

Regular Village Board Meeting – June 9, 2008

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), Wisconsin State Bank (Belgium Office), and Belgium Hardware and Beverage.

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

President Schommer called the meeting to order at 7:03 p.m. In attendance were Trustees Dale Pfeifer, Tom Vodicka, Ronald Weyker, Clem Gottsacker, Ellen Lukas, Jeffery Ritter (7:07 p.m.). A quorum was declared established. Also in attendance were Atty. Gerald Antoine, Building Inspector Frank D. Mayer, Daniel E. Birenbaum – DPW & Water Superintendent, Neil R. Anderson – Wastewater Superintendent, Jamie L. Cecil – Deputy Clerk-Treasurer, Mark Cecil – Deputy Village Marshal, Tom Winker – County Supervisor, Fred Utech – Belgium Area Chamber of Commerce, Sherry Mulloy, Adam Mulloy, Ron Ploeckelman, Christian Lemberg, Patrick Birenbaum, Jeff Thiel, Patrick & Michele Wester, Tammi Augustiniak, Sean Peiffer, Christopher Schmidt, Rosemary Bruss, Les Paul, Dan Zuelsdorf, Scott Wirtz-Olsen, Roger Rachuba, Dean P. Wester, Gail Kowalkowski, Paul Bley, Carol Pomeday – 7:08 p.m., Joan L. Gottsacker – 7:10 p.m., Debbie Koch – 7:10 p.m.

Open Meeting Law Compliance Check

This meeting is in compliance.

Pledge to Flag, Moment of Silence

Announcement of Closed Session (if any) :

- A motion was made by Trustee Lukas and seconded by Trustee Vodicka to set the time of adjournment at 9:00 p.m. The Village Board was polled: ayes – Lukas, Vodicka; noes – Pfeifer, Weyker, Ritter, Gottsacker, Schommer. Motion lost.

Clerk-Treasurer's Reports:

- Minutes
 - Approval of minutes of previous meeting(s): Regular Village Board Meeting May 12, 2008. A motion was made by Trustee Vodicka and seconded by Trustee Gottsacker to approve the minutes of May 12, 2008 as presented. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain – none. Motion carried.
- Financial reporting – First quarter, 2008, Financial Reports will be distributed upon receipt.

Review of Recent Correspondence:

- Complaint correspondence. A complaint on The Regency Inn was distributed for Village Board information only.
- Letter follow-up re: Cedar Grove-Belgium future building needs. Village Clerk-Treasurer, Lila M. Mueller, wrote a letter for the Listening Session for future building needs on Village letterhead stating views as seen from the position of Village Clerk-Treasurer and as a resident. Ronald J. Weyker, Chairman of the General Government and Finance Committee, and President Schommer concurred that Mueller erred by writing the letter on Village letterhead. President Schommer noted that this was America and Mueller does have freedom of speech. The mention in the letter of detachment from the Cedar Grove-Belgium School District if a school was not built in the Village of Belgium created an issue. Cedar Grove-Belgium School Board President, Dan Zuelsdorf was offended by Mueller's comments and he claimed that children were not referenced. Sherry Mulloy suggested that Mueller should be fired or severely reprimanded for writing the letter without Village Board permission. No policy exists. The letter was not Village Board endorsed. Trustee Weyker indicated that this matter will be discussed at the next General Government and Finance Committee Meeting. (Note: President Schommer hand delivered the letter at a Listening Session.)

Gail Kowalkowski noted that the Cedar Grove-Belgium Area School doesn't have adequate offerings so she has taken her children out of the school district. She was certain that other parents in the school district have done the same.

- Definitions – Greg Peterson, CPA. Greg Peterson, CPA, of Corson & Peterson, S.C., has provided a detailed description of all utility related accounts for the Village Board's edification.

Announcements/Input:

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

- Chamber of Commerce Input: Chamber President, Fred Utech, noted that the Belgium Area Chamber of Commerce will be sharing the old Port Washington State Bank building at 775 Main Street as of July 1st.

Jeff Thiel questioned why the Town of Belgium has not contributed to the directional signage for the Ozaukee Interurban Trail. They should pay their fair share as Ozaukee County had paid for the trail in the Town while the Village had to pay for the trail in the Village.

