

President Mark Breckheimer called the regular meeting of the village board to order at 7 p.m. on Tuesday, April 18, 2017.

Roll Call – all members reported present. Others present were Todd Thiel, Missy Kieso, Mike Loose, Steve Mayer, manager of the mobile home park, Ben Boesch, Gary Boesch, Ed Bryne from the Brillion News and Charlie Fochs.

Reorganization of the Board – Breckheimer presented the board with the proposed committee appointments. He stated that he made some changes and asked if there were any questions or suggestions. There were none. Action – to approve the committee appointments for the upcoming year as presented – motion: Koffarnus; second: Keuler; 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 – The village wide rummage sale is scheduled for April 27 – April 29th. Spring Clean is scheduled for May 6th from 8 a.m. – 11 a.m. There will be a tire recycling event being held at Officials Den on April 22nd from 8 a.m. – noon. Annual Open Book is 4/19/17 from 4 p.m. – 6 p.m. Public hearing on the Citizen Participation Plan for the planning grant application is scheduled for 5/2/17 at 6 p.m.

Board of Review is May 17th at 7 p.m.

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

Treasurer's Report for the Village of Hilbert - balances – \$200,342.73 General fund; \$587,087.54 Sewer fund; \$190,198.42 Water fund; \$3.00 Clean Water fund; (\$39,434.74) TID #1 fund; \$977,110.48 T-Plus fund; \$12,345.90 First Responder fund; (\$331,902.22) TID #2, \$449,367.52 Capital Improvements Fund.

Action – to approve the treasurer's report as presented – motion: Koffarnus; second: Roehrig; carried.

The fire department treasurer's report was presented to the board. Action – to approve the fire department treasurer's report as presented – motion: Keuler; second: Starfeld; carried. There was no treasurer's report from the first responder group.

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

Correspondence – The MEG Newsletter was presented to the board for their information. There were no Time Warner Cable letters received. The Focus newsletters were presented to the board for their information. The Boardman & Clark newsletter was presented to the board for their information. Information regarding the annual seminar called "Local Government 101" put on by the League of Wisconsin Municipalities was presented to the board for their information. Information regarding the 39th Annual Public Officials Program put on by Davis & Kuelthau was presented to the board for their information. DuPrey read a Thank You card from the family of Lisa Vanden Elzen.

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 receipt of the lottery credit for real estate in the amount of \$42,014.70 was presented to the board for their information. Notice of receipt of the lottery credit for mobile homes was presented to the board for their information. Notice of receipt of the quarterly street aid payment in the amount of \$12,292.82 was presented to the board for their information. The Annual PSC Report was presented to the board for their information. DuPrey suggested that at least each member of the water and sewer committee receive a copy of the report. He stated that there is a lot of information in it and it could be of use to them. The Condition of Budget for all funds was presented to the board for their information.

Unfinished Business:

2017 Projects – nothing new.

Recycling/Rubbish – The monthly report was presented to the board for their information. DuPrey stated that we need volunteers for the tire recycling event. He stated that the person doesn't have to work the full time. A letter from the county regarding the need for help at the electronics recycling events was presented to the board. If anyone is interested, they can help. We do receive grant dollars for these programs so we should have volunteers there.

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

Fire Department – Mike Loose reported that there were no fire calls the last month. He also stated that they are having an open class for the dive team for anyone wanting to scuba dive. He also reported that the department is having a brat fry on 4/29/17. DuPrey then opened bids for the old equipment truck. They were as follows:

1. Dakota Maynard - \$1,500.59
2. Ed Kuhn - \$1,865.00

Action – to award the winning bid to Ed Kuhn for \$1,865 – motion: Koffarnus; second: Starfeld; carried.

TID District #1 – nothing new.

TID District #2 – nothing new.

