

President Mark Breckheimer called the regular meeting of the village board to order at 7:30 p.m. on Monday, June 19, 2017.

Roll Call – all members reported present. Others present were Jared Schmidt and Paul Welter from Robert E. Lee & Associates, Inc., Steve Mayer, Tyler Wollersheim, Mike Loose, Scott Bertrand from Jones Sign, Missy Kieso, Ed Bryne from the Brillion News and Charlie Fochs.

Pledge of Allegiance – The pledge of allegiance was recited by everyone present.

The board then proceeded with the public hearing on the proposed zoning code change. The proposed ordinance, 2017\_01 would create the procedures for applying for a conditional use permit. DuPrey reviewed the changes made by the attorney. He stated most of it was cosmetic but there were some larger changes such as what should be included in the conditional use permit application along with adding the procedure where a conditional use permit can be terminated. DuPrey then presented the proposed sign ordinance amendment, Ordinance 2017\_02 because this was directly tied to the amendment to the zoning code. Again, he reviewed changes made by the attorney which were basically cosmetic. DuPrey presented correspondence from the attorney where we will need to have other amendments to the zoning code. DuPrey stated that these could not be approved tonight because they have to go through the plan commission and must be noticed for public hearing. He stated that the proposed amendments presented tonight under Ordinance 2017\_01 and 2017\_02 can be approved tonight but we will also have to go through the process of approving the other two amendments that have to be made to the zoning code. DuPrey also presented information from other municipalities regarding roof signs and whether they allow them or not and if they do, what their regulations are. This information was requested to be put together by Starfeld. Of the 39 municipalities surveyed, 23 or 58.97% of them do not allow roof signs, 12 or 30.77% of them do allow roof signs and 4 or 10.26% do not address roof signs. Breckheimer asked if there was any public input regarding the proposed zoning code amendment. There was none. The board then discussed the sign ordinance amendment. Starfeld stated that he felt that they shouldn't be allowed. Keuler questioned the concerns. Starfeld stated that size of the sign is a big thing. He stated that anyone in the commercial and industrial districts could put up roof signs and he doesn't want this area to be like Vegas. He also stated that there are residential properties in close proximity to this area. The board then discussed some of the other regulations that other communities have and what was being proposed. There were questions raised as to what the proposed size of the signs that were being proposed on the corner building because this is the project that is driving this. Scott from Jones sign stated that the Hayseed sign is 356 sq. ft. if you measure the frame of the sign. If you measure only the letters then it is about 280 sq. ft. The digital sign would be 6' x 36'. He stated that the digital sign is controlled by software and the image if considered not a motion if it stays the same for 3 seconds. Charlie Fochs questioned the safety of the people as they drive up to the corner. Scott stated that it was addressed through the state and there are no issues. The board then discussed the conditions for a roof sign that must be met. The main discussion was the size. Some board members stated that we need to have the size large enough to meet what Todd Thiel is proposing for the corner building. It was noted that as proposed, a person could put a 5' wide by 100' high sign or 5' high by 100' wide sign and it would meet the code. Starfeld stated that this needs to be addressed. Some of the other municipalities only allow a 200 sq. ft. sign and some go to 500 sq. ft. Some have the maximum height at 10'. The sign proposed by Todd Thiel would be approximately 9' high by 40' wide. After more discussion, the maximum size was changed from 500 sq. ft. to 400 sq. ft. and that it cannot be more than 10' in height. They then discussed having the sign dim at night. There was discussion on the time frame on what it should be dimmed to. Scott from Jones Sign suggested that most times it is 300 – 500 lumens. There was discussion on setting it at 10 p.m. – 6 a.m. Some board members suggested that if you are getting coffee in the coffee shop, they would be there before 6 a.m. After some more discussion, the board suggested the change to add that the sign must be dimmed to 500 lumens from 11 p.m. to 5 a.m. The last item discussed was the structural integrity of the building and sign. The board after discussion decided to add a condition that the roof sign shall require a stamped engineered plan that includes a structural analysis that ensures that the sign is structurally sound and doesn't compromise the structural integrity of the sign or building. Action – to approve Ordinance 2017\_01 as has been amended by the attorney and presented tonight – motion: Keuler; second: Koffarnus; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. Action – to approve Ordinance 2017\_02 with the changes as noted – motion: Koffarnus; second: Bolwerk; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Breckheimer; no: Starfeld; carried by majority vote. President Breckheimer declared the public hearing closed.