The Belgium Area Chamber of Commerce asked if the Village would cost share for an ad in the Lakeshore Life Magazine. Several other service organizations are participating. A motion was made by Trustee Weyker and seconded by Trustee Lukas to contribute \$200.00 from the Room Tax Account towards the ad expense. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain - none. Motion carried.

Village Marshal/Ozaukee County Sheriff's Department Input:

No representation was present from the Ozaukee County Sheriff's Department. Deputy Village Marshal, Mark Cecil, was in attendance. The Village of Belgium Marshals are enforcing parking, dogs, etc.

Building Inspector Input:

Frank Mayer noted that there were 18 permits issued in May totaling \$231,813. One single-family home in the Ardennes is included in the count. Erosion control seemed to be okay considering of the terrible rains we have experienced.

Village Engineer Input:

Daniel Birenbaum indicated that Matthew J. Greely, P.E. of McMahon Associates, Inc. will be coming to Belgium to view the ponds near the Luxembourg Culture Center development.

Ozaukee County Supervisor Input:

Tom Winker was in attendance and gave an overview of what was happening at the county level. Winker encouraged the Village Board and residents to bring to his attention any issues that may be county related. He will attend Village Board meetings every several months in the future.

Action Items:

- Operator's Licenses. A motion was made by Trustee Pfeifer and seconded by Trustee Gottsacker to approve the following Operator's Licenses: Kimberly M. Bohn, Anne M. Uselding, Kelly J. Schroeder, Peter M. Anzia, Roseann L. Geib, Bobby Lopez, Brian Lorge, Bradley E. Mayer, Brian Oelhafen, David F. Lang, Angela T. Lentz, James J. Lentz, Ellen L. Lukas, Roger Parchim, Daniel E. Sweet, Aflatoon Irani, Christine C. La Joice, Amy Bodus, Patrick Bodus, Michael J. Kirchen, Sara Schanen, James Blick, Kerrah Hamilton, Jason G. Schinker, Nicole Ver Gowe, Patrick J. Arndt, Patti J. Clark, Nan L. Perl, James J. Pollock, Nicole C. Baumann, Tamlyn L. Dutter, Karen J. Farina, John Federspiel, Mary Lewis, Karlynn Mayer, Joseph R. Michalski, Adam Mulloy, Ryan Mulloy, Brandon Novack, Barbara M. Paulus, Chris D. Weiland. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker; noes – none; abstain – Lukas. Motion carried.
- Ordinance #11-08 Ordinance Amending §236-12.A. of the Code of the Village of Belgium, Ozaukee County, Wisconsin (Obstructions and encroachments). The Village Marshals requested this ordinance for enforcement purposes. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain - none. Motion carried.

Miscellaneous Matters:

The following matters will be discussed and possible action taken:

