

Regular Village Board Meeting – September 14, 2009

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 6:59 p.m. In attendance were Village Trustees John Thiele, Ronald Weyker, Jeffery Ritter, Clemens Gottsacker. A quorum was declared established. Also in attendance were Richard Howells – Tree Board, Amy and Patrick Bodus – Belgium Community Center, Neil Anderson – Wastewater Superintendent, Daniel Birenbaum – DPW & Water Superintendent, Scott A. Brinkman – Village Marshal, Captain David Guss – Ozaukee County Sheriff's Department, Robert Andrzejewski, Kristin Bell Abell – Lakeshore Technical College, Dough Gasser – Lakeshore Technical College, Dr. Mike Lanser – Lakeshore Technical College, Dave Youngblood – Neighborhood Watch, Ken Hirschmann – Neighborhood Watch, Patrick Wester, Amy Rachuba- ESLS Board, David Nimmer – W.J. Niederkorn Library, Nicole Lynaugh – Cedar Grove Library, Mark Cecil, Joan Gottsacker, Carol Pomeday – The Ozaukee Press, Roger Rachuba, Jamie Cecil – Deputy Clerk-Treasurer, Jeffery Thiel, Fred Utecht and daughter and Dave Maiman – Belgium Area Chamber of Commerce, Eric Wilkowski.

Open Meeting Law Compliance Check

This meeting is in compliance.

Pledge to Flag, Moment of Silence

Announcement of Closed Session (if any)

There will be a closed session this evening.

Clerk-Treasurer's Reports:

- Minutes
 - July 13, 2009 (amended and approved) redistribution only, August 10, 2009. The minutes were tabled until the next meeting as amendments were needed.
- Financial reporting - None

Review of Recent Correspondence:

None

Announcements/Input:

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

- LTC – Presentation by Dr. Lanser. A presentation was given by Dr. Lanser and staff relative to offerings at LTC (Lakeshore Technical College) and satellite locations. (7:10 – 7:32 p.m.)
- Neighborhood Watch
 - Signs and supply purchase. Village Trustee Clem Gottsacker reviewed the request from Ken Hirschman and Dave Youngblood and recommended the same. Total cost is under \$500.00.
- Ozaukee County Supervisor Input. Tom Winker was not in attendance.
- Chamber of Commerce Input:
 - 1st Impressions with New Glarus, WI. Additional information was not available at this time.
 - Dave Maiman – request for funds for business signage. Signs for directions to Village businesses would cost \$5,000. Mr. Maiman requested permission for placement of the signs on Village Property. He had already received permission from the Town of Belgium. He requested a donation of \$3,000. The Town of Belgium would contribute \$750.00. The Village of Belgium only has limited funds in the Room Tax Account. Posts would be purchased through the Village and labor provided to install the posts. This item needs to be looked at for the 2010 Budget. Sign placement is to be reviewed by the DPW staff. A motion was made by Trustee Thiele and seconded by

Trustee Weyker to approve placement of signs by the Belgium Area Chamber of Commerce with the caveat of working with Daniel Birenbaum and the DPW staff to ensure that everything is up to the Village standard and is not creating a conflict with anything else. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.

