



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

In attendance: President John L. Swisher, Trustees: Fred Albert, Randy Bieri, Tim Semo, Donald Smith, Dale Theder and Kelly Wollschlager. Also in attendance: Administrator Mark Johnsrud, Library Director Luci Bledsoe, Street Superintendent Lee Trumpf, Fire Chief Jim Wolf, Police Chief Gary Bleecker, Wastewater/Water Superintendent Aric Mindemann, Attorney Brian Brejcha and Deputy Clerk- Treasurer Lisa Trebatoski.

Statement of Public Notice

This meeting was posted and noticed according to law

Approve Finance Report

A Theder/Wollschlager motion carried on a 7-0 roll call to approve claims totaling \$387,189.19.

Ambulance/Fire-EMS, Building Inspector, Police– For Information Only

Department Schedules/Reports

Police Chief Bleecker stated all officers have completed the State mandatory range certification and are certified to use the Taser. He stated the walk/run went well and Sergeant Gosh is working on the issue of engine braking in the Village.

Department of Public Works Superintendent Trumpf stated the department will be picking up leaves for compost, winterizing parks, cleaning gutters and setting up equipment for plowing snow.

Sewer and Water Superintendent Mindemann stated the department finished hydrant flushing, used the new valve exerciser extensively and the lime tank has been refinished.

Fire Chief Wolf stated the department participated in Run for the Fields, flow testing of air packs is completed, EMS and Fire staff toured Valero and the yearly fire inspections are complete with only one remaining violation outstanding.

Library Director Bledsoe stated the Library Board approved the Strategic Plan 2015-2018, provided a list of activities for the week and provided information on Waukesha County CAFE Library system.

Approve Village Board Meeting Minutes of September 28th

A Bieri/Albertz motion carried unanimously to approve September 28th Village Board meeting minutes.

Minutes of Committee of the Whole of October 12th and Special Committee of the Whole of October 14th For Information Only

Public Comment

Lisa Schmitt, 205 Red Fox Dr., questioned the location of the restroom at Bell Park and reinforced that it should be along Wright Road away from the houses. She also requested putting stripes for pickle ball on the basketball court. Swisher asked that she also attend future meetings when the project is up for approval.

Notices and Discussion

Semo stated he would like to have the Village work with the State for improvements to the I-94 west on ramp due to bad accidents. Swisher stated to add this item to a Committee of the Whole meeting.

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Swisher reminded board members to show courtesy amongst each other. He stated at a future Committee of the Whole meeting the trustees will be provided Roberts Rule of Order books and a league manual of Conduct of Village Board Meetings. Swisher stated he also wants the board to discuss the use of electrical devices during the meetings to put a policy in place.

Johnsrud stated there is a letter from the Johnson Creek Historical Society about the Children's Festival. They will be celebrating the 10th anniversary on December 5th. They are requesting free use of the Community Center and contribution to the horse and wagon ride, which costs \$350.00.

A Semo/Theder motion carried unanimously to send the request of free use of the Community Center and donation contribution request for the horse and wagon ride to Committee of the Whole.

Administrator Report

Johnsrud reported on the following:

- Keagan Properties (Kearns) began construction at 777 Wright Road to complete the auto dealership and retail center.
- Badgerland Financial has finished grading and begun construction of their new building at 815 Wright Road.
- TREK distribution center is near occupancy with finish grading and landscaping of the site at 425 Resort Drive.
- Town of Aztalan provided a 90 day notification to terminate their fire protection contract with the City of Jefferson effective January 1, 2016. Johnson Creek Fire Department will provide fire protection to this area under the terms of an amended fire protection contract effective January 1, 2016. Johnson Creek Fire Paramedic Ambulance has been providing service since June 1, 2015.
- State Department of Revenue confirmed that the Village will receive \$263,604 in Shared Revenue and \$30,844 in Expenditure Restraint Program Payment for a total of \$294,448 for 2016.
- State Department of Transportation confirmed the Village will receive \$158,772 in Transportation Aids for 2016.
- State Department of Natural Resources signed an Extended Well Abandonment Agreement under Section 811.13(3) of the Wisconsin Administrative Code for Well # 4 until October 14, 2020.
- Attended the League of Wisconsin Municipalities Advisory Committee on October 16th. Discussed current restrictions to permitting full-time firefighter and EMS personnel from working in volunteer departments off-duty.
- The laundromat will be torn down on October 26th and Jeff Ackerman from the WDNR will be there.

