

**VILLAGE OF THIENSVILLE
BOARD OF TRUSTEES
MINUTES**

DATE: Monday, January 21, 2013

LOCATION: 250 Elm Street
Thiensville, WI

TIME: 6:00PM

I. CALL TO ORDER

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

II. ROLL CALL

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

III. PLEDGE OF ALLEGIANCE

Trustee Beck led the recitation of the Pledge of Allegiance.

CONSENT AGENDA

Upon request of any Trustee, any item may be removed from the Consent Agenda for special consideration.

IV. APPROVAL OF MINUTES

A. Board of Trustees

1. December 17, 2012

V. DEPARTMENT REPORTS (Receipt)

A. Department Reports (Receipt)

1. Fire Department
 - a. December, 2012
2. Police Department
 - a. December, 2012
3. Public Works Department
 - a. December, 2012

VI. COMMITTEE REPORTS

A. Committee of the Whole

1. January 7, 2013 (as corrected)
2. January 7, 2013 Main Street Program

VII. REPORTS AND COMMUNICATIONS

A. Historic Preservation Commission

1. December 12, 2012

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- B. Plan Commission**
 - 1. January 8, 2013 not held
- C. Business Renaissance Committee**
 - 1. October 29, 2012
- D. Capital Expenditures**

MOTION by Trustee Holyoke, **SECONDED** by Trustee Beck to approve the consent agenda with some minor changes to the COW minutes from January 7, 2013 to include the news article regarding flushable wipes.
MOTION CARRIED UNANIMOUSLY.

BUSINESS AGENDA

VIII. FINANCIAL REPORTS AND ACCOUNTS PAYABLE

- A. Accounts Payable For All Funds**
 - 1. **Accounts Payable**
 - a. December 15, 2012 through December 31, 2012
 - b. January 1, 2013 through January 18, 2013

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to approve the accounts payable from December 15, 2012 through December 31, 2012 and January 1, 2013 through January 18, 2013 in the amount of \$2,592,026.58.
MOTION CARRIED UNANIMOUSLY.

- 2. **Financial Report (Receipt)**
 - a. December, 2012

Financial report was received.

IX. PRESIDENT'S REPORT

- A. Appointments**
 - 1. **Liquor License:**
 - 2. **Operators Licenses:**
 - a. **New:** Robin Lynn VanAacken (Walgreens)

MOTION by Trustee Holyoke, **SECONDED** by Trustee Kucharski to approve a new operator's license to Robin Lynn VanAacken. **MOTION CARRIED UNANIMOUSLY.**

- b. **Renewal:**
 - b. **Denial**
 - c. **Temporary**
- 3. **Fire Department Members:**
 - a. Nicholas S. Lieb and Chad R. Schellinger

MOTION by Trustee Treffert, **SECONDED** by Trustee Beck to approve Nicholas S. Lieb and Chad R. Schellinger as new Fire Department members. **MOTION CARRIED UNANIMOUSLY.**

- 4. **Parade/Street Closing Permit:**
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X. ADMINISTRATOR'S REPORT

A. Department Reports

1. Administrator's Report

Green Bay Road

Director of Public Works Andy LaFond and Administrator Robertson reviewed the 90% plans with Engineer Mike Campbell. The project will be advertised for bids on February 15, 2013 with the bid opening on March 6th. The preconstruction meeting is tentatively scheduled for March 20th with the start of construction on April 1st and substantial completion on August 30th.

Village Owned Properties on Main Street

Willard Riemer has vacated the property at 136 N. Main Street. His business has relocated to Frenz Market, 505 N. Main Street. Both businesses are located at the same address.

Steve Sand of Sea N Sand, the month-to-month tenant at 134 N. Main Street has been informed that he has until April 30, 2013 to vacate the premises. Should he move prior to January 31, 2013 he will receive a \$5,000 incentive payment. He has not yet paid the rent for January.

The request for proposals being drafted by Ruekert & Mielke for redevelopment of the site is in process.

Emergency Dispatch Study

The emergency dispatch task force organizational meeting was held on Wednesday, December 19th. This task force has been established by the Ozaukee County Board. Three representatives from each community serve on the task force. For Thiensville this is Police Chief Scott Nicholson, Fire Chief Brian Reiels and Administrator Robertson.

2. Building Inspection Department (Receipt) **a. November, 2012 Report**

The inspection report was received.

