

**VILLAGE OF THIENSVILLE
BOARD OF TRUSTEES
MINUTES**

DATE: Monday, January 15, 2018

**LOCATION: 250 Elm Street
Thiensville, WI**

TIME: 6:00 PM

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	Elmer Prenzlow
Administrator:	Dianne Robertson	
Attorney:	Robert Feind	
Staff:	Police Chief Scott Nicholson	
	Director of Public Works Andy LaFond	
	Assistant Administrator Colleen Landisch-Hansen	
	Clerk Amy Langlois	

III. PLEDGE OF ALLEGIANCE

Trustee Heinritz 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 11, 2017

V. DEPARTMENT REPORTS (Receipt)

- A. Department Reports (Receipt)
 - 1. Fire Department
 - a. Fourth Quarter Fire, 2017
 - 2. Police Department
 - a. December Police, 2017
 - 3. Public Works Department
 - a. December DPW, 2017

VI. COMMITTEE REPORTS

VII. REPORTS AND COMMUNICATIONS

- A. **Historic Preservation Commission**
 - 1. November 8, 2017

- B. **Mequon/Thiensville Bike Pedestrian Commission**
 - 1. September 1, 2017 (not available)
 - 2. November 1, 2017 (not available)
 - 3. January 4, 2018 (not available)

- C. **Plan Commission**
 - 1. December 5, 2017

- D. **River Advisory Committee**
 - 1. June 15, 2017 (not available)

- E. **Capital Expenditures**

Administrator Robertson shared the following Capital requests from the Police Department: 2 2018 Ford Squads - \$66,000; 2 Desktop Computers and Software - \$2,000; 3 Tasers - \$3,600; Locking Gun Rack - \$500; Crime Scene Pop-Up Tent - \$500; Spotting Scope with Tripod - \$500 and Large Evidence Lockers - \$1,500.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to approve the Consent Agenda. **MOTION CARRIED UNANIMOUSLY.**

BUSINESS AGENDA

VIII. FINANCIAL REPORTS AND ACCOUNTS PAYABLE

- A. **Accounts Payable for All Funds**
 - 1. **Accounts Payable**
 - a. November 13, 2017 through January 12, 2018

MOTION by Trustee Prenzlow, **SECONDED** by Trustee Heinritz to approve the Accounts Payable from November 13, 2017 through January 12, 2018 in the amount of \$3,012,155.35. **MOTION CARRIED UNANIMOUSLY.**

- 2. **Financial Report (Receipt)**
 - a. December, 2017

The Financial Report was received.

IX. PRESIDENT'S REPORT

- A. **Appointment**
 - 1. **Operator's License – New**
 - a. **the cheel**
Julia Kats

MOTION by Trustee Lange, **SECONDED** by Trustee Beck to approve the Operator's License – New for the cheel: Julia Kats. **MOTION CARRIED UNANIMOUSLY.**

X. ADMINISTRATOR'S REPORT

A. Department Reports
1. Administrator's Report

The new fire truck purchased from the Village of Slinger Fire Department has arrived and is being customized for our needs. The Village Board will be invited for a viewing when the truck is ready.

The Village has collected 70.96% of the total taxes due. Last year at this time 69.24% had been collected.

There will be a Spring Primary on February 20, 2018 for Village Trustee and for Justice of Supreme Court. The April Election will include Village President as well as two Village Trustee positions.

The audit will be conducted the second week in February.

Incoming revenues include \$2,845.27 3rd Quarter 2017 Franchise Fees from Wisconsin Bell and \$4,338.51 3rd Quarter 2017 Franchise Fees from Charter Communications.

2. Building Inspection Department (Receipt)
a. December, 2017 Report

The Building Inspection Department report was received.

XI. ATTORNEY'S REPORT

No Attorney's report.

XII. COMMITTEE REPORTS

A. Review and approval of Moraine Environmental, Inc. Cost to Case Closure/GIS Registry 4400-202 Report to the WDNR for the Former Riemer's Flowers Site at 136 North Main Street

MOTION by Trustee Lange, **SECONDED** by Trustee Kucharski to approve the Moraine Environmental, Inc. Cost to Case Closure/GIS Registry 4400-202 Report to the WDNR for the Former Riemer's Flowers Site at 136 North Main Street. **MOTION CARRIED UNANIMOUSLY.**

B. Discussion regarding Request from The City of Mequon and The Hoff Group, David Hoff, To Connect Into the Village's Municipal Sanitary Sewer System

President Mobley stated that this is also a Closed Session topic and stated that this could be discussed in Open Session. It was decided to hear from the City of Mequon and then poll the Board.

William Jones, City of Mequon Administrator, shared that last week the Mequon Common Council met to consider the letter received from Village President Van Mobley regarding the Village Board's consideration of Mr. Hoff's request to connect to the Village's sewer system. In this letter, the Village asked the City to consider detaching the City's property that Mr. Hoff has a contract to purchase. Mr. Hoff is interested in developing and constructing 32-condominium units on 11 acres in the City of Mequon.

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A number of options were presented at last week Tuesday's Common Council meeting that were discussed with Administrator Robertson and President Mobley subsequent to receipt of President Mobley's letter. A meeting was held the week of Christmas to review what the options might be relative to the City helping to mitigate some of the potential impact that Mr. Hoff's development would have on the Village's system.

