

VILLAGE OF BONDUEL
VILLAGE BOARD MEETING
JULY 13, 2016

Following the Pledge of Allegiance and moment of silence, President Sharon Wussow called the meeting to order at 7:00 p.m.

Wussow read a statement regarding the posting of the meeting.

Present: Sharon Wussow, Shawn Thorne, Robert Luepke, Mary Barney, Dick Sibert and Luka Zischka

Absent: Joan Kamps.

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

MINUTES: Motion by Sibert, second by Luepke, to approve minutes of the June 21, 2016, meeting. Motion carried. Zischka abstained.

ACKNOWLEDGMENT OF CITIZENS: Steve Berndt, Director of Municipal Operations; Keith Block, owner of property at 101 E. Green Bay Street; and Mary Hagen, candidate for Shawano County Treasurer.

Hagen introduced herself and distributed a brochure. She worked in Shawano County Finance Department for the last sixteen years. She has a BA in Business Administration and Marketing; lives in Shawano. Chose to run because she believes things aren't getting done; e.g., auditor's recommendations in annual financial report are not implemented. Believes there are ways to improve record keeping, separation of duties, cash receipting, tax payments to protect the County. Both she and Deb Wallace will be on the Republican ballot at the August 9 Partisan Primary.

L1: Property at 101 E. Green Bay Street. Keith Block spoke to Board members to explain it is preferable for him to fix the building and proceed with selling it. In accordance with Block's agreement with the Board via conference call at the July 13 meeting, Wussow asked if Block had a written plan of repairs that are going to be done. Block did not. Block described the following exterior repairs: 1) Two front support posts to be replaced on south façade. 2) masonry work on east wall. 3) gutters to be replaced on east wall. Block stated he needs an extension of the deadline so he is not spending money on a building just to have it taken back again. Zischka stated the end goal was to have the building repaired. Block stated a potential buyer has decided not to purchase, so the building will be put up for sale. Building permit would be applied for before work starts. Zischka asked if there is something we could have done to benefit him. Block stated informal communication would have been best. Block stated routine fire inspections required changes to very old parts of building, and when official action is taken on a property, it becomes difficult to get financing to make the necessary repairs. He then wrote and signed the list of repairs and timeframe for main exterior repairs. Zischka asked if the cost becomes too much because repairs needed become more extensive than originally planned, would Block contact us as to what to do with the building so that it remains safe, especially for the adjacent property owner. Block agreed and stated he has Wussow's cell phone number. Block asked for direction from the Board. Wussow stated consensus was to go ahead with work with October 1 deadline.

COMMUNICATION: 1) Letter from contractor regarding removal of Cedar Park restroom; Wussow stated this was taken care of. 2) Brochure for the League's 2016 Chief Executives Workshop. Wussow and Barney to attend. 3) Notice of the League's 118th Annual Conference to be held October 19-21. Rusch to email agenda to Board members and those who want to go can let her know.

REPORTS:

Public Safety Committee met and items are on the agenda. Police Chief's report on file.

Fire Chief's report on file. Rapid Intervention Team (RIT) was called to Underhill. Members of the RIT do not fight fires; they are there only to rescue firefighters. It requires specialized training and BAFD is very fortunate to have 18 people who are trained. RIT only goes out when there is a Mayday call. JAWS call was in Town of Lessor. Investigation has been turned over to Police Department regarding July 4th incident. Fill the Boot campaign raised \$3,050 on the 4th of July, \$600 more than last year. The department set a goal of \$4,000 for next year. Robbie attended the fire chief's convention in Green Bay and attended classes on retaining firefighters. In the vendors' area, there was an event which tested the firefighters' skills with a self-contained breathing apparatus (SCBA). They had to remove and reinstall an SCBA battery, remove/reinstall the bottle, put on the SCBA, put on the face piece and go on air. Robbie's son beat the time by 9 seconds. He won a \$700 Cairns traditional leather fire helmet with the front shield decorated as he wants it. At 46 seconds, he beat career firefighters. In a class they are allowed 1 minute 30 seconds.

EMS report on file.

Administrative Committee to meet July 19. Clerk's report on file. Rusch showed the Board a photo she received of the July 4th fireworks taken from a drone. Update on Treasures and Treats – they have now gotten their seller's permit so liquor license can be issued; however no employees have applied for their bartender's licenses, so no wine can be sold by anyone except the owner and his wife.

Municipal Operations Committee met and minutes are in the packet. DMO report on file and Berndt gave highlights. Main Waste Water Pumping Station - the electrical motors have been replaced, the lower control unit has been rebuilt and the SCADA system is back up and operational. They are still working through some small glitches on that so it may be a couple months before we get through everything. SCADA system monitors everything and pages out and sends alarms. There was a storm that night and with that much electrical charge in the system, it shut everything down. Not sure if it happened that night or the previous night. On a different note, Zischka stated a lot of kids are going to parks and that parks look good. Woldt asked if Second Street would be reseeded. Berndt stated it was done last Friday.

