

VILLAGE OF BONDUEL
VILLAGE BOARD MEETING
JUNE 21, 2017

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, Margie Qualheim, Joan Kamps, Mary Barney, Dick Sibert and Luka Zischka.

Absent: None.

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

MINUTES: April 12, April 25, May 10 and June 5 minutes were all included in packet for Board approval. Thorne requested the approval of minutes be tabled until later in the meeting.

CITIZENS IN ATTENDANCE: Todd Lorbiecki, Director of Municipal Operations; Willa Rusch, Clerk-Treasurer; Todd Chaney, Police Chief; Deputy Clerk-Treasurer Katrina Schroeder; resident Scott Douglas; Legionnaires Richard Barkhaus and Robert Luepke; Tom Karman of Village's auditing firm Schenck Associates; and Brad Williams WTCH Radio.

K2: Discussion and possible action on request from American Legion Post #217 to waive park fees for ball games. Richard Barkhaus, Treasurer of American Legion Post #217, addressed the Board. To be a member of the American Legion a veteran must have been on active military duty during a time of conflict. The Bonduel Legion lost their last WWII veteran last year, there are about five Korean War veterans, one from Iraq, and the majority are Vietnam veterans. The Legion is tax exempt and non-profit. Any money they raise stays in the community; they donate to the Bat & Ball Club, chemical-free program for the high school students, the Bonduel Archives, sponsor scholarships, sponsor students for Badger Boys and Girls State, and many other Village activities. The Legion normally sponsors four home ball games per year, one of which is on the Fourth of July. They do not make money on these games, so the \$520 ball diamond fee is very difficult for them. Lorbiecki recommended a three-five year waiver. Motion by Zischka to waive park fees for ball games for the American Legion Post #217 for five years due to their honor, service and sacrifice. Second by Kamps. Motion carried unanimously.

K1: Presentation of 2016 Financial Report. Tom Karman presented highlights of the Village's 2016 financial report. General Fund Balance should be at least 30% of annual budget. Village is currently at 50% and is in a very fortunate position. TIF District tax increments coming in each year are more than enough to pay off the debt for TID project costs in a few years. At that time the TID can be closed out and the property comes back onto the regular tax rolls of the Village. TID must close in 2021. If there is a potential for new projects, it would be better to close the current TID and establish a new one.

Sewer Fund showed a negative \$37,075 change in position. If \$150,000 depreciation expense is removed it shows a \$113,000 net position change. Funds coming in from the TID are helping to balance the sewer operation. Refinancing the Rural Development debt in 2016 was a major factor in the negative net change in position. How operations are doing in relation to the new debt service schedule will need to be monitored. If a new, large user would come into the Village, there would be additional costs to the sewer utility for the treatment charges. Lorbiecki mentioned the village is using

approximately 100,000 gallons of water per day. Maximum output if both wells were going 24/7 would be about 1,000,000 gallons per day, however the village would need to update equipment to sustain that level. As long as we remain between 350,000-500,000 gallons per day, growth would be good for the Village. Once usage exceeds that amount, we will need to look at additional costs to supply the water and sewer utilities. Lorbiecki recommend a facility replacement fund and a 20-year CIP plan for the sewer utility.

Thorne questioned multi-family revenues. \$12,000 water but zero for sewer. Wisconsin Public Service Commission, which governs water rates, changed rules a number of years ago and added this customer class. Sewer does not follow those same accounting rules, so sewer revenues continue to be included in the commercial class.

K4. Discussion and possible action on Scott Douglas' proposal to purchase part of Lot #14 in Bonduel Express II Plat (part of Parcel #107-42200-0030). The portion of this parcel would straighten the lot line between this parcel and Douglas' contiguous parcel. Plan Commission recommended to the Board for approval. Motion by Thorne that the Village sell the part of parcel 107-42200-0030 as described in map [in packet] to Scott Douglas for a cost of \$3,500 with terms set forth in May 24, 2017 offer to purchase submitted by Douglas. Second by Zischka. Thorne called attention to document which extends the deadline of Douglas' offer to purchase from June 15, 2017 to June 22, 2017. Thorne amended motion to include amendment to offer with date change from June 15, 2017 to June 22, 2017. Zischka seconded amended motion. Thorne confirmed that Wussow will sign sale documents on behalf of Village. Motion carried.

