

President Mark Breckheimer called the regular meeting of the village board to order at 7 p.m. on Tuesday, May 8, 2018.

Roll Call – all members reported present. Others present were Mike Loose, Dennis DuPrey, Charlie Fochs, Jim Schmidt and Ed Byrne.

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 – There were none.

Announcements – Fox Valley Technical College Chilton Campus – Meet & Greet for the new manager on 5/10/18 from 8 a.m. – 10 a.m. Boy Scout Brat Fry – 5/19/18 from 10 a.m. – 2 p.m. at Schmitz Brothers II parking lot.

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. The first responder minutes were presented to the board. Action – to accept the first responder minutes and place them on file – motion: Schrubbe; second: Starfeld; carried.

Treasurer's Report for the Village of Hilbert - balances – \$310,438.60 General fund; \$406,966.97 Sewer fund; \$73,273.10 Water fund; \$36.67 Clean Water fund; \$1.00 DOA Block Grant Fund; (\$30,328.59) TID #1 fund; \$1,089,418.74 T-Plus fund; \$14,825.33 First Responder fund; (\$211,585.09) TID #2; \$543,741.05 Capital Improvements Fund. Action – to approve the treasurer's report as presented – motion: Starfeld; second: Roehrig; 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: Starfeld; second: Bolwerk; carried. The treasurer's report for the first responders was presented to the board. Action – to approve the first responder treasurer's report as presented – motion: Keuler; second: Starfeld; carried.

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

Correspondence – There was no MEG Newsletter to present. The Focus Newsletter was presented to the board for their information. There was no Boardman & Clark Newsletter to present. The Calumet County Focus on Calumet Newsletters were presented to the board for their information.

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 report on the annual board of review was presented to the board for their information. DuPrey stated that in personal property there is a decrease of \$721,260 or 77.15%. A new law, which doesn't require machinery equipment to be listed as personal property anymore, caused this decrease. He stated that there is supposed to be some sort of aide that will be given to municipalities to help with this, but we will just have to wait and see. Otherwise, overall there was a decrease of .03% from the prior year; which is pretty consistent. DuPrey stated that the annual report from the League of WI Municipalities Mutual Insurance is available if anyone would like to review it.

Unfinished Business:

2018 Projects –

Recycling/Rubbish – The monthly report was presented to the board for their information. The 2017 Annual Report on Recycling Program was then discussed. DuPrey stated that we are meeting all state requirements. Schrubbe questioned on how costly it would be to have recyclables picked up two times a month instead of one? Breckheimer stated that it was checked into previously and it was almost double. DuPrey said you're probably looking at a minimum of \$1,000.00 increase each month. Then you would have to decide if you'd pass that extra expense onto the residents by increasing the fee for the recyclable cans. Starfeld stated that for an extra \$18 each year residents can request an extra recyclable can. DuPrey stated that seems to work well for many residents. DuPrey said that they are looking for volunteers for the electronics recycling events on May 16th in Chilton and June 13th in Harrison. Anyone interested should let him know. Breckheimer asked Keuler how the tire event went. Keuler said it went well. There were a few people that didn't know where they had to purchase the tickets from prior to the event. DuPrey said that it was the village clerk's office and that location was listed on the flyer. The flyer was also shared on the village website, The Voice of the Village and Facebook page. Keuler also said he wasn't sure if the rims could be on the tires or not. DuPrey stated that he thought they could. DuPrey said he'd double check on it though before the next tire event. The notice of the 2018 Grant Award in the amount of \$8,333.62 was presented to the board. DuPrey said this amount is comparable to the prior year's.

Police Protection for the Village – There was no police protection report to present.

Fire Department – Chief Loose reported there were 6 fire calls since the last meeting. This includes calls concerning the removal of snow from barn roofs due to the snowstorm. He estimates 50 – 60 hours were spent on this. He stated that the county is looking into getting a grant to reimburse the department for the hours spent on the snow removal. Chief Loose said he also had discussion with someone from Bel Brands on the possibility of using the small house that is owned by them (located next to their large building on 8th Street) for training purposes and eventually burn it down. He is waiting on additional information from the Bel Brands contact but stated that they seemed interested in the idea. There also will be a kids/firemen bowling fundraiser on May 19th at Official's Den to raise funds for the department. The 2016 Statistical Report of Fire Calls in District 3 was presented to the board for their information.

TID District #1 – nothing new.

TID District #2 – nothing new.

