

VILLAGE OF BONDUEL
VILLAGE BOARD MEETING
MAY 11, 2016

President Sharon Wussow asked that, following the Pledge of Allegiance, there be a moment of silence to remember Trustee Shawn Thorne and his family in the loss of his son Jacob. Meeting was then called to order at 7:00 p.m.

Wussow read a statement regarding the posting of the meeting.

Present: Sharon Wussow, Robert Luepke, Joan Kamps, Mary Barney, Dick Sibert and Luka Zischka

Absent: Shawn Thorne, excused.

AGENDA: Motion by Zischka, second by Kamps, to approve the agenda and deviate as necessary. Motion carried.

MINUTES: Motion by Sibert, second by Luepke, to approve minutes of the April 27, 2016, meeting. Motion carried.

ACKNOWLEDGEMENT OF CITIZENS: Director of Municipal Operations Steve Berndt, Police Chief Todd Chaney, Tom Karman of Schenck Associates and Clerk-Treasurer Willa Rusch.

COMMUNICATIONS: 1) Thank you note from American Legion Post 217 for waiving the ball diamond fees for their baseball program. 2) Wussow distributed copies of a request from Mel Wendland that was received this afternoon. Wendland, representative of the Chamber of Commerce, is requesting permission to use the parking lot on the SW corner of Hwy 117 and County BE for a farmers market every Saturday from June 11 through October 15 from 7:00 a.m. till 3:00 p.m. It will be managed by the Chamber. Wendland's request also refers to the event as a flea market. Berndt stated there is a policy in place where individual non-profit organizations can use that corner for brat fries and the like. The organizations simply contact the Village Hall to reserve the space. Berndt stated the Board would have to decide if that procedure should extend to the Chamber, or if they would prefer to take a more formal action. Wussow stated the Board cannot act on it tonight because it was not on the agenda. Berndt stated if the Board wanted, they could deal with the farmers market like the other non-profit organizations. Wussow stated the FFI Alumni also uses the space every year for the weekend of the village-wide rummage sale, which would be before the Chamber is requesting it for the farmers market. Berndt added that on the Fourth of July a group has it reserved. Zischka asked about Founders Day and Wussow stated it is not used on Founders Day because the area is left open for the business. Zischka stated we could treat it as an informal request just to reserve the lot, and we could just informally tell the Chamber there are certain weekends we cannot do that. He asked if there was a policy regarding a continuous flea market. Wussow stated a flea market would need to be licensed. Kamps stated that at the Chamber meeting it was designated as a farmers market. Berndt stated we would have to clarify that it is just a farmers market. Kamps and Wussow agreed it was a good idea but should make a note that it would stay open on Founders Day. Zischka stated Founders Day was one specific date, but there might be other weekends in which we are going to uphold whoever was there last year. Berndt stated the Chamber would have to accommodate organizations that have used the lot in previous years on those weekends; they could shift to the back of the parking lot and allow that group to be in the front. Berndt mentioned St. Paul's Youth Group; in the past they used it for a vegetable stand. Zischka wanted to ensure that these groups are allowed to continue. Wussow

agreed that the Farmers Market could share the parking lot; they could move it back and let the other groups stay up in front. Zischka stated he was very supportive of it as long as it is a farmers market, not a flea market, and as long as other groups who have used it in the past are allowed to use the area as well. Luepke commented that the business in the building was going to open and would require parking. Wussow replied their parking spaces are around the building; the Chamber is talking about the public parking area. Kamps stated we've talked a long time about a farmers market and now is the time it can become a reality. Wussow stated we would stick with the policy that is in place, and Rusch was directed to call Wendland to confirm the event is a farmers market and not a flea market, and that, should other groups who have used the lot in the past want to return, the Chamber should give deference to them and move to the back corner and give the front area to the returning organization. Luepke asked about the cars that park there. Berndt stated people park there overnight although they are not supposed to. Chaney stated part of the problem is Badgers Best wouldn't let them park in their lot, but now that they've gone these people can park in that lot again. Luepke stated they could be given a warning letter.

