

President Mark Breckheimer called the regular Board Meeting to order at 7 p.m. on Tuesday, March 10, 2020.

Roll Call – all members reported present (Starfeld arriving at 7:08 p.m.) Others present were Dennis DuPrey, Charles Fochs, Mike Loose, Anita Loose, Tom Baer and Ed Byrne.

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

President Breckheimer then called the public hearing to order regarding the proposed rezoning of the following parcels: Lots 13 & 14 in Village Meadows Subdivision from R-1, Single-family Residential to R-2, Multi-family Residential. Parcel No. 13093 at 510 N. 8th St. from C, Commercial to I, Industrial. Parcel No. 13094 at 726 W. Birch St. from C, Commercial to I, Industrial. Parcel No. 12763 at 209 N. 5th St. from C, Commercial to I, Industrial. The last three parcels are owned by Tom Baer; Cozy Baer Storage. Breckheimer asked the public for input or concerns. There was none. Action – to rezone Lots 13 & 14 in Village Meadows Subdivision from R-1, Single-family Residential to R-2, Multi-family Residential – motion: Schrubbe; second: Roehrig; carried. Action – to rezone Parcel No. 13093 at 510 N. 8th St. from C, Commercial to I, Industrial – motion: Schrubbe; second: Roehrig; carried. Action – to rezone Parcel No. 13094 at 726 W. Birch St. from C, Commercial to I, Industrial – motion: Schrubbe; second: Roehrig; carried. Action – rezone Parcel No. 12763 at 209 N. 5th St. from C, Commercial to I, Industrial – motion: Schrubbe; second: Roehrig; carried. Breckheimer then declared the public hearing closed.

The remaining of the Village Board Meeting then took place.

Citizen Questions and Concerns to be acted on at the next Board Meeting – none.

Announcements – The Annual Assessor Open Book Session is March 24, 2020 from 4 p.m. to 6 p.m. The Spring Election is April 7, 2020 from 7 a.m. to 8 p.m. The Annual Board of Review is April 29, 2020 from 7 p.m. to 9 p.m. The Annual Spring Clean will be held Saturday, May 2, 2020 from 8 a.m. to 11 a.m. The LWM Local Government Training Session in Oshkosh on May 29, 2020.

Minutes – Action – to approve the Board Meeting minutes as presented – motion: Roehrig; second: Schrubbe; carried. The Fire Department minutes were presented to the Board. Breckheimer asked Chief Loose about the comparing of the Scott SCBA to the MSA SCBA that was referred to in the minutes. Chief Loose stated that the members got to work with both options to see which they preferred. He said there are major differences between the two. DuPrey reminded him that before any of the SCBAs get purchased that it first needs to be approved through the Village Board since the funds will be coming from both the Fire Department and Village funds. Chief Loose stated he understood this and they were just narrowing down their options. Action – to accept the Fire Department minutes and place them on file – motion: Keuler; second: Roehrig; 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: Keuler; carried.

Treasurer's Report for the Village of Hilbert - balances – \$243,155.18 General fund; \$1,019,128.82 Sewer fund; \$224,124.18 Water fund; \$169,940.22 TID #1 fund; \$1,109,499.46 T-Plus fund; \$32,986.18 First Responder fund; (\$49,732.61) TID #2 fund; \$479,008.17 Capital Improvements fund. Action – to approve the treasurer's report as presented – motion: Roehrig; second: Schrubbe; carried. The Fire Department treasurer's report was presented to the Board. Action – to approve the Fire Department treasurer's report as presented – motion: Roehrig; second: Schrubbe; carried. The First Responder treasurer's report was presented to the Board. Action – to approve the First Responder treasurer's report as presented – motion: Schrubbe; second: Roehrig; carried. Claims - examined and discussed. Action – to pay all claims – motion: Roehrig; second: Schrubbe; carried.

Correspondence – The MEG Newsletter presented to the Board for their information. There was no Focus Newsletter presented to the Board. The Boardman & Clark Newsletter was presented to the Board for their information. The Calumet County Focus on Calumet Newsletters were presented to the Board for their information. An e-mail from Governor Evers regarding information and preventative steps regarding COVID-19 was presented to the Board for their information.

