

President Mark Breckheimer called the regular meeting of the village board to order at 7 p.m. on Tuesday, September 8, 2015.

Roll Call – all members reported present. Others present were Nick Mirsberger, Mike Loose, Kim Slowinski, Patrick McIntosh, Mark Fochs, Kim Bangart, Ed Byrne and Charlie Fochs.

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

Citizen Questions and Concerns to be acted on at the next board meeting – Kim Slowinski appeared before the board to ask what the decision was regarding repairing her retaining wall and if it was turned down, she wanted to know why. She stated that the sidewalk is hollow underneath it and that she has had it fixed once before the sidewalk was fixed and then the contractor fixed the sidewalk but not the wall. She stated that it was caving in. This was referred back to the committee to discuss it further.

Announcements – Civic Association meeting is 9/15/15. Budget work needs to be completed so that everything is turned in no later than 9/30/15. Trick or Treat Hours will be 10/25/15 from 2 pm – 4 pm with the Halloween Party at the community center from 4 pm – 5:30 pm. Healthiest Calumet County Steering Committee is holding health improvement planning meetings in October. There will be a special board meeting on 9/9/15 and the street committee will be having a meeting with East Central Regional Planning Commission regarding the Safe Routes to School Program.

Minutes – Action – to approve the board meeting minutes as presented – motion: Koffarnus; second: Boesch; carried. There were no minutes from the fire department. There were no minutes from the first responders.

Treasurer's Report for the Village of Hilbert - balances – \$200,789.19 General fund; \$362,461.37 Sewer fund; \$44,688.33 Water fund; \$3.00 Clean Water fund; (\$805.74) TID #1 fund; \$676,600.04 T-Plus fund; \$19,567.34 First Responder fund; (\$456,732.25) TID #2, \$140.03 CDA; \$222,356.17 Capital Improvements Fund. Action – to approve the treasurer's report as presented – motion: Koffarnus; second: Starfeld; carried. The fire department's treasurer's report was presented to the board. Action – to approve the treasurer's report from the fire department as presented – motion: Koffarnus; second: Keuler; carried. There was no first responder treasurer's report received.

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

Correspondence – There was no MEG newsletter received. There were no letters from Time Warner Cable. The Focus newsletters were presented to the board for their information. Letter from the Department of Administration estimating the village's population as of 1/1/15 at 1,171 residents was presented to the board for their information. The Boardman & Clark newsletter 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.

Unfinished Business:

2015 Projects – Nothing new.

Recycling/Rubbish – The monthly report was presented to the board for their information. The proposed contract from Advanced Disposal was presented to the board for single stream recycling. DuPrey explained the contract to the board. Boesch questioned if Outagamie County is increasing their rates by 3% every other year. DuPrey stated that he was not sure because it is a contract between Outagamie County and Advanced Disposal. DuPrey answered several questions that the board had and touched on the highlights of the contract which includes supporting a county wide tire and e-waste disposal beginning in 2016. Action – to approve the contract with Advanced Disposal for single stream recycling as outlined and presented – motion: Boesch; second: Piepenburg; carried.

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

Fire Department – Chief Mike Loose reported that there were three calls since last month. He then brought up the new equipment truck. He explained what they were looking at and that the estimated cost is \$270,000. He is looking at purchasing it in 2016 and making it part of the budget. He stated that the committee feels that the truck is what they need for manpower, MABAS, etc. The request for businesses to have Knox Boxes will be discussed at the committee level.

TID District #1 – Nothing new.

TID District #2 – Action to accept the minutes from the TID Committee and to place them on file – motion: Boesch; second: Roehrig; carried. The first recommendation was to approve the developer agreement with Nick & Vicki Mirsberger, LLC for the second lot. DuPrey explained the developer agreement and how we came to pass here. He stated that the building that was constructed and part of the last developer agreement is actually larger and has a higher value than previously. DuPrey stated that he worked the math and that we could actually invest \$43,000 based upon the new value of the building that was constructed. DuPrey stated that the value of the land is \$46,000 which would leave us \$3,000 short. DuPrey stated that when he looks at the numbers, he takes into account borrowing the funds even though most times he would not. He stated that he doesn't anticipate borrowing funds for this because it is just a land transfer. Also, he stated that Mirsberger has agreed to allow the village to strip off the black dirt on Lot #2 which could be used for village projects. Starfeld questioned the value of the building. DuPrey stated that the values were completed by the assessor based upon state approved plans. Action – to approve the developer agreement with Nick & Vicki Mirsberger to transfer Lot #2 to them for future expansion – motion: Koffarnus; second: Boesch; carried.