- Up-date on projects. The Rockets Football Team raised approximately \$2,000.
- Village Marshal/Ozaukee County Sheriff's Department Input:
 - Update on 106 Lar-Ann Street. Village Marshal Scott Brinkmann has stopped at this property several times and no one comes to the door.
 - Presentation by Captain Dave Guss, Ozaukee County Sheriff's Department. Captain Guss presented information on contracted services with the Ozaukee County Sheriff's Department for contracted additional police protection. He noted that it is economically feasible to use contracted services.
 - Referendum Question – Establishing a Village of Belgium Police Department. This item was premature and was tabled.
- Building Inspector Input:
Clerk-Treasurer Mueller reported in Frank Mayer's absence. Eleven permits were issued totaling \$118,009.00.
- Cedar Grove-Belgium Area School Board Input:
No one was in attendance.
- ESLS Board Input:
Amy Rachuba was in attendance. Attending with Amy were David Nimmer – W. J. Niederkorn Library, Port Washington, and Nicole Lynaugh, Director Cedar Grove Library. Statistics were given for increased library use by Belgium residents. The Ozaukee County Administrative Committee would like to decrease non-librariated resident services from 85% to 78.2%. From 2003 to 2008 Belgium has experienced a 54% increase in library loan activity from 7.6 items to 11.8 items .
- Village Engineer Input:
 - Status – I & I Metering – Final Report. Creation of a 10 year comprehensive plan for I & I larger projects was discussed. Final Reports will be distributed at a later date due to lack of copies for this meeting.
 - Status – Well #2
 - Payment to Goldsmith Painting and Cleaning, Inc. The Change Order was for \$1,770.32 and liquidated damages of \$2,600.00. \$829.68 could be deducted off of \$6,352.50 which the amount is owed deducting that amount to \$5,522.82. Funds from the repair of the motor have not been received. No action taken. Topic is to be tabled until next month with follow up with Jeffrey Kellner, P.E. of McMahan.
 - Maple Lawn Pond Modifications – Application for Payment #1. A motion was made by Trustee Ritter and seconded by Trustee Thiel to approve the application of the Maple Lawn Pond modification payment with the stipulation that it is conditional upon the final grade checks rear yards ditch at the intersection of future Whitney Way. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.

Action Items:

- Operator's Licenses
 - Approval of licenses for Sukhdev Singh Gill and Melissa Watry. A motion was made by Trustee Weyker and seconded by Trustee Gottsacker to approve Operator's Licenses for Sukhdev Gill and Melissa Watry. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.

Roger Rachuba entered the meeting at 9:12 p.m.

- Other. The following individuals have applied for Operator Licenses: Jamie Kleckner, Jonas Maynard, Amber Pierog, and Nicole Shilts. Discussion took place relative to past record of Jamie Kleckner. A motion was made by Trustee Gottsacker and seconded by Trustee Weyker to approve an Operator's License for Jamie Kleckner. The Village Board was polled: ayes – Gottsacker, Weyker; noes – Thiele, Kowalkowski, Ritter; abstain – none. Motion lost. Concern was expressed about past incidents. Atty. Gerald Antoine explained the process for denial.

A motion was made by Trustee Gottsacker and seconded by Trustee Thiele to approve Operator's Licenses for Amber J. Pierog and Nicole B. Shilts. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.

- Ordinance #23-09 – Ordinance Repealing §138-2 (A) Police Powers of Fire Department. A motion was made by Trustee Thiele and seconded by Trustee Weyker to adopt Ordinance #23-09– Ordinance Repealing §138-2 (A) Police Powers of Fire Department. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.
- Ordinance #24-09 – Ordinance amending §262-8 (E) Winter Parking. A motion was made by Trustee Thiele and seconded by Trustee Weyker to adopt Ordinance #24-09 - Ordinance amending §26208 (E) Winter Parking. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried. It was noted that new signs need to be made indicating the new times.
- Adoption of the 2009 TIF Budget. The budget was late as we were waiting for information from David Wagner and Paul Corson relative to the refinancing. A motion was made by Trustee Weyker and seconded by Trustee Thiele to adopt the 2009 TIF Budget. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.
- Employee Insurance Deductible Reimbursement. An Employee Insurance Deductible Reimbursement for \$93.54 was presented for approval. A motion was made by Trustee Weyker and seconded by Trustee Thiele to approve the Employee Insurance Deductible Reimbursement in the amount of \$93.54. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.

Eric Wilkowski entered the meeting.