Reports - The report of labor hours was presented to the Board for their information. The report on building permits was presented to the Board for their information. The Notice of Receipt of the Quarterly Cable TV Franchise Fees in the amount of \$2,320.51 was presented to the Board for their information. The Report of 2019 Payroll was presented to the Board for their information. There was a total increase of 5.01% from the previous year.

Unfinished Business:

2019 Projects (Fochs Trails/Village Meadows Infrastructure) – no updates.

Change Orders – Change Order #1 was submitted. This is in regards to what was discussed at the previous Board meeting. It would incorporate the 2020 Sargento Foods Project with the 2019 Utility and Street Construction Projects. The amount is \$159,502.75 which Fochs stated would still keep us under the amount we needed to be at. Action – to approve Change Order #1 as requested – motion: Roehrig; second: Starfeld; carried.

Payment Requests – none.

2020 Projects – no updates.

Street Committee Meeting – to approve the meeting minutes as presented – motion: Starfeld; second: Keuler; carried. DuPrey stated that the public meeting went well. The residents affected by the project just requested that they be kept up-to-date with the start date of the project and continued communication throughout the project.

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

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

Fire Department – Chief Loose informed the Board that there were 3 fire calls since the last meeting. One was an assist and two were car accidents. He stated that they are working with the Potter Fire Department, and when Potter gets a call, Hilbert will also, but only for certain circumstances. Hilbert would be on a “still”; which basically means they are not going to get called out for minor calls; such as carbon monoxide detectors, etc. Chief Loose also stated that he got in contact with Bel Brands and the Fire Department will be able to use the small house located near their 8th St. warehouse for fire training. This is not indefinite and can change depending on what happens with the property.

TID District #1 – nothing.

TID District #2 – nothing.

Wastewater Treatment Plant – nothing new.

Well #4 – nothing new.

Village Meadow Subdivision – Fochs stated that the word for the subdivision right now is “muddy”. He stated that everyone is trying to work around the mess. The work on the pond started for about 3 days and then it just got too wet to continue. Fochs stated that right now the water is running right where the road will be. He will monitor the situation. Breckheimer asked about the waterline? Fochs stated that they found out that there was a valve on the East side of road that was not tight; the problem is being corrected. Fochs informed the Board that the power company is done with their part and there is a pedestal that should be moved next week. All in all, moving along, but slowly due to the weather conditions. Discussion on how to allocate proceeds from lot sales – Discussion on this was started at last month’s Board meeting. Breckheimer asked if anyone had any further thoughts on what was discussed. Starfeld stated that he still thought that the funds should be going to future infrastructure. Breckheimer agreed that some of the funds definitely should. Nolan stated that she liked the idea of the trail leading from the subdivision to the school which was discussed last month. It would be a great selling point. Fochs stated that if the trail gets put in, they should tie in the waterline to that project also since everything will be dug up. Starfeld stated that someone needs to have discussions with the school to see what they will pay for. Breckheimer said that the last time they spoke with the school regarding the trail that it didn’t sound like they were going to contribute. Starfeld said well they definitely would need to pay for their part regarding the waterline. Another meeting will need to be set up in the future. Fochs stated that the trail would be wider than a normal sidewalk. Starfeld questioned why? Fochs stated that the school mentioned they’d take responsibility for clearing the snow off of it, and with their ATV, it would just make the most sense to make it wider for easier snow removal. Nolan agreed and said most standard trail widths are wider than that of standard sidewalk widths. DuPrey stated that the money from the sale of the first lot sold has been put in a Village Meadows fund for now until decisions can be made on how to allocate those funds. Breckheimer suggested sending it to committee and then going from there. It was agreed it will be sent to the committee to make a recommendation(s). No action taken.

