

President Mark Breckheimer called the regular meeting of the village board to order at 7 p.m. on Tuesday, June 14, 2016.

Roll Call – all members reported present. Others present were Pat McIntosh, Tom Baer, Mike Loose, Ed Byrne from the Brillion News and Charlie Fochs.

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

The village board then conducted the public hearing on the proposed zoning code change regarding the size of accessory structures. The proposed changes were outlined in Ordinance 2016\_03 and the proposed changes were presented to everyone present. These proposed changes were being recommended by the Plan Commission. Breckheimer asked if there was any public input regarding the proposed changes. No one expressed any public input. Action – to approve the recommendation from the Plan Commission and approve Ordinance 2016\_03 which amends Section 9.01(4)(a)(8) of the Village of Hilbert Code of Ordinances regulating Residential Garages and Accessory Buildings – motion: Piepenburg; second: Roehrig; Roll Call Vote – yes: Piepenburg, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. President Breckheimer then declared the public hearing closed.

The remainder of the regular meeting of the village board then took place.

Citizen Questions and Concerns to be acted on at the next board meeting – Charlie stated that he has the draft CMOM report. The board felt that this should be run through the committee and they can recommend approval.

Announcements – Board of Review is scheduled on 8/1/16. The assessor open book sessions will be on 7/13 & 7/14 from 9:30 a.m. – 7 p.m. The firemen's parade and raffle is 7/4/16 at 11 a.m. The Hilbert Lions Club Community Picnic and Fireworks is 7/4/16 beginning at 10 a.m. Sundae on a Dairy Farm is 6/26/16 from 11 a.m. – 3 p.m. at East River Dairy, Brillion.

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

Treasurer's Report for the Village of Hilbert - balances – \$108,265.16 General fund; \$340,393.77 Sewer fund; \$109,642.24 Water fund; \$3.00 Clean Water fund; (\$34,162.86) TID #1 fund; \$722,378.28 T-Plus fund; \$14,872.96 First Responder fund; (\$449,733.33) TID #2, \$4,422.59 CDA; \$215,295.26 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 treasurer's report of the fire department as presented – motion: Koffarnus; second: Keuler; carried. The first responder treasurer's report was presented to the board. Action – to approve the first responder treasurer's report as presented – motion: Starfeld; second: Keuler; carried.

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

Correspondence – The MEG newsletter was presented to the board for their information. DuPrey presented letters from Time Warner Cable regarding the merger of Time Warner Cable and Charter. The Focus newsletters were presented to the board for their information. The newsletter from Boardman & Clark was presented to the board for their information. Emails from Todd Thiel regarding Right of Way Towers was 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 Annual Financial Report Form C that is filed with the Department of Revenue was presented to the board for their information. Receipt of the quarterly Cable TV Franchise Fees from Time Warner Cable in the amount of \$2,256.49 was presented to the board for their information.

Unfinished Business:

2016 Projects – Discussion on village sidewalk projects – nothing new.

Recycling/Rubbish – The monthly report was presented to the board for their information. The notice letter announcing the village's 2016 recycling grant award in the amount of \$7,905.47 was presented to the board for their information.

Police Protection for the village – The monthly report from was presented to the board for their information. Action – to accept the committee meeting minutes and to place them on file – motion: Koffarnus; second: Roehrig; carried. The recommendation from the committee was to approve the license listing as is presented. Action – to approve this recommendation – motion: Roehrig; second: Piepenburg; carried.

Fire Department – Mike Loose reported that there were 2 calls since the last meeting. Mike Loose then reported on the progress of the fire truck. He presented pictures of the chassis and stated that truck is progressing and that they were going up next Wednesday to inspect the truck to make sure everything was being constructed as ordered. He then discussed the 2% Dues audit and the letter from DSPS. He stated that the reason they were audited was that with NIFFERS, you need to electronically enter the fire call information and he stated that there are 3 ways to do it but the way that we were entering it is not recognized by the federal government. He stated that this was the reason for the audit. Beyond that, it

appears that everything is up to regulations. The board then discussed the issue with track athletes on the fire truck when there was an impending severe storm coming in. The athletes did get caught in the storm but there were no issues because they were able to get them off the truck and to a proper shelter. The board cautioned the department to use caution if there is an impending storm to keep the athletes off the truck. There was no issue with them being on the truck, it was just with the timing of the storm.

TID District #1 – Nothing new.

