

02-7-2006 Village of Hobart Board Meeting Minutes

1. Meeting was called to order by Rich Heidel at 6:05 pm. Pledge of Allegiance was recited by those attending. Roll Call Taken: Dave Dillenburg, John VanLanen, Rich Heidel, Tim Carpenter, were present, Phil Lehl excused.
2. *Motion to approve the modified agenda by John VanLanen, second by Tim Carpenter; Motion Carried.*
3. *Motion to approve the January 3 & 17, 2006 regular Hobart Village Board Minutes and Jan. 11, 2006 Special Board Minutes by John VanLanen, second by Dave Dillenburg; Motion Carried; none opposed.*
4. Committee/Commission Reports
 - A. Finance: Tim Carpenter reported that the committee has discussed the variance reports and budget reporting. The committee said the reports should be ready at the end of this month.. the special Thornberry audit is completed and will be discussed later in this meeting.
 - B. Quarry: No report, no quorum for meeting
 - C. Public Works: Tim Carpenter reported that the 2006 road construction bids should be in for review on Monday Feb. 13th. The street light policy is also about complete. The easements for Phase 3 in the Bain Brook subdivision have been obtained. There will be a meeting with Lawrence to discuss costs incurred for the projects thus far.
 - D. Water & Sewer Advisory: Chair Steve Bach reported that a good discussion was had on the two finalists that submitted bids for the DNR required study for the back up water supply. The two were R. E. Lee & Associates and McMahon & Associates. The committee voted 4 to 3 to recommend McMahon & Associates should be used to get a more independent look at the project and less perception of a conflict of interest if a non-local firm was used. He felt that the study would be looked at more favorably, and better accepted by the community, if done by an outside firm. The two firms were equal in every other way other than for the cost of the study. Mr. Reeners will give the minority report later in this meeting.
5. Staff Reports:
 - A. HVFD Fire Chief: not present
 - B. HLPD Police Chief: Chief Bani reported that the officers have completed the training for interviews and that the weight Limit training will be completed at the end of this month. The counterfeit case is in its final stages to be presented to the District Attorney. The digital camera is in service as well as the new squad. NIMS 700 training will take place in April for all board members and staff who have not yet completed the course.
 - C. Utilities, Public Works, & Seasonal Road Work: Public Works Director, Rick Kinney reported that 400 feet of pipe were pulled at the well and 450 feet of pipe replaced in 24 hours. The repairs went well and the DNR samples have come back safe. Number 3 lift station was pulled again due to items that should not be flushed down the toilets ending up in the sewer blocking the pump. This could cause backups into basements if people are not made aware of the situation. We will place an ad in the PRESS to remind people to watch what they are flushing down the toilets. Weight Limits need to be discussed and possibly placed on the roads for March 1, 2006 this year instead of February 15th due to the weather conditions. Rick will meet with plow drivers on Friday to discuss again the snow removal and salt usage on village roads.
6. Meeting Announcements
 - A. February 2006 calendar available at Village Office as well as at the Board meeting
7. Old Business
 - A. Administration
 - i. Resolution 2006-003 Contingency Fund for specified accounts: Discussion of the Police Capital amount determined that Hobart will set aside half of the amount and Lawrence will have to pass their own resolution to set aside their half. Motion to approve Resolution 2006-003 by Rich Heidel, second by John VanLanen; Motion Carried; none opposed.

