was to allow CJF Estates to put in curb & gutter on Elm St. Charlie Fochs stated that he wants the curb & gutter installed so that he can finish his lawn. He stated that he has to pay special assessments anyway. He stated that he is running specs and layout through the village engineer. There would be no cost to the village. The board discussed this. Starfeld stated that he has no problem with it as long as everyone would have this option in the future. Keuler questioned how we would differentiate between an individual property owner and a developer. DuPrey stated that in many developments, the developer fronts up the whole cost and is reimbursed as lots are sold or built on. Starfeld stated that someone will come in and ask. Keuler stated that he felt that there should be some hard set rule on who can and cannot install their own curb & gutter. There was some discussions regarding the future Highway 114 project and what if a property owner wants to put in their own curb & gutter. Starfeld, who lives along this route, stated that he would be asking to install his own and feels that he should have the same opportunity. DuPrey stated that on a project of that size if you have 4 or 5 different contactors and they get their concrete form different companies, you could end up with different shaded concrete and that wouldn't look good coming into the village. Starfeld stated several times that he just wants everyone to have the same chance in the future. Keuler stated that he felt that we needed something concrete in writing. Breckheimer stated that in this case, it is the developer of a subdivision that is doing this and he feels that this is okay. Charlie Fochs stated that this whole thing is being blown way out of proportion. Action – to approve the committee recommendation to allow CJF Estates to install curb & gutter on Elm St – motion: Koffarnus; second; Roehrig; carried by majority vote. There was no further action needed. The next recommendation was to deny the permit application from Wisconsin Technology Networking, LLC to install a communication tower in the right of way at the corner of 5<sup>th</sup> St. & Main St. The board felt that this was a good thing to do because if we don't deny it within 60 days, it is automatically approved. Action – to approve this recommendation – motion: Piepenburg; second: Keuler; carried. There was no further action required on this.

The board then convened into closed session under Section 19.85(1)(e) 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: Piepenburg, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

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

There was no action to be taken from the closed session.

Adjournment – Action – to adjourn – motion: Starfeld, second: Piepenburg; carried. The meeting was adjourned at 6:12 p.m.

*Dennis DuPrey*

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Dennis DuPrey, Clerk