Wastewater Treatment Plant – WWTP Upgrades – Nothing new. Payment Request – The final payment request in the amount of \$22,518.83 was presented to the board. This closes out the wastewater treatment plant upgrade project. Action – to pay the final payment of \$22,518.83 to close out the project as presented – motion: Starfeld; second: Schrubbe; carried. Hilbert Acres Mobile Home Park – There was no update to report. DuPrey read an e-mail that he had sent to the area and regional manager requesting an update and reminding them that the board would like a monthly report; whether there is work being done or not. There was no reply. DuPrey stated that he feels like he shouldn't have to call them and repeat this over and over. Fochs said that he saw Anita at the mobile home park and commented to her that they need to get regular updates. Starfeld questioned whether it may be time to do another citation? This seems like the one sure way to get a response. DuPrey stated last time it was \$500; the highest dollar amount that could be issued. The board discussed doing a letter and an e-mail explaining that a new updated detailed plan of action and a timeline must be submitted to the board. If this is not done, a \$500 citation will be issued.

Reports on Engineering Bills and Clean Water Fund Draws compared to budget to date – The spreadsheets were presented to the board for their information. DuPrey explained that the total engineering cost was \$562,512.00 or 15.33% of the total project. This is what they had expected. The overall cost of the project was \$4,231,188.45. This came in under budget by \$314,477.55. There was not as much contingencies used as expected.

Village South Residential Development Property – Nothing new.

Village Economic Development Plan – Breckheimer stated that the 2nd public input meeting went well and the attendance was good. No further updates.

Village Website Update – Kieso explained that she contacted Brett Halderson after the last board meeting to inform him that the village would like to proceed with the website update. He informed her that he'd be glad to take on the project but due to his schedule at work that there would be a delay in getting it all together. She gave him some more ideas that were suggested and he will update her when he has something in the early stages for her and DuPrey to look at. Schrubbe mentioned maybe having the high school business class doing the website. It was decided that because of updates and maintenance, it was best to continue with Brett Halderson.

Sound Barrier Wall Request – Dennis contacted Sargento, as requested by the board, and spoke with Karl. He was informed that construction should be completed in early July so this will help with the noise. He also said that construction should not start before 7 a.m., and if it ever would, he would like to be informed by nearby residents so he can correct it. He also told DuPrey that the north road is actually located in the same spot, except in one area it moved by 5'. The board stated that it is zoned industrial and noise is to be expected. The thoughts are that once construction is completed it will go back to normal. There are currently no plans by Sargento for a wall or barrier.

New Business:

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

Application for Liquor and Beer Licenses – DuPrey stated that approximately half of the applications have been returned. He will wait to present them to the board at the next board meeting when he has them all. The Police & License Committee will meet prior to the board meeting to make a recommendation to the board.

Classes/Seminars/Schooling for Employees – There was a request from Chief Loose asking for the three fire chiefs to attend the State Fire Chief's Convention. The conference will be in Wisconsin Dells at the Kalahari Resort. Cost would be \$1,554.00. This includes 2 rooms at \$149.00 per night for 3 nights and 3 attendees at \$220.00 each. Action – to approve to send the fire chiefs to the convention – motion: Roehrig; second: Schrubbe; carried. The next request was from Missy Kieso to attend the NST Assistants Conference on July 16th at the Radisson Paper Valley Hotel in Appleton. It is a one-day conference. Cost would be \$199.00 plus mileage. The only conflict is that DuPrey also has training that day for economic development and will be out of the office. Kieso said she requested attending the conference before she realized this and would be fine withdrawing the request. The board agreed that they both should attend the events. It was felt that as long as proper notice is given via website, Facebook and posting a notice on the doors it should be fine. If there is an emergency Foch's village cell phone number will be listed as a contact. Action – to approve to send Kieso to the NST Assistants Conference – motion: Starfeld; second: Schrubbe; carried. The final request was from Dennis DuPrey to attend the WMCA Clerk's Convention from August 22nd-24th at the Radisson Hotel in Green Bay. DuPrey stated that he would commute back and forth and the only cost is \$130 for the registration fee plus mileage. Action – to approve to send DuPrey to the WMCA Clerk's Convention – motion: Starfeld; second: Keuler; carried.

Report on Seminars Attended - There were no reports submitted. Breckheimer reminded Fochs to inform Kim Plate and Mark Fochs that they still need to turn theirs in from the training they received a few months ago. Breckheimer also told Chief Loose that they have not received any from the firemen, who attended the last seminar, either. Chief Loose said he thought they were submitted but he'll check on it.

Employee Identification Badges – DuPrey informed the board that awhile back Fochs questioned whether the workers should have ID badges. This should be taken into consideration because of the 2

full-time public works employees being new hires and having to have access to residents' homes for changing water meters, etc. DuPrey said online he could create them with a downloaded picture and the cost would be about \$10.00 per badge. To buy the actual equipment it would be approximately \$1,000.00. It was agreed that the equipment wasn't needed and to go with the first option. DuPrey stated that all he needs to know then is who should get them. Full-time employees, part-time employees, firemen, first responders? Schrubbe stated he felt that if the county wants the firemen to have ID's then they should provide them not the municipalities. Starfeld stated that he got one from the county years ago as a fireman and first responder. It was decided that only full-time and part-time employees and the emergency government director would get the badges. The total cost would be less than \$100.00. No action required.