Street Committee – Charlie provided an update on the Irish Rd culvert projects. There was some discussion about the flooding issues in the village. Boesch stated that he has been attending the regional meetings and provided an update from them. He stated that we shouldn't expect any miracles. There was nothing new to report on the request to lower speed limits on the north side of the village.

"Looks of Hilbert" (Aesthetics) – Starfeld reported that the signs are being worked on. The Main St. lights have been repainted but they missed some of them.

Wastewater Treatment Plant – Interceptor Sewer Main Replacement Project – nothing new to report. WWTP Upgrades – Charlie Fochs provided an update on the project. He stated that the pre treatment walls are all poured. The foundation is poured for the service building. The footings and walls are poured for the belt press room. He stated that they are laying pipe around it now and want to pour the trough tomorrow for the screening room. He stated the plant is shut down as of a week ago last Thursday. Everything is going to the ponds. He stated that the clarifier and aeration basins are empty. He stated that they are supposed to be sandblasting areas tomorrow. No flow is going out of the plant so far. He stated that the recent rains have not help and has been in contact with the DNR and we may have to go back to being a pond system for awhile if needed. He stated that they are moving right along and that Oudenhoven wants the blacktop put in yet this year before the snow flies. Mike Loose asked about the dry hydrant. Can still use the dry hydrant if they can get around. Charlie highly recommends that they stay away. It is pretty congested there. Right now the haulers are cut off. Eventually it will come back to normal with a full turnaround driveway. Keuler asked what happened to the building. Charlie stated that basically what happened is that building did tip. He stated that the crack is 1 ½" wide. Charlie explained when they tried to remove the sheeting, the building began to tip because the clear stone settled when they tried to remove the sheeting. Once they stopped removing the sheeting, the building stopped moving. He stated that two separate structural engineers have looked at it and the structure is fine. They just have some patchwork that needs to be completed. Starfeld questioned getting some sort of reimbursement for this. Starfeld asked what happens 10 years down the road. Charlie stated that the building hasn't moved anymore. He stated that it was from the vibration of the sheeting that did it when they tried to pull them out. He stated that the sheeting is 40' in the ground. Koffarnus stated that Charlie had questioned before why they had to go down so deep. Charlie stated that he wants to go back to the original structural engineer who designed that. He stated that they have talked to him about it. Charlie asked what the board would be looking for as far as a credit, etc. Keuler asked if we can put something in there long term. Keuler stated what happens if it shifts again in two years. Boesch stated that he hopes the onsite inspector is keeping a very detailed daily log of this. Charlie stated that they are doing this. Charlie stated that Oudenhoven hired one and Robert E. Lee hired the other one. Charlie stated that this has been the biggest issue down there so far. Keuler stated that this is a type a question that we should ask. Charlie stated that the biggest problem he has right now is the spring water. He stated that they are pumping constantly to keep the water level down. He stated that they are going to install a drain tile that will tie to the storm sewer that will drain into the creek. They want to bury the tile deep enough to keep the water level down from the spring because if we have a harsh winter like we had a couple years ago then stuff will start to break. Change Order #3 was then presented to the board. Charlie explained the change order. He reviewed the documentation with the board to explain each of the items that make up the change order. Total effect of the change order is a reduction of \$10,516.00. Action – to approve Change Order #3 with Oudenhoven Construction as presented and explained – motion: Boesch; second: Starfeld; carried. Next the outstanding bills were presented to the board. DuPrey explained the billings. Total amount of the unpaid bills was \$283,882.56. Action – to approve the bills for payment totaling \$283,882.56 and to submit the request to draw funds from the Clean Water fund – motion; Piepenburg; second; Keuler; carried. DuPrey then presented the worksheets that show the engineering budget to actual and the year to date draws.

Mobile Home Park – There was nothing new to report.

