

Regular Village Board Meeting – January 11, 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 7:05 p.m. In attendance were Trustees John Thiele, Ronald Weyker, Jeffery Ritter, Eric Wilkowski, and Clem Gottsacker; absent: none. A vacant seat still exists for the unexpired term of Dale Pfeifer. A quorum was declared established. Also in attendance were Daniel E. Birenbaum – DPW & Water Superintendent, Neil R. Anderson - Wastewater Superintendent, Frank D. Mayer – Building Inspector, Ryan Mueller, Sheryl Roberts, David Nimmer, Library Director - W.J. Niederkorn Library, Amy Rachuba, Carol Pomeday – The Ozaukee Press, Joan Gottsacker (7:08 p.m.), Claire Bichler (7:20 p.m.), Roger Rachuba (7:25 p.m.), Brian Schrap – Deputy Village Marshall (9:12 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.

Clerk's Reports:

- Minutes
 - Approval of minutes of previous meeting(s)
 - April 13, 2009. A motion was made by Trustee Gottsacker and seconded by Trustee Weyker to approve the minutes of April 13, 2009. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – Wilkowski, Thiele. Motion carried.
 - October 26, 2009. A motion was made by Trustee Ritter and seconded by Trustee Gottsacker to approve the minutes of October 26, 2009. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.
 - December 14, 2009 (Corrected). Trustee Gottsacker made and withdrew a motion to approve the minutes with changes. Additional corrections are needed and to be brought back to the next meeting.
 - December 21, 2009. A motion was made by Trustee Gottsacker and seconded by Trustee Ritter to approve the minutes of December 21, 2009. Discussion: Village Trustee noted that President Kowalkowski was in attendance and that two people were missing from the roll call vote, namely the ones who made the motion. Trustees Gottsacker and Ritter retracted their motion for approval.

Joan Gottsacker entered the meeting at 7:08 p.m.

- Financial reporting:
 - Village Treasurer/Deputy Clerk noted that in December 48.4% of taxes were collected. About 1.5 million dollars. The Urban Forestry Grant was over \$14,000.00. Trustee Thiele questioned who gave permission for her to go to outside sources. Trustee Thiele wants a policy on speaking to outside sources but had to go through a Committee Chair, etc. Referred to the General Government and Finance Committee for policy development for controlling expenses through outside contractors. Trustee Wilkowski questioned the amount of tax collected done by Harris Bank. Jamie Cecil estimated \$100,000.00.

Claire Bichler entered the meeting at 7:20 p.m.

Roger Rachuba entered the meeting at 7:25 p.m.

Review of Recent Correspondence:

- Complaints. Three complaints were reviewed.
 - Sheryl Roberts, 125 Maple Street, drainage problems. Ms. Roberts filed a complaint dated January 3, 2010. Ms. Roberts was in attendance and expressed her frustration with this problem. She had lived in this house for 30 years and first had water problems when the development west of her home started. Discussion took place. Daniel Birenbaum and Matthew Greely, P.E. will visit Ms. Roberts home and evaluate the situation. Neil Anderson suggested that a sump pump be installed by the property owner. President Kowalkowski read a letter sent May 29, 2009, to Ms. Roberts about potential problems. This complaint has been referred to the Sewer and Water Committee for follow-up.
 - Susan J. Braun, 144 S. Lar-Ann Street, ice and snow build-up in driveway. Ms. Braun filed a complaint on December 29, 2010. She claimed that the property next to her, when developed, was higher than her property. This complaint has been referred to the Streets and Electric Committee for follow-up.
 - Velma Perez, 291 Dean Road, street and water problems. Mrs. Perez filed a complaint on December 29, 2010. This complaint has been referred to the Streets and Electric Committee for follow-up.

Announcements/Input::

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

- Ozaukee County Supervisor Report: Tom Winker was not in attendance.
- Roger Rachuba – webpage status. He is in need of photos of our Village. The Village Board and staff were encouraged to share photos with him. He still is in need of the order of individual menu items. Jamie Cecil will lead the office staff in this endeavor. Photos were taken for the webpage.
- Chamber of Commerce Input: Trustee Gottsacker is not the official spokesperson for the Chamber of Commerce. Officers: Ty Wade, President; Clem Gottsacker, Vice President; Joan Gottsacker – Secretary; Board Members – Michele Wester, Richard Uselding and Maria Ziehr. There is interest in trying to acquire stimulus funds for a shuttle from Harrington Beach State Park to the Village. The Chamber of Commerce has a new website – www.belgiumchamberofcommerce.com. They will work with Roger Rachuba to connect to the Village's website. The next business meeting is February 3 at Chrissy's Now and Then Pub. Night Out Networking is at the Cedarburg Cultural Center in February.
- Village Marshal/Ozaukee County Sheriff's Department Input: No one was in attendance representing these departments.
- Building Inspector Input: Three small permits were issued this past month. They consisted to two Plumbing Permits and one small building. Two Building Permits were issued for The Ardennes and one house is being worked on in Heritage Park Subdivision. Mr. Mayer will give an end-of-year report at the next Plan Commission Meeting.
- ESLS Board Input:
 - County Library Board Service Plan 2011-2015. David Weinhold, Director of Eastern Shores Library Services, presented the Final Report of the Joint Ozaukee Sheboygan County Library Planning Committee on the Plan for County Library Service in Ozaukee and Sheboygan County – 2011 – 2015. A 54% increase in loans has been seen in the Village of Belgium. Cedar Grove Library has had a 38% increase while Port Washington has had a 28% increase and the Bookmobile 24%. The Village had 74.7% support in the past referendum in the Village of Belgium for the Bookmobile.
 - Resolution #1-10 – 2011-2015 Support of Bookmobile. President Kowalkowski introduced Resolution #1-10. A motion to adopt Resolution #1-10 was made by Trustee Weyker and seconded by Trustee Thiele. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none.
- Village Engineer Input:
 - Status – Well #2: Trustee Thiele spoke with Matthew Greely, P.E. of McMahon regarding the bill for \$613.50. This was outside of budgeted services in lieu of liquidated damages. Additional meetings relative to projects are to be included in the contingencies.
 - Toughbook Computer purchase/software options. A revised quotation from BAYCOM, Inc. for a Panasonic Toughbook CF-19 was obtained by Neil Anderson.

The quote was for \$3,405.00. A motion was made by Trustee Thiele and seconded by Trustee Weyker to purchase a Panasonic Toughbook CF-19, price not to exceed \$3,405.00. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. President Kowalkowski questioned the lead time on the computer. Neil Anderson thought it would arrive in 2 to 4 weeks.

Action Items:

- Ordinance #2-10 – Ordinance Amending the Code of Ordinances of the Village of Belgium, Ozaukee County, Wisconsin, the Change All References from “Village Clerk-Treasurer” to either “Village Clerk” or “Village Treasurer”. Not completed at this time. Tabled until the next meeting.
- Resolution #3-10 – Depositories for 2010. Trustee Weyker introduced Resolution #3-10. A motion was made by Trustee Thiele and seconded by Trustee Gottsacker to adopt Resolution #3-10 – Official Depositories for 2010. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – Wilkowski. Motion carried. Trustee Wilkowski abstained as he works for Westbury Bank.
- Operator’s License – Dalip Singh. A motion was made by Trustee Gottsacker and seconded by Trustee Ritter to approve an Operator’s License to Dalip Singh. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried. Trustee Thiele would like to have the background checks accompany the license applications in the Village Board packets.
- Time Warner Cable Service Agreements for Cable and Phone Services for Village Hall and the Municipal Garage #1. Treasurer/Deputy Clerk, Jamie Cecil, had noted that we will have a \$204.00 per year savings at the Village Garage and a \$133.00 per month savings at Village Hall on our telephone billing. We have had an extra telephone line for five years with no activity that is abandoned. Daniel Birenbaum thought it was connected to the smoke alarm system and it was not. Jamie will approach Verizon to see if we could receive any funds back. No one knew what the line was for. Potentially the Village could receive a refund for five years at \$40.00 per month. A motion was made by Trustee Ritter and seconded by Trustee Gottsacker to enter into Time Warner Agreements. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Miscellaneous Matters:

The following matters will be discussed and possible action taken:

- Status – The Ardennes II Subdivision. Clerk/Deputy Treasurer Mueller noted that she had emailed Mastercraft requesting the name of their snow removal firm with no answer to date. Atty. Antoine suggested that we contact the Homeowner’s Association as the Village has no control over a private contractor hire by a developer. Joan Gottsacker Questioned who replaces the lights on the pillars at the entryway to The Ardennes. Daniel Birenbaum noted that he replaces them and would take care of the burned out light.
- Status – Heritage Park:
 - Park development status. Parks Capital Project Funds was reviewed at the Committee level. Trustee Weyker reported that restrooms would probably be a top priority. The Belgium Lions are working on the concession stand.
 - Sinkholes. A staff meeting is scheduled on January 26th, 2:30 p.m. relative to this topic.
- Status – 106-108 Lar-Ann Street. Atty. Antoine noted that the Ozaukee County Sheriff had posted papers as they were not able to serve them. Thirty (30) days ended over the week-end. A lawsuit is to be filed.
- Three (3) signatures on checks. Discussion took place. Atty. Antoine reviewed WI Stats. 66.0607(3) and the opinion from the League of WI Municipalities relative to this issue. The Village Clerk and Village Treasurer must sign all checks. An ordinance can be enacted so that the Village President does not have to sign checks. A question arose of what to do when the Clerk and/or Treasurer is on vacation. President Pro-Tem could not sign in absence of the Village Clerk or Village Treasurer. President Kowalkowski wants to continue to counter sign checks, avoid late fees and obtain discounts. Bills will have three sets of eyes reviewing them.
- Status – Room Tax. Jamie Cecil, Treasurer/Deputy Clerk, noted that she has received all the additional documents from Regency Inn – Mrs. Kumar since 2008. A Room Tax

Ordinance will be considered whereby a motel or hotel business would be required to have a Business License, be current on their taxes (including Room Tax) and utilities in order to operate their business in the Village. We have not received any monies toward Room Tax.