REPORTS:

Public Safety: Met May 2. Minutes are on file and items are on the agenda.

Police Chief's report on file.

Fire Chief's report on file. Wussow gave highlights and explained new officer procedure that had been discussed. Robbie again elected as Chief.

EMS report on file. Wussow read highlights.

Administrative Committee did not meet. Clerk's report on file. Dividend of \$1,122 was received from League Insurance; their cover letter stated the village has received \$23,315 in dividends from the League Insurance in the past ten years.

Director of Municipal Operations report on file. Zischka asked about the school work day. Berndt stated they got more done than we thought they would and they did a good job. Zischka considered approaching them about doing it again in the fall, not as a whole school, but the Tech Ed Department. Berndt agreed, as long as they give a little lead time. There is some painting they could do, but as long as it's the Tech Ed Department, there are other things they could get involved with that are more advanced than just painting. Also included with DMO report was Barron Construction's project schedule for the Cedar Park pavilion.

Berndt stated that geese are returning and there may be a problem. He asked what direction he should take if the geese persist over the next few weeks. He explained that typically communities take the approach of removing them. In the past, the coyote decoy helped for a short time but the geese got used to it and ignored it. An individual from USDA office in Rhinelander mentioned noise bombs, but geese get used to them and ignore them also. The best way is to remove them. Two years ago there was a lot of publicity about it; more people wanted them gone than didn't, but there were a few people upset that we were trying to get rid of the geese. Barney asked for explanation of what is done when geese are removed. Berndt explained that corn treated with a powdered drug is put out for bait. It puts the geese to sleep, and they are physically removed and euthanized. Otherwise the geese will continue to come back every year and the population will continue to grow. This year there are little ones also. Barney asked if babies could be relocated rather than euthanized since they are not acclimated to the area. Berndt will check with the USDA

expert and if it is safe, the chicks can be relocated. He stated that if this is what the Board would like him to do, he would contact the USDA. The Board agreed he should follow the procedure as discussed.

Library Board met and minutes are on file. Next regular meeting is in July when they will have election of officers.

Zoning Board of Appeals, Plan Commission and Fire Commission did not meet.

NEW BUSINESS:

K1: 2015 Financial Report. Tom Karman went through the information presented in the report. Similar to prior years, Schenck is issuing a modified opinion on the village's financial statement for the year ending December 31, 2015. It basically means the financial statement included in this document is complete and fairly states the financial condition of the village for that year end.

The General (Operating) Fund had a net change of a positive \$29,300, bringing the year-end General Fund balance to \$395,770. This is approximately half of the 2015 budgeted expenditures, which is a strong position. The village receives a significant amount of shared revenues from the state (\$204,000), but 85% of it does not come in until the end of November, so the village must have a good reserve fund for cash flow until that payment is received.

The TIF district generated a positive \$33,748 for the year, leaving a fund balance of about \$9,000. About \$330,000 is generated in annual increments in the district. The biggest expense in the TIF District is reimbursing projects that were done by the water and sewer utilities years ago. Compared to other districts, Bonduel's TID is doing very well. Others either haven't seen the development they had hoped for or have experienced devaluation of property. Because the Bonduel TID is able to reimburse the water and sewer utilities, it is putting cash into those operations that would otherwise have to come from customers if that cash was needed at this point in time.

DPW Capital Projects Fund has a year-end deficit due to pre-project engineering costs that were paid in 2015 but are being reimbursed by the borrowing in 2016. It is only a temporary deficit.

Water utility cash decreased about \$22,000 due to \$90,000 of capital improvements done in 2015. Sewer utility generated positive cash just under \$53,000. Without the TID subsidy, the water utility would need to generate the income from customers via a rate increase of at least an 18%. However rate increases are regulated by the Public Service Commission of Wisconsin; the PSC looks at the operation, and as long as the TID subsidy provides sufficient cash flow, they would not allow a rate increase. This prevents the utility from generating periodic increases to build up a reserve for when the TID subsidies end.

