



President Swisher called the Committee of the Whole meeting to order at 5:24 p.m.

In attendance: President John L. Swisher, Trustees: Fred Albertz, Randy Bieri, Tim Semo, Donald Smith, Dale Theder and Kelly Wollschlager. Also in attendance: Administrator Mark Johnsrud, WWTP Superintendent Aric Mindemann, Street Superintendent Lee Trumpf, Fire Chief Jim Wolf, Sergeant Mike Gosh, Engineer Kevin Lord, Attorney James Hammes and Deputy Clerk-Treasurer Lisa Trebatoski.

Statement of Public Notice

This meeting was posted and noticed in accordance to law

Approve June 8, 2015 Committee of the Whole meeting minutes

A Theder/Wollschlager motion carried unanimously to approve June 8, 2015 Committee of the Whole minutes.

Minutes of Village Board Meeting of June 22, 2015 and Special Village Board Public Hearing Meeting minutes of June 29, 2015 – informational only

Items Noticed for Discussion and Recommendation:

2014 Audit - Kevin Krynski – Johnson Block and Company

Auditor Kevin Krynski with Johnson Block gave an overview of the 2014 annual audit. Other reports Johnson Block provides services on include the water utility public service commission (PSC) annual report, the Department of Revenue municipal financial report which is used to calculate state shared revenues, and the TIF district annual reports.

Also required is the audit communications to the Village Board which include the standard communication that includes the list of audit adjustments proposed. Included are two standard comments for small municipalities of which are material weakness of drafting of the financial statements and report on internal controls of segregation of duties.

Krynski reviewed the status of the fund balance of which is at \$2.1 million. That amount is made up of three components. Nonspendable, which is made up of long term receivables not available for current use. Restricted, money earmarked for specific purposes. Unassigned, readily available with no earmarks and makes up nearly 50% of expenditures. Krynski stated that the fund balance is healthy to meet daily expenditures without having to borrow funds. Looking at budget verse actual, you see a decrease in fund balance of \$104,468, which is misleading due to establishing a capital projects fund. These projects were in the general fund but now accounted for separately.

The financial statements of the Water and Sewer looked as if they are operating at a loss however this is due to depreciation of assets. Krynski stated the utilities have no debt because the infrastructure was a TIF eligible expense.

The Village of Johnson Creek's revenues are 80% taxes and intergovernmental money, made up of state share revenue and aids. The Village, like most municipalities are front loaded with revenues, receiving 65 to 75% by the end of January and the remaining middle of August.

The GO Debt limit is determined by the equalized value, which is determined by the state. The GO Debt limit went down from 2010 to 2013 and took a slight uptake in 2014. The Village also has other debt in lease revenue bonds which are repaid by TIF revenues.

Swisher questioned fund balance as disposable versus committed.

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Krysinski stated the unassigned fund balance is \$997,291. A minimum unassigned fund balance is three months of budgeted expenditures or 25%.

Hammes questioned the \$324,619 under other finances sources.

Krysinski explained this is for money transfer in and out, the majority being the reassigned capital outlay fund.

Johnsrud explained that revenues exceeded expenditures within the 2014 Budget due to increased building permits and a one-time refund from We Energies for being street light electric overcharges.

Krysinski would prepare the final draft of the 2014 Audit for Village Board approval.

Johnsrud explained the next step will be for the Village Board to accept and file the 2014 Audit by resolution.

236-238 Union Street – Jeff Ackerman – WDNR

Jeff Ackermann from the Wisconsin Department of Natural Resources reported on contamination at the old dry cleaning site. Ackermann stated due to the property being abandoned it makes it harder to take action. He reported on the type of testing done and the results of levels of PERK (dry cleaning solution) which the DNR doesn't classify as an immediate threat.

Swisher requested the Village Board allow the public to speak on this matter.

A Wollschlager/Bieri motion carried unanimously to open the public hearing at 6:00 p.m.

Tisha Morgan, 400 Abbey Ln, stated the Village of Johnson Creek taxpayers should not have to pay for the cleanup of the contamination and urged the Village Board to contact the EPA for a grant.

An Albertz/Bieri motion carried unanimously to close the public hearing at 6:04 p.m.

After discussion it was determined the next step would be to have Trustee Albertz and Attorney Hammes try to contact the family to receive authorization, by signature, to look at options of grants, razing and cleaning of contamination. Engineer Lord stated he would provide names of contractors for Administrator Johnsrud to contact. An update would be given at Monday, July 20th Village Board meeting.

Wastewater Treatment Facility – Compliance Maintenance Annual Report (CMAR) – Aric Mindemann
Superintendent Mindemann presented the Compliance Maintenance Annual Report (CMAR). Mindemann stated this is an evaluation of how the wastewater treatment plant is performing. The report is submitted to the Department of Natural Resources. He further stated they received a score of 4.0, which is a grade A.

Referred – Tanner Ridge Homeowners Association – Use of Village Right of Way

David Armstrong was present to address Dr. Garvey's letter to the board requesting approval to maintain the right of way.

A Semo/Bieri motion carried unanimously to recommend to the Village Board to approve by resolution to allow Tanner Ride Homeowners Associate to maintain Village Right of Way.