Zoning Board of Appeals: No meeting.

Library Board: No meeting.

Plan Commission: No meeting.

Fire Commission met with Gary Tauchen to discuss concerns about amount of classes required for firefighters. Tauchen stated legislators have already begun discussions on this.

NEW BUSINESS:

K1: Per diems. Motion by Thorne, second by Sibert, to approve second-quarter per diems. Motion carried.

K2: Bonduel Lions Club liquor license application. For corn roast to be held August 5, 2016. Application approved by Chief Chaney. Motion by Thorne, second by Barney, to approve Bonduel Lions Club liquor license application for August 5. Motion carried.

K3: Operator's license applications. Applications received from Stormie Braatz, Darcy Powell, Abby Reinke and Alexa Reinke. All but Darcy Powell were approved by the Public Safety Committee. All four

have been approved by the Police Department. Motion by Thorne, second by Zischka, to approve the four operator's license applications presented (Stormie Braatz, Darcy Powell, Abby Reinke and Alexa Reinke). Motion carried.

K4: Ordinance §20-41 (10) amending duration of provisional operator's licenses. Bonduel Municipal Code currently states the duration of a provisional operator's license is 30 days. The Public Safety Committee recommends changing it to 60 days to concur with Wisconsin statutes. Motion by Thorne to introduce Ordinance 2016-01, to repeal and recreate Section 20-41 License Fees (10) Provisional Operator's License. Second by Zischka. Roll call vote was taken. Motion carried unanimously.

K5: Ordinance §20-63(9) amending safety and health requirements of liquor licensed premises. Public Safety Committee wished to add paragraph (a) "The village police chief shall have the authority to enforce the requirements set forth in Sec. 20-63(9)." Rusch shared Attorney Tim Schmid's comments that our ordinances already give the police chief authority to cite offenses, and fines are included in the current bond schedule. However, the Chief of Police has no authority to perform any of the actions listed in sub-paragraph (9) because these are inspections that must be performed by licensed personnel. Schmidt felt it would be preferable for the Village to have a policy that would require a licensed premise to provide proof of compliance with codes listed in sub-paragraph (9). By consensus this item was sent back to the Public Safety Committee.

K6: Late liquor license policy. The Public Safety Committee recommends that a penalty of \$100 be charged for subsequent violations of the policy. A late applicant would now be required to pay per diems (currently \$210), a \$50 administrative fee, the actual cost of publication (approximately \$55) and the \$100 penalty, in addition to the cost of the liquor license. The Committee discussed various amounts and felt anything less than \$100 would not be significant enough to discourage delinquencies. This policy, with the new penalty highlighted, will be mailed along with annual renewal letter to tavern owners. Thorne felt it was a waste of Village Board members' time to repeatedly call a Special Board Meeting just because someone refuses to pay their fees on time. Motion by Thorne, second by Luepke, to approve the revised Policy on Late Liquor License Applications to add "Any subsequent violation of the Policy on Late Liquor License Applications shall be assessed a penalty of \$100." Motion carried.

K7: Resolution to update Village fee schedule. The Public Safety Committee is recommending that a fee of \$15 be established for a Provisional Liquor License and a fee of \$40 be established for a Fireworks User's Permit. Motion by Thorne to introduce Resolution 2016-11 Authorizing and Amending Fees for Municipal Services and Proceedings to include a \$15 fee for Provisional Retail Alcoholic Beverage Licenses and a \$40 fee for a Fireworks User's Permit. Second by Barney. Roll call vote was taken. Motion carried.

K8. Public Safety Committee duties. The duty to "Administrate all licenses, including but not limited to liquor licenses, cigarette licenses, operator's licenses, transient merchant licenses, dog licenses and second-hand article licenses" is currently assigned to the Administrative Committee. However, Wussow stated these duties have in reality been administrated by the Public Safety Committee. The Public Safety Committee is therefore recommending that committee descriptions be amended to remove this duty from the Administrative Committee duty list (Item B-3) and add it as Item B-8 to the Public Safety Committee duty list. Motion by Zischka, second by Thorne, to adjust Public Safety Committee duties as stated (move Administrative Committee's Item B3 to Public Safety Committee's Item B8). Motion carried.

K9: Bertram Wireless agreement. Thorne reported this agreement was approved by the Municipal Operations Committee. Only three changes are made from previous contract: 1) Section 1.2 - Commencement and Term; 2) Appendix Item 1 added – "Village of Bonduel shall always have highest

bandwidth available....” 3) Appendix footnote added – “Cost of new installation or replacement of currently used or damaged equipment used by the Village of Bonduel shall not be the responsibility of the Village but rather Bertram Wireless.” Berndt stated Bertram Wireless was provided with a copy of this and was instructed to reply to us with any concerns or proposed changes by July 1. We have not heard from them, so at this point this is the contract extension that will be sent to them for their signature. Motion by Thorne, second by Zischka, to approve the Agreement with Granite Wireless, Inc., to Locate Wireless Internet Antenna on Village-Owned Water Tower. Motion carried.