AT&T Lease Agreement – AT&T is offering the following options to secure a longer-term lease: \$853.00 per month (compared to the \$1,200.00 per month that we now receive) commencing July 1, 2018, a 10% rent increase every 5 years commencing August 7, 2021, and an extension of the lease through August 6, 2051. Another option would be a lump sum payment in the amount of \$134,335.00. In return, we would grant a 50-year easement on our property and assign the lease rights and rental income, under our lease with AT&T, to Md7. The final option would be installment payments equaling \$143,910 paid in 3 equal installments annually of \$47,970, we would grant a 50-year easement on our property and assign lease rights and rental income, under our lease with AT&T, to Md7. It also appears that AT&T is asking that the lease be revised to allow for the tenant to expand the leased premises and for additional terms regarding removal/restoration of equipment by the tenant. Dennis contacted village attorney Andy King on this matter. King responded that the village would need to be very careful and cautious before agreeing to allow for expansion of the premises as there are other existing tenants on the tower. The village is under no obligation to amend the lease and may choose to decline the request for the amendment. Right now, the current lease can be renewed every 5 years, up to 4 times. Starfeld asked how reducing the rent and making the other changes benefit the village? DuPrey stated it would not and he does not recommend changing it. He feels like this is a just a way to get a rent reduction. If this is approved, then what stops the other tenants from trying to change all their leases. Action – to deny the request from AT&T to change the lease agreement – motion: Starfeld; second: Roehrig; carried.

Claim for Recovery of Illegal Taxes – Randy and Kathy Boesch are filing for recovery of unlawful taxes for the property at 328 N. 3rd St. of the Village of Hilbert; Tax Parcel ID #12750. A clerical error has been made in the description of the property or in computation of tax. This discrepancy was found when Calumet County implemented their new internet plot numbers. The deed reads 4.0 acres of property that was purchased in 1998; however; Boesch stated that this has changed two times in the last 2 years. At present the county has it listed at 3.36 acres. Boesch had the property surveyed and recorded on 4-2-18. This survey states 3.40 acres of land. The total amount of overpaid tax that they are asking for totals \$836.58 based on .5 acres from payments of 1999-2015. He is also requesting .8% per month interest. DuPrey forwarded this to the village attorney, Andy King. King suggested mailing a notice of disallowance (which he supplied); which states a claim for the recovery of real estate taxes for the years 1999-2015 is barred by Wisconsin Statute sec. 74.35(5)(a) which requires that the claim be filed by January 31 of the year in which the tax is payable. DuPrey wants to get the board's opinion and ask them if they want the certified notice of disallowance letter mailed as presented. DuPrey reminded the board that they have 90 days to reply from the date they received the letter from Boesch. Keuler questioned how could the description of the land be wrong from the start? DuPrey stated that it was part of the original plots of the village and when land is bought/sold usually the original description is used. A survey is not always done by the buyer/seller. The county started their GIS mapping in 2014 and that is when the size of the land in question got changed to 3.36 acres. Legally, the village is not allowed to refund anything due to the statute. Action: to disallow the claim and to send the disallowance letter as presented – motion- Starfeld; second: Schrubbe; carried.

Request regarding Golf Carts – Jeff Brandes made a written request for the board to consider having golf carts made legal to drive in the village. Chief Loose asked about four wheelers? Keuler stated that if you'd have one you'd have the other. There are other local communities who permit it. It was decided to have it go to the police and license committee for further discussion and to come back with a recommendation.

Village Board Member Informational Report – Starfeld questioned the board on the topic of chickens. He had a resident express interest in having chickens in the village. The ordinance, as of now, prohibits this. Starfeld questioned whether it should go to committee or not. It was decided, since the police and license committee were meeting for other topics, to add this to that agenda also.

Village Personnel Information Report – Fochs stated that after the large amounts of rain and flooding last week that he was happy to say the village did very well with the 5.5" of rain. He said the improvements that have been made to the storm sewers and at the wastewater treatment plant definitely had a positive effect. Fochs stated that years ago they would have to use pumps to try to clear the water out and that was not needed this time. The interceptor at the treatment plant performed great. He said Creek Street had some flooding but nothing that was unexpected. He commented that the mobile home park still has water issues. He feels like the only way to correct it is to dig a ditch in the field, running alongside the mobile home park, which is owned by Matt Gehl. He stated they tried this in the past and came to an agreement with Gehl, but then it all fell through. Other options were also mentioned but Fochs stated

they were too costly to consider. The field is the best option. Breckheimer suggested it gets sent to committee and they readdress it at that level first.

President's Report – Nothing to report.

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: Roehrig; second: Starfeld; 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: Keuler; second: Starfeld; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. There was no action from the closed session.

Adjournment – Action – to adjourn – motion: Starfeld; second: Keuler; carried. The meeting was adjourned at approximately 8:00 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk