VILLAGE OF THIENSVILLE
COMMITTEE OF THE WHOLE
MINUTES

DATE: Monday, August 5, 2013 **LOCATION: 250 Elm Street Thiensville, WI**

TIME: 6:00PM

CALL TO ORDER

President Mobley called the meeting to order at 6:00PM.

ROLL CALL

President:	Van Mobley	
Trustees:	Kim Beck	Kenneth Kucharski
	Ronald Heinritz	David Lange
	Rob Holyoke	John Treffert
Administrator:	Dianne Robertson	
Staff:	Director of Public Works Andy LaFond, Fire Chief Brian Reiels	
	Police Chief Scott Nicholson	

III. BUSINESS

A. Review Capital Expenditures List

B. Review and recommendation of Resolution No. 2013-14 Approving a Software Maintenance Agreement with Transcendent Technologies, LLC

Administrator Robertson explained that there is a change in our pet licensing and tax collection vendor which the county recently changed. The Village is required to have an agreement with the new vendor.

MOTION by Trustee Lange, **SECONDED** by Trustee Heinritz to recommend to the Board approval of Resolution No. 2013-14 Approving a Software Maintenance Agreement with Transcendent Technologies, LLC. **MOTION CARRIED UNANIMOUSLY.**

C. Review and recommendation of Resolution No. 2013-15 Adopting the Ozaukee County All Hazards Mitigation Plan

Administrator Robertson reported that the Village has done this before and in order to be eligible for FEMA grants or any other grants the Village must adopt the Ozaukee County Plan.

MOTION by Trustee Kucharski, **SECONDED** by Trustee Heinritz to recommend to the Board approval of Resolution No. 2013-15 Adopting the Ozaukee County All Hazards Mitigation Plan. **MOTION CARRIED UNANIMOUSLY.**

D. Review and recommendation of Resolution No. 2013-16 Granting Easements to We Energies to Bury Facilities at 108, 120, 128-134 and 136 N. Main Street

Administrator Robertson stated that this was a result of the Village Board request to bury the utilities along these properties on N. Main Street therefore a resolution is required to grant easements to We Energies. Attorney Feind drafted a letter regarding the Village rights regarding these easements and this includes a Roadway Reimbursement Agreement. This agreement states that the Village will reimburse We Energies for all costs associated with any need for repair, relocation or replacement of any facilities such as sewers, water mains or roadway construction. Trustee Treffert was concerned with doing this now because of the possibility of a future water main being brought in on Main Street. Public Works Director Andy LaFond explained that this was part of the coordination of the parking lot improvements and the dryland access at 108-118 N. Main Street before the lot is paved. This is all part of the previous Board conversations in regards to removal of the utility poles and wires by Pigeon Creek. Trustee Heinritz asked if the communications lines will also be buried and the answer is yes.

MOTION by Trustee Lange, **SECONDED** by Trustee Beck to recommend to the Board approval of Resolution No. 2013-16 Granting Easements to We Energies to Bury Facilities at 108, 120, 128-134 and 136 N. Main Street.

Ayes: Trustees Beck, Heinritz, Holyoke, Kucharski, Lange and President Mobley
Naes: Trustee Treffert
MOTION CARRIED.

E. Review and recommendation of Fire Department Members
1) Tamara A. Rohr
2) David R. French

Chief Reiels report that there has been 82% response through the Village website.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to recommend to the Board approval of Tamara A. Rohr and David R. French to the Thiensville Fire Department. **MOTION CARRIED UNANIMOUSLY.**

F. Review and recommendation regarding name of Park/Parking Lot north of the Old Village Hall (Trustee Treffert)

Trustee Treffert would like to withdraw his request regarding the naming of the park/parking lot until the work is finished. The suggestion was to maybe have a contest regarding the naming of the area.

G. Review and recommendation regarding accepting the resignation of Samuel Cutler from the Plan Commission and appointment of Michael Dyer to fill the unexpired term to expire 4/2016

President Mobley did try to talk Samuel Cutler out of resigning from the Plan Commission. Mr. Dyer was a Water Trustee for Century Estates Water Co-Op when they existed and is on the Board of Review and also applied for the Trustee position last year.