The remaining of the regular board meeting then took place.

Citizen Questions and Concerns to be acted on at the next board meeting – Starfeld questioned about the old elementary school property sitting in dirt yet and about getting grass growing for erosion issues. It was noted that Charlie Fochs is working on the issue.

Announcements – The 4<sup>th</sup> of July parade sponsored by the fire department will begin at 11 a.m. on the 4<sup>th</sup> of July. The 4<sup>th</sup> of July Community Picnic sponsored by the Hilbert Lions will be at the civic park. There will also be a fireworks display at dusk. Festivities begin at 11 a.m. on the 4<sup>th</sup> of July.

Minutes – Action – to approve the board meeting minutes as presented – motion: Koffarnus; second:

Starfeld; carried. The fire department minutes were presented to the board. Action – to accept the fire department minutes and place them on file – motion: Koffarnus; second: Roehrig; carried. The first responder minutes were then presented to the board. Action – to accept the first responder minutes as presented and to place them on file – motion: Koffarnus; second: Keuler; carried.

Treasurer's Report for the Village of Hilbert - balances – \$195,930.78 General fund; \$430,366.03 Sewer fund; \$210,395.60 Water fund; \$3.00 Clean Water fund; (\$39,584.74) TID #1 fund; \$1,123,953.14 T-Plus fund; \$12,660.67 First Responder fund; (\$332,052.22) TID #2, \$429,646.29 Capital Improvements Fund. Action – to approve the treasurer's report as presented – motion: Starfeld; second: Keuler; carried. The fire department treasurer's report and report of their brat fry fundraiser were presented to the board. Action – to approve the fire department treasurer's report and report of the brat fry fundraiser as presented – motion: Koffarnus; second: Starfeld; carried. The first responder's treasurer's reports from January to March were presented to the board. Action – to approve the treasurer's reports from January to March for the first responders as presented – motion: Koffarnus; second: Starfeld; carried.

Claims - examined and discussed. Action – to pay all claims – motion: Koffarnus; second: Starfeld; carried.

Correspondence – The MEG newsletter was presented to the board for their information. There were no Time Warner Cable letters received. The Focus newsletters were presented to the board for their information. The Boardman & Clark newsletter was presented to the board for their information.

Reports - The report of labor hours was presented to the board for their information. The monthly report on building permits was presented to the board for their information. The report from the Annual Board of Review was presented to the board for their information. Notice of receipt of the quarterly Cable TV Franchise Fees in the amount of \$2,214.73 was presented to the board for their information. The Annual Financial Report Form C that is submitted to the Dept. of Revenue was presented to the board for their information. The annual report from the LWMMI was presented to the board. DuPrey pointed out some suggestions to the board to help with liability claims such as listening to your legal counsel and letting their employees do their job and ensure that employees are trained properly and hold the supervisors accountable for training and utilize the league's resources and involve land use planners and legal counsels for zoning, conditional use issues and comprehensive plan changes. The report of manufacturing full values was presented to the board. DuPrey stated that the total increase is \$6,787,200 compared to last year.

Unfinished Business:

2017 Projects – Jared Schmidt and Paul Welter appeared before the board to discuss issues with engineering services and the cost overruns on our projects. This was discussed at quite length. With the recent bids, they came in quite higher than estimated. Paul Welter stated that they can't completely explain it but they feel that the prices came in quite high because the contractors are quite busy. He stated that paving contractors don't even know if they can finish the work that they have on the books before the end of the year. There was discussions on the charges by engineers. Usually the total engineering is about 15% of the project. They use 8% for design and bidding and 7% for construction administration and inspection. The 15% in the estimates are only used as a guide. Sometimes the costs end up less than 15% and sometimes they are more than 15%. There was discussions regarding the timing of the bids and doing better planning on the projects. The board discussed our current process for projects and what may be a better process. The goal of the board is to make sure that they have adequate funds budgeted for projects instead of being short as has been the trend lately. The board discussed engineering costs and ways that we could save some funds. Paul Welter stated that some municipalities have inspectors on site all the time and some do not. It comes down to what the municipality wants. There was also discussions about having signed contracts for all projects. Again, some municipalities do for each project and some do not. Robert E. Lee can do contracts for engineering services for the projects if the village desires. Breckheimer also brought up that there have been other issues such as the amount of errors on the survey for the Schneider land purchase. It was noted that DuPrey offered to come up to the office and review what was exactly needed but that was not taken up by the surveyor. They ended up doing it by email correspondence which contributed to some of the errors but there also was some carelessness from the surveyor when there were corrections to be made and some of them were and some were not. Paul Welter stated that there were issues on their end and they should have taken up the offer to meet in person because of the size of the project. He indicated to the board that the village would only be billed for the original estimate. Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Roehrig; carried. The first recommendation was to omit 3<sup>rd</sup> St. from Cedar St. to Chestnut and Elm St. and to take the \$60,000 remaining shortfall from the Milwaukee St. Storm Sewer reserve and to proceed with the remaining projects. DuPrey stated that he felt that the bids should be rejected. He stated that with the Highway 114 project from a financial standpoint, the project was \$106,000 over the original budget due to some of the items being missed for the original estimate and a change in the scope once plans were completed. After bids were opened the cost of Highway 114 was an additional \$102,000 above the revised estimate from 2 months ago. He stated that we cannot continue to pay the inflated prices for these projects. He stated that the project was bid out in June with a completion date of the end of August. He felt that to be fair to all of the taxpayers, we need to rebid the projects. He stated that the bids may come in lower and they may come in higher or the same. He stated that he felt that he

understands that there is a risk in doing this that the prices may be higher but he felt that it was owed to the taxpayers to take that risk. He stated that we were already going to borrow \$106,000 because of the errors in the original estimate and now it is another \$102,000 above that. The difference between the two contractors was over \$100,000. The board also again talked about better planning and having final plans completed prior to doing the budgets so we can have a better idea on the costs. We also need to bid out earlier and not put such a short time frame to do a project and this could have a better effect on the bid amounts. Charlie Fochs stated that he wants to see 3<sup>rd</sup> St. completed between Main & Cedar St. He stated that this road has been in gravel for a few years and it needs to be completed. The board discussed the possibility of bidding projects as A,B,C, etc. and possibly rebidding some of the projects for this year yet. The main culprit was Highway 114 and unfortunately because they were all bid together as one package, we cannot remove that project because you can only have a 15% change from the bids either by reduction or increase and removing that project would have been over the limit. Action – to disapprove the committee's recommendation and to reject all bids for the project – motion: Roehrig; second: Keuler; carried. The second recommendation was to leave the street signs the same standard green. There was not action on this recommendation because the Highway 114 project is not proceeding at this time. There were not recommendations regarding doing plans for future projects. This will be addressed at the committee level. The committee will also address the rebidding some of projects this year.

Recycling/Rubbish – The monthly report was presented to the board for their information. Notice of the 2017 grant award in the amount of \$8,318.41 was presented to the board for their information.

Police Protection for the village – The monthly report was presented to the board for their information. Action – to accept the committee meeting minutes as presented and to place them on file – motion: Koffarnus; second: Starfeld; carried. The recommendation from the committee was to approve the license listing as presented. Action – to approve the license listing as presented – motion; Koffarnus; second; Bolwerk ; carried.

Fire Department – Chief Mike Loose reported that there were two fire calls since last month. He stated that the Cheese Derby went great. They worked the dairy stand. He also stated that they have one new firefighter. Charlie Fochs informed Mike Loose that the water tower will be down beginning about late July. He stated that it would be down for 25 days and that the hydrants would not be available during this time.

TID District #1 – nothing new.

TID District #2 – nothing new. It was noted that the Joint Review Board will be meeting on 6/27/17 to review the annual reports for both TID's.