Committee/Commission Reports

None

Open Public Hearing - Encroachments on Village Property -109-111-113-115 Sanctuary Court

A Semo/Bieri motion carried to open a public hearing at 5:55 p.m.

Swisher stated the Village Board would not be taking any action tonight. The purpose is to gather information.

Bob Glaser, 113 Sanctuary Ct, stated the improvements existed when they purchased the lot in 2003 and assumed the developer had put the improvements in. He isn't sure what the Village expects him to do.

Gregg and Josie Priebbenow, 109 Sanctuary Ct, asked about the pictures. They were not sure what an encroachment meant. They stated they don't have any improvements but just maintain and mow the area.

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Douglas Edl, 111 Sanctuary Ct, stated he has maintained the property by mowing and placed a fire pit on Village property. He thought his wife had called the Village years ago to get permission.

Close Public Hearing

A Semo/Wollschlager motion carried to close a public hearing at 6:06 p.m.

Presentation – Dave Anderson PFM – General Fund Borrowing

Dave Anderson reviewed the sales results of \$1,395,000 Taxable Note Anticipation Notes for TIF #3. He stated this is to finance land purchase, cash grants and stormwater improvements for a total of \$1,357,735. This is financed by Bankers Bank out of Madison with an interest rate of 1.84%.

Johnsrud asked the Village isn't rated by Standard and Poor's or Moody's but based on a 1.84% interest rate received would this be an indicator that the Village would rate AAA? When outside lenders provide these types of rates it shows the financial health of the community.

Anderson indicated that it certainly is a good rate but with the financials of the Village being so good you wouldn't need to get the rating to get the rate received.

Anderson reviewed the levy supported GO debt summary with the board. He indicated the Village could borrow for everything in the 2016 Capital Budget and it would not have an effect on the levy.

Resolution 121-15 Authorizing the Issuance of \$1,395,000 General Obligation Promissory Notes and the Issuance and Sale of \$1,395,000 Taxable Note Anticipation Notes, Series 2015 in Anticipation thereof

A Semo/Albertz motion carried on a 7-0 roll call vote to approve authorizing the issuance of \$1,395,000 General Obligation Promissory Notes and the Issuance and Sale of \$1,395,000 Taxable Note Anticipation Notes, Series 2015 in Anticipation thereof.

Committee of the Whole

Recommendation – Revocation of Class B Beer and Liquor License – Bases Loaded

Johnsrud stated the Village Board approved the license subject to compliance. He further stated they are still not in compliance and has not been open once since July 1st, 2015 or once in 60 day period.

A Wollschlager/Albertz motion carried 6-0-1 vote with Semo voting present to recommend moving forward with revocation of Class B Beer and Liquor License for Bases Loaded.

Plan Commission

Resolution 113-15 Site Plan – AutoZone- 405 Wright Road

A Smith/Theder motion carried unanimously to approve Resolution 113-15 a site plan for AutoZone to construct 7,370 square foot building in accordance with the site plan at 405 Wright Rd with the final approval by Village Engineer and Village Planner.

Resolution 114-15 Contract Renewal – Johns Disposal Service, Inc.

A Wollschlager/Bieri motion carried unanimously to approve Resolution 114-15 a contract renewal with Johns Disposal Services Inc. for the period of January 1, 2016 to December 31, 2020.

Resolution 115-15 Mutual Cooperation Agreement under National Affordable Housing Act – Home Consortium

Johnsrud stated four residents in the Village of Johnson Creek used this program for mortgages or home repair in the last year.

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A Wollschlager/Albertz motion carried unanimously to approve Resolution 115-15 a Mutual Cooperation Agreement under The National Affordable Housing Act with Waukesha County as administered by the Jefferson County Economic Development Consortium.

