



VILLAGE BOARD MEETING
Minutes of June 24, 2013

President Schopp called the Village Board meeting to order at 5:30 p.m. The Pledge of Allegiance was recited.

In attendance: President Greg Schopp, Trustees: Fred Albertz, David Blend, Barry Hemphill, Rory Holland, Tim Semo and Steven Wollin. Also in attendance: Administrator Mark Johnsrud, Library Director Luci Bledsoe, Street Superintendent Lee Trumpf, Fire Chief Jim Wolf, Police Chief Gary Bleecker, Attorney James Hammes and Clerk-Treasurer Joan Dykstra.

Statement of Public Notice – This meeting was posted and noticed according to law.

Approve Finance Report

An Albertz/Blend motion carried on a 7-0 roll call vote to approve claims totaling \$166,826.41.

Ambulance/Fire-EMS, Building Inspector, Police – *Information only*

Department Reports - Public Works and Sewer/Water Utility – *Information only*

Approve Village Board Minutes of May 20, 2013

A Hemphill/Albertz motion carried unanimously to approve the May 20th Village Board meeting minutes.

Public Comment

Ron Arndt of 334 West Street distributed a letter and a catalog advertising the Cruz-In festival. Arndt stated he is a thirty year resident of Johnson Creek and has previously participated in the Mutual Hose and fire departments truck and tractors pulls. The “Burn-Out” contest is on a dead end street and each year the attendance has increased especially after bringing in a band. Arndt said they have the certificate of insurance and are still working on establishing a non-profit organization. This year tournaments will also be going on and more show vehicles are coming in with lots of activities for the children and asked the board to give them at least one more year.

Amy Hudson stated she was interested in a Village owned lot on Wright Road to build a 2,100 square foot building for a small animal veterinarian office. This will be discussed later in the meeting under closed session.

2012 Audit Presentation by Johnson Block and Company

Auditors Kevin Krysinski and Tara Bast presented an overview of the 2012 annual audit. Kevin stated this is an unqualified independent auditor’s report. The fund financial statements contain financial statements on individual funds. The difference in fund types: Governmental Funds measure resources available for current use. Other Funds include major funds including General Fund, TIF #2, TIF #3 and non-major funds. The business type funds are accounted for similar to other funds such as water and sewer funds. The major differences in accounting is debt (proceeds and expenditure in governmental funds), capital assets (long-term asset vs. expenditure) and depreciation on utilities.

Other reports include the water utility public service commission (PSC) annual report which is a prescribed PSC report containing statistical and financial information. This report can be found on line for the water utility at the PSC website. Water rates are regulated by the PSC. The Department of Revenue municipal financial report is used to determine shared revenues and transportation aids from the state. The TIF districts annual reports are filed yearly.

The Village currently includes capital outlay within their budget and recommends breaking out the capital projects into their own fund. The Village currently has a total general fund balance of \$2,364,567 with an unassigned fund balance of \$950,548. Johnson Block recommends reviewing 2013 and 2014 budget projections to ensure the Village has a financial plan to ensure continued adequate fund reserves. Of the \$2,364,567 fund balance, the non-spendable fund balance is \$969,760 which includes delinquent personal property taxes, advance to other funds and other assets. The restrict fund balance is \$192,123 includes unspent bond proceeds,

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impact/developer fees, EMS/FAP account and other. Assigned fund balance total of \$252,136 includes capital purchases and 2013 budgeted capital applied surplus.

The financial statements of the Water and Sewer Utility report operating losses however this is due to depreciation of assets. Krynski did not recommend a rate increase in either fund at this time but to evaluate them within the 2014 budget. They currently look sufficient to cover normal operations.

The current GO Debt limit is at 27.26% available down from 51.49% in 2008 mostly due to the drop in equalized value and the refinancing of debt. The TIF Districts includes fund advances from the General Fund and recommends the Village formalize the terms of the advance including interest. Repayment of the advances will be determined by the TID plan and repayment of expenditures.

Letter of Resignation by Fire-EMS Chief David Peterson

Notices and Discussion

- Library Director Luci Bledsoe invited everyone to their Child Safety Fair event on August 1st from 5 p.m. – 7 p.m. and asked if members of the Village Board would serve as greeters on that evening. Please contact Luci if interested.
- Steve Wollin questioned the location of the “Little Free Library” placed in an outlot of the Chapel Hill subdivision. Semo stated the Chapel Hill Homeowners approved the location and placement.
- Resignation of Dale Theder from the Police & Fire commission.
- Johnsrud stated the Police and Fire Commission appointed Deputy Chief Jim Wolf as the acting Chief after the resignation of Chief Dave Peterson

Committee Reports

Blend questioned the organization of the Fire Department. Johnsrud stated they will be discussing the organizational structure of the Fire department in the next 30-60 days and will be sending this for discussion to Protection and Welfare and on to Personnel & Finance.

Committee Appointments

Police & Fire-EMS Commission: Matt Lancourt - 300 Stonefield Dr.

Public Lands Committee:

Village President: Greg Schopp

Trustee – I&S Chair: Tim Semo

JC School Board Rep.: Kellie Loeb

Member/JC Resident: Merisa Nicholson – 205 Pioneer Drive

Member/JC Resident: Kyle Ellefson – 705 Meadowview Ln.

A Hemphill/Albertz motion carried unanimously to approve the above appointments.

Resolution 40-13 Burn Out Contest – Centennial Park – Ron Arndt

Hemphill questioned if the Village streets should be used for a “Burn-Out” contest. We are endorsing something illegal and should be done on a track and not on the Village streets.

Hammes stated the Village would have immunity from this contest and the organization would be liable. Schopp stated this is the last year of approval and only because it was publicized. Wollin said next year maybe they can hold it elsewhere.

An Albertz/Semo motion carried on a 6-1 roll call vote with Hemphill opposed to approve the “Burn-Out” contest at Centennial Park on July 27, 2013.

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Resolution 41-13 Request Bases Loaded Corner Bar – Expansion of Licensed Premises

Johnsrud stated the application of the premise description has changed from last year for Bases Loaded Corner Bar. Bases Loaded added to the premise description the parking lot, the rear yard at 113 N. Watertown Street, and the front entrance stoop. Chief Bleecker did not recommend open intoxicants in the parking lot or on the entrance stoop. Open intoxicants in the parking lot or in the rear yard of 113 N. Watertown Street could be granted with a cabaret license subject to restrictions. Semo questioned allowing 113 N. Watertown Street as a part of the licensed premise as the property could be sold separately.

A Hemphill/Albertz motion to approve the expansion of the licensed premise failed on 0-7 roll call vote.

Resolution 42-13 Approving Beer, Liquor Combination License 2013/2014

Hammes stated the license for Bases Loaded Corner Bar can be approved subject to compliance with Village code.

A Semo/Wollin motion carried on a 7-0 roll call vote to approve the combination license for Bases Loaded Corner Bar without expanding the premise description subject to compliance.

Resolution 43-13 Approving Amusement and Operators Licenses 2013/2014-

A Wollin/Holland motion carried unanimously to approve Resolution 43-13 approving an amusement license for Bases Loaded LLC, DBA Bases Loaded Corner Bar and Operators Licenses for: Timothy John Kexel, Andrea L. Montour, Rebecca Louise Schave, Lane Joseph Hollenberger and Kristen Lynn Corrie.

Resolution 44-13 Internal Control Policy 2013/2014

Approval of the Internal Control Policy was delayed due to committee appointments according to Johnsrud.

A Holland/Blend motion carried unanimously to approve the 2013/2014 internal control policy.

Resolution 45-13 Waste Water Treatment Plant – 2012 Compliance Maintenance Annual Report (CMAR)

An Albertz/Semo motion carried unanimously to approve the 2012 compliance maintenance annual report.

Resolution 46-13 Budget Amendment – Award Bid – Utility Terrain Vehicle – Fire Department

An Albertz/Hemphill motion carried on a 7-0 roll call vote to approve awarding the bid for one (1) 2013 Polaris Ranger 800EFI, 4X4 Red Utility Terrain Vehicle (UTV) in the amount of \$11,570 to John Hartwig Motor Sports, Inc. and amend the 2013 Fire Department Capital Budget in the amount of \$11,570, increasing revenue account From Reserves 9-499.100 and expenditure account Fire Protection New Equipment 9-523.100-540.500.

Resolution 47-13 Budget Amendment – Award Bid – Trailer – Fire Department

A Wollin/Albertz motion carried on a 7-0 roll call vote to approve awarding the bid for one (1) 2013 Triton UT1682 EB2 trailer to Rob's Performance Motorsports in the amount of \$4,150 and amend the 2013 Fire Department Capital Budget in the amount of \$4,150, increasing revenue account From Reserves 9-499.100 and expenditure account Fire Protection – New Equipment 9-523.100-540.500.