K5. Scott Douglas' request to change zoning for property at 517 Commerce Court (Parcel #107-17130-0010). Thorne explained that C2 zoning does not permit residential. Agreement with Village is already in place allowing Douglas to stay there when he is in town, and the Plan Commission recommends change to C1 so that Douglas can use the premises as a residence. He is looking to opportunities at grow his business in Bonduel. The zoning change allows him to use the property to its full extent. Douglas affirmed it would be a more permanent arrangement. Motion by Zischka to change zoning for Scott Douglas' property at 517 Commerce Court (Parcel # 107-17130-0010) from C2 to C1. Second by Thorne. Motion carried unanimously.

Qualheim left at 8:06 p.m.

K3. Residents' request to purchase village-owned vacant lots at 110 and 114 E. Cedar Street (Parcels 107-70050-0120 and 107-70050-0140). Neither the Brooks nor Klostermans were able to attend this meeting, but Klosterman had asked Rusch to speak on his behalf to explain that both residents wish to purchase these lots to enhance the value of their properties and are very interested in them. [Qualheim returned at 8:09 p.m.] Motion by Thorne to put lots 107-70050-0120 and 107-70050-0140 out for bid with a minimum bid of \$3,600. Second by Zischka. Thorne explained that the minimum is being set at \$3,600 because this lot is approximately 10% larger than the lot sold earlier this year, and the 10% increase was then applied to the \$3,300 sale price of that lot to arrive at \$3,600. Aye: Thorne, Zischka, Qualheim, Kamps, Barney, Sibert. Nay: Wussow. Motion carried.

K6. Resolution for Declaration of Disaster. Wussow explained that the village must declare a disaster in order to qualify for disaster assistance from the state. \$5,600 in repair costs are required and we are above that. Motion by Thorne to introduce Resolution 2017-08 Declaration of Disaster, second by Zischka. Roll call vote was taken. Motion carried unanimously.

K7. 2017 liquor license renewal applications. Motion by Thorne to approve 2017 liquor license applications as presented in document provided. Second by Sibert. Motion carried unanimously.

K8. 2017 operator's license renewal applications. Motion by Thorne to approve 2017 operator's license renewal applications, with one denial for Kenneth Whitaker, as presented in the document provided in K7. Second by Kamps. Motion carried unanimously

K9. Bonduel Civic Association's Fireworks Permit application. Motion by Thorne, second by Zischka, to approve the Bonduel Civic Association's Fireworks Permit application. Motion carried unanimously.

K10. Renewal of Village insurance policy with LMMI. Premium is increased just under \$5,000 chiefly due to worker's compensation loss experience. Motion by Thorne, second by Zischka, to approve Village of Bonduel insurance coverage at a cost of \$55,124 with the League of Wisconsin Municipalities Insurance Company. Motion carried unanimously.

K11. Attendance on 119th Annual League Conference, October 19-21, 2017. Zischka mentioned the policy that is in place that requires Board approval for conference/seminar attendance. Thorne mentioned the League magazine which contains a great deal of quality information. This could be utilized rather than going to conferences. Motion by Thorne that no one from this Board attend the 119th Annual League Conference at Village expense. Second by Sibert. After continued discussion, vote was taken. Aye: Thorne, Sibert. Nay: Wussow, Barney, Kamps, Qualheim. Abstain: Zischka. Motion failed. After further discussion, several Board members expressed interest in attending the conference but volunteered to pay their own registration fees. Each will register himself/herself online.

[Qualheim left at 9:03 p.m.]

COMMUNICATION: Memo from League regarding legislative efforts to repeal Wisconsin's personal property tax.

REPORTS:

Public Safety (Police, Fire Department and EMS) reports on file.

Clerk's report on file.

DMO report on file. Wussow thanked the Department of Municipal Operations, and the Police and Fire Departments for their outstanding job during the flooding which occurred on June 14. Wussow was then thanked for her help by opening up the recycle center so residents could dispose of their damaged items after the flood.