Overall, the audit process went well, as it usually does. Required annual regulatory reports have been filed with the Public Service Commission and Department of Revenue. For a community the size of Bonduel and being an older community, the village is in really good shape. Shared revenue is over 20% of the annual budget. The state has frozen that amount, so it's good that the village has the reserves. Other newer communities have virtually nothing in shared revenues. There was a time when village reserves were essentially nothing, but through prudent and conservative management over the years, reserves have been built up. The TID is doing well. From a financial standpoint, it is very successful for the village. It's generating \$300,000 of taxes now, and when it

closes out, the village is allowed to add half of that to the regular levy, creating additional levy capacity for the village without having an increase on the other village taxpayers.

Berndt stated when there are twenty years left on the sewer loan, the village can look at the possibility of refinancing it. By that time he anticipates having a fair amount of reserves in the sewer utility and the village can use a portion to pay off some of the principal and then refinance the balance. That would have a positive impact on the operational costs of the sewer utility and would help offset the loss of TIF District revenue.

Wussow brought up the possible need to use reserves to cover costs of dealing with two uninhabitable properties in the village. Karman responded that more and more communities are setting aside funds to take care of those kinds of properties because it is expensive to raze the buildings and remove and dispose of any asbestos or other hazardous materials that may be present.

Board members thanked Tom for his presentation and he exited the meeting.

K2: Code of Ethics. In accordance with village ordinance requiring annual review of the code of ethics by all boards and committees, President Wussow read through and explained portions of the ethical standards and regulations.

K3: American Legion liquor license renewal application. Application was approved by Chief Chaney. Motion by Zischka, second by Sibert, to accept the application for liquor license renewal for American Legion Post 217. Motion carried.

K4: Batting for The Battle temporary liquor license application. Application was approved by Chief Chaney. Motion by Kamps, second by Zischka, to approve liquor license application for Tri-City Archery League, sponsoring the Batting for The Battle Softball Tournament. Motion carried.

K5: Operator's license applications. Applications were approved by Chief Chaney. Eggert will be licensed at large. Motion by Zischka, second by Luepke, to approve operator's licenses for Dan Anderson and Jason Eggert. Motion carried.

K6: No Parking sign by fire station. Map denoting location of requested signs included in packet. Fire Department is requesting No Parking sign just to the north of the station on Mill Street and No Parking At Any Time on First Street on the east side of the station. Need to ensure parking is available for fire fighters when they are on a call. Berndt stated the logo sign may have to be separate and bolted on the same post. Motion by Zischka, second by Kamps, to reserve parking for fire department personnel only; that there be No Parking on the north side of Mill Street, just above the fire station, and No Parking on the east side of First Street across from the fire station. Motion carried. Chaney reminded Wussow that parking ordinance will need to be amended.

UNFINISHED BUSINESS:

L1: Building at 101 E. Green Bay Street. Chief Chaney showed a video that was taken when the premises were inspected. Items noted: Illegal stairs; side porch not safe, deteriorated; deterioration of foundation; east wall is collapsing; lack of foundation on east wall (in a private area unseen by public); rodent droppings on stairway; fire door inoperative; duct tape on ceilings; water damage on walls from roof leakage; back door does not seal when closed, rain water goes in the door sill and drips out of kitchen light fixture in apartment below; water damage on east side of building where wall is collapsed – plastic bag is duct taped to the wall to catch water; plastic bag

duct taped on ceiling above bed to catch rain water; sound of child's voice indicates building was inhabited at time of inspection; water and mold damage everywhere; rubbish and trash thrown outside and left there. There is more video but not all of it is on this disc. Wussow stated there are hundreds of chimney swifts in the chimney every year so the chimney must be filled with bird droppings. When looking at the building from the west side, the damage cannot be seen.