TID District #2 – Nothing new.

Street Committee – Piepenburg attended the last meeting. It was decided at that meeting to plan to set up a separate regional storm water utility. They are requesting a statement indicating that the municipalities that participate that they are committed to stay in through the process (planning) to set up the storm water utility. We would not be required to commit to participate. Piepenburg stated that he recommends that we stay involved. He stated that the river needs to be dredge. If it isn't, then there is no real advantage to stay in. He stated that dredging will be difficult and expensive. Action – to approve the following statement of commitment "We, the village board of Hilbert, commit to having a Hilbert village board member involved in the planning phase of creating a "Storm Water Utility" for the "Upper Manitowoc River Watershed". – motion: Piepenburg; second: Keuler; carried.

"Looks of Hilbert" (Aesthetics) – It was reported that the new street signs on Main St. are up.

Wastewater Treatment Plant – Interceptor Sewer Main Replacement Project – Charlie Fochs reported that it is completed but that we are waiting on final paperwork. WWTP Upgrades – Charlie Fochs reported that the work is pretty much completed. They still have landscaping to complete. A letter was received from the DNR approving Change Order #'s 7 & 8. Hilbert Acres Mobile Home Park – DuPrey stated that the area managers stopped in and indicated that they were not aware of the order issued. DuPrey stated that he explained the process that was followed and that the deadline was July 1<sup>st</sup>. He stated that they informed him that they would investigate and come up with a plan. There were no engineering reports for this past month.

New Business:

Application for operator licenses – There was one application from Gilbert Bowe. DuPrey explained to the board that he has a conviction on his record where the charge he was convicted of is one of the specific items that can be grounds for denying a license. He stated that if the board decides to deny the license, we must hold a hearing where he can plead his case. This would have to be completed before June 30<sup>th</sup> because that is when his current license expires. The board felt that because this type of conviction is specifically stated in the statutes, they should deny the license application and have a hearing on it. Action – to disapprove the renewal of the operator license for Gilbert Bowe – motion: Starfeld; second: Keuler; carried. The public hearing date is tentatively set for June 27<sup>th</sup> with the village board.

Classes/Seminars/Schooling for employees – nothing new.

Water & Sewer Committee – Action – to accept the committee meeting minutes and to place them on file – motion: Piepenburg; second: Roehrig; carried. The first recommendation was to draw up an agreement with Kim Slowinski to repair the retaining wall where the property owner would remove the retaining wall block and put the wall back up after the repairs are made, the village would replace the sidewalk and extend it west so that the wall would sit on the sidewalk and that this would be the last time that we would do any repairs on the wall. Pat McIntosh appeared representing Kim Slowinski and stated that they offered to take the wall down but not to put the wall back up. The board felt that if the repairs are made to the sidewalk, the property owner should put the wall back up because they installed it to begin with. Action – to approve this recommendation – motion: Koffarnus; second: Roehrig; carried. There was no further action needed regarding this. The next recommendation was to proceed with completing the plans and specs for the water tower repairs and recoating and to install a mixing system. Charlie explained the project. Due to several lightning strikes, we may need to do a complete repair instead of spot repair on the paint. Action – to approve the recommendation from the committee to proceed with the plans and specs for repairs and recoating of the water tower and installing a mixing system – motion: Starfeld; second: Piepenburg; carried. There was no further action needed regarding this. The 3<sup>rd</sup> recommendation was to proceed with the slip lining of sewer main on S. 4<sup>th</sup> St. The total cost is \$16,000. This should finish up this area. Action – to approve this recommendation – motion: Koffarnus; second: Roehrig; carried. There was no further action needed regarding this.

Purchase & Claims Committee – Action – to accept the committee meeting minutes and to place them on file – motion: Koffarnus; second: Keuler; carried. The first recommendation from the committee was to sell both lots on S. 4<sup>th</sup> St. that are south of the Habitat house to Tom Baer of Cozy Baer Storage, LLC for \$12,000 with the buying paying all closing costs and the sale is contingent on getting the property rezoned. There was some brief discussion regarding this. Because there are storage sheds on the other side of the road, the board felt that this could be a good fit for this area. Action – to approve this recommendation – motion: Starfeld; second: Piepenburg; carried. There was no further action needed regarding this.

