Village of Roberts
Village Board Meeting Minutes
September 11, 2017 – 7:00 PM

The Village Board Meeting was called to order at 7:00 PM by President Moeri.

The meeting was properly noticed in the Central St. Croix News and posted in three locations in the Village of Roberts.

Members Present: Rand Waughtal, Willard Moeri, Chad Svacina, Chuck Pizzi, Mary Shemon, Katy Kapaun and Nate Stork
Absent:
Guest: Aaron McWilliams, John Bond, Angi Goodwin, Peter Tharp,

Meeting Minutes
Motion to approve the minutes from August 14, 2017 by Pizzi, seconded by Waughtal. Motion carried.

Treasurer's Report
Motion to approve Treasurer's Report by Kapaun, seconded by Shemon. Motion carried.

Public Concerns –

- Trustee Pizzi brought up the lack of reflection on the street signs. At night they are really hard to see. This will be done at this fall

Communications –

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Department Reports:

Police Department – Chief McWilliams

- Punch reports were handed out for this month and last month.
- The statistics reports were also handed out.

Director of Public Works – John Bond

- Tree trimming – this will be done on all the streets in town with the help from the correction center. Because some of the trees are being cut back farther than normal we have discussed with the homeowners.
- The airlines are being fixed at the treatment plant. John found a way to cut the cost in half saving us approximately $12,000.
- Waste Water Treatment Plant permit is still up in the air. Public comments were still being taken last week. They could reissue in the next two weeks or six months. Right now we are locked into the current permit (as of last June) until it is reissued.

Library Director – Krissa Coleman

- Fred Avis was here for a whitetail deer seminar. This drew in residents that were not normally at the library.
- Tomorrow is a play and learn with Baldwin family resource center. This is for children 4 and under. There is a waiting list for this class
- Dementia and Alzheimer's program coming up on September 21st. Our community has seen the effects of these two diseases. There will be a question/answer session for this group.

Municipal Court – Judge Tharp

- There is a summary of the court sessions from Judge Tharp. There was a question as to why the report showed one person in court but there was one not guilty plea and one dismissal on the report. Judge Tharp explained how this can happen.

Committee Reports and Recommendations

Park Board – Chuck Pizzi

- New Senior Center Sign that Marge Wolke has been working on. Park Board recommends two sided sign. This was tabled until next meeting.
- Discussed the loss of power issues at the park building. There are four locations that needed to be repaired. Three locations were corroded and tripping the location devise and needed repair but the one was a total open.

All four of these were on one cable and this cable will need to be replaced. There is no money in the budget at this time to do this. Minimum to do this is $3500. The cable that feeds the breaker boxes comes from a different panel or location and that is maybe older than the other cable. We are looking to replace both of these cables at the same time.

- Items for 2018 budget which the power cable will take the bulk of this budget.

Plan Commission - Willard Moeri

- Building Inspector Report was reviewed.
- Approval on Rezoning for Luke Busker from B-1 Neighborhood Business District to M-3 General Industrial District for Lot on 70th Avenue.
    - Motion to approve the rezoning for Luke Busker from B-1 to M-3 by Pizzi, seconded by Kapaun. Motion carried.
- Luke Busker Masonry, LLC Site Plan Approval
    - Todd Erickson presented the survey for Luke Busker.
    - 10 acres with a new facility for Luke's masonry business. This business cuts stone to build fireplaces, patios, etc. There is a new piece of equipment coming in later this year.
    - Two entrances to the parcel located on 70th Avenue. There will be screening along the west and south side of this property. There will also be a small berm in the front along with a swill.
    - This property will have well and septic due to Village utilities not being available to this location.
    - There will be six employees at this location.
    - Angi handed out a copy of the memo given to plan commission. Discussed the Developer's Agreement just with the deferred impact fees for the future connection to the sewer/water otherwise this would not be required.
    - Discussed the future of the development down in this area and adding more private sewer/water.
    - Bill Derrick was here to help to discuss the future of this land and more specifically water/sewer lines and roads. Bill is working on this and will come back next month to discuss the concept of the future of this land.
    - Motion to approve the Luke Busker Masonry site plan review with the recommendations from Angi Goodwin by Kapaun, seconded by Pizzi. Motion carried.
- Matt Hieb – Rolling Meadows 7th Addition Preliminary Plat Approval.
    - Matt and Oranzo Oevering are here to gain approval of the phase one of the 7th addition. This is the identical layout of what was there before. They will be coming back for the rest of the property in the near future. This area was approved before but was not built on in time to avoid it being expired. Discussed sidewalks with the Plan Commission and this was laid out to replace the walking path back by the pond. There was a consensus of plan board members that sidewalks were needed. There will still be a space for pond maintenance to be done. The ponds are already dedicated to the village. As the existing Rolling Meadows streets are fixed that we add sidewalks to one side of the streets being fixed.
    - Angi again handed out her comments. This is a PUD area meaning that the lots sizes are smaller.
    - Recommend approval to submit to the state for utility extension and owner approval letter to be able to submit the plans to the state but to come back next month for final approval.
    - **Motion** to approve the extension of the 7th addition to include Angi's comments with the Owner's Approval Letter and to come back with the Developer's Agreement at our next meeting by Moeri, seconded by Waughtal. Motion carried with Svacina abstaining.