Resolution 48-13 Budget Amendment – Award Bid – Fire Apparatus - Skid Unit – Fire Department

An Albertz/Holland motion carried on a 7-0 roll call vote to approve awarding the bid for one (1) Skidster Plus fire apparatus skid unit in the amount of \$6,509 to TerraTor and amend the 2013 Fire Department Capital Budget in the amount of \$6,509, increasing revenue account From Reserves 9-499.100 and expenditure account Fire Protection – New Equipment 9-523.100-540.500

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Resolution 49-13 Award Bid – Hydraulic Crane - WWTP

A Semo/Albertz motion carried on a 7-0 roll call vote to approve waiving the requirement for a request for proposal (RFP) and substitute three bids per the Internal Control Policy and award the bid of \$14,115 to Northland Equipment for the purchase and installation of one (1) Liftmoore Crane Model 3612X9-15 funding as adopted within the 2013 Waste Water Utility budget.

Resolution 50-13 Emerald Ash Borer Policy

A Semo/Holland motion carried unanimously to approve the Emerald Ash Borer Policy to proactively remove 20% of all inventoried ash trees within the Village on a yearly basis until the population of ash trees within the Village is reduced to 20% of total inventoried population. Trees shall be removed based on size, health and aesthetics. Mature or healthy trees will be maintained. Immature, damaged and poor canopy trees will be removed first. The total tree canopy will be maintained by not proactively removing more than 20% of the trees within a 300 foot radius, including a single block face or public area including parks or other public lands at one time. Proactive removal must not destroy two trees which are growing side by side regardless of the distance apart. Replacement trees will be provided within one planting season.

Plan Commission

Resolution 51-13 Approval Rock River Power Sports – Final Site Plan

A Hemphill/Albertz motion carried unanimously to approve the final site plan for Rock River Power Sports, 400 N. Watertown St. to include the architectural plans, civil site plans, landscaping plans, photometric lighting plans and erosion control and stormwater management plans, of Rock River Power Sports, Inc, DuClos Properties, LLC and Mike DuClos, to construct a proposed 28,000 square foot commercial building development in Planned Business zoning on parcel #141-0716-0731-000 subject to approval of a development agreement by the Village Board and that the developer shall repair/replace the culvert and pavement at the driveway entrance to the development should the State of Wisconsin Department of Transportation (DOT) not fund the repair of the culvert and pavement within the shared driveway to this development and the Shared Ride parking lot which is owned by the DOT.

Resolution 52-13 Approval Rock River Power Sports - Development Agreement

A Semo/Holland motion carried unanimously to refer the approval of the development agreement to the September 23rd Village Board meeting.

Resolution 53-13 Granting Street Privilege Permit – Chapel Hill HOA

A Wollin/Albertz motion carried 6-0-1 with Semo abstaining to approve granting a street privilege permit to the Chapel Hill homeowners association on August 6th and waive the fifty dollar fee.

Resolution 54-13 Granting Cabaret License – 430 Aspen Street

A Hemphill/Wollin motion carried unanimously to approve granting a cabaret license at 430 Aspen Street on July 13 from 2 p.m.-7 p.m.

Resolution 55-14 Agreement – Maintenance of Roadside Segment of STH 26 – DOT

A Hemphill/Wollin motion carried unanimously to approve a maintenance agreement with DOT for the roadside segment of SH 26.

Ordinance 08-13 Repeal and Recreate Chapter 33 Fees

This was the first reading to repeal and recreate Chapter 33 Fees taking all fees out of the Village ordinance code book and create a schedule of all fees. The water and sewer rates shall remain in Chapter 33 Fees of the code.

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Closed Session

A Hemphill/Albertz motion carried 7-0 on a roll call vote to convene into closed session at 7:20 p.m. pursuant to Wisconsin Statutes §§19.85(1) (e) investing of public funds – *TID 2 – 310 & 312 Milwaukee Street and*, §§19.85 (1)(e) conferring with legal counsel to render oral or written advice with regard to the deliberating or negotiating of a contract with the *Tanner Ridge Homeowner's Association for the sale or use of public right of way* and §§19.85 (1)(e) negotiating of a contract *for the sale of Lot 8 of the Johnson Creek Wright Road Plat with Amy Hudson and* §§19.85(1)(e) conferring with legal counsel to render oral or written advice with regard to the negotiating of a *development agreement with Mike DuClos, Rock River Power Sports and DuClos Properties, LLC.*

Reconvene in Open Session

A Hemphill/Albertz motion carried unanimously to reconvene into open session at 7:54 p.m.

Next Village Board Meeting: 5:30 p.m. July 22nd

Adjourn

An Albertz/Hemphill motion carried to adjourn at 7:54 p.m.

Joan Dykstra
Village Clerk - Treasurer

Disclaimer: These minutes are uncorrected; any corrections made thereto will be so noted in the proceedings at which these minutes are approved.