MOTION by Trustee Treffert, **SECONDED** by Trustee Kucharski to recommend to the Board the resignation of Samuel Cutler from the Plan Commission and to appoint Michael Dyer to fill the unexpired term to expire 4/2016.
MOTION CARRIED UNANIMOUSLY.

H. Review and recommendation regarding clarification and who determines set back requirements of corner lots and should orientation be of the lot and not the structure (Trustee Holyoke)

Trustee Holyoke has talked about this previously and it was his experience as a private citizen that this came to be an issue. As the owner of a corner lot the ordinance is very fuzzy in regards to setbacks. Trustee Holyoke handed out a sketch of his block with all the homes and the side and rear setbacks. Trustee Holyoke is withdrawing his request for a covered porch/structure so there is no conflict of interest. Trustee Holyoke feels that the Zoning Code has been interpreted differently depending on the circumstances and who is reviewing the issue.

President Mobley commented that in this case the Planner Jon Censky and the Village Attorney Tim Schoonenberg interpret the ordinance in the same way. Trustee Holyoke feels the ordinance should be changed. The existing ordinance doesn't make sense to him. Administrator Robertson reported that she talked with Attorney Tim Schoonenberg today and he has drafted something in regards to this issue. Trustee Treffert thought the Board should review a copy of the ordinance and see some examples of corner lots to see where the ordinance (17.0605) may be faulty. Attorney Schoonenberg is working on this. Trustee Treffert feels this should either go before the Zoning Board of Appeals as an appeal process or have the Board rework the Ordinance.

I. Review and recommendation regarding policy of passing along consultant fees to applicants appearing before the Plan Commission

Trustee Treffert commented that the Village has had citizens that have gotten hit with substantial bills that they didn't realize were coming their way. President Mobley stated that whether the Village has an in-house planner or a contracted planner there should be one hour spent in-house for free and then there will have to be clarification with staff that if an applicant asks about something after the free hour then the meter runs at $50.00 per hour until a resolution is reached. The current procedure has been working fine since 2007 when it began. This extra money could be taken out of the contingency fund. There has not been an issue with any businesses to-date. The Village staff needs to make sure that people know that costs will be incurred. Trustee Treffert wants to write-off these two invoices to Carol Gengler and Rob Holyoke and President Mobley is against this. President Mobley stated that other people have been billed and paid the bill. President Mobley asked the Board if they wanted to make a retroactive change in regards to the billing for the year 2013 (only) to make amends on a policy that is not favored or to make the change from this day forward. There will have to be money budgeted for the initial 30 minutes to one hour free consultation.

MOTION by Trustee Treffert to waive the fees for the two citizens that were invoiced in 2013 and were unaware that they were going to be invoiced for village services.
No second.
MOTION FAILED.

MOTION by Trustee Treffert, **SECONDED** by Trustee Holyoke to recommend to the Board to waive the $253 fee that Carol Gengler was charged to get approval of a little free library box.

Ayes: Trustees Heinritz, Holyoke, Kucharski, Lange, Treffert and President Mobley.
Naes: Trustee Beck
MOTION CARRIED.

Trustee Holyoke feels that Administrator Robertson could come back to the Board with a fee schedule or policy for Board approval.

In regards to Ms. Gengler's request for a little free library there is nothing in our ordinance regarding little libraries although other municipalities do regulate them. This was part of Planner Jon Censky's research. This issue became a Village wide issue instead of an individual issue because of other people potentially putting up these little free libraries.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to recommend to the Board that with all further requests for permits that the first 30 minutes will be free to the applicant and then a good faith estimate is given to the applicant and this affects both commercial and residential.

Ayes: Trustees Beck, Heinritz, Kucharski, Lange, Treffert and President Mobley.
Abstain: Trustee Holyoke
MOTION CARRIED.

MOTION by Trustee Treffert, **SECONDED** by Trustee Kucharski to recommend to the Board that the fees charged to Rob Holyoke at 300 West Street, who also happens to be a Village Trustee, be waived regarding the investigation of his corner lot with the clear understanding that any time spent by anyone investigating this lot further would be billable time.

Ayes: Trustee Heinritz, Kucharski, Lange and Treffert
Abstain: Trustee Holyoke
Naes: Trustee Beck and President Mobley
MOTION CARRIED.

MOTION by President Mobley, **SECONDED** by Trustee Beck to recommend to the Board to identify the people that have been billed by Mr. Censky this year and send them a refund.

Ayes: President Mobley, Trustees Beck and Kucharski
Naes: Trustees Treffert, Lange, and Heinritz
Abstain: Trustee Holyoke
MOTION FAILED.

J. Review and recommendation to appoint Joel P. Deutsch as Special Police Officer

MOTION by Trustee Treffert, **SECONDED** by Trustee Heinritz to recommend to the Board the appointment of Joe P. Deutsch as Special Police Officer. **MOTION CARRIED UNANIMOUSLY.**

K. Review and recommendation to accept the 2012 Thiensville Fire Department Annual Report

Chief Reiels summarized his department's annual report. The department has maintained a 6 ½ minute response time. There were almost 52,000 hours of on call staff time which is equivalent to 6.89 people in a full-time department. There were 827 calls in 2012 which is down from the 1,000 calls in 2011. The City of Port Washington and the City of Mequon converted to paramedic services which reflects this change in number of calls. The website has been a tremendous tool for recruiting and receiving applications. The remodeling of the department kitchen and overnight rooms has helped recruit and maintain people. There were 400 fire inspections last year. Chief Reiels is proud of the diversity of his department and wanted to thank the Fire Department Corporation for their fundraising efforts which helps support the department tremendously.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to recommend to the Board to accept the 2012 Thiensville Fire Department Annual Report with thanks to the Fire Chief and staff. **MOTION CARRIED UNANIMOUSLY.**

NEXT RESOLUTION NUMBER:	2013-17
NEXT ORDINANCE NUMBER:	2013-05

IV. BUSINESS FROM THE FLOOR

A. Citizens to be Heard

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

The Thiensville-Mequon Lions Club President Greg Kickbush could not be present tonight so he asked Trustee Kucharski to make a presentation. Trustee Kucharski commented that the Village services and staff are second to none including the office, DPW, Police, Fire, Special Police, including Family Fun Before the Fourth and their exposure at Lions Fest. Trustee Kucharski presented a donation from the Lion's Club for $1,500 to the Special Police efforts.

V. MISCELLANEOUS BUSINESS BY TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD.

1. Inter-Governmental Committee with Mequon
2. Use of 101 Green Bay Road, Old Village Hall & Fire Station
3. Acceptance/Report of Gifts Received
   a. Mequon-Thiensville Optimist Club, $305.88 for Safety Town

MOTION by Trustee Lange, **SECONDED** by Trustee Beck to recommend to the Board accepting the donations from the Mequon-Thiensville Optimist Club for Safety Town in the amount of $305.88 which will be used for lanyards and a donation from the Thiensville-Mequon Lions Club for the Special Police in the amount of $1,500 with thanks. **MOTION CARRIED UNANIMOUSLY.**

4. Dialog with Mequon regarding water utility service
5. Review next month's meeting date schedule

Trustee Beck asked the Board to mark their calendars for September 25, 2013 at 5:30PM for the Business Forum at Shully's. The video will be one of the highlights featuring local business owners and celebrating Thiensville. There will be a presentation on many of the great things that are going on in Thiensville. Port Washington State Bank and their loan program has been a success.

VI. ADJOURNMENT

MOTION by Trustee Holyoke, **SECONDED** by Trustee Heinritz to adjourn the meeting at 7:55PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,

Susan R. Conway
Administrative Assistant

Approved by,

Dianne S. Robertson
Village Clerk