- Inspection Fees for public projects. Tabled for input from Building inspector, Frank Mayer.
- Street light removal.
 - Curtis Frederick, 1017 Main Street did not appear relative to his street light concern. Daniel Birenbaum indicated that contracts for removal of lights are ready to be sent out. He will set up a meeting with Cindy Glander of WE Energies and President Kevin Kowalkowski regarding street light removal. Street light poles are crooked within the Village that need some attention.
- Tom Mireau. Mr. Mireau wished to speak on snow shoveling and on the closing of Lasting Buds Gifts and Floral. He was not in attendance. Mr. Mireau received a letter relative to snow removal and did remove the snow. Dumpsters were questioned. Last Buds Gifts and Floral shared a dumpster with Subway.
- Snow removal – sidewalks. President Kowalkowski ordered that all homeowners who have not shoveled snow on their sidewalks receive a letter from the Deputy Village Marshal. Unbeknown to President Kowalkowski, the condominiums have an associations that hire a snow removal service.
- Robert Knapp – sump pump. Mr. Knapp was in attendance. Daniel Birenbaum is to meet with Mr. Knapp on Friday relative to his sump pump and water issues. Mr. Knapp noted that Kaerek Homes added 4 feet of gravel in his basement when constructing the house and a broken field tile had appeared during construction. Kaerek Homes did work for a period of time with Mr. Knapp. Neil Tiziani of Ansay Development Corporation was approached by Mrs. Knapp relative to this matter and treated rudely. The house is 8-9 years old and the water problem has increased since it has been built. The Knapp's have contacted the developer, the builder, etc. to no avail. Legally the Village cannot assist as this is now a private property. He may have to tear up his yard. Mr. Knapp is at a loss of what to do. Statutes of Limitations were indicated by Atty. Antoine. Further discussion took place. Daniel Birenbaum suggested televising the pipe.
- Peter Thein Avenue: Street signs, LACC billing, maps. Daniel Birenbaum has indicated that the street signs are up and have been billed. Clerk/Deputy Treasurer Mueller has noted that the LACC billing will be forthcoming after completion of contacting the US Census Bureau and the WI Department of Commerce. Kevin Wester was to speak to the Legal Council relative to Affidavits of Corrections. The Village Maps have not been updated with this name change. The Village is not responsible to for information for Map Quest, GPS, etc. Outside agencies need to approach the Village for information.
- 2009 Truck purchase. Daniel Birenbaum presented information on a white 2009 Chevrolet Utility truck from Lynch Truck Center, Waterford, WI. The truck could be painted red at a cost of \$2,500 to \$3,600. The cost of the vehicle is \$30,385.50 of which funds can be used from the Truck Sinking Fund. Trustee Ritter questioned looking at different makes, i.e. Toyota. Roger Rachuba questioned the need for the truck. The maintenance history of the vehicle was noted. The size of the truck was also discussed as this truck is also a cab and one-half. Trustee John Thiele questioned any other options. This purchase was recommended by the Sewer and Water Committee. A motion was made by Trustee Wilkowski and seconded by Trustee Weyker to approve the purchase of a 2009 Chevrolet CK30953 S Utility Truck at a price of \$30,385.50 per contract order dated January 6, 2010. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.
- Claire Bichler – Girls Fast Pitch Tournament. Mrs. Bichler has requested the use of the Village Park System for a U12 and U14 Girls Fast pitch Softball Tournament on June 11, 12, and 13. She has already met with the Park, Recreation and Forestry Committee and received committee approval and recommendation to the Village Board. The Belgium Athletic Association will sell the food for the tournament for a percentage of the sales. She will also provide a binder for insurance liability from her policy for the event. Any additional port-a-potties for the west diamonds will be Bic's Place 's responsibility. Emily Bichler will be in charge of running this event. A motion was made by Trustee Gottsacker and seconded by Trustee Weyker to approve the request of BIC's Place for using four (4) diamonds for June 11, 12, and 13 with the provisions in her letter. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

- LACC – Temporary Class “B” License and additional license request. The Luxembourg American Cultural Society, Inc. has applied for a Temporary Class B License to sell fermented malt beverages at picnics or similar gatherings and a Temporary Class B License to sell wine at picnics or similar gatherings. Both licenses are for a February 13, 2010 Valentine Couples Night Out. Atty. Antoine is to give direction to Kevin Wester to obtain additional information from the state. A motion was made by Trustee Gottsacker and seconded by Trustee Ritter to approve the Temporary Class B Malt Beverage (beer) and Temporary Class B Wine Licenses for the Luxembourg American Cultural Society, Inc, event on February 13, 2010. Licensing discussion took place. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.
- Village Marshal Scott Brinkman, Deputy Marshal Brian Schrap and President Kowalkowski will meet to discuss the sidewalks. Trustee Gottsacker questioned a car on Lar-Ann Street that is in their driveway and has not been moved for a period of time.