Park & Recreation Committee – Action – to accept the committee meeting minutes and to place them on file – motion: Koffarnus; second: Keuler; carried. The first item discussed was concerns that were brought up regarding the park/ballfield maintenance. This stemmed from the condition of the field when there was a softball tournament at the ballfield one weekend. Breckheimer stated that the concerns were

brought up by Karl Propson at a previous committee meeting. He could not make the meeting tonight so he is suggesting that it be sent back to committee. Roehrig stated that it would be referred back to committee to review. Even with this, there was some more discussion. Charlie Fochs stated that the field was worked up and lined on Friday and then they practiced on the field and messed it up. He questioned if they were expected to work the fields on the weekends at the overtime rate when the village is trying to minimize overtime. Roehrig stated that they should not. Keuler questioned why we couldn't have one of the athletic club members to do it on the weekends. DuPrey stated that they don't want it. DuPrey stated that in the past they did take care of the field but it was changed to the village. DuPrey stated that it does not make sense to pay the overtime hours. DuPrey stated that there used to be a written agreement but that fell by the wayside. He stated that the club wouldn't sign it he believed. Nolan stated that with the extra games, the employees would be on call 24/7 running to take the care of the field and that would be crazy. Breckheimer stated that he felt that it needs to stay as it is until it goes back to committee. Charlie asked the board to give him some sense of direction on this. Koffarnus questioned how do you want to promote Hilbert? Koffarnus stated that there were 6 teams that came in and this field was a neutral site and the field looked like a cow pasture and here you have people come in from out of town and they come here and play in the field that looks like a cow pasture. Come on! Roehrig stated that the committee will address this in the near future. Piepenburg stated that he understands the issue but is there any issues with having non employees run the equipment? DuPrey stated that the committee should review it. Keuler stated that there needs to be a better working relationship with the village board and the athletic club. Charlie Fochs stated that there is a policy that all equipment needs to be operated by village employees. DuPrey stated that this is the mushroom that has been created over the last several years. Roehrig stated again that the committee will meet again in the near future to address these questions and concerns. The board then discussed fundraising activities by the athletic club for raising monies for a new fence and scoreboard. The fence cost is \$25,000 and the new scoreboard is \$6,000. Piepenburg stated that he attended the athletic club meeting on June 6<sup>th</sup> and they are accepting on sending out a letter by the village with the club's letterhead on it saying that it was from them and would be sent to all businesses. They are reviewing the list and the letter and their hope was to have it back to the village by the end of the week. Roehrig stated that the revised letter will be at the committee meeting. An updated report on the costs of the project was presented to the board. Overall the cost of the project exceeded the budget by about \$1,300. The billing from H&K was \$2,180 more but the billing from Nett Landscaping was under the budget by \$901. The original shortfall was \$952.

Discussion and possible action regarding relocation of the playground equipment from the elementary school – Breckheimer stated that several months ago the school asked if we would possibly be interested in the playground equipment from the elementary school. They want to know if we are interested in it. Charlie Fochs stated that it would take three guys about one week to get it moved. Tom Baer questioned about putting it up by the ballfields. There was discussion about placing it in railroad park. Action – to authorize Breckheimer to contact the school district to inform them that we are indeed still interested in the playground equipment from the elementary school – motion: Piepenburg; second: Roehrig; carried.

Discussion and possible action regarding culvert installed on S. 4<sup>th</sup> St. and preferred routes to access land – Breckheimer stated that after we gave approval to install the culvert at no cost, they did ask to be reimbursed some of the cost of installing the culvert. The board felt that our decision was made and it was not going to change. The board then discussed the route of the trucks. There was discussion on the best route. They could come down Calumet St. to get to it or Main St. to 4<sup>th</sup> St. to get to it. The board felt that the preferred route was Main St. to 4<sup>th</sup> St. because these are built better and could absorb the weights of the equipment. They felt that Calumet St. would not hold up as well. Breckheimer will get in contact with Corey Schmidt and follow up with a letter.