Resolution 116-15 911 Joint Powers Agreement

An Albertz/Theder motion carried unanimously to approve Resolution 116-15 for the 911 Joint Powers Agreement with Jefferson County.

Resolution 117-15 2015/2016 Johnson Creek Snowmobile Trail

A Theder/Smith motion carried unanimously to approve Resolution 117-15 for the 2015-2016 Johnson Creek Snowmobile Trails.

Resolution 118-15 New Business – ETC Insurance Agency, LLC

An Albertz/Smith motion carried unanimously to approve Resolution 118-15 New Business – ETC Insurance Agency, LLC at 204 Union St.

Resolution 119-15 Class B Beer and Class C Wine License – Gobbler Theater

A Semo/Smith motion carried unanimously to approve Resolution 119-15 for a Class “B” Beer and Class “C” Wine License to The Gobble Theater LLC, dba The Gobbler Theater located at 350 N Watertown St.

Resolution 120-15 Operators Licenses – 2015/2016

An Albertz/Wollschlager motion carried unanimously to approve Resolution 120-15 Operators License for Jenna Arndt.

Resolution 122-15 Temporary Building Permit – Salt Storage Building – Premium Outlet Mall

Wollschlager asked about the condition of the temporary storage building and that it was advised by the Village Planner to go with a different design this year stating issues with the tarp last year.

Johnsrud reviewed the history with this being the 2nd year for a temporary building permit. He stated last year they were informed they would need to amend the site plan for a permanent salt storage. Johnsrud stated the bigger issue is the water leaching through the salt which cracks the pavement allowing salt into the soil and potentially contaminating groundwater. This would be the responsibility of the property owner but as ownership change, eventually become a Village responsibility.

Albertz questioned the time deadline for a permanent facility. Johnsrud stated Slavney indicates they will need to revise their site plan. The permit is being issued to the company building the temporary storage. He has been in contact with Bonnie at the outlet mall to advise her of the requirements for permanent storage. His thought is to give them another season and suggested amending the resolution to state that this is the last temporary permit for salt storage.

Smith stated he felt the board should deny the temporary permit. Johnsrud stated the outlet mall is the largest taxpayer and a good corporate citizen therefore would not recommend taking that stance.

Wollschlager questioned if the Village could require them to put in a temporary basin. Johnsrud stated the contractor reinforced that this storage facility is licensed by the DNR.

An Albertz/Wollschlager motion carried on a 5-2 voice vote with Semo and Smith dissenting to approve amended Resolution 122-15 a temporary building permit for a salt storage building located at the Premium Outlet Mall to include this as the last temporary building permit to be issued.

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Convene into Closed Session

A Semo/Wollschlager motion carried on a 7-0 roll call vote to convene into closed session at 6:41 p.m. Pursuant to Wisconsin Statutes §§19.85(1)(e) deliberating or negotiating the investing of public funds whenever competitive or bargaining requires a closed session – *Option to Purchase - BBC Land Ventures, LLC – Lot 2, Lot 5 and Lot 6 River Creek Centre Subdivision and Development Agreement – Rock River Power Sports – 400 N. Watertown Street.*

Reconvene into Open Session

A Semo/Bieri motion carried on a 7-0 roll call vote to reconvene into open session at 7:19 p.m.

Action from Closed Session

A Semo/Smith motion carried unanimously to move forward with a second amendment to the Option to Purchase with BBC Land Ventures LLC until March 31, 2016.

An Albertz/Theder motion carried 5-2 with Wollschlager and Smith dissenting to move forward with an addendum to the Development Agreement with Rock River Power Sports in regards to incentive payment.

Upcoming meetings:

- a. Plan Commission Meeting: November 9th at 5:00 p.m.
- b. Committee of the Whole Meeting: November 9th at 5:30 or immediately following Plan Commission
- c. Village Board: November 16th at 5:30 p.m. – Budget Public Hearing

Adjourn

A Semo/Wollschlager motion carried to adjourn at 7:22 p.m.

Lisa M. Trebatoski
Deputy Clerk - Treasurer

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