Chaney then showed video taken during brief walk-around done at Bonduel Inn. Protective gear was worn during the inspection. Litter and trash all around the grounds (10 disabled lawnmowers, rototillers and other junked equipment); mold on side of building; windows deteriorated; piles of rubbish and wood, which creates rodent infestation; bathroom and living space on east end of building filled with junk; ceiling tiles bowed out and collapsing from water damage; mold on carpet; rat and mice droppings; restaurant and kitchen filled with junk; refrigerators still full of product; bar area also filled with junk; mold; basement has about three feet of water, rises to second step; basement filled with junk floating in water; water almost comes up to electrical box; stagnant.

Wussow asked if property should be investigated when a liquor license is renewed. Chief Chaney replied that if the tavern serves food, which all Bonduel taverns do, they should be having annual inspections by the health department; however, Bonduel Inn hasn't served food for some time. Existing taverns in town are very well run and there are no issues with them. Barney asked who would be responsible for cleanup. Chaney stated the owner said she'd sell the property for \$60,000; however, it is not a restorable building, so a repair or raze order must be issued. Bringing it to code is not a possibility, so it would be the decision of the village to tear it down, absorb the cost and put it on the tax rolls.

Kamps asked about the Bonduel Inn owner's reaction. Chaney stated her response was she would send someone to pump the water out of the basement, but it's been placard and no one can enter the building. Also, that water should not be pumped out into the yard. Chaney told her he wouldn't allow her to do that.

Kamps asked if anyone had heard from Block. Chaney said no. Hutter is aware of common wall and it is already inundating his apartment with water leakage, to the point that one room can hardly be used due to mold. Soffit in front is held up by 2 poles and one is rusted all the way through. Basement is full of mold and moisture.

Board members agreed that action needs to be taken. Barney quoted from Attorney Schmid's letter in which he suggests the village be prepared to take action when the 60-day deadline arrives. Zischka stated that, assuming Block or Denmark State Bank do not respond to the Order to Repair or Raze, the village should proceed with razing the building. Chaney is directed to contact Schmid and have him call the bank and Block to get their intentions, and then decide what to do depending on their response. Ultimately the village would have the right to bring a civil action against Block. Chaney is to check with Schmid on that also.

L2: Boards and commissions. Postponed by consensus.

L4: Condemnation of building at 505 W. Green Bay Street. Bonduel Inn has been placard by the Health Department and is not to be entered by humans. Selling price of \$60,000. Nordin engineers are supposed to be working with Tim Schmid to determine what it would take to restore the building. Same process as with the Block building.

APPROVAL OF PAYMENTS: Rusch explained addition of Fire Department charge at Lee's Citgo and Corporate Network Solutions contract payment of \$6,000. Motion by Sibert, second by Kamps, to approve payments of invoices and vouchers. Motion carried.

TREASURER'S REPORT: Treasurer's report on file. Motion by Zischka, second by Luepke, to approve Treasurer's report. Motion carried.

ANNOUNCEMENTS:

Fire Commission	May 19, 2016	6:30 p.m.
Village Board	June 8, 2016	7:00 p.m.
Funeral for Jacob Thorne	Friday May 13, 2016	6:00 p.m. St. Paul Lutheran Church

L3: Closed session. Motion by Zischka, second by Sibert, to move to closed session for approximately five minutes for purpose of discussing employee performance [Pursuant to Wis. State Statutes, Chapter 19, General Duties of Public Officials, subchapter V, 19.85 exemptions (1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.] Roll call vote was taken. Motion carried unanimously. Board went into closed session at 9:00 p.m. Rusch was invited to attend.

Motion by Zischka, second by Luepke, to return to open session. Roll call vote was taken. Motion carried unanimously. Board returned to open session at 9:05 p.m.

Motion by Zischka, second by Luepke, to adjourn. Motion carried. Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Willa Rusch, Clerk