

### 3-7-2006 Village Board Meeting Minutes

1. Meeting called to order by Rich Heidel at 6:05 pm, those present were asked to join in the Pledge of Allegiance. Roll Call Vote Taken: Dave Dillenburg aye, John VanLanen aye, Rich Heidel aye, Tim Carpenter aye excused Phil Lehl.
2. *Motion to approve the modified agenda by John VanLanen, second by Tim Carpenter; Motion Carried; none opposed.*
3. *Motion to approve the board minutes from February 22, 2006 by Tim Carpenter, second by John VanLanen; Motion Carried; none opposed.*
4. Public comment on non-agenda items John Berggren commented on the board action regarding selection of the engineering firm for the study for back up water supply and how the committee arrived at its decision. He also commented on how the minority report was presented to the board.
5. Communications:
  - A. Hobart has asked to have GE at STH 54 and STH 172 repaired because of the “washboard” effect that is taking place due to the increase in truck traffic traveling to and from the Transfer Station. Mr. Lamers, Highway Business Administrator, responded stating that they can not justify that the pavement is in terrible need of repair nor do they have any additional funding to add it to the improvement list at this time
  - B. A letter was sent to the Oneida Nation and other Government Officials regarding the delinquent payment, which was due January 31, 2006. The payment was then received March 3, 2006. The \$100,000 special services payment has not yet been received.
6. Committee/Commission Reports:

Water & Sewer Advisory: the committee discussed the back up water study and will meet again on March 27, 2006 to prepare the presentation for the board and the annual meeting.
7. Staff Reports:

Public Works & Utilities: There will be a meeting of the Public Works Committee on March 13, 2006 to discuss roads for resurfacing in 2006. Lift station #3 once again was torn apart and cleaned out. Letters went directly to each home served by that lift station asking them to be careful of what they flush down the sewer lines. The station has had to be cleaned out four times within the past six months.
8. New Business:
  - A. Findings from the Public Hearing
    1. Change of Zoning request from Mrs. Vandehei on HB: 819-5 tabled until March 9, 2006 meeting
    2. Conditional Use request for Mr. M. Jones for Storage Condominiums for a portion of HB: 194 *Motion to approve by Rich Heidel, second by John VanLanen; Motion Carried; none opposed.*
    3. Amendment to chapter 6 R-3 Section 6.008 to add the words “*D. Lot requirements with public sewer*” *Motion to approve amendment to Chapter 6.008 by John VanLanen, second by Dave Dillenburg; Motion Carried; none opposed.*
  - i. Key Village phone numbers in local phone books: Village will have key numbers published in the phone books as well as on the web site. The new phone books will not come out until December.
  - ii. Oneida special projects payment and road quotes: The village has not yet received the Special Payment for Services in the amount of \$100,000.00 from the Oneida Tribe of Indians. Once the funds have been received road repairs will be scheduled.
  - iii. Amendment to Chapter 4.001 Adoption of the State Building Code and Building Permit Requirements to include “*All storage condo’s and mini-warehouses shall comply with all the Commercial Building Code adopted by the State of Wisconsin*”: *without* this statement in our own ordinance, we have limited enforcement of building code on these types of structures. The state is looking at modifying the code for the buildings but that will take time. It was recommend by State Inspectors that we modify our ordinance to cover the types of buildings that are being built within our community. *Motion to suspend the rules to allow public comment by John VanLanen, second by Dave Dillenburg; Motion Carried; none opposed.* Comments were received from Mr. M. Jones on the types of buildings he is proposing. The

buildings and the land are privately owned, the condominium group only owns the streets and lands not owned by private individuals. Motion to return to regular session by John VanLanen; second by Tim Carpenter; Motion Carried; none opposed. *Motion to table until the March 21, 2006 meeting and to check with the attorney on the wording of the amendment by Dave Dillenburg, second by John VanLanen; Motion Carried; none opposed.*

- iv. Non-conforming parcels within the Exclusive Agricultural Zone areas: Mr. J. Jolly, Farmland preservation specialist recommended that the zoning for these parcels less than 35 acres be left as they are until a request to build a structure is received; at that time, the village should change the zoning to comply with its regulations. No action needed on this item at this time.
- v. Access to Village road, W. Adam Drive, within airport fence and other airport-village issues: The airport has placed a fence across W. Adam Drive to enclose the airport property. We have asked for a key to the gate, and they want to charge \$55.00 for a key and ID badge. When the fence was put in place, the airport representative promised to install a turnaround for plows and emergency vehicles. The turn around has not been constructed. The village has not relinquished the road. The board wants to meet with the airport representative and County Executive to discuss compensation or a land exchange for the road within the airport fence, and the glycol pond pumping.
- vi. Deteriorating roads since operation of the County's Transfer Station: Letter will be sent to the County regarding the roads and asking for repair again.
- vii. 2006 fee schedule for building permits: *Motion to approve the 2006 changes by John VanLanen, second by Rich Heidel, Motion Carried; none opposed.*
- viii. Budget for summer landscaping work: there were no funds budgeted for contracting out the lawn mowing. The Public Works Department is working one man short. With the hiring of this replacement worker, the mowing will be done by our own Public Works Department. The 4-H group is willing to take care of the planter once again at the office.

9. Financial:

- A. Invoices presented for payment: *Motion to pay invoices as presented by John VanLanen, second by Dave Dillenburg; Motion Carried; none opposed.*

The board took a 25 minute break at this time after announcing that they would consider going into closed session upon their return 7:25 pm Board returned after break 7:40 pm

10. *Motion to move into closed session pursuant to WI Statutes Section 19.85 (1) (g) to discuss:*

*The Transfer station lawsuit; the O'Hare Blvd lawsuit and related easement issues; Conference with legal counsel regarding advise concerning strategy to be adopted with respect to litigation in which the municipality is likely to become involved concerning acquiring public property rights and pursuant to WI Statutes Section 19.85 (1) (c) to discuss: committee appointments and compensation; and pursuant to WI Statutes Section 19.85 (1) (e) to discuss: Village-owned property and the Oneida Service Agreement negotiations by Rich Heidel, second by John VanLanen; Roll Call Vote Taken: Dave Dillenburg aye, John VanLanen aye, Rich Heidel aye, Tim Carpenter aye, board moved into closed session at 7:45 pm Motion to return to open session by Dave Dillenburg, second by Tim Carpenter; Motion Carried; none opposed. Board returned to open session at 8:55 pm*

11. Open Session:

- A. Committee appointments and compensation: No action
- B. The Transfer Station lawsuit. No action
- C. O'Hare Blvd lawsuit and related easement issues. Conference with legal counsel regarding advise concerning strategy to be adopted with respect to litigation in which the municipality is likely to become involved concerning acquiring public property rights pursuant to WI Statues Section 19.85 (g) Village-owned property: *Motion to have attorney take necessary steps to determine title ownership to the former Rail Road right of way by Rich Heidel, second by Tim Carpenter; Motion Carried; none opposed.*
- D. Oneida Service Agreement: No action

12. Motion to adjourn by John VanLanen, second by Dave Dillenburg; Motion Carried; none opposed meeting adjourned at 9:00pm