Wastewater Treatment Plant – Interceptor Sewer Main Replacement Project – nothing new. WWTP Upgrades – nothing new. Hilbert Acres Mobile Home Park – Breckheimer reviewed the timeline of

events with the village board so that everyone would have a sense of how long we had been dealing with it. Steve Mayer reported to the board that he didn't have good news for the board. He stated that they cannot get contractors to show up. At this time, no repairs have been made. Breckheimer stated that we have been dealing with this since 2015 and that we need to have action now. He felt that there has to be some definitive action within the next month or he has no problems issuing another citation. The other board members agreed. It will be addressed again next month and a letter will be sent to corporate with a copy to the manager expressing the board's feelings.

Schneider Property – DuPrey reported that right now we are just waiting for Schneider's to have the land removed from the farming programs. Once that happens, we should be able to close on the purchase.

Discussion and possible action regarding carpet for the council room and hallway – Charlie presented two prices. One was from Gegare for \$3,918 and the other one was from Superior Floor Covering for \$4,700.76. Action – to go with Gegare for the carpet at a cost of \$3,918 – motion: Roehrig; second; Nolan; carried.

736 W. Main St. Property – The board took up yet another discussion regarding providing funding incentive for this project. Breckheimer first wanted to clarify some of the email correspondence in relation to some of the comments made previously. He stated that he wanted to clarify items in the correspondence and what was stated previously. He stated that the emails Todd Thiel sends to the entire board, they cannot all respond because all business is done at the board meetings. He stated that the first one sent out that had several paragraphs where it started out "I am disappointed" he wanted to point out in paragraph 14 and 15 regarding that the village president and clerk treasurer administrator did not keep the whole board up to date. Breckheimer stated that when we met, Todd Thiel had asked that this remain confidential and that is why it wasn't taken to the board. He stated that he informed him that at any time he could request to take this to the entire board. Breckheimer stated that he stated that in an email from last August. He also pointed out that the village board was not aware of the project until the February board meeting but that it was to his knowledge that Todd Thiel met individually with each board member prior to this except for Starfeld. Another thing he wanted to point out in his response back to Nolan regarding when the TID expires, the tax revenue comes into the operating budget and the board can spend it as they see fit. Breckheimer stated that they only receive 40% of that revenue. The remaining is used for tax reduction. The estimated amount is \$9,500 instead of the \$20,000. Todd Thiel stated that he sent an email modifying the proposal to add a contingency that we would fund the project if they get a financial institution in Hilbert and if they do not then we would not have to fund a penny. The WEDC grant would be in addition to this. Roehrig questioned if it would be a virtual bank or in a separate building. Todd Thiel stated that it would be in the corner building in a build out and it would be manned with people. It would be similar to something like you see in a grocery store in the valley. Todd Thiel stated that it would be fully manned and you can do any transactions such as loans, meet with a banker, meet with a teller, etc. The board then discussed the funding options again. Roehrig asked if he could address the emails. Roehrig stated that it was a tuff one to swallow. He stated that it was directed at the board but not sent to all the board. DuPrey stated that the ones that it wasn't emailed to were given a copy of the email. Roehrig stated that there are 33 bullet points in the email. He stated that the subject is "Killing Hilbert". Roehrig stated that the first 6 items Todd Thiel is directing to the board and so he is directing it to him where he states the lack of confidence, lack of optimism, lack of vision, lack of compassion, lack of creativity. Roehrig stated to Todd Thiel "how dare you to make that assumption of himself." He stated that he is none of that. Todd Thiel stated that he was addressing the board as a whole. Roehrig stated that he is on the board so he is addressing him. Roehrig touched on some other points that Todd Thiel was disappointed with such as they don't understand that they are competing with other communities for investment opportunities; he is disappointed that the village board doesn't grasp the urgency of schedules of designers, engineers and architects; He also labels the village as difficult to deal with and difficult to do business with. Roehrig stated that personally he has never heard any of that. Todd Thiel stated then build something once. He stated that if he build something he would hear it from the contractors. Roehrig stated that it is his opinion. Starfeld stated that he hasn't had any problems. Roehrig stated to Todd Thiel that he doesn't know what he was after with this 33 bullet point email. He stated that to him it is hurtful and he is very frustrated and wouldn't approach him personally and would rather sit behind a computer and send an email. Todd Thiel stated that the village board has him frustrated. He stated that this is the 5th time that he has been here with this. Roehrig questioned if this is why he sent out the email? Roehrig stated that he is frustrated that it gotten to that level. Todd Thiel stated that he is frustrated that he has given 18 years to the village. Gary Boesch stated to Todd Thiel that if he doesn't like it then get out. Breckheimer stated that all comments need to be directed to the board. Keuler stated that for any project that we have ever dealt with, there have been a set of guidelines that we have followed and that DuPrey calls it backwards math. He stated that it has been always had that to go off it. He stated that when we apply these standards to this project it is almost ludicrous the amount of money he is asking for this project as compared to a Sargento or other places in the industrial park. He questioned where Todd Thiel had come up with that dollar amount for this project. Todd Thiel first stated that he modeled after the Schneider land purchase. The board stated that this would not be apples to apples. Breckheimer stated that this is not true because we had his number long before we purchased the Schneider property. Keuler stated that it is not the same thing. Todd Thiel stated that it was. Keuler stated that we own the property. Todd Thiel stated that we don't own it the