- Accept resignation of Trustee Tom Vodicka. Trustee Tom Vodicka resigned from the Village Board effective September 20, 2009. President Kowalkowski wanted to appoint Erick Wilkowski to the vacancy and not open it up to Village residents. Discussion took place on past history of vacancies. A motion was made by Trustee Ritter and seconded by Trustee Thiele to recommend Eric Wilkowski to fulfill the term of office of Tom Vodicka. The Village Board was polled: ayes – Thiele, Kowalkowski, Ritter; noes – Gottsacker, Weyker. Motion lost. This motion needed a majority to pass. An ad will be placed in the newspaper and applications will be taken until September 24th with a decision to be made on September 28th.
- 2007 Correction of Overtime Error approval. Meeting pay was not paid at time and one half. Statue of limitations were observed and the auditors agreed with the reimbursement. A motion was made by Trustee Thiele and seconded by Trustee Weyker to pay the following 2007 employees: Joan Gottsacker \$413.91, Neil Anderson \$323.44, Paul Bley \$30.72, Patrick Wester \$49.62. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter; noes – none; abstain- Gottsacker. Motion carried.
- WWTP Exams – Paul Bley. Discussion took place relative to employees failing exams and the consequences. Cross training was questioned. A motion was made by Trustee Gottsacker and seconded by Trustee Thiele to approve Paul Bley to take his WWTP exams. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.

Miscellaneous Matters:

The following matters will be discussed and possible action taken:

- Policy on final walk through for Capital Projects. The Sewer & Water Committee will perform walk through of these type of projects.
- Fire Alarm System Inspection.
 - ADT Contract. The contract would be for 5 years at \$264.00 annually. A motion was made by Trustee Gottsacker and seconded by Trustee Ritter to approve a 5 year contract with ADT Security Services, Inc. at a cost of \$264.00 per year. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.
 - Tree Board Budget. Richard Howells, Tree Board Chairman, expounded on the Tree Board Budget for 2010. The Parks, Recreation and Forestry Committee recommended that the Tree Board Budget for 2010 be approved by the Village Board.

- A motion was made by Trustee Weyker and seconded by Trustee Gottsacker to approve the 2010 Tree Board Budget. The Village Board was polled: ayes – Thiele, Weyker, Ritter, Gottsacker; noes – Kowalkowski; abstain – none. Motion carried.
- Spring Street repaving. Three quotations were received for repaving: Poblocki Paving \$22,850.00, Payne & Dolan \$19,673.00, Ozaukee County Highway Department \$15,500.00. Discussion took place relative to the quotations. A motion was made by Trustee Weyker and seconded by Trustee Ritter to approve the quotation from the Ozaukee County Highway Department in the amount of \$15,500.00. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes – none; abstain – none. Motion carried.
 - Status – The Ardennes II. Atty. Antoine had written a letter to Nancy Washburn of Mastercraft Builders in August, 2008, following a Village Board meeting, approved delaying paving of the second lift of asphalt until October 1, 2009. A walkthrough took place with Jim Duerrwaechter of Mastercraft Builders and Greg Wagner of Wagner Excavating to view the problems areas. Sink holes were discussed. They would cut out the sink holes, recompact the area, and pave. Discussion took place on a repeat of settling. A check is to be made for a five year warranty on the paving.
 - Status – Heritage Park.
 - Park development status. Football is taking place on Tuesday and Thursday. The DPW staff is watering the football field. Daniel Birenbaum requested that we reseed and fertilize the grass areas. No costs were obtained at this time for reseeding.
 - Heritage Park Subdivision.
 - Sink holes had a repair deadline of September 1 and we have not heard anything from Ansay. A sinkhole location map is to be forwarded to Atty. Antoine.
 - Status – Luxembourg Cultural Center & Development.
 - Resolution – New Luxembourg Cultural Center acceptance of improvements. Resolution #25-09 – Resolution Accepting Improvements was discussed. Leaking of the ponds was discussed. Trustee Weyker introduced Resolution #25-09 – Resolution Accepting Improvements. A motion was made by Trustee Gottsacker and seconded by Trustee Ritter to adopt Resolution #25-09. The Village Board was polled: ayes – Weyker, Kowalkowski, Ritter, Gottsacker; noes - Thiele; abstain - none. Motion carried.
 - First Amendment to TIF Development Agreement. Atty. Antoine explained the history of projected engineering fees. A motion was made by Trustee Gottsacker and seconded by Trustee Weyker to approve the First Amendment to the TIF Development Agreement for Section 15. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.
 - Status – Sanitary Sewer Manhole repair. Currently the weather is too dry to repair the manholes.
 - Status – Cell Phone Provider – Governmental. Clerk-Treasurer Mueller reviewed information from our current provider, U.S. Cellular, and Verizon. After review Mueller recommended that the Village of Belgium remains with U.S. Cellular and move all cell phones to the government plan. An additional cell phone is to be obtained for Neil R. Anderson, Wastewater Superintendent.
 - Status – Storm damage lawsuit. To be removed from the agenda until information is received.
 - Compliance Maintenance Annual Report. Generally the concerns were for the Inflow and Infiltration (I &I) issues. Discussion took place. Corrective action is needed as a result of this report. Neil Anderson is to write a letter to the DNR.
 - Wind turbine. President Kowalkowski announced that the Village is going “green”. He would like a wind turbine to generate power for the Wastewater Treatment plant. This topic is to be referred to the Streets and Electric Committee for a study and cost benefit analysis. Lighting is also to be explored.
 - Mid-Moraine Municipal Association Dinner Meeting, Belgium host, October 28th. President Kowalkowski told the Village Board and staff that they will pay their own way. Clerk-Treasurer Mueller is to find out what other municipalities do relative to paying for their participants.
 - 2010 Decennial Census Complete Count Committee. This committee needs to be formed to ensure that paperwork is filled in. Suggestion was made for inclusion of the