- Status – The Ardennes II Subdivision. Atty. Antoine had sent Nancy Washburn a letter recently. The second lift of asphalt and street trees are still needed in the most recent addition.
- Status – Maple Lawn, Phase #5 Subdivision. Daniel Birenbaum noted that the final lift is on. Tammi Augustiniak had a concern about the weeds in Maple Lawn, Phase #5 on lots where there are no houses. Weed Commissioner Patrick Wester noted that Weed Notices were sent out and are sent out annually during the months June and July.
- Status – Maple Lawn, Phase #6 Subdivision. Gail Kowalkowski had contacted Scott Puchtel at CMIC relative to the pond within Maple Lawn Subdivision that is not completed. The spill over is directed to homes along Main Street, particularly her home at 575 Main Street. The Village has not pursued any remedy on this project as it is in the appeal process within the courts. Mrs. Kowalkowski indicated Mr. Puchtel had told her that they were the owners. Atty. Antoine noted that he spoke to Eric Freeman of CMIC about 6 weeks ago and that was not the case. A remedy needs to be sought as public safety is involved. Matthew Greely, P.E. and Daniel Birenbaum are to review the situation and make recommendation in the very near future. Daniel Birenbaum indicated that there are broken field tiles involved.
- Status – Heritage Park Subdivision
 - Punch list items status. Landscaping and seeding needs to be completed. The concrete drainage trench has been completed.
 - Park development
 - Baseball fencing. A Parks, Recreation and Forestry Committee Meeting is needed for this topic.
- Status – Luxembourg Cultural Center & Development. Paulus Construction is laying block. Denny Rahn Excavating, Inc. is constructing the retention ponds.
- Status – Camelot Development. President Schommer has been speaking with Nancy Eiseman. Landscaping is pending.
- Status – Kiosk near Ozaukee County Interurban Trail. Directional maps are up. Posting of area restaurant and food menus will be completed soon. President Schommer thanked both Daniel Birenbaum and Lila Mueller for their hard work on this project.
- Status – Street Trees. Jamie Cecil, Deputy Clerk-Treasurer, reported the Tree Board will take this up within the next 90 days.
- Review Sewer Connection Fee for strip mall (Lakeview Plaza). Patrick, Michele and Dean Wester were present. Clerk-Treasurer Mueller needed guidance on how to charge the Sewer Connection Fee(s) and other Impact Fee(s) for this project at time of Building Permit. Most projects have established units. This project is a design to suit project. It is a “white box” structure at present with no precise dividing walls. There could be one tenant or six tenants. At this time the number of tenants is undetermined. The first building is 9,500 sq. ft. and a proposed second building is 15,000 sq. ft. There will be one lateral to the building. The current charges of \$1,800.00 per unit (Water System Impact Fee), \$3,400.00 (1st unit) plus \$2,700.00 (additional Units [Sewer Connection Fees] raises the cost per square foot thus making commercial rental more than other municipalities. Clerk-Treasurer Mueller is seeking information on how other municipalities handle this charge for strip mall and multi-tenant commercial and industrial buildings. Trustee Weyker suggested, so as not to hold up construction, that we may want to implement a suggestion from Amy Vaclavik, P.E.’s of McMahan Associates, Inc. to charge two (2) units at the time of Building Permit and adjust later. This topic has been referred to the Sewer and Water Committee.
- Status - Water Tower #1 issues. Repair is complete except for painting spots.
- Status – Well #2 McMahan Associates, Inc. is obtaining quotes on ventilation, a stand-by generator, and painting of the pipes. Funds are to be used from the Impact Fees collected. This is a budget item.
- Status – Grating Cover Project. This project consists of installing aluminum diamond tread to control noxious gases. This is a budgeted item at \$3,600.00. Neil Anderson received a quote from Mantech™ All-Fab Manufacturing, Inc., Belgium, WI, for \$3,450.00. Trustees Lukas and Gottsacker want to see another bid.
- Switching power Lift Station #2. The lift station by I-43 has an odd electrical service of 240 grounded B service. The normal service is a 483 Phase service. If the service was changed the DPW staff could use one generator for all of the lift stations using the John Deere tractor. This is a budgeted item. WE Energies and Wester Electric would have to

change the meter socket while Emergences would help switch to the correct voltage. Estimated cost is +/- \$9,445.00. Additional quotes are needed as more than one quote is required for all improvements.

- Agreement with Lanser Towing for towing. Tabled as the agreement was not received.
- Air compressor replacement – Wastewater Treatment Plant. Purchase has been made of a Quincy Air Compressor that is guaranteed 50,000 hours at a cost of \$1,495.00. This is an Equipment Replacement Fund expense.
- Purchase of a manhole cover mover/lifter. A quote was provided for E. L. Simeth Co. Inc. for \$1,749.28. USA Bluebook had a cost of \$1,878.00. Trustee Gottsacker questioned the need for two Powerlift Magnets. Daniel Birenbaum explained that some grates are heavier than others thus needing the heavier power. The 600# Powerlift Magnet is round while the 1,300# Powerlift Magnet is rectangular. A motion was made by Trustee Weyker and seconded by Trustee Lukas to approve the purchase of Power Lift Magnets from E. L. Simeth Co., Inc. at a total cost of \$1,749.28. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain - none. Motion carried.
- Mulch in parkway. Discussion took place regarding a resident on Main Street placing a pile of mulch on the parkway. Daniel Birenbaum has concern as the mulch is washed into the storm sewer catch basin. Daniel Birenbaum is to speak to the resident and request that they remove the mulch.
- Landscaping/lawn requirement, Maple Lawn Subdivision, Phase #5. Atty. Antoine requested that this be placed on the agenda. We had received a complaint about this topic in 2007 and again recently. The property in question in this phase of Maple Lawn was involved with a lawsuit by the property owner and homeowner did not want to plant their lawn if they were to lose their house. Enforcement of this ordinance was questioned. This is a fairness issue and protects everyone. The ordinance is to be enforced.
- 104 Lar-Ann Street, fire, property damage. Deputy Village Marshal, Mark Cecil, has been in contact with the owners of this property. The burned up vehicle is scheduled for towing tomorrow. Repair to the exterior of the home has not been touched. Atty. Antoine is to follow up with a letter.
- Lakeside Food concern. Trustee Lukas presented a letter signed by 55 home owners regarding the smell emanating from Lakeside Foods, Inc. The specific area was in the Birchwood and Hickory Street area. Paul Bley noted that the odor this year has been extreme. Neil Anderson noted that apparently they are not using enough oxygen for aeration. A good running plant will not have any odor. The Clerk-Treasurer is to write a letter to Lakeside Foods Corporate Office with a copy to Al Simanovski, General Manager, at the Belgium plant. The Village Board expects a representative to be at the next Village Board meeting to speak of their action plan regarding this issue.
- Resolution #12-08 Fees. This resolution incorporates the Building Permit fees acted on at the last Village Board Meeting and up date fees for sale of books and special meetings. Trustee Lukas introduced Resolution #12-08 – Fees. A motion was made by Trustee Ritter and seconded by Trustee Gottsacker to adopt Resolution #12-08. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain - none. Motion carried.