bank owns it. Todd Thiel stated that the village does not own it until the loan is paid off. Keuler asked again if this was how he came up with the number for this project based upon the Schneider land. Todd Thiel stated that actually no, he actually based it upon what Sherwood gave the grocery store there for that project. Keuler stated that he will repeat himself again and state that he is not against the project. He is against the amount of funding that Todd Thiel is seeking from the village. He stated that it is too much. Nolan stated that her question comes from the use of public funds for a private purpose. She stated it comes back to the letter that we received from our attorney Andrew King in the very beginning advising against that. She questioned how do you get around it. She stated that it is either legal or illegal. If it is not legal, then how do we do it. She stated that we can't risk the liability for our residents and the village. She has no issues with the writing of the grant but the \$500,000 in money is where the issue is. Gary Boesch stated that the board is setting a precedent by doing this and having other people come forward such as a goat farm. Todd Thiel stated that he felt that he addressed this previously and if the village wants to fund his project they can. If they want to fund a goat farm they can make the decision to do so. If they want to fund Sargento, they can fund Sargento. Boesch stated that he feels that this community is very blessed to have a Sargento here. He stated that he is very proud of the decisions that he made because he was on the board at that time and he hopes that the board continues to make decisions that are for the benefit of the community as a whole. Breckheimer then asked Todd Thiel that if there was no motion to proceed with any funds for the village would he want to pursue the grant application yet? Todd Thiel indicated that he thought so. Breckheimer asked if there was any motion for alternative funding for this project? He asked a second time. There was none. Action – to approve to hire a consultant to write the WEDC grant for the Todd Thiel corner building project at a cost of \$6,500 – motion: Keuler; second: Roehrig; Starfeld then brought up on the condition we continue with the project. Starfeld questioned what if the grant comes in at \$30,000, would Todd Thiel if he would stop the project or keep on going. Todd Thiel would love to say that he would backstop it up to \$250,000 but he doesn't know if the village is willing to do that. Breckheimer stated that unfortunately he did not think so. Starfeld stated that we are going to have \$6,500 stuck into it. Breckheimer stated that he feels that there should be a commitment for the project because if we apply for the grant and it gets turned down, it will be a score against us going forward. Starfeld stated that we should probably have something in writing that if the project does not continue that we get our grant money back. Koffarnus questioned didn't we not previously state that we were in favor of the \$250,000? Starfeld questioned for what? Koffarnus stated that the \$250,000 that we stated that we would come up with. DuPrey stated that it is the grant. Breckheimer clarified that it is through the state and it is not us. Koffarnus agreed. Starfeld stated that if the grant is \$30,000 and all of a sudden, Todd Thiel says that he is not going forward with the project, then we are out the \$6,500 for the grant. Starfeld stated that we should have a gentlemen's agreement on paper that if the project does not get completed that we get our money back. Breckheimer asked Todd Thiel if had a problem with that. Todd Thiel stated nope. Breckheimer then asked Keuler if he is willing to amend his motion. Action – to approve to hire a consultant to write the WEDC grant for the Todd Thiel corner building project at a cost of \$6,500 contingent on going ahead with the project – motion: Keuler; second: Roehrig; carried. Starfeld questioned the curb. It was noted that Todd Thiel will run through his project and we will stay out of it. Todd Thiel stated that he was just asking for permission to move the curb cuts. There is two on Main St. and he would like to close one and move one. It was also noted that we will look at the sign ordinance to address the roof sign that he wants to install. DuPrey questioned so he will have an agreement drawn up and Breckheimer stated yes.