Purchase of Bel Brands Property – Discussion and possible action regarding approving an updated Citizen Participation Plan for CDBG funding – DuPrey explained this is part of the process the Village needs to adhere to in order to continue with the blight grant; it is a federal requirement. DuPrey stated that he and Breckheimer agreed that the members of the Economic Development Committee would be a good mix of people to form the Citizen Participation Plan Committee. The members meet the guidelines. Action – to approve an updated Citizen Participation Plan for the CDBG funding – motion: Roehrig; second: Schrubbe; carried. Action – to form a Citizen Participation Plan Committee consisting of the members of the Economic Development Committee – motion: Starfeld; second: Schrubbe; carried. DuPrey then went on to explain that the County has to expend what’s on hand in close funds. There are 5 municipalities with projects and the way that it sounds is that each municipality (which includes Hilbert) will get a portion of the funds (the amount will depend on the projects). The total amount that they are expending is \$1.2 million. DuPrey explained that could work out very well because whatever money the Village receives from this could be part of the match to the blight removal grant (if received) and it will get us closer to where we need to be for the Bell Brands project. He is thinking we will could get around \$200K which will get us close to the 50% match. The meeting regarding the close funds from the County will be May 17th. This is when they will decide how to allocate the funds available. DuPrey stated that he would keep the Board updated. Timeline for Grant application – DuPrey reviewed the timeline that was presented to the Board. He stated that April 21st would be the date for the Public Meeting and it needs to be a separate meeting from the Board Meeting. May 14th is the date for the grant to be submitted.

Hilbert Housing Authority – Discussion and possible action regarding Resolution 2020-01 to commit funds for prepayment of mortgages – DuPrey explained that this Resolution is so that the Federal government and HUD have a commitment from the Village that the mortgages (for Sunrise I and Sunrise II on 3rd St.) will be guaranteed to be paid off. By passing this Resolution it commits the Village to make the payoff. The question was asked why, after all these years, were the mortgages still so high? DuPrey explained that it is a government program and basically, as long as there is a mortgage, then the

buildings remain in the program; which is what the government prefers. Starfeld questioned what if we pay off the mortgages and the buildings don't sell, then what? The Village becomes landlords? DuPrey responded that is a chance that we will be taking. Starfeld questioned why payoff the mortgages then? DuPrey reminded Starfeld that the Board already made the decision to pay off the mortgages and start the process at last month's Board Meeting. It has already been decided. The Resolution tonight would be the next step in the process. Action – to approve Resolution 2020-01 to commit to funds for prepayment of mortgages – motion: Schrubbe; second: Roehrig; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Fochs Trails Subdivision, 2nd Addition – nothing new.

2020 Census – Action – to approve the minutes as presented – motion: Schrubbe; second: Starfeld; carried. No updates.

New Business:

Application for Operator Licenses – Action – to approve the operator license for Leah Bechtel – motion: Schrubbe; second: Roehrig; carried.

Classes/Seminars/Schooling for Employees – none.

Reports on schooling/training sessions – none.

Employee Review and Grievance Committee – Action – to approve the committee meeting minutes as presented – motion: Keuler; second: Starfeld; carried. Discussion and possible action regarding letter of retirement from Charles Fochs – Breckheimer informed the Board that Foch's last working day will be July 8, 2020 and he will use his vacation and be officially done on August 8, 2020. Fochs was thanked for all his years of service. Action – to accept the letter of retirement from Charles Fochs as presented – motion: Starfeld; second: Schrubbe; carried. Committee recommendation regarding sending 4 employees to cyber security class – DuPrey stated that he would think it would be beneficial for Missy, Mark, Kim and himself to attend the class. It would give more information on how to take precautions when checking e-mail. Breckheimer said that since Charlie is retiring it probably isn't necessary for him to attend. The class is \$99 per person and is on April 29th from 12:30 p.m. to 4:30 p.m. in Elkhart Lake. Action – to send the 4 employees to the training as presented – motion: Starfeld; second: Roehrig; carried. No further action needed. Committee recommendation regarding sending Mark Fochs to annual WRWA Conference in LaCrosse – Charlie Fochs stated that Mark has decided not to attend.