Committee/Staff Reports:

- Clerk-Treasurer Input: Nothing to report
- DPW & Water Superintendent Input: Daniel Birenbaum reported that we have had 8" of rain. The Village needs to address storm water on Elevator Lane.
- General Government and Finance Committee: Meeting scheduled for Monday, June 23, 2008, 6:00 p.m.
- Protection of Personnel and Property Committee: Nothing to report
- Health and Sanitation Committee: A meeting is to be set up with Trustee Lukas and Veolia ES Solid Waste Midwest, LLC, for preliminary discussions on contract renewal.
- Sewer and Water Committee: I & I (Inflow & Infiltration) needs to be addressed. Suggestion was to do one street at a time. Daniel Birenbaum was called out to a home at Pierron and Dean Road for water approaching a home. Scott Wirtz-Olsen questioned why the Belgium Fire Department would pump water that was only approaching a home. He had water in his basement with no assistance. Daniel Birenbaum noted that the Belgium Fire Department helps residents when called upon, within reason. A meeting has been scheduled for Monday, June 23, 2008, 7:30 p.m.
- Streets and Electric Committee: A meeting is scheduled for Monday, June 23, 2008,

8:15 P.M.

- Parks, Recreation, and Forestry Committee: Roger Rachuba questioned why trees were being cut in Community Park and wanted to know if the DPW crew had permission and if the Tree Board was involved. President Schommer noted that he gave approval. Rachuba also questioned the spreading of fertilizer into the playground and the safety for all the children playing there. The DPW crew did not put up the appropriate warning signs after fertilizing. Gail Kowalkowski noted that the Village lacks a Parks and Recreation Program and that as the Village grew the need exists. A meeting is scheduled for Wednesday, June 11, 2008, 6:30 p.m.
- Plan Commission. The fee change that was adopted by Resolution #12-08 was noted.
- School District Report. Tension was noted. A School Board Meeting will be held on Monday, June 16th.
- Mid-Moraine Municipal Legislative Committee Report: President Schommer reported on the last dinner meeting in the City of Hartford at the Schauer Arts & Activities Center. The entertainment for the evening was a small part of the string section of the Hartford High School Music Program that was excellent.
- Tree Board Report: A meeting was held last Tuesday. Deputy Clerk-Treasurer, Jamie Cecil, reported that Tree Board member, Kevin Wirtz, will inspect all new tree plantings. The goal of the Tree Board is to ensure proper plantings to minimize losing trees. President Schommer indicated that if we take a tree down, we must plant one or two trees to replace them. The next meeting is Monday, August 4th at 6:30 p.m.

Finances:

Approval of payment of bills: A motion was made by Trustee Lukas and seconded by Trustee Weyker to approve the payment of bills subject to the availability of funds. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain - none. Motion carried.

Adjourn:

A motion was made by Trustee Lukas and seconded by Trustee Vodicka to adjourn at 9:31 p.m. The Village Board was polled: ayes: Pfeifer, Vodicka, Weyker, Schommer, Ritter, Gottsacker, Lukas; noes – none; abstain - none. Motion carried.

Respectfully submitted,

Lila M. Mueller, CMC
Village Clerk-Treasurer