

Regular Village Board Meeting – February 8, 2010

The following media were noticed relative to this meeting per the Open Meetings Law of the State of Wisconsin: The Ozaukee Press, Port Washington, WI; The Milwaukee Journal-Sentinel (Ozaukee-Washington Desk), Milwaukee, WI; The Sheboygan Press, Sheboygan, WI. In addition, a copy of the agenda was also posted at the following locations within the Village of Belgium: Belgium Village Hall, Belgium Post Office, Port Washington State Bank (Belgium Office), Harris Bank, N.A. (Belgium Office), and Belgium Hardware and Beverage.

Call to Order, Roll Call, Establishment of a Quorum:

President Kevin Kowalkowski called the meeting to order at 7:00 p.m. In attendance were Trustees Gottsacker, Wilkowski, Ritter, and Weyker. Vacant seats exist for former Village Trustees Pfeifer and Thiele. A quorum was declared established. Also in attendance were Daniel E. Birenbaum – DPW & Water Superintendent, Neil R. Anderson – Wastewater Treatment Superintendent, Jamie L. Cecil – Treasurer/Deputy Clerk, Joan Gottsacker, Carol Pomeday (7:02 p.m.), Roger Rachuba (7:03 p.m.), Tom Mireau (7:30 p.m.), Jeffrey A. Thiel (7:45 p.m.)

Open Meeting Law Compliance Check

This meeting is in compliance.

Pledge to Flag, Moment of Silence

Announcement of Closed Session (if any)

There will not be a Closed Session this evening.

Approval of Minutes:

- December 14, 2009 – A motion was made by Trustee Gottsacker and seconded by Trustee Wilkowski to approve the minutes of December 14, 2009. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.
- December 21, 2009 – A motion was made by Trustee Gottsacker and seconded by Trustee Ritter to approve the minutes of December 21, 2009. The Village Board was polled: ayes – Weyker, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried. Note: President Kowalkowski was not in attendance at this meeting.
- January 11, 2010 – A motion was made by Trustee Ritter and seconded by Trustee Gottsacker to approve the minutes of January 11, 2010. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Carol Pomeday entered the meeting at 7:02 p.m.

Roger Rachuba entered the meeting at 7:03 p.m.

- February 1, 2010 – A motion was made by Trustee Wilkowski and seconded by Trustee Weyker to approve the minutes of the Special Village Board Meeting of February 1, 2010. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Announcements/Input:

The following announcements and input will be discussed and possible action taken:

- Village Marshal/Ozaukee County Sheriff's Department Input:
 - Records check. Village Marshal Scott Brinkman was not in attendance. Ozaukee County Sheriff's Department is not able to perform record checks for the Village. Scott proposed setting up a Village of Belgium Account on the TIME System with necessitated a computer set up in the office for this purpose. Jamie Cecil explained what the differences in the Department of Justice records check and the TIME records check and their fees. Atty. Antoine noted that the Municipal Court information is missing from WI Circuit Court. Fees and costs were discussed. Atty. Antoine will check out if the fee can be passed along. Additional information is to be brought before the March meeting including the fees per record check by both the Department of Justice and the State of WI – TIME.

- Building Inspector Input: Frank Mayer was not in attendance. President Kowalkowski had some concerns to address to Mr. Mayer. The report he presented included January Project Costs totaling \$335,000.00, Sewer Lateral Permits \$280.00, Erosion Control \$280.00, Construction Permits \$1,400.80, Occupancy Permits \$100.00, Electrical Permits \$42.50, Plumbing Permits \$380.00, HVAC Permits \$340.00, Seals \$74.00, Plan Reviews \$300.00 with a total of \$3,197.30 in Permit Fees. Administrative Assistant Katie Kowalewski has a report that may be helpful to the Village Board.

President Kowalkowski asked Jamie Cecil to look in to Building Permit Concerns for him. Jamie Cecil reported on the process of Building Inspector files and permits. Frank is getting paid for inspections and not doing them. Sign off by the Building Inspector has not been happening. The Building Inspector has asked staff to file items that have not been inspected. Paperwork is not being filled out correctly. President Kowalkowski would like to see a Request for Proposal to secure a new Building Inspector. Frank Mayer, our current inspector, is not licensed to be a Commercial Building Inspector yet has signed Commercial Building Permits. Trustee Weyker questioned the Suspense File. Jamie Cecil explained the process of the Suspension File. Most of the permits are not new homes as they need various permits to obtain an Occupancy Permit.