Zoning Board of Appeals did not meet.

Library Board met. Wussow stated there was a quorum violation at the June 5th meeting. Qualheim excused herself from the first closed session and stepped out of the meeting, so a quorum was not present for the closed session. Attorney Schmid stated they needed a quorum to go into and come out of closed session, so the closed session should be redone, otherwise it could be considered a violation of open meetings law and, if prosecuted, any action taken would be voided. The Library Board must therefore have another meeting and redo the closed session.

Plan commission met. Items on agenda. Fire commission will not meet this month.

L1. Building at 101 E. Green Bay Street. Deadline for completion of the work is passed. Schmid stated that because Block did not sign the Escrow Agreement, it would be risky to use his escrow payment for any reason, adding that eventually the Village will have to give it back. Schmid said one option would be to see if the bank or Block would quit claim the property to the Village. [Kamps left at 9:26 p.m. and returned at 9:28 p.m.] Discussion continued regarding razing the building. Cost would become a lien on

property for tax purposes but in foreclosure the Village lien would be voided. Motion by Thorne that the Village move forward with the raze order process at 101 E. Green Bay Street and have department heads work on getting estimated costs needed for demolition, and for the Village to have an understanding there will be expense involved in that. Second by Sibert. Schmid recommend that Block be approached first to get permission to enter. If he refuses to cooperate, we must get a warrant. Motion carried.

L2. Building at 505 W. Green Bay Street. Chaney reported the extension for property owner to comply with Health Department orders expires June 30, 2017. She has been given two citations to clean up the property and there has been no response. We need to get an abatement order from the court to at least clean up the exterior.

L3. Tablets for Board members. Postponed by consensus.

L4. Appointment to Boards and Commissions. Motion by Thorne to approve 2017 Boards and Commissions update with Robbie Woldt III being added to the Plan Commission for a term that will extend to May 2020. Second by Barney. Motion carried.

PAYMENTS: Rusch explained additions of payroll and some late-arriving invoices. Thorne mentioned that Qualheim's True Value is a vendor that is used frequently and asked if a Board member may potentially have an interest in Qualheim's. Schmid stated that unless the Board member is a stock holder or receives commissions, there shouldn't be a conflict of interest. Motion by Wussow to approve the voucher payments as presented with additions as stated by Rusch. Second by Zischka. Aye: Wussow, Zischka, Kamps, Sibert, Barney. Nay: Thorne. Motion carried.

TREASURER'S REPORT: Motion by Thorne, second by Zischka, to approve Treasurer's Report as presented. Motion carried.

K13. Trustee's information requests. Deputy Clerk-Treasurer Katrina Schroeder approached the Board and read a statement, which was then placed on file.

K12. Closed Session. Motion by Thorne to move to closed session for a time to eclipse five minutes to discuss personnel issues and to include Schmid, Chaney, Lorbiecki, Rusch and Schroeder. [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. Roll call vote was taken. Motion carried unanimously. Board went into closed session at 10:11 p.m.

Motion by Thorne, second by Zischka, to return to open session. Roll call vote was taken. Motion carried unanimously. Board returned to open session at 11:36 p.m.

L5. Closed session. Motion by Zischka to move to closed session for approximately five minutes for the purpose of discussing the potential sale of public property and to invite Schmid, Chaney, Lorbiecki, Rusch and Schroeder [Pursuant to Wis. State Statutes, Chapter 19, General Duties of Public Officials, subchapter V, 19.85 Exemptions (1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.] Second by Sibert. Roll call vote was taken. Motion carried unanimously. Board moved to closed session at 11:38 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 11:50 p.m.

ANNOUNCEMENTS:

Municipal Operations Committee	Thursday, July 6	4:00 p.m.
Bonduel Area Action Committee	Thursday, July 6	6:00 p.m. Village Hall
Possible Special Board Meeting	Wednesday, July 5	7:00 p.m.
Regular Village Board Meeting	Wednesday, July 19	7:00 p.m.

Motion by Sibert, second by Thorne, to adjourn. Motion carried unanimously. Meeting adjourned at 12:03 p.m.

Respectfully submitted

Willa Rusch, Clerk