XI. ATTORNEY'S REPORT

Attorney Bob Feind reported that he spoke with Steve Sand today and asked him what his plans were to vacate the premises by January 31, 2013 and he responded that he has had trouble finding another location for his business. He may have a location at Teutonia and Bradley in Milwaukee. Mr. Sand stated that he mailed the rent check on January 3rd but the Village has not received it and the check has not been cashed. Attorney Feind told Mr. Sand that he needed to get the rent check into the Village right away. Mr. Sand plans to get a trailer and a dumpster at the location for the removal of his belongings which has not happened yet but according to Mr. Sand the dumpster should be there this week. Mr. Sand also commented that Mr. Kofman passed away. Mr. Sand also needs to get a compressor out of the basement and this compressor is very heavy and big.

Attorney Feind also received a call from Ken Moy. Mr. Moy reported that he has completed all the required electrical work that was needed but inspections need to take place. Chief Reiels also talked to Mr. Moy and he still has not hired an engineer for a building/structure analysis, which needs to be completed prior to the next inspection.

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If Mr. Sand does not pay his rent by January 31, 2013 the Village can evict him from the premises. Ultimately Mr. Sand has to be out by April 1st 2013. This may require a sheriff's action to get him evicted. The summons can take up to seventeen days. Then the sheriff has to move on this by setting an eviction date and then a bond remover is

required and belongings are stored for the first month in a warehouse. The eviction process takes about one month or more. Attorney Feind is dealing with this so everything is done correctly.

Trustee Lange commented that the Moy building at 105 S. Main Street is so visible and is in such a prominent spot on Main Street.

XII. COMMITTEE REPORTS

- A. Review and approval of appointing Charles Imig and John Abbott to the Business Renaissance Committee

MOTION by Trustee Treffert, **SECONDED** by Trustee Holyoke to approve the appointment of Charles Imig and John Abbott to the Business Renaissance Committee. **MOTION CARRIED UNANIMOUSLY.**

- B. Review and approval of Resolution No. 2013-01 the 2013 Sanitary Sewer Utility Budget

MOTION by Trustee Treffert, **SECONDED** by Trustee Holyoke to approve Resolution No. 2013-01 the 2013 Sanitary Sewer Utility Budget. **MOTION CARRIED UNANIMOUSLY.**

- C. Review and approval of Certificate of Recognition to Clayton Anderson and Eric Hansen for attaining the rank of Eagle Scout

MOTION by Trustee Beck, **SECONDED** by Trustee Kucharski to approve a Certificate of Recognition to Clayton Anderson and Eric Hansen for attaining the rank of Eagle Scout. **MOTION CARRIED UNANIMOUSLY.**

- D. Review and approval to promote Special Police Officer Douglas Koerner to Special Police Sergeant

MOTION by Trustee Treffert, **SECONDED** by Trustee Kucharski to approve the promotion to Douglas Koerner to Special Police Sergeant. **MOTION CARRIED UNANIMOUSLY.**

- E. Review and approval to extend a conditional offer for police officer to the top two candidates

A conditional offer allows the Village to do a medical and psychological exam on the candidate. The two candidates are exceptional. There will be two different start dates, candidate number one will start as soon as he completes and passes all of his final testing and then in three months Chief Nicholson will start candidate number two. By summer the department hopes to be up and running at full staff.

President Mobley was able to sit in on the interviews and in his opinion these are the top two candidates.

MOTION by Trustee Treffert, **SECONDED** by Trustee Holyoke to approve extending a conditional offer for police officer to the top two candidates. **MOTION CARRIED UNANIMOUSLY.**

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- F. Review and approval of Resolution No. 2013-03 Accepting a Wisconsin Department of Natural Resources, Outdoor Recreation Aids Grant Agreement in the amount of \$45,000 for the Riverwalk Extension

Administrator Robertson reported that this is the 50% grant for the Riverwalk going from the existing Riverwalk

over to the Shully's property and ultimately to Green Bay Road. Part of this will be paid for by Shully's (146 Green Bay) and President Mobley for his building on Green Bay Road (150 Green Bay Road). The total project cost is about \$90,000. The Rotary Clubs will fundraise for the remaining 50%.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to approve Resolution No. 2013-03 Accepting a Wisconsin Department of Natural Resources, Outdoor Recreation Aids Grand Agreement in the amount of \$45,000 for the Riverwalk Extension. **MOTION CARRIED UNANIMOUSLY.**

- G.** Review and approval of Ordinance No. 2013-01 Inspections of Private Property and Remedial Work by the Village for Plumbing, Sewer, Water and Stormwater Compliance and how this ordinance reflects on the existing authority

Administrator Robertson read the existing ordinance. This will allow the Village if there is a defect to go on the property and shoot dye into the ground to see if the lateral is compromised. This is a tool that the staff can use to complete projects that need to be done. There is funding available to help with this project from MMSD. Attorney Feind stated that testing can also make sure there are no illegal connections. Trustee Treffert wants to do this in the most cost effective way. The homeowner, according to the current ordinance is responsible for any defects with any connections to the Village sewer system. Under this ordinance the Village staff would still notify the property owner with plenty of notice that the Village would be inspecting their laterals. The City of Mequon has been doing these inspections also. Trustee Heinritz feels this is the logical next step to identify where the excess water is coming into the system. The majority of residents will cooperate but there will be a few that will not cooperate and this tool will help administer the project. The Village has had problems in the past getting into properties that have been foreclosed on. Trustee Kucharski wants the residents to be part of this communication prior to anything being done.