Trustee Weyker suggested that the General Government and Finance Committee meet with Frank Mayer to discuss these matters. No other action took place.

Action Items:

- Employee Deduction Reimbursement/Concern: A motion was made by Trustee Wilkowski and seconded by Trustee Ritter to approve the reimbursement for \$1,875.00 for services dated 1/1/09-1/31/09. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

It was decided to hold a discussion on another Employee Deduction Reimbursement request later as information is still being secured from the insurance. Trustee Weyker requested that the insurance carrier be in attendance at the next General Government Committee. Clerk/Deputy Treasurer Mueller indicated that she thought the problem took place when the insurance switch went from an insurance year to a calendar year.

Tom Mireau entered the meeting at 7:30 p.m.

Miscellaneous Matters:

The following matters will be discussed and possible action taken:

- Status – The Ardennes II Subdivision
 - Mastercraft Letter of Credit. Matthew J. Greely, P.E., of McMahon Associates, Inc. had issued an email relative to reduction of the two (2) Letters of Credit. Ardennes II - \$15,200 for Street trees and sidewalk. Previous \$17,220.00, Letter of Credit #121004; Ardennes II – Addition No. 1 - \$69,720.00 for Street trees, sidewalk, Drainage correction and retainage for previously settled area. Previously \$100,380.00, Letter of Credit #111306. Atty. Antoine explained the reduction. Discussion took place on rounded numbers and engineering contingency for the Letters of Credits. Discussion took place on sidewalk installation throughout the subdivision and other subdivisions. Jamie Cecil is looking up filing dates on subdivision plats.
- Status – Heritage Park Subdivision
 - Park Development Status – Nothing. Remove item from the agenda.
 - Heritage Park Subdivision
 - Sinkholes – Discussion took place relative to repair of the existing sink holes. Ansay will agree to fix all existing sinkholes and apply the final lift of asphalt and does not want the Village to come back after Ansay. The Developer is to give the Village a two-year guaranty from the time of acceptance of improvements. The sinkholes exist due to poor workmanship. Wedging was discussed. It is recommended to take out the asphalt where the sinkholes exist and recompact this area then reasphalt. Atty. Antoine is to draft a letter. A motion was made by Trustee Ritter and seconded by Trustee Gottsacker that the Village Board agrees to Ansay's proposal to fix all sink holes with the Village choosing the method of

repair. Upon Village acceptance of those repairs and the installation of the final lift, the Village will release Ansay on the sink hole issue but wants a two (2) year guarantee on the final lift itself. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

- Return to Master Craft Letter of Credit. President Kowalkowski wished to go back to the Letter of Credit discussion. Jamie Cecil noted that the Ardennes II Final Plat was filed in August, 2004 and the Ardennes II, Addition #1 was filed in November, 2006. Policy was also discussed regarding installation of sidewalks. Snow removal maintenance and other issues were questioned by Trustee Wilkowski. Heritage Park Subdivision date of filing of the Final Plat was questioned. Dates of filing of Final Plats are to be obtained. Random Lake's procedure was referenced. President Kowalkowski and Trustee Gottsacker favor of installation of all of the sidewalks. The Village of Belgium is not responsible for broken sidewalks.

A motion was made by Trustee Wilkowski and seconded by Trustee Gottsacker to reduce the Ardennes II Letter of Credit to \$15,200.00 and the Ardennes II, Addition #1 Letters of Credit to \$69,720.00. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Atty. Antoine requested to go back to the sink hole question regarding weight. The Village Marshal, not the Village Board, will post the weight limits. In Spring and Fall, when the soil is moist, weight limits benefit the streets and help prevent damage to the final lift. Signs are to be made up. Types of vehicles allowed were discussed.