Annual CMAR Report – The final grade was not that great this year. This was due to issues experienced when the plant had to be taken offline as part of the upgrade. It was offline longer than originally anticipated. Action – to approve Resolution 2016-03 approving the CMAR Report and to submit the report to the DNR – motion: Starfeld; second: Keuler; Roll Call Vote – yes: Piepenburg, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

Discussion and possible action regarding an antenna lease for the water tower – DuPrey presented a proposed lease from New Cingular to the board. DuPrey explained the lease to the board. He stated that they approached the village last year inquiring about potential space to rent. DuPrey stated that it was quiet after that until this year when they expressed interest to proceed with locating on the pipe of the water tower. He stated that they currently are leasing from another property in the village owned by Todd Thiel. He stated that the agreement has been reviewed by our attorney, our engineers and our insurance carrier to ensure it is a good agreement from the village's standpoint. He stated that they have provided the village with structural analysis that has been reviewed by our engineers and okayed. The agreement has an original 5 year term and can be renewed up to an additional 4 five year terms or 25 total years. DuPrey stated that the beginning rent amount is \$1,200 per month and at each 5 year anniversary, the rent would increase 15%. DuPrey stated that the 1<sup>st</sup> year revenue would be \$14,400 and the potential amount of rent over the life of the agreement is \$485,452. He stated that with the other agreements that we have in place right now, we have the potential to have over \$1,000,000 in the

reserve for a water tower which should help offset the costs of a new tower in the future as long as the monies are left in the reserve fund. DuPrey stated that this has been a quite long process to work through the agreement and he has spent a pretty good amount of time on getting the agreement to this point. Several members of the board stated that this is a no brainer to approve this agreement. DuPrey stated that if this agreement is approved, our total revenue during this first term would be \$43,000 per year taking into account the other agreements we already have approved. Action – to approve the Option and Structure Lease Agreement, Addendum A and Memorandum of Agreement with New Cingular Wireless PCS, LLC as presented – motion: Starfeld; second: Roehrig; carried.

Request permission to hold annual anniversary celebration – Scott's Bar & Grill – A request was made to again hold his annual anniversary celebration on 7/3/16 and to block off Chestnut St. This has been something that has been going on for several years and there have not been any issues. Action – to grant permission to Scott's Bar & Grill to hold his annual anniversary celebration and to block off Chestnut St. – motion: Starfeld; second: Piepenburg; carried.

Discussion and possible action regarding request for old Main St. street signs – These signs were originally paid for by the Revitalization Group and Todd Thiel would like to have them back. They are technically property of the village even though they were paid for by the group. Charlie Fochs stated that the plates could be refaced and reused. Charlie Fochs stated that he wants direction from the board. He stated that they are not the décor of what we have now but if we change signs what type of signs are we going to go to. Starfeld stated that he felt that if we are not going to use them, they should get destroyed. Koffarnus stated that he paid for them and he wants them back. Give it back to him. Charlie stated that he gave that to the village. It is now property of the village. Koffarnus agreed. Keuler stated that we should give it back to him. Starfeld questioned so every time someone donates something. Nolan questioned why not just give them back. Don't destroy them. Charlie stated that he doesn't want to make a big deal out of it but it is property of the village so he feels that we should keep them. Breckheimer stated that if we are not going to use them, then what is the harm in giving them back to him. Action – to give the old Main St. street signs back to Todd Thiel – motion: Piepenburg; second: Keuler; carried by majority vote.

Discussion and possible action regarding moving the August board meeting date due to the primary election on August 9<sup>th</sup> – DuPrey stated that the primary election is set for August 9<sup>th</sup> which would be the same night as the board meeting. He is requesting to move the date so that he is available for the election. If we keep the meeting the same night, then we would have to move the location because the council room is the polling place. Action – to move the August board meeting date to 8/8/16 at 7 p.m. – motion: Roehrig; second: Nolan; carried. It was noted that the packets would be available for pick up on the Friday before.

Village Board member Informational Report – none.

Village Employee Informational Report – DuPrey reported that he will be on vacation until the end of June.

President's Report – Breckheimer reported that there will be an outdoor movie shown on the old bank building wall on 6/15/16.

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: Keuler; 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: Roehrig; second: Starfeld; carried. The meeting was adjourned at 8:51 p.m.

  
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 Dennis DuPrey, Clerk

President Mark Breckheimer called the special meeting of the village board to order at 6 p.m. on Monday, June 27, 2016.

Roll Call – all members reported present. Also present were Charlie Fochs and Josh McDonald.

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

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

Announcements – none.

President's Report – none.

The board then convened into closed session under Section 19.85(1)(e) of the Wisconsin Statutes to discuss the possibility of pursuing the purchase of public property. Action – to convene into closed session – motion: Roehrig; second: Piepenburg; 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: Nolan; second: Starfeld; carried. The meeting was adjourned at 6:51 p.m.



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Mark Breckheimer, Village President