President Mobley feels that the existing ordinance should be left in place and letters sent to people where the problems areas exist. President Mobley commented that the major problem is in Milwaukee and MMSD is looking to have the municipalities fix any problems to help solve the problems in Milwaukee. Springtime is the best time to test laterals according to Director of Public Works LaFond. One bad lateral can affect water going into a neighbor's basement. The downstream sewer main in the Village is sized appropriately but is still getting too much water and overflowing. There is the possibility that a natural spring is the cause of the excess water but where is it getting in? That is what this testing will find out.

MOTION by Trustee Holyoke, **SECONDED** by Trustee Lange to table this discussion until next month's Board meeting.

Ayes: Trustees Beck, Holyoke, Kucharski, Lange, Treffert and President Mobley.

Naes: Trustee Heinritz

MOTION CARRIED.

NEXT RESOLUTION NUMBER:	2013-04
NEXT ORDINANCE NUMBER:	2013-02

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XIII. REPORTS AND COMMUNICATIONS

- A.** Plan Commission
- B.** Frank L. Weyenberg Library
- C.** Mid-Moraine Legislative Committee – Wednesday is the Mid-Moraine dinner
- D.** Historic Preservation Commission
- E.** Telecommunication & IT Oversight Committee

- F. C.D.A.
- G. Bike Trail Committee
- H. Farmland Preservation Committee

XIV. UNFINISHED BUSINESS

XV. ANY OTHER MISCELLANEOUS BUSINESS BY THE TRUSTEES AS MAY BE BROUGHT BEFORE THE BOARD, OR CARRIED OVER FROM THE DECEMBER 17, 2012 VILLAGE BOARD MEETING.

- A. Inter-Governmental Committee with Mequon
- B. Use of 101 Green Bay Road, Old Village Hall & Fire Station
- C. Acceptance/Report of Gifts Received
 - 1. John Streiner, \$100 Police Department
 - 2. James & Katherine Gennrich, \$50 light Pole Decoration Lights
 - 3. HC & EQ Bjorkman, \$40 Fire Department Holiday Outreach
 - 4. Carolyn Abraham, \$1,000 Fire Department Rescue Squad

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to accept the donations from John Streiner, \$100 Police Department, James & Katherine Gennrich, \$50 light Pole Decoration Lights, HC & EQ Bjorkman, \$40 Fire Department Holiday Outreach, and Carolyn Abraham, \$1,000 Fire Department Rescue Squad. **MOTION CARRIED UNANIMOUSLY.**

- D. Dialog with Mequon regarding water utility service
- E. Review next month's meeting date schedule
- F. Update on Village owned Main Street properties

XVI. MOTION TO ADJOURN TO CLOSED SESSION

MOTION by Trustee Lange, **SECONDED** by Trustee Holyoke to adjourn the meeting to closed session at 7:55 PM pursuant to Chapter 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 regarding evaluation of village administrator and Pursuant to Chapter 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session regarding property purchase.

- 1. Roll Call Vote

Ayes: Trustees Beck, Heinritz, Holyoke, Kucharski, Lange, Treffert and President Mobley.

Naes: None

MOTION CARRIED.

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MOTION TO RECONVENE IN OPEN SESSION

- 1. Vote of Board to reconvene.

MOTION by Trustee Holyoke, **SECONDED** by Trustee Kucharski to reconvene the meeting at 8:59 PM.
MOTION CARRIED UNANIMOUSLY.

- 2. Discussion and possible action on Closed Session.

3. Resolution No. 2013-02 Fixing Salaries for Village Employees and Elected Officials for the Fiscal Period Ending December 31, 2014

MOTION by Trustee Lange, **SECONDED** by Trustee Beck to approve Resolution No. 2013-02 Fixing Salaries for Village Employees and Elected Officials for the Fiscal Period Ending December 31, 2014.

MOTION CARRIED UNANIMOUSLY.

XVII. ADJOURNMENT

MOTION by Trustee Beck, **SECONDED** by Trustee Holyoke to adjourn the meeting at 9:01 PM.

MOTION CARRIED UNANIMOUSLY.

Submitted by,

Approved by,

Susan R. Conway
Administrative Assistant

Dianne S. Robertson
Village Clerk