8. New Business

A. Administration

- i. Recommendations by the Planning & Zoning Commission
 1. Set Hearing Date to change zoning from Ag to R-2-R for Jean Vandehei on HB-819-5
 2. Set Conditional Use Hearing for Mike Jones for *portion* of HB-194 *Motion to set the hearing date for Vandehei and Jones for March 7, 2006 at 5:30 by TH, second by John VanLanen; Motion Carried; none opposed.*
 3. 1st Addition Polo Point Estates Preliminary Plat: *Motion to approve the preliminary plat for the Polo Point 1st Addition by Rich Heidel, second by John VanLanen; Motion Carried; none opposed.*
 4. Amend Chapter 6 Zoning Ordinance Section 6.008 R-3 residential section to read "D – Lot requirements with Public Sewer" *Motion to approve the correction in description by John VanLanen, second by Tim Carpenter; Motion Carried; none opposed.*
- ii. Final payment to Dorner for DCNL sewer interceptor: The Shrovnal repair has been completed and is resolved. There is a crack in the pipe in the deep section and repair is needed and has not been completed at this time. The method of correction has been approved by the Green Bay Met and R. E. Lee. Once all repairs are complete, payment may be processed. *Motion to table until the repair is complete by John VanLanen, second by Tim Carpenter; Motion Carried; none opposed.*
- iii. Selecting engineering firm to prepare a DNR required back up water study: Mr. Bach said that two firms were selected compared and interviewed. Both are professional, well-respected firms and the village would be able to hire either one with confidence. The bids were McMahan \$8,700.00 and R. E. Lee \$4,850.00. The vote from the committee was 4-3 to hire McMahan & Associates. The reason for the choice was to give the perspective of a fresh look by using an outside firm that might be better received by the community. Mr. Reeners gave the minority report. He stated that there was a lot of good debate on each firm and that the village could feel confident in either firm. The DNR is requiring this study be done and submitted by June 30, 2006 for the emergency and back up water supply. We also need to promote conservation of water, throughout the year, not just in the summer months. Mr. Reeners said that that it was agreed by the committee that the bid should go to the lowest qualified bidder and since they were both qualified; R.E.Lee should be chosen because of the lower bid. The firm is also located in Hobart and pays taxes. *Motion to suspend the rules by Tim Carpenter, second by John VanLanen; Motion Carried; none opposed.* Mr. Berggren said he did not think it was consensus to take the lowest qualified bidder. He had checked with his son-in-law from Sherwood and they used McMahan on projects. He stated that each candidate was interviewed and their projects thoroughly reviewed. The majority felt it wanted an outside engineering firm for an objective study and with that in mind, chose McMahan because of how results would be received by the public. Ms. J. Walsh asked why the public would perceive a study as not being objective. Mr. Bach responded that because of TIF involvement it could be seen that way. Representative from R. E. Lee said the firm has no involvement with developers in Hobart for the past 6-months or so and has not taken on any projects with the Oneida Nation as well. *Motion to move back to regular session by Tim Carpenter, second by John VanLanen; Motion Carried; none opposed.* Discussion by the board was that the taxpayers have been very clear in wanting to reduce costs and spend wisely. The board must be responsible and cannot vote to spend a higher amount for a perception, with both firms being professional and qualified. The board has taken the lowest responsible bids all projects; insurance, fuel, ditches, cars and roads, and this should not be any different. Paying 55% more for a project is not justifiable. It would be inconsistent spending policy to take a high bidder because of how the study may or may not be perceived. *Motion to approve the contract with R. R. Lee and proceed with the back up water study by Tim Carpenter, second by John VanLanen; Motion Carried; none opposed.*

- iv. Changing the Village Board Meeting from Feb.21, 2006: *Motion to change the Village Board meeting to February 22, 2006 by Dave Dillenburg, second by John VanLanen: Motion Carried; none opposed.*
- v. FEMA maps: the Draft maps are completed from FEMA and they appear to have many errors. The only way for the village or homeowners to correct the errors is to have a flood study done. The Village has asked FEMA if they could use the Contour maps that were done by the Oneida Tribe for some of the corrections; they said yes, but they needed written permission from the Oneida Business Committee and the Oneida Land Commission to do so. The Village has met with the Oneida Officials and they have stated it would not be a problem to secure the approvals to allow the data to be used to identify and correct the FEMA maps. We were to have received a letter of permission from the Business Committee and the Land Commission giving that approval. The Village would then give a credit in the service agreement for the use of the data. To date, we have not received permission to use the data. Other communities are having flood studies done and assessing either all or a portion to those residents within the flood study area.

9. Financial

- A. K & T Invoices: Joe Helfenberger presented a letter that he recommends be sent to K & T regarding a discount on the amount billed. The formula being used for figuring salt applications is incorrect and an adjustment of \$4,153.88 needs to be made on the invoice. The salt machines have been recalibrated to correctly salt the roads. Rick Kinney is meeting and driving the roads to talk with the drivers on plowing and applications this Friday. *Motion to send the letter to K & T stipulating the reduction of costs by John VanLanen, second by Dave Dillenburg; Motion Carried; none opposed.*
- B. Invoices presented: *Motion to pay the invoices as presented by Tim Carpenter, second by John VanLanen; Motion Carried; none opposed.*
- C. Special Thornberry Audit: Recommendation from finance committee was to turn the audit over to legal counsel for determination. *Motion to Rich Heidel to proceed and send the audit to Legal counsel for action consistent with the recommendation. Second by Tim Carpenter; Motion Carried; none opposed.*

Board announced that it would take a short break at this point and then return to normal business, which would be to consider moving into the closes session portion of the meeting. 7:55 pm.

- 10. Motion to move into closed session pursuant to Wisconsin Stats Section 19.85 (1) (c)(e)(g) to discuss: Solid Waste Board Transfer Station lawsuit O'Hare Blvd lawsuit and related easement issues West De Pere School Personnel appointments and Negotiations re Sale of Village-owned land by John VanLanen; second by Dave Dillenburg, Roll Call Vote Taken: Dave Dillenburg aye, John VanLanen aye, Rich Heidel aye, Tim Carpenter aye, board moved into closed session. Motion by Dave Dillenburg, second by John VanLanen to return to open session. Roll Call Vote Taken: Dave Dillenburg aye, John VanLanen aye, Rich Heidel aye, Tim Carpenter aye, Motion Carried; none opposed board returned to open session at 10:25 pm
- 11. Open Session: No action was taken on any of the following items. Solid Waste Board Transfer Station lawsuit Discussion / action re: O'Hare Blvd lawsuit and related easement issues Discussion / action re: West De Pere School District negotiations Discussion / action re: Personnel appointments Sale of Village-owned land
- 12. Motion to adjourn by Dave Dillenburg, second by John VanLanen motion carried; meeting adjourned at 10:28 pm