K10: Bonduel Bat and Ball Club. The Bat and Ball Club is asking to have their park fees waived for the next ten years, primarily because of all the improvements and money they invest in the parks. They have provided examples and a summary. The Municipal Operations Committee recommends that the waive be for the next five years. Zischka agreed with the five-year waiver but recommended that it be reevaluated at that time. At Wussow’s request, Rusch prepared an itemization of Bat and Ball Club donations, fees invoiced, and actual fees paid from 2005-2015. There were several years when no fees were paid because during those years, the Club made improvements to the ballpark using their own funds, submitted copies of their paid invoices to the Board, and fees were forgiven for that year. Motion by Zischka, second by Thorne, to waive the ball diamond fees for the Bonduel Bat and Ball Club for the next five years. Zischka amended motion to include concession stand fees. Thorne agreed. Motion carried. Rusch was directed to send a letter to the Bat and Ball Club to confirm tonight's decision.

K12: Resident’s request to purchase vacant lot at 118 E. Cedar Street, Parcel 107-70050-0160. Wussow read letter received from William and Kathy Moeller. Berndt stated the Village purchased this property for approximately \$6,000 from the County after they acquired it for back taxes. Village would still own the other two contiguous lots. Zischka stated the lot gives the Village very little value as it is. If a resident purchases it, the property would be utilized, there would be one less lot for the Village to mow, a short-term revenue boost and property tax revenue. Downside, this would be one less lot that can be built up as house or any long-range plans the Village may have. Zischka asked if we are willing to sell the property, do we have to also make it available to the public? Rusch was instructed to get the advice of the village attorney and bring his responses to the next Board meeting. Rusch is also to get the value of the adjacent properties. Postponed to next meeting. Thorne added if they would like to make an offer and have it available for the next meeting, we may be able to either accept or counter the offer, if we are able to do so at that time. Rusch is to contact the Moellers to advise of these decisions.

L1: Appointments to Board and Commission. Zoning Board of Appeals - Bob Wendt has agreed to another term and Chuck Buss will replace Stuart Reisner as Alternate 1. Library Board will remain the same (Billie Jo Read and Kristine Reinke taking another three-year term. Fire Commission – Jeff Simon agreed to another term. Board of Review - current member Don Pedersen is moving to Cecil and will no longer be eligible. He will be replaced by Geoff Dowden. Motion by Thorne to accept these nominations for the 2016-2017 Boards and Commissions. Second by Luepke. Motion carried.

K13: Bonduel Bat and Ball Club applications for temporary Class “B” liquor licenses. Applications are for their two tournaments dated July 16-17 and August 5-7. Rusch noted that Municipal Ordinances require liquor license applications to be in the clerk’s office four days prior to the event. These were received only two days before the first event. Motion by Thorne, second by Sibert, to approve the two Bonduel Bat and Ball Club temporary Class “B” liquor licenses. Motion carried.

L3. Building at 505 W. Green Bay Street. Wussow asked Berndt if the Municipal Operations Department has been clipping the lawn at this property. Berndt responded yes. Wussow stated mowing should have been done by the Fourth of July so it would have looked better for visitors who were coming into town. Rusch reiterated deadlines listed in letter to Krezinski from the County Health Department: Work must

begin by July 8, water in basement must be removed by August 10, and all abatement activities must be completed by December 31, 2016. Postponed by consensus.

APPROVAL OF PAYMENTS: Wussow disagreed with the refund of provisional license fee for Dana Wallace, whose application was denied.

TREASURER'S REPORT: All fund balances are in good shape.

Motion by Zischka, second by Thorne, to approve payments and the Treasurer's Report. Motion carried. Thorne confirmed the Fund Equity for the General Fund is above the requirement of 30% of the overall budget.

Luepke left at 8:50 p.m.

K11. Closed session. Motion by Zischka to go into 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.] Second by Sibert. Berndt was excused from the meeting while Board holds a discussion, after which he would be recalled to the meeting. Wussow volunteered to take minutes, and Rusch was excused. [Luepke returned at 8:52 p.m.] Roll call vote was taken. Motion carried unanimously. Board went into closed session at 8:53 p.m.

Motion by Zischka, second by Sibert, to return to open session. Roll call vote was taken. Motion carried unanimously. Board returned to open session at 12:14 a.m.

Motion by Luepke, second by Zischka, to adjourn. Motion carried. Meeting adjourned at 12:16 a.m.

Respectfully submitted,

Willa Rusch, Clerk