- Status of Street Light Removal. Daniel Birenbaum noted that last week WE Energies started to remove street lights. Kathy Kohl has contacted Streets and Electric Committee Chairman relative to removal of the street light on Elm Street in front of the house that previously drug dealing has been taken place. This topic is to be discussed at the Neighborhood Watch Meeting next Thursday. Trustee Ritter requested that they put up a light to replace the light taken down at this location. Trustee Ritter suggested that President Kowalkowski speak with Mrs. Kohl. Trustee Clem Gottsacker, Chairman of the Protection of Personal and Property Committee, was delegated to speak with Mrs. Kohl. People feel safer with lights.
- Tom Mireau:
 - Snow shoveling. Mr. Mireau viewed the letter from the Deputy Village Marshal as a threat. Discussion took place. Concern was expressed about shoveling snow on sidewalks leading to no where and streets with no sidewalks. People do walk within the subdivision. Jeff Thiel noted that if the Village has an ordinance they should follow it.
 - Closing of Lasting Bud's Floral and Gifts, LLC. On behalf of Cathy Williquette and himself, Mr. Mireau thanked everyone who supported the store. Mireau indicated that he lost one-quarter million dollars on this venture. He also noted that Butler's Pantry, another Belgium business, has moved to Sullivan, WI.
- Insurance renewal bids. Clerk/Deputy Treasurer Mueller is working with Trustee Eric Wilkowski on this project. We have some portions of a draft done.
- Clarifier Building Repair. Neil Anderson noted that when the alum pipe fell off the wall, damage was done. The alum delivery people use pressure for placing alum in the building and blow pressure to ensure all has left their vehicle and has entered the building. The location of the pipe was a bad design and fell off the wall after delivery of products. A quotation was reviewed from R. A. Pinno Construction, Inc. Rosendale, WI for the repairs. They are one of the only Cleary Building contractors in the area. The quotation was for \$1,180.00. The Sewer and Water Committee recommended this repair to the Village Board. A motion was made by Trustee Weyker and seconded by Trustee Wilkowski to that we to proceed with a contract with R. A. Pinno Construction, Inc. not to exceed \$1,180.00. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.
- Minute process. Clerk/Deputy Treasurer Mueller requested that the process for minutes be altered. Currently "Draft" copies of minutes are posted to the website and then

reposted after approval. Mueller requested that we post only the “approved” minutes to eliminate confusion to the public as well as being a nightmare to track. Minutes are to be promptly attached to the website following a meeting. Trustee Weyker requests that we have minutes promptly presented at the Village Board so that we do not fall behind again. Trustee Wilkowski questioned minutes for meetings that do not regular meet. Approval of committee minutes for committees that do not regularly meet are to be placed on the regular Village Board Meeting agenda, from this point forward, with approval by the members of the respective committee. A motion was made by Trustee Wilkowski and seconded by Trustee Weyker that we change our minute process to post only approved minutes, not draft minutes. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

- A T & T request for antenna up-date on water tower. Sharilyn Bodi, Project Manager for Fortune Wireless, had contacted the Village on behalf of A T & T Mobility regarding updates to A T & T’s equipment on water tower #1. Village Trustee Eric Wilkowski reviewed the original contract and noted that no welding on the water tower bowl was also in that contract and that cellular antenna equipment could only be installed on the man rail. A motion was made by Trustee Wilkowski and seconded by Trustee Gottsacker that we approve the Confirmation of Consent dated February 8, 2010 with Fortune Wireless, Inc. that allows us to have work for replacement of equipment on water tower #1 at 274 Lindale Street with the condition that prohibits any welding on the water tower. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.
- Building Inspector Issues. This has already been discussed.
- Office Hours. President Kowalkowski and the office staff had a meeting relative to office hours. Possible modification of hours to better align with Ozaukee County and the people who live in the Village to being able to access the Village in a more available and in a more convenient manner. Current office hours are 8 a.m. – 4:30 p.m. Topic is informational at the Village Board level at this time.
- Attendance at Informational Meeting of Emergency Management – When “IT” Hits the Fan and Other issues in Emergency Response, February 18th. President Kowalkowski encouraged all Village Trustees/Committees to become active and attend appropriate meetings. Attending this meeting in Racine are President Kevin Kowalkowski, Trustee Erick Wilkowski, Daniel Birenbaum, Neil Anderson, and Lila Mueller. Trustee Weyker would like to have a review of Emergency Management for the Village Board as a refresher. Daniel Birenbaum is to contact LTC to see if this is available.
- Staff Reports - Opportunities, Concerns, Issues, etc.
 - Clerk Input: Lila M. Mueller, CMC indicated that Sherri Erickson is working out well for the Temporary Administrative Assistant position. Working on insurance, building inspection, ordinance for Atty. Antoine and purging of files.
 - Treasurer Input: Jamie L. Cecil reported tax collected \$2.1 million out of \$2.8 million (75%) at the Village Hall and that the Time Warner quarterly Franchise Fee of \$5,967.67 which is up 4% from third quarter. Harris Bank , N.A. (Belgium) collected about \$120,000.00 in taxes with no problems.
 - DPW & Water Superintendent: Daniel E. Birenbaum. The new truck (2009 Chev. Utility Truck) is in the Fire Department Bay if anyone would like to see it tonight following the meeting.
 - Wastewater Treatment Superintendent: Neil R. Anderson has sent in Proficiency Testing. He continues to work on the phosphorus chemical change. Neil and Daniel are to obtain numbers from Matthew Greely, P.E., McMahan for up-coming projects. The complaint at 125 Maple Street was reported on. The hole in the basement is plugged and no water problems since that time.