New Business:

Other Annual Appointments – Plan Commission: - Board member for 1 year term. Breckheimer is recommending Jim Koffarnus. Action – to appoint Jim Koffarnus for a 1 year term – motion: Starfeld; second; Roehrig; carried. Citizen member for a 1 year term. Breckheimer recommends Jim Schmidt. Action – to appoint Jim Schmidt for a 1 year term – motion: Roehrig; second: Koffarnus; carried. Citizen member for a 3 year term. Breckheimer recommends Matthew Lewis. Action – to appoint Matthew Lewis for a 3 year term – motion: Koffarnus; second: Starfeld; carried. TIF Committee: - Appointment of person to replace Mike Bolwerk. Breckheimer recommends Jim Cruthers. Action – to appoint Jim Cruthers to the TIF committee – motion: Koffarnus; second: Starfeld; carried. Appointment of a person to replace Alphons Breit. Breckheimer recommends Mike Loose. Action – to appoint Mike Loose for the TIF Committee – motion: Koffarnus; second: Starfeld; carried. Board of Appeals: - Citizen member for a 3 year term. Breckheimer recommends Dennis DuPrey. Action – to appoint Dennis DuPrey for a 3 year term – motion: Koffarnus; second: Bolwerk; carried. Citizen member for a 3 year term. Breckheimer recommends Glenn Cummings. Action – to appoint Glenn Cummings to a 3 year term – motion: Roehrig; second: Koffarnus; carried. Economic Development Committee: - Board member for a 1 year term. Breckheimer recommends Tom Roehrig. Action – to appoint Tom Roehrig for a 1 year term – motion: Koffarnus; second: Starfeld; carried. Board member for a 1 year term. Breckheimer recommends Jim Koffarnus. Action – to appoint Jim Koffarnus to 1 year term – motion: Starfeld; second: Roehrig; carried. Board member for a 1 year term. Breckheimer recommends Peggy Nolan. Action – to appoint Peggy Nolan for a 1 year term – motion: Koffarnus; second: Keuler; carried. Citizen member for a 3 year term. Breckheimer recommends Charles Fochs. Action – to appoint Charles Fochs for a 3 year term – motion: Starfeld; second: Koffarnus; carried. Citizen member for a 3 year term. Breckheimer recommends Jim Schmidt. Action – to appoint Jim Schmidt to a 3 year term – motion: Starfeld; second:

Keuler; carried. Housing Authority: - Citizen member for a 5 year term. Breckheimer recommends Shane Whitney. Action – to appoint Shane Whitney to a 5 year term – motion: Starfeld; second: Koffarnus; carried.

Application for operator licenses – none received.

Application for a 6 month license – Hilbert Athletic Association – DuPrey stated that it would have to be done conditionally based upon publication and signing of the application. Action – to approve the 6 month license for the Hilbert Athletic Association pending publication and signatures on the application – motion: Starfeld; second: Keuler; carried.

Classes/Seminars/Schooling for employees – Charlie Fochs provided a written report on the Wisconsin Rural Water Association conference he recently attended.