CDA Board

- Met at the end of August.
- Discussed the Joint Board Meeting with the schools and the village.
- 2016 budget numbers were in and compared to the budget. TID #1 had a surplus of $114,000?? And there is a balance of $101,000 that will be repaid in 2017.
- Trying to predict a close out date for the TID and see what expenses would still be incurred. Considering the fact that the village is purchasing and we could take this over. There is a bad debt that the village will be eating in

2018 of approximately 30,000. The plan will be finalized at the end of 2019.

- 2018 budget items – no participation in the 2018 levy. Minutes went out within days of the minutes within days.

Finance Committee – None

Public Safety Committee – None

Public Works Committee –

- Recommendation to purchase a new John Deere Loader
  - Came up with a blend to purchase the loader. Tried to take the net price of the loader and include the widening of county road TT to see how we can finance these projects.
  - With 2017 mill rate, this is the amount of taxes that would be generated in 2017 without this GO debt.
  - Public works committee recommended scenario two for this purchase.
  - **Motion** to accept the recommendation of the PWC by Kapaun, seconded by Svacina. Motion carried.
  - Pizzi asked about taking the full $86,000 that there would still be money in this fund for future items. Moeri stated that taking this money will extend the rate of depleting this fund.
  - Pete Close asked about not having the money in the equipment replacement fund to buy this and should we be putting money away and should this be adjusted so this does not happen again in the future. The cost of the equipment goes up compared to what goes into this fund.

Fire Association – None

Old Business

John Hancock and Diane May's Property Cleanup Update

- May's no update. Moeri reported the trailer parked with stuff on it and how long will that will be
- Hancock's – there is no electricity or water in either residences. Juvenile services is also looking into this because there are children at this property.

Chicken License – McWilliams asked the board for approval of this license contingent on his inspection of this property. **Motion** to approve the chicken license for 207 W. Ash St contingent on McWilliam's approval of his inspection report by Kapaun, seconded by Waughtal. Motion carried.

New Business

Employee Education Requests and Expense Reports - None

New Operator's License Applications

- **Motion** to approve Candice Howle's Operator's License after proof of Operator's course certificate is obtained by Waughtal, seconded by Pizzi. Motion carried.
- **Motion** to approve Gerald McDonel's Operator's License by Waughtal, seconded by Shemon. Motion carried with Stork abstaining.

Approval of Candice Howle as New Agent for Cap Operations Inc., - Holiday

- **Motion** to approve Candice Howle as new agent for Cap Operations Inc/Holiday by Kapaun, seconded by Pizzi. Motion carried.

Six Month Review of Request for Change of Municipal Judge Duties

- Deanne Kohl discussed her letter in March asking for full authority and why this is totally inappropriate. Kohl's decision has not changed. She understands trying to save the village money but thinks the request blends the judges roll with the prosecutors roll. The judge is to be impartial and unbiased. He is to be an advocate. The judge is not responsible to the board he responds to the electorate. It is standard practice for the judge and prosecutor to have a list of duties that can be altered. This has been done and Judge Tharp has refused to sign it. Tharp's recommendation would eliminate the Villages advocate. Judge Tharp thought this was going well and things were going smooth. He thought we were getting better legal services from Bakke Norman compared to Nelson and Lindquist. Kohl has not been before the bench because they have been working well to work the cases. McWilliams added to this conversation. There is still cases being dismissed before these get to court. Kohl does not know that this is happening unless someone brings this to her attention. A dismissal has to have a

motion in front of the judge. Judge Tharp explained his side of this issue. He would normally assess the forfeiture and penalty and also look at the ordinance that this is written on. He would also have to go with the state law to see if they match. If it is dismissed this is because there is a mistake in the citation. Kapaun question why we are looking for a technicality and that this should come from the defendant or his/her attorney. Peter Close clarified when a citation could be dismissed like wrong court date, wrong statute is cited, etc. Moeri asked for clarification regarding with prejudice and without prejudice. Normally citations are dismissed without prejudice so that they can be corrected and reissued. With prejudice is typically after court. Tharp reminded Kohl that if there is a problem she can file the paperwork to reopen the case or the State Judicial Ethics Commission.