Attorney Gerald H. Antoine left the meeting at 8:55 p.m.

Committee/Staff Reports:

- General Government and Finance Committee: Trustee Weyker indicated that a General Government and Finance Committee Meeting will take place on February 22, 2010, at 6 p.m.
- Protection of Personal and Property Committee: Trustee Gottsacker indicated that the Village is working on an Insurance Proposal form. Trustee Gottsacker will attend the Neighborhood Watch meeting is the 18th, 7 p.m.

- Health and Sanitation Committee: Jeff Thiel questioned the source of the E-coli incident. President Kowalkowski noted that final report from Public Health Department determined that it was poor hygiene. Carol Pomeday noted that an article was written regarding this conclusion in the Ozaukee Press.
- Sewer and Water Committee: Trustee Wilkowski reviewed items discussed at the last meeting and noted that a meeting will be held on March 1. McMahon will be coming to the March 1st Sewer and Water Committee meeting to discuss the Lift Station and I & I. 125 Maple Street was discussed. A sump pump could help her situation at her expense.
- Streets and Electric Committee: Trustee Ritter is to advise when the next meeting will be scheduled.
- Parks, Recreation, and Forestry Committee: Nothing. The Cedar Grove-Belgium Girls Softball Schedule is to come before the Village Board in March. Clerk/Deputy Treasurer Mueller did present the schedule to the Belgium Athletic Association.
- Plan Commission: Nothing. One house plan was reviewed at the last meeting.
- School District Report: Trustee Wilkowski reported on the meeting today relative to the referendum in April in the amount of \$6 million. Left over monies could assist other improvements. Discussion took place. A School Board candidate forum is schedule to be at Stepping Stones Children's Center on February 9th and a School Board Meeting is scheduled next Wednesday in the High School Library. The interim President is Dan Zuelsdorf.
- Mid-Moraine Municipal Legislative Committee Report: Trustee Gottsacker reported on two of the Mid-Moraine activities. 1) Legislative Committee. The last meeting an attorney spoke on contract negotiations. 2) Mid-Moraine Dinner Meeting was held in the Village of Saukville and attended by Trustee Clem Gottsacker and wife, Joan. James Alexander, Executive Director of the of the State of WI Judicial Commission was the speaker on Municipal Courts. The Judicial Committee reviews 500 complaints on Municipal Judges annually.
- Tree Board Report: Jamie Cecil reported the Tree Board was exploring Skydrive, an electronic storage system by Microsoft. On February 22nd, Kim Sebastian of the WI DNR will be meeting with Richard Howells and Jamie Cecil.

Finances:

- Approval of payment of bills: A motion was made by Trustee Weyker and seconded by Trustee Gottsacker to pay the bills but to hold the check from Sewer Fund for Quarles & Brady, LLP to February 22nd. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Other:

Trustee Ritter wanted to comment that he did not agree with Mr. Mireau blaming the Village residents did not support his business.

President Kowalkowski announced that all place cards will be off of the agenda at his direction. Items are to be gotten to the Clerk/Deputy Treasurer one week prior to a meeting and they will be on the agenda subject to President Kowalkowski's review.

Adjourn:

A motion to adjourn at 9:20 p.m. was made by Trustee Gottsacker and seconded by Trustee Ritter. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Respectfully submitted,

Lila M. Mueller, CMC
Village Clerk/Deputy Treasurer