Village Economic Development Plan – Action – to accept the committee meeting minutes and to place them on file – motion: Koffarnus; second: Keuler; carried. The first recommendation was to approve the Citizen Participation Plan. This plan is required for the planning grant application. Action – to approve the Citizen Participation Plan as presented – motion: Koffarnus; second: Roehrig; carried. There was no further action needed. The second recommendation was to Resolution 2017_02 Fair Housing Ordinance. This language would replace the existing code. Action – to approve Resolution 2017_02 as presented – motion: Roehrig; second: Keuler; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. There was no further action needed. The next recommendation was to approve Resolution 2017_03 to adopt the policy to prohibit the use of excessive force and the barring of entrances/exits for non-violent civil rights demonstrations. This is a requirement for the planning grant application. Action – to approve Resolution 2017_03 to adopt the policy to prohibit the use of excessive force and the barring of entrances/exits for non-violent civil rights demonstrations – motion: Koffarnus; second: Starfeld; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. There was no further action needed. The next recommendation was to approve Resolution 2017_04 to amend the budget to reflect the total grant that could be awarded of \$25,000 and to increase the cost of the plan to \$50,000. It would not change the bottom line amount of commitment of tax dollars of \$25,000. Action – to approve Resolution 2017_04 to amend the 2017 budget for the increase for the development plan – motion: Koffarnus; second: Starfeld; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. There was no further action needed.

Street Committee – Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Starfeld; carried. The first recommendation was to approve Form 1 – Resolution of the village's intent to special assess the property owners for curb & gutter on the Highway 114 urbanization project. Action – to approve this resolution – motion: Starfeld; second: Koffarnus; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. There was no further action needed. The next recommendation was to move the eastbound flashing school sign to west of 11th St. in order to better mark the street crossings to the school. Action – to approve this recommendation – motion: Koffarnus; second: Starfeld; carried. There was no further action needed. The next recommendation was to have no parking on Highway 114 from 8th St. to 11th St. The committee readdressed this recommendation at their second meeting and decided to limit the no parking from 8th to 9th on Highway 114 instead of up to 11th St. Because of this, the recommendation needs to be turned down. Action – to disapprove the recommendation to have no parking on Highway 114 from 8th St. to 11th St. – motion: Roehrig; second: Nolan; carried. There was no further action needed. The next recommendation was to have the same street signs on Highway 114 as they were on downtown Main St. This is because Highway 114 is an extension of Main St. Starfeld presented prices for standard signs of \$448 and for the same decorative signs of \$1,852. This would be \$1,400 more for the decorative signs. The committee felt that the increased price warranted more discussion at the committee level so they do not want to proceed with the same signs as downtown Main St. Because of this, the recommendation needs to be turned down. Action – to disapprove the recommendation – motion: Keuler; second: Starfeld; carried. There was no further action needed. The next recommendation was to approve the installation of a street light on Sienna Ct. at a cost \$2,500 for a 100 watt LED light. The pole would be placed between the Ben Boesch residence and the Dennis DuPrey residence. The funds would need to come from fund balance because this is not budgeted. Action – to approve this recommendation – motion: Roehrig; second: Nolan; carried. There was no further action needed. The next recommendation was to place stone on the pond bank in Fox Trails subdivision. Previously, the village sprayed the weeds in the pond to keep them down but now there is erosion going on. The total cost of the project is \$1,800 and the funds would be taken from the storm sewer reserve fund. Action – to approve this recommendation – motion: Starfeld; second: Roehrig; carried. There was no further action needed. The next recommendation was to have no parking from 8th St. to 9th St. on Highway 114. This is the amended recommendation from the second meeting. After further thought, the committee felt that this was adequate and keeps cars from parking when people are by the intersection at Highway 57/32. They felt that it would impose too much limitations on the other properties to the west of 9th St. Action – to approve this recommendation – motion; Roehrig; second: Koffarnus; carried. There was no further action needed. The next recommendation was to borrow the \$106,100 from the State Bank of Chilton for a 10 year term at 1.75% interest. This would be to cover the shortfall on the Highway 114 project and 3rd St. to get them completed. This was discussed among the board. DuPrey stressed