Atty. Gerald Antoine left the meeting at 10:05 p.m.

Committee/Staff Reports:

- Clerk Input: Primary Election will be on February 16th with Testing on February 9, 2010.
- Treasurer Input: Nothing
- DPW & Water Superintendent Input: Nothing
- General Government and Finance Committee: A meeting will take place on January 18 at 6:30 p.m. and January 25th at 6:00 p.m. prior to the Streets and Electric Committee Meeting.
- Protection of Personnel and Property Committee: President Kowalkowski wants RFP for Insurance sent out.
- Health and Sanitation Committee: Nothing
- Sewer and Water Committee: Went over the Main Lift Station this past Monday. Questions exist for Matthew Greely, P.E. Matthew Greely and David Wagner are requested to be at the next Village Board Meeting to drill down numbers. Alternate methods of storm sewer i.e, mini storm sewer, are to include all projects for feasibility. Additional discussion took place. All projects are to be placed in the language for borrowing issues to allow flexibility. Anthony Kappell, P.E., McMahon, \$12,000 in engineering costs for the Main Lift Station has been recognized. Discussion took place relative to accrual of funds for budget years 2009-2010.
- Streets and Electric Committee: Meeting scheduled January 25th, 7:30 p.m.
- Parks, Recreation, and Forestry Committee: Trustee Gottsacker and Weyker reported on a Parks, Recreation & Forestry Committee Meeting that took place on January 8, 2010. The Parks Capital Project Plan was discussed. The Tree Board received a grant for Trees in Heritage Park. Tree location was mentioned and will be defined at a later date. The Belgium Lions is working with the Village relative to the Refreshment Stand.
- Plan Commission: The last meeting of the year was December 14th. Not much going on.
- School District Report: School Board Meeting on Wednesday. Kit Dailey is to present an oral or written report relative to the referendum. The School Board has a full slate of candidates for the Primary Election in February. A Conflict of Interest Policy is to be going through Draft #1 this Wednesday. A new referendum was discussed.
- Mid-Moraine Municipal Legislative Committee Report: Dinner meeting coming up January 27, 2010. Trustee Gottsacker will attend the Legislative Committee Meeting.
- Tree Board Report: Jamie Cecil reported that the last meeting was cancelled and there was no up-date.

Finances:

- Approval of payment of bills:
Discussion took place relative to Zoning Map Up-dating. It was to have been closed out in November. Jamie Cecil had received an email indicating that the cost would be \$1,701 and \$2,400 was budgeted. Professional Services were indicated through October. Trustee Thiele has a problem with billings coming in after a project has been closed. President Kowalkowski noted that we need a Project Close Date. A pattern has been developing. Trustee Weyker would like to see a percentage of Scope of Works should be noted on the billing. Further discussion took place. Trustee Thiele wants to look for other engineering services for scope of work. Trustee Ritter asked

what keeps us from getting three (3) bids for projects. A motion was made by Trustee Thiele and seconded by Trustee Ritter to hold voucher #5274 for Zoning Map Updates McMahon Engineers & Architects in the sum of \$527.00 pending verification from the Village Treasurer that the project closed out in November. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

McMahon #2891 payment from December, 2009. Discussion took place. Timeline of the bill was questioned as was the closeout date. Trustee Thiele needs the project close out date, last date for billings, scope of work completed. This bill was a result of liquidated damages in the amount of \$613.50. A motion was made by Trustee Thiele and seconded by Trustee Weyker to approve McMahon #2891 from December, 2009. in the amount of \$613.50. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

A motion was made by Trustee Thiele and seconded by Trustee Gottsacker to approval of the bills. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Trustee Gottsacker reminded the Village Board about the up-coming Mid-Moraine Dinner in Saukville and to R.S.V.P. to Clerk/Deputy Treasurer Mueller.

Adjourn:

A motion to adjourn at 10:53 p.m. was made by Trustee Gottsacker and seconded by Trustee Ritter. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Wilkowski, Gottsacker; noes – none; abstain – none. Motion carried.

Respectfully submitted,

Lila M. Mueller, CMC
Village Clerk/Deputy Treasurer