Employee Review/Grievance Committee – Action – to accept the minutes and place them on file from the last meeting – motion: Boesch; second: Starfeld; carried. The first recommendation was to approve the job description as presented. There was a question raised regarding the verbal abuse section. DuPrey stated that unfortunately with our current sue happy society, we have to have this language in it because if not, the person could say we never informed them that this could happen and they could file a claim against the village. Action – to approve this recommendation – motion: Boesch; second: Roehrig; carried. Charlie then asked Keuler about the part-time employee. He questioned what Keuler's thinking is on this. Keuler stated that like with other municipalities we are expected to do more with less and he knows that this is an issue. Keuler stated that like DuPrey stated that we have done a lot of things and now no one has to spend a week reading meters. He stated that our current summer help position starts in the spring and stays until fall. Keuler stated that the extra testing that is done down there for other municipalities does that make enough money to pay for the part-time employee? Keuler stated that then we can get rid of the testing and it would free up his time. Keuler stated that something has to give here. The budgets are getting tighter all over and he thinks that what they need to do is cut somewhere. Breckheimer stated that there has been no decision made as of yet and the committee will be having other meetings on it. Charlie stated that the sewer has not been an issue and is self supporting. He stated that the part-time person out there gets paid by the sewer budget and not the general fund budget. He questioned what hit it had on the general budget. Keuler stated that it is just like DuPrey

said if Darlene retires we are going to hire 1 ½ employees? Does this make sense? He stated to Charlie that if he retires are we going to hire 2 people? Charlie stated that this is why he wants his thoughts on it because once it is gone, it never comes back. Charlie stated that in other words you are going to take that 16 hour employee that he had at the plant and they are going to have to make up that 16 hours with what he has. Breckheimer again stated that no decision has been made yet. He stated that there will be more meetings on it. The other thing that he wanted to discuss was the trees at the park. He stated to Keuler that Keuler had called him about it before. He stated that the question that he has is why this is an issue now. He stated that it has not been an issue before. He stated that with Keuler's yard, they cut two trees down in his front yard and they had hired Casey's to take them down. The bill was \$225 for this. He stated that the village chipped the brush on site and did not touch the wood. He stated that they cut two trees down in the park and they used his chain saw, his blade, his oil, his gas and it took two hours to cut those two big trees down. He stated that his labor is \$24 per hour so the cost is \$50 for those two trees. He stated that the payloader was used to pick up the big stuff and got rid of it and it took a ½ an hour or \$50. He stated that it cost the village \$100 for those two trees. He stated that now he is being told that he has to do that on his own time. He questioned the liability with some "Joe Blow" coming off the street and cut that tree down where does the liability come from. He said that he is covered by the village. Keuler stated that it was brought to his attention. Keuler stated that he just doesn't think that he can run around with the payloader on time that people think that he should be working. He said that people see you and they are saying that they are paying you to make wood. Charlie stated that he saved the taxpayers \$125 dollars by doing it this way. Keuler stated that no he did not. He stated that we could have sold those trees. Starfeld stated we could have gotten at least \$200. Charlie stated and then have the hassle of advertising it. Keuler stated that you could put the word out on the streets and you would have people that would want it. Starfeld stated that a full chord of wood is \$280. Keuler stated the village should own a chain saw. We own 2 payloaders and can't even have a chain saw to cut down trees for Christ's sake. Boesch suggested that this be referred to the proper committee. Breckheimer stated we will have Employee Review and discuss it. Boesch stated that we need to come up with a policy on this. The next recommendation was to proceed with advertising for the deputy clerk position. It would be advertised for two weeks with the deadline at 4 p.m. on 10/9/15. Action – to approve this recommendation – motion: Boesch; second: Keuler; carried. The next recommendation was to approve the agenda layout. A sample of what it would look like under this change was presented to the board. This was discussed. It gives the board power to make approvals without having to send it back to committee. Breckheimer stated that with this would be adopting a policy setting the guidelines of when they can make changes and when it has to go back to committee. The biggest goal is to being able to use this only when deadlines pose an issue. Boesch stated that he thinks this would be good to do and stated that he felt that the office has always done a fine job with the agendas and have been told that at a conference or two. DuPrey stated that his only concern is having clear policy as to situations where you can do this or it would go back to committees because the committees do all the leg work. He stated that it may not happen today, it may not happen in the future but based upon some of the stuff that has happened in the last couple of years, he doesn't want to get in a situation where the committee's recommendations are being turned down or changed slightly then they get the attitude then why even meet. He stated then you create that whole realm that we have had in the past. This is something that needs to be black and white. He stated that board members give up family time also and their morale could be an issue if the work they put in just gets changed anyway at the board level. He stated you will have animosity. It will happen. Piepenburg questioned if DuPrey would come up with a list. DuPrey stated that there are certain things that cannot be amended at the board level such as zoning changes. DuPrey stated that he felt it should be in an emergency situation or a deadline that has to be met in order for the board to change a committee's recommendation. Otherwise, it should go back to committee. Breckheimer stated that normally we shouldn't have to do this much at all. He stated that it is for some of the cases where something was missed or something came up unexpectedly between the committee time and that board meeting. Action – to approve this recommendation on the new layout for the agenda – motion: Boesch; second: Piepenburg; carried. The board then discussed the policy. They discussed situations where it should be applied. DuPrey stated that if something can wait then it should wait. The committee will do some research and come up with a potential policy on it. DuPrey will work on the policy and then the committee will meet.