the point that the village needs to do a better job with these projects. This has happened several times in the past several years where we get an estimate for a project and then we budget for it. When plans and specs are completed the following year, it reveals items missed, the scope is changed for the project in the process of completing the plans and specs or the costs have increased. All of these factors play into this part of having this major shortfall on the projects. He stated that we need to budget for plans and specs, complete the plans and specs and then get estimates based upon these plans and specs. Then we budget to do the project the following year and hopefully we wouldn't be dealing with these issues constantly. He stated that while he understands that this process slows projects down and delays them but he feels that the current process is not working because we are constantly over budget. He stated that this isn't fair to Charlie Fochs to just get estimates but there are no plans completed. The "run by the seat of your pants" approach is not working. He stated that we have to be better planners for these projects. Action – to approve the recommendation to borrow funds in the amount of \$106,100 from the State Bank of Chilton for a term of 10 years at 1.75% interest to cover the shortfalls for the 2017 projects – motion: Starfeld; second: Nolan; carried. There was no further action needed.

Request for variance from Paul Laabs on requirement for a dumpster to allow for individual containers for garbage/recycling – A letter was received from Paul Laabs requesting a variance from the dumpster requirement to allow for individual containers for each apartment unit. He is having issues with other people dumping waste into his dumpster that do not live there. Action – to grant a variance from the dumpster requirement and that there needs to be one garbage container and one recycling container per unit – motion: Roehrig; second: Keuler; carried.

Discussion and possible action regarding letter received from Eastshore Humane Association requesting a formal collaborative agreement – The request was discussed. In exchange for donating the entire amount of dog fees received from the county, Eastshore will pick up our stray animals and care for them. DuPrey stated that we already donate \$250 towards Eastshore so we would have to donate another additional approximately \$150 per year but then we would have this avenue to deal with any strays that we do take in. Action – to approve the agreement with Eastshore Humane Association as presented – motion: Roehrig; second: Keuler; carried.

Discussion and possible action regarding blocking off the service road between the two ballfields in the park – Breckheimer brought this before the board. He stated that with the flipped field, they will be sitting closer to the roadway and there are safety concerns. The board discussed this briefly. At this time, they are seeking to block it off temporarily using the old planters from Main St. and the committee would look at it for more of a long-term solution. There was some discussion regarding the larger events such as the 4th of July parade and picnic and also the Gospel Fest. Action – to block off the service road between the two ballfields – motion: Roehrig; second: Nolan; carried.

Discussion and possible action regarding request to install signage on the fire station building – Mike Loose stated that the department received a \$1,500 donation to offset the costs. This will be addressed at the committee level.

Village Board member Informational Report – There were several items brought up. There is an informational meeting for 6 p.m. on April 26th regarding the Highway 114 project. A representative from Robert E. Lee will be here to explain the project. Roehrig reported that the Hilbert Athletic Association is paying for and installing a scoreboard for the flipped ballfield. There were questions when the fence on the flipped ballfield will be installed. Charlie Fochs reported when it dries up. It was reported that the tornado drill will be 4/20/17 at both 1:45 p.m. and 6:45 p.m. It was reported that progress is being made on getting the siren updates completed.

Village Employee Informational Report – Charlie Fochs reported that they will be flushing hydrants Friday evening. DuPrey reported that he wanted the board to understand their decision regarding the bank and doing RFP's. He stated that there is a financial institution that is paying a 1/2% more than what we will be earning at the State Bank of Chilton but we are locked for now with the State Bank of Chilton. He stated that there are repercussions to decisions made and that they should always keep that in mind.

President's Report – none.

There was a notice to convene into closed session under Section 19.85(1)(e) of the Wisconsin Statutes to discuss the possibility of pursuing the purchase of public property. It was noted that there was no need at this time to convene into the closed session so the village board did not.

Adjournment – Action – to adjourn – motion: Keuler; second: Starfeld; carried. The meeting was adjourned at 8:41 p.m.

Dennis DuPrey

Dennis DuPrey, Clerk