Breckheimer asked in anyone will be attending to represent the Village? Fochs stated no. No action needed. Committee recommendation regarding job description for the Director of Public Works position – The Board reviewed the job description. Action – to approve the job description as presented – motion: Schrubbe; second: Starfeld; carried. No further action needed. Committee recommendation regarding advertising for the replacement of the Director of Public Works – DuPrey explained that he is putting the ad on 11 sites where there is no fee. The committee also recommended the following: Tempo (\$156.70 per week) and the Lake to Lake Shopper (\$98.46 per week). The ad will run for 2 weeks. Roehrig questioned when the interviewing would start? DuPrey stated that the deadline for applications is April 10th and interviewing would be following that. Breckheimer stated that we will wait to see how many applications they receive by the deadline and go from there. Action – to approve the advertising for the Director of Public Works as recommended by the committee – motion: Roehrig; second: Starfeld; carried. No further action needed.

Plan Commission – Action – to approve the committee meeting minutes as presented – motion: Schrubbe; second: Roehrig; carried. Committee recommendation regarding setting a rate charge for review of variance requests – As of right now, the Village does not charge a fee for a variance request. The committee would like to see that changed to \$350 per request. Costs are incurred by the Village for notices and publications. Many municipalities charge a fee for a variance request; the Board was presented with a list of local municipalities and the fees. Action – to set a rate for a review of variance requests at the amount of \$350 per request – motion: Roehrig; second: Starfeld; carried. No further action needed. Committee recommendation regarding proposed property split for DGS Rental, LLC at 352 N. 3rd Street – DuPrey explained that due to the construction of a new building that electrical service will need to be installed. If there are two separate parcels (each with their own address) then the electrical service will run the new line for free. If not, the cost is quite pricey. There is no zoning change; it is just a property split. Action – to approve the property split for DGS Rental, LLC at 352 N. 3rd Street – motion: Keuler; second: Schrubbe; carried. Please note that Starfeld abstained from voting. No further action needed. Committee recommendation regarding amending the zoning code and billboards and signs code as it pertains to roof signs – DuPrey explained that this refers to the conditional use permits for signs. He suggested to the committee several months ago that this should be addressed due to changes in the state law. The state law limits the municipalities' ability to restrict conditional use permits which takes away local control. With the new law, if someone meets all of the requirements, then a municipality is required to approve the conditional use permit and can no longer take into account things such as aesthetics when making the decision. The Board agreed that an amendment should be done. It would have to go through a public hearing for zoning. Action – to set the public hearing for the zoning code amendment for April 21, 2020 at 7 p.m. prior to the monthly Board Meeting – motion: Roehrig; second: Starfeld; carried. No further action needed.

Discussion and possible action regarding renewing the garbage contract with Advanced Disposal – DuPrey explained that the contract is a 10-year contract with an increase happening every other year. He

feels like it's important to get the contract signed before Waste Management takes over because then the rate would be set for the 10-year period. Our contract actually expired December 31, 2019 but Advanced Disposal failed to renew several municipalities' contracts. If we don't sign the contract, then we will have to negotiate with whoever takes over our account. By signing this, DuPrey feels like this will protect the Village's rate better. Action – to renew the 10-year garbage contract with Advanced Disposal as presented – motion: Schrubbe; second: Keuler; carried.

Village Board Member Informational Report – Schrubbe asked DuPrey if he could look into getting the road parking restrictions lifted because of the weather we are having. DuPrey will contact the Sheriff's Office to inform them of the change.

Village Personnel Informational Report – nothing.

President's Report – nothing.

The Board then convened into closed session under the following:

Pursuant to Section 19.85(1)(e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds. Or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Action – to convene into closed session – motion: Roehrig; second: Bolwerk; 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: Nolan; second: Schrubbe; Roll Call Vote – yes: Bolwerk, Schrubbe, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Discussion and possible action regarding the purchase of public property, investing public funds and other directly related items of business – Action – to make an offer to purchase the Mirsberger property as presented – motion: Roehrig; second: Schrubbe; carried. Action – to make an offer to purchase the old elementary school property for \$260,000 with the only contingency being no self-storage units – Schrubbe; second: Nolan; carried.