Park & Recreation Committee – Action – to accept the committee meeting minutes and place them on file – motion: Boesch; second: Starfeld; carried. The first recommendation was to sell the old concession stand building and that it has to be removed by 11/1/15. We would advertise and accept bids to sell and remove. It will go straight to the board for opening at the October board meeting. Action – to approve this recommendation – motion: Boesch; second: Koffarnus; carried. The next recommendation was regarding the storage building to get prices and to budget for it for 2016. Charlie stated that he had not gotten a chance to put prices together yet. This will go back to the committee for their budget meeting. The next item discussed was that the individual that was going to purchase the fencing for \$1,000 now wants a reduced price because the fencing is rusted and he was told it was not. He is asking for a reduction in the price to \$700 instead of the \$1,000. Action – to approve this – motion: Boesch; second: Roehrig; carried.

New Business:Appointment of Alternate Emergency Government Director – Nothing new.Application for operator licenses – none were received.Classes/Seminars/Schooling for employees – DuPrey presented a written report from the clerk's convention that he attended in August. Piepenburg asked about the replacement of the OS and TSX machines. He asked if this is going to be required. DuPrey stated that right now it is not but the OS machine was bought used and has very old technology and will not work and we will either be forced to purchase a machine or go back to paper ballots. Boesch asked how long we have been using our existing equipment. DuPrey believes that it was since the "hanging chads" election that these have been used. He stated that the county wants us to look at another machine. A new machine costs about \$10,000. Boesch stated that with the number of votes cast in our community it is an expensive venture. Funds have been placed aside but it is the joys of elections. They are rolling out a new voter registration system that they are already saying will have bugs in it. There were no other questions.Request to hold bonfire on 9/24/15 as part of homecoming festivities – A request by the school district to hold a bonfire on 9/24/15 as part of homecoming festivities was presented to the board. This has been done in the past with the fire department providing assistance. Action – to approve this – motion: Boesch; second: Keuler; carried.Request to purchase chains for the new payloader – Charlie stated that he would like to purchase a set a chains for the new payloader. He stated that he has \$1,000 remaining and would like permission to proceed as long as he doesn't exceed the \$1,000. Action – to grant permission – motion: Starfeld; second: Koffarnus; carried.Village Board Informational Report – nothing was presented.Village Employee Informational Report – nothing was presented.President's Report – nothing was presented.Adjournment – Action – to adjourn – motion: Boesch; second: Piepenburg; carried. The meeting was adjourned at 8:21 p.m.*Dennis DuPrey*

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Dennis DuPrey, Clerk

President Mark Breckheimer called the special meeting of the village board to order at 5:52 p.m. on Wednesday, September 9, 2015.

Roll Call – all members reported present except Piepenburg. Also present was Tony Sweere.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.Unfinished Business:New Business:Discussion and possible action regarding approving this meeting as an unpaid meeting – Because of the circumstances surrounding the reason for the special meeting the board felt that it would be best to approve this as an unpaid meeting. Action – to approve this special board meeting as an unpaid meeting for all in attendance – motion: Koffarnus; second: Boesch; carried.Discussion and possible action regarding application for Temporary Class B Picnic License – The application from the fire department for their End of Summer Celebration was presented to the board. Action – to approve this Temporary Class B License to the Hilbert Volunteer Fire Department for their September 12, 2015 End of Summer Celebration – motion: Boesch; second: Starfeld; carried.Adjournment – Action – to adjourn – motion: Boesch; second: Roehrig; carried. The meeting was adjourned at 5:54 p.m.*Dennis DuPrey*

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Dennis DuPrey, Clerk