Wastewater Treatment Plant – Interceptor Sewer Main Replacement Project – nothing new. WWTP Upgrades – Change Order #10 was presented to the board. This change order was a correction to Change Order #9 for an overbilling. DuPrey stated that he signed it right away to keep the process going because we are nearing closeout of the project. Action – to approve Change Order #10 as presented – motion: Starfeld; second: Koffarnus; carried. A letter was received from the DNR regarding approval of the change orders through #10. Hilbert Acres Mobile Home Park – Steve Mayer appeared before the board and presented the report from the scoping of the lines. They found 32 different infiltration issues and they have been ranked 1 to 5 with 5 being the most serious. He stated that all with the ranking of 5 have been addressed. He stated that the ones with a ranking of 4 will be addressed shortly. He will provide the village with a copy of the report. The board then addressed the recommendation tabled last month to proceed with plans and specs for the sludge storage building and to start construction with any remaining funds. Charlie presented all of the documentation regarding what the DNR is requiring for this and the steps that must be taken. Action – to approve the committee's recommendation to have Robert E. Lee do plans and specs and to proceed with construction with the remaining funds – motion: Koffarnus; second: Starfeld; carried. No further action was needed. Charlie then provided a report on the phosphorous study completed at the plant. He stated that he felt that it went well and they will be providing us with a full report. There was several other municipalities that observed the study. He stated that once the report is completed, they will provide us with cost figures. We do have 10 years to comply with the new regulations. We are going to try to time the project to when the secondary debt is paid off so as to have the least effect on sewer rates.

Village South Residential Development Property – A proposal was received from Robert E. Lee to do a wetland determination/delineation for this property. Total cost of doing the project is \$7,600. This needs to be completed in order to see what is developable or not and will help with placement of the storm water system. Jared Schmidt from Robert E. Lee explained the process and the proposal. There is funds available from the rent received to do this. Action – to approve the proposal from Robert E. Lee to do a wetland determination/delineation for the land purchased – motion: Roehrig; second: Starfeld; carried.

736 W. Main St. Property – DuPrey reported that Cedar Corp has forwarded the list of needed information to Todd Thiel.

Village Economic Development Plan – It was reported that we should know whether or not we get the grant by the end of July. A listing of the endorsement letters received for the grant were presented to the board. A thank you letter was sent to everyone that submitted and endorsement.

Council Room Improvements – DuPrey presented a summary of the costs and what was remaining in

funds. He presented information about upgrading the desks in the council room. He stated that we have updated and modernized the room but still have the 1946 desks which are heavy and don't have wheels for ease of moving them. He stated that we have the new flooring and if he has to move the desks by himself, they would be dragged across the floor which could damage the new flooring. He is proposing desks with wheels and they would also have a drawer in them. Cost per desk is \$180 each. The board also discussed the chairs for the board members and chairs for the audience. DuPrey was instructed to get prices on new chairs for the board members and also the audience. This will be brought back for the July board meeting.

New Business:

Classes/Seminars/Schooling for employees – Reports from classes and seminars attended by Missy Kieso and Mark Breckheimer were presented to the board for their information. A request for Jeremy Baumgart to attend a Cross Connection Control Surveying classes for June 27<sup>th</sup> – June 29<sup>th</sup> was presented to the board. Cost is \$575 and he would drive back and forth. Action – to approve this – motion: Koffarnus; second: Starfeld; carried. A request for Dennis DuPrey to attend the Clerk's convention in Wisconsin Dells on 8/22 to 8/25 was presented to the board. Cost is \$175 with 3 nights hotel stay at \$129 each night and mileage. Action – to approve this – motion: Keuler; second; Nolan; carried.

Annual CMAR Report – The summary of the report was presented to the board. We received a 3.92 grade point average on a 4 point scale. We will need to approve the resolution 2017\_07 to submit the report. Action – to approve Resolution 2017\_07 to submit the Annual CMAR Report – motion: Koffarnus; second; Keuler; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer, carried.

Discussion and possible action regarding siding storage building at the ballfield – There was discussion on the siding. Keuler stated that there is no house wrap on the building so that must be added. He also stated that the soffit needs replacing. He also wanted to know what color. The board felt a gray color siding. Keuler was authorized to spend up to the budgeted funds to get the project completed without formal motion.

Village Board member Informational Report – none.

Village Employee Informational Report – none.

President's Report – none.

The board then reconvened back into closed session under Section 19.85(1)(e) of the Wisconsin Statutes to discuss the possibility of pursuing the purchase of public property. Action – to convene into closed session – motion: Roehrig; second: Koffarnus; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried. The board then reconvened back into open session. Action – to reconvene back into open session – motion: Starfeld; second: Keuler; Roll Call Vote – yes: Bolwerk, Koffarnus, Roehrig, Nolan, Keuler, Starfeld, Breckheimer; carried.

There was no action to take from the closed session.

Adjournment – Action – to adjourn – motion: Starfeld; second: Bolwerk; carried. The meeting was adjourned at 10:21 p.m.

*Dennis DuPrey*

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Dennis DuPrey, Clerk