service organizations. President Kowalkowski is to head a the committee as there were no volunteers from the Village Trustees.

- 2010 Decennial Census Proclamation. This proclamation has been made.

Closed session per WI Stats. 19.85 (1) (c) relative to personnel. A motion was made by Trustee Gottsacker and seconded by Trustee Ritter at 10:41 p.m. to convene to closed session per WI Stats. 19.85(1)(c) relative to personnel. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.

- The Village Board reconvened to open session at 11:20 p.m.
- Action relative to closed session. None

Committee/Staff Reports:

- Clerk-Treasurer Input: None
- DPW & Water Superintendent Input: Well house #1 possible pump problem as there is a rumbling in the pump. This pump was pulled three years ago. Municipal Well & Pump will come out to explore the source of the noise.
- General Government and Finance Committee: Meeting is scheduled for September 21st. Meeting is tentatively scheduled for October 1. Discussion took place on budget development.
- Protection of Personnel and Property Committee: None. Neighborhood Watch supplies were reviewed.
- Health and Sanitation Committee: Discussion took place on the CPI and projected Land Fill Fee Increase and recycling usage.
- Sewer and Water Committee: Meeting on October 5th. Advertisements can no longer be mailed with the utility bills. .
- Streets and Electric Committee: The Committee lost two (2) members.
- Parks, Recreation, and Forestry Committee: Trustee Pfeifer was not in attendance. A meeting was held August 28th.
- Plan Commission. An issue with Greg and Mary Anderson's addition on Rose Lane was noted whereby they were at the edge of the property line. Their subdivision plat and the lot plat were not the same as the street was in another location. Marvin Gardens Subdivision predated today's process for development and building.
- School District Report. Discussion took place on school district wages and up-coming possible referendum.
- Mid-Moraine Municipal Legislative Committee Report: Trustee Gottsacker indicated that he did not make the meeting.
- Tree Board Report: The 2010 Budget was already covered earlier this evening. Daniel Birenbaum noted that he consulted Andy Olsen relative to the tree in Community Park. He would trim out the bad limbs and leave the tree.

Finances:

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

Adjourn:

A motion to adjourn at 11:53 p.m. was made by Trustee Gottsacker and seconded by Trustee Ritter. The Village Board was polled: ayes – Thiele, Weyker, Kowalkowski, Ritter, Gottsacker; noes - none; abstain - none. Motion carried.

Respectfully submitted,

Lila M. Mueller, CMC
Village Clerk-Treasurer