Adjournment – Action – to adjourn – motion: Starfeld; second: Roehrig; carried. The meeting was adjourned at approximately 8:18 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk Treasurer

President Mark Breckheimer called the Emergency Board Meeting to order at 6:30 p.m. on Tuesday, March 17, 2020.

Roll Call – all members reported present except Bolwerk. Others present were Dennis DuPrey, Charles Fochs and Mark Fochs.

This meeting is an Emergency Meeting with less than 24-hour notice; but at least more than 2-hour notice; under Section 19.84(3) of the Wisconsin Statutes due to the COVID-19 Pandemic.

Action – to declare this meeting as an emergency meeting under Section 19.84(3) of the Wisconsin Statutes due to the COVID-19 Pandemic – motion: Starfeld; second: Schrubbe; 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 – DuPrey informed the Board that the meeting regarding close funds through Calumet County has taken place to distribute the funds. The recommendation to the County Board will be for each municipality that had put in a request to receive some funds. The recommendation for the Village of Hilbert is \$210,935 to be used as match funds for the Bel Brands grant that the Village will be applying for.

President's Report – Breckheimer explained that this emergency meeting was called to have discussion on current events.

Discussion and possible action regarding municipal operations during this pandemic including, but not limited to staffing levels, office hours, public access to the Village hall, etc. – Breckheimer stated that the first thing discussed will be whether to keep the clerk's office open or closed to the public. His suggestion is to close the doors to the public but keep hours and staffing as they are now. The Board agreed. A sign will be placed on the front locked door explaining the situation along with other pertinent information. DuPrey explained that due to absentee voting that residents will be encouraged to mail their request for ballots in writing or use the myvote.wi.gov website to make the request. Residents will still be able to call

the office and DuPrey can explain the procedure that they need to complete. He stated that some may be done by appointment only as a last resort. He informed everyone that elections, as of now, are still happening as planned. Action – to lock the doors of the municipal building to the public until further notice; except as mandated by the state – motion: Schrubbe; second: Roehrig; carried. He also mentioned that the nutrition site would like to stay open on Tuesdays and Fridays in order to pack lunches for the elderly to get delivered. It would be the nutrition site leader, one volunteer and the driver coming into the site. There will be no congregating or eating at the site. He thinks this is an important service to help the elderly and that it should continue. Action – to allow the preparation of the lunches for the elderly at the nutrition site located in the Village hall – motion: Starfeld; second: Roehrig; carried.

Discussion and possible action regarding the use of facilities (community center, park, etc.) by the public for functions – The Board was provided with a list of local municipalities and how they are handling the use of their facilities during the pandemic. In most cases, the Community Centers have already been closed. Breckheimer suggests that we do the same; due to the state mandated order of gatherings. The Board was also presented with a listing showing the dates in which the Community Center has been rented for March and April. It was decided that DuPrey should notify all the renters and a full-refund should be made, or they can have the option to have the Community Center for a future date instead of receiving the refund. Action – to close the use of facilities of the Community Center and Park through the month of April – motion: Starfeld; second: Schrubbe; carried.

Discussion and possible action regarding granting authority to individual(s) to make decisions regarding municipal operations and use of facilities without full Board approval during this pandemic – Breckheimer explained that with everything going on and things changing on a daily basis that it may be a good idea to have individuals who can make decisions without having to call a full Board Meeting. Sometimes decisions will have to be made in a hurry and we'll have to adapt as we go. The group would consist of Breckheimer, DuPrey, Fochs and Starfeld. Starfeld is the Village's Emergency Director. Action – to grant authority for Breckheimer, DuPrey, Fochs and Starfeld to make decisions regarding municipal operations and use of facilities without full Board approval – motion: Roehrig; second: Schrubbe; carried.

Adjournment – Action – to adjourn – motion: Schrubbe; second: Keuler; carried. The meeting was adjourned at approximately 7:00 p.m.

Missy Kieso

Missy Kieso, Deputy Clerk Treasurer