2016 Audit Report

- Reports and number have been done since May. Bound book is an unmodified opinion. Three things in the letter were listed. Too few people in the finance area of the Village. There were no problems found.
- Financial highlights – General Operating Funds
    - Trend analysis over the last four years. The TID is coming to the end of life. As it is paid back this increases cash, and also made our fund a positive balance for the end of the year. All of the reserve are not available for spending. $131,000 is delinquent taxes, or none spendable assets.
    - Other governmental funds
        - Impact fee fund is up $6,900 from last year.
        - Debt service fund should be zero
        - Library capital project fund did not change much. The plan is to use this money to paydown the fund. This could have been reduced by another $6,900 but was a timing issue.
        - The Park and Maple Street project fund - if all bills are paid can be used for another project.
        - Water Utility – Last rate adjustment was 2012. The operational loss is a – $45,000 but mitigated by the WRS asset. We have a trend of losses. Might be time to go to the PSC to look at the cash flow. We need to look at this before we get the letter from them.
        - Sewer Utility – same story. There is some depreciation flowing thru. Cash is going down. We are generating losses. Rate increase October 2016 so only one quarter on the books. Moeri stated we are in the process of looking at an increase.
        - Outstanding debt obligations – no new debt for 2016.

Fall Clean-Up Days at Advanced Disposal

- **Motion** to approve the date for fall clean days from September 18th to October 13th by Stork seconded by Svacina. Motion carried.

Discussion of Friends of Twin Lake Resolution

- Discussed with the DNR to look at a longer term solution and to get the municipalities involved. They are not laying blame on the village or municipalities to pit them against each other. There are 28 properties that are having water issues and there is no indication that this will be reversed. They looked for data to put together a model to see what was really happening. Discussed the calculation and findings of the details of this study. It has been no secret that the effluent has added to this issue and they have contested our permit. The Town of Warren has signed off on the resolution. They are asking that the village sign this document not committing money or materials to this project but to commit supporting this project.
- Moeri's commented that the Village spent many years and $300,000 to find a place to put the waste.
- When the WWTP permit was up for renewal, it was stated that the permit should not be issued to the Village.
- There needs to be a long-term solution for this problem.
- It was asked if Frank Phillips has given any input in to this issue since he did almost three years' worth of studies that the residents of Warren Township have paid for.
- The Resolution needs to be sent to MEG for review and approval before being signed. MEG has advised us not to sign the resolution until the permit is reissued and the adjudication period is up.
- Waughtal stated that the resolution looks very nice but he read the book first. He offered some maps to the group to show that mother nature has reshaped the lakes and look to see what has happened over the years.
- **Motion** to table this topic until we have a status on our permit by Kapaun, seconded by Svacina. Motion carried.

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Motion to convene into closed session per Wisconsin State Statute 19.85(1)c Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, General Teamsters Union Contract, Wages for Non-Union Employees and Wisconsin Professional Police Association Union Contract by Stork.
Roll Call: Waughtal – Aye, Stork – Aye, Shemon – Aye, Moeri – Aye, Svacina – Aye, Kapaun – Aye, Pizzi – Aye. Motion carried.

Adjourn closed session and reconvene into open session by Pizzi, seconded by Shemon.
Roll Call: Waughtal – Aye, Stork – Aye, Shemon – Aye, Moeri – Aye, Svacina – Aye, Kapaun – Aye, Pizzi – Aye. Motion carried.

Motion to approve the General Teamsters Union Contract by Kapaun, seconded by Pizzi. Motion carried.
Motion to approve the Wages for Non-Union Employees by Svacina, seconded by Pizzi. Motion carried with Waughtal opposing.
Motion to approve the WPPA Union Contract by Kapuan, seconded by Svacina. Motion carried.

Payment of Bills

- **Motion** to approve the bills for payment by Shemon, seconded by Pizzi. Motion carried.

Other Business - None

Motion to adjourn at 10:10 PM by Shemon, seconded by Kapaun. Motion carried.

Megan Dull
Village Clerk