MSA Professional Service Agreements – Status Review – Kevin Lord

Engineer Lord provided an update on ongoing projects. Lord stated the water and sanitary studies should be completed this year and hopes to report back in August or September. The radium treatment, testing of well #3 backwash, has been ongoing for the past 1-1 ½ years. The well site investigation is for Well #4 located by Centennial Park to see if the sight is able to be placed in service and the quality of the water. The Wright Rd stormwater improvements are necessary because the stormwater management wasn't done with the plat. The River Creek improvements are bringing stormwater management to current DNR standards.

Referred – Prohibit Parking – N. Watertown Street

After discussion it was determined to have Attorney Hammes draft an ordinance for no parking on N. Watertown Street.

A Wollschlager/Smith motion carried 5- 2 with Semo and Theder dissenting, to recommend to the Village Board approve by ordinance restricting parking on N. Watertown Street.

Award Bid – Wright Road Stormwater Improvements

A Semo/Bieri motion carried unanimously to recommend to the Village Board to approve by resolution awarding the stormwater improvements on Wright Road in the amount of \$73,387 to Iverson Construction LLC.

Centennial Park Parking Lot – Professional Services Agreement – MSA

After discussion Engineer Lord stated the planning stage should be done before improving the parking lot.

Wollschlager requested that previous plans and parking lot of Centennial Park be reviewed at the next COW meeting.

A Semo/Bieri motion carried unanimously to recommend to refer to the next Committee of the Whole meeting to review the previous bid for the parking lot and Centennial Park plan.

Centennial Park – Planning – Professional Services Agreement – MSA

No discussion as referred to the Village Board above.

Bell Park – Planning – Professional Services Agreement - MSA

After discussion it was determined to bring back the previous park plan rather than start creating a new plan.

A Semo/Wollschlager motion carried unanimously to recommend to refer to the next Committee of the Whole meeting to review the previous Bell Park plans.

Purchases – Internal Control Policy

Attorney Hammes explained the changes in the internal control policy in regards to purchases using a sealed bid process as well as the addition of public works contracts with purpose and procedure. These changes are to coincide with state statutes for public works contracts.

Johnsrud suggested adding a provision, according to statutes, for emergency repairs.

Attorney Hammes and Administrator Johnsrud are to revise Internal Control Policy and provide revisions to the August Committee of the Whole meeting.

Memorandum – James Hammes - Room Tax

Johnsrud explained that the approved state budget requires a provision of having to create a tourism commission with the village board only controlling 30% of room tax revenues. Currently there is approximately \$82,000 of which should be used to pay off the Community Center debt service. COW took no action.

Operator License Application

Johnsrud reviewed revisions to the application as well as the addition of guidelines for approval/denial due to the confusion of the last recommended denial by the police chief.

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Attorney Hammes requested to change the denial wording stating that the police chief will recommend denial to the Village Board and staff will notify the applicant in writing prior to the meeting and present to the Village Board for approval.

Liquor Licenses – Outdoor Patios

Hammes stated this is common in other municipalities and statutes do require entities to particularly describe the premise and currently there is nothing in the ordinances that requires the premise to be enclosed. COW took no action.

Cabaret License – Chamber of Commerce – Firemans Picnic

Discussion took place regarding the definition of the licensed premises. Sergeant Gosh stated not to require fencing but restrict sale and consumption to the park area to exclude sidewalk and the parking lot.

A Semo/Theder motion carried unanimously to recommend to the Village Board to approve by resolution the Cabaret License for the Chamber of Commerce for the Firemans Picnic for the hours of noon-10:30 pm and alcohol sale and consumption is limited to the park area excluding sidewalk and the parking lot.

Request of Johnson Creek School District – 5K Run for the Fields – Resort Drive

A Smith/Semo motion carried unanimously to recommend to the Village Board to approve by resolution the 5K Run for the Field along Resort Drive with the ability to adapt the course based on development occurring.

Additional Operators Licenses

A Wollschlager/Semo motion carried unanimously to recommend to the Village Board to approve by resolution additional operator licenses for 2015-2016.

Write-Off Outstanding Checks

A Semo/Albertz motion carried unanimously to recommend to the Village Board to approve by resolution to writing off an outstanding check in the amount of \$35.60.

Revision of Interfund Loan Rates to 3%

Johnsrud stated it was recommended by the auditors to change interest rate on resolution 107-12 from .15% to 3%.

A Semo/Bieri motion carried unanimously to recommend to the Village Board to approve by resolution the change of interfund loan interest rate in Resolution 107-12 from .15% to 3%.

Award Bid – Sump Discharge – Police Department

Johnsrud noted this bid is only for the placement of the sump discharge with another quote to repair pavement.

A Smith/Theder motion carried unanimously to recommend to the Village Board to approve by resolution to award the sump discharge bid to Gallitz Grading Inc. in the amount of \$2,455.

Employee Reviews

Swisher requested the Village Board meet with staff approximately half way through the year to see where goals are at, that they match the Village Boards goals, and if additional resources are needed. This meeting would not be a performance review.

After discussion the Village Board decided to set a separate day and time for a special meeting of the Village Board.

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Employee/Department Schedules

After discussion it was requested Administrator Johnsrud have staff create a “snap shot” duties for the next six months for a special meeting of the Village Board.

Adjourn

A Wollschlager/Theder motion carried to adjourn at 9:01 p.m.

Lisa 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.