Following discussion at the meeting last Tuesday night, the Common Council voted unanimously to direct City staff to place on the next Water Utility Commission a transfer of some newly established capital funding dollars to a specific project account for a Buntrock Avenue water main loop which would construct a connection between the existing main on Buntrock and the existing main on Main Street to provide redundancy and service reliability for a number of customers in the Village.

City staff has preliminarily indicated that the cost of this improvement is about \$475,000. The Common Council has directed staff to prepare a transfer of \$65,000 in capital funding for this project. The Water Utility budget will be prepared in the fall. Administrator Jones anticipates that additional dollars will be included in 2019 for the Buntrock Avenue project.

Last year the City began the process to self-fund capital improvements in the Water Utility. The Water Utility approved \$250,000 of seed money for a number of capital projects. In this year's budget, the City has doubled this amount and have allocated \$500,000 of additional monies for capital funding. Looking to 2018, there is three quarters of a million dollars ready and available to fund capital improvements across the Water Utility system. Next year they are hoping to have \$750,000 added to the current \$750,000 in the 2019 budget. Administrator Jones is confident that this proposed loop project will be addressed in the next couple years.

Trustee Heinritz confirmed that the property that Mr. Hoff is interested in developing lies within the Mequon sanitary sewer district. Mr. Hoff would like to connect into the Village of Thiensville's sanitary sewer system. The loop connection proposed on Buntrock Avenue is funded through rate payers of the water system. The Mequon Water Utility would be funding this project. Trustee Heinritz questioned if this loop was designed and predetermined years ago.

Administrator Jones stated that this qualifies as a Betterment of Service project which can be charged to all of the rate payers. Having the installation of connection between Buntrock and Main would provide redundancy in the event of a water main break, contamination to the water system or need for additional fire flow but also provides reliability and ensures water pressure.

Trustee Heinritz stated that it was understood that this project was part of the original design. Administrator Jones indicated that based on the Common Council meeting last week, this project would be the highest priority project.

President Mobley believes that this shows good faith by the City of Mequon and this proposal should be explored. Mr. Bill Conley, a property owner in the Village, supports the Hoff development as well as approving the connection to the Village sewer system.

The maximum exposure to the Village is about \$150,000 if adding to the sewer capacity is necessary. This \$150,000 is over and above what Mr. Hoff will contribute. It is possible to extend to Mr. Hoff the RECs he asked for and to fully develop North Main and still not require any added capacity, however, it is possible to need more capacity as well.

Trustee Holyoke does appreciate the offer by the City of Mequon, however, does not believe that the City is giving the Village anything because the Water Utility pays for and has ownership of all the infrastructure. Trustee Holyoke shared that the City's current Common Council cannot guarantee what future Council's will do: whether funds are budgeted for the Betterment of Service for this proposed loop.

President Mobley stated that an Inter-Governmental Agreement could be entered into with the City.

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Trustee Kucharski would like to get a guarantee from the City with specific dates of completion and supports an Inter-Governmental Agreement.

Attorney Feind would like to see a proposal from the City. Administrator Jones indicated that City staff would like to meet with the Village staff to execute a Memorandum of Understanding, much like has been done when other developments have had to connect into the sewer system.

The City of Mequon Common Council is in control of the Mequon Water Utility funding; the Council is the Mequon Water Utility.

Trustee Prenzlou expressed his belief in the City as far as their commitment to complete the loop project, however, shared concerns about working out an Inter-Governmental Agreement taking too much time and delaying Mr. Hoff's project. This is a good project and the Village will indirectly benefit from the development.

President Mobley reiterated that Mr. Hoff will be putting in some water mains in the Village for this project on Green Bay Road. The mains will be on the east side of the road in the right-of-way.

Trustee Prenzlou shared that Green Bay Road will be resurfaced next year and does not want heavy truck traffic from this project damaging the road. Also, storm water management is a concern. Administrator Robertson shared that the City of Mequon has offered to allow the Village Engineer a seat at the table to look at the plans. Trustee Prenzlou supports the project if these issues can be addressed.

Trustee Lange supports the proposed project and would also like an Inter-Governmental Agreement with the City of Mequon.

Mr. Hoff expressed his appreciation of the Board's consideration for this project and shared that the Village's Engineer has done a lot of work examining the sewer capacity. In summary, according to Ruekert & Mielke, Inc. there is adequate capacity in the sewer system north of the lift station for a build out of 127 EDUs that are currently available in the system now. Mr. Hoff believes that this property has always been anticipated to be part of the Village's sanitary system.

Mr. Hoff also stated that the Village's Engineer indicated that if there was a full build out that an improvement may need to be done. What the Village has rightfully done according to the Engineer's instruction is to pay for the work that has already been done and make a contribution for future work that may or may not be necessary. According to the Village Engineer's report, there would have to be a full build out and then some to ever have to do some additional sanitary sewer work. If, when all the properties have been developed and a contribution has been made by them into a fund, this could be used for any improvements. Mr. Hoff indicated that according to our Engineer, the Village is well planned and protected.

Trustee Prenzlou stated that Administrator Jones' commitment of funding future budgets eases his mind from a standpoint of monies being available.

Trustee Heinritz emphasized that the proposed loop was in the original design of the Water Utility and is being paid for by the rate payers and does not believe that the City of Mequon is putting any money into this project.

Administrator Jones stated that last year the self-funding approach was started with \$250,000 dedicated as part of a multi-year plan. This year \$500,000 is dedicated in the 2018 budget for self-funding capital. Looking out to 2020 and 2021, it is a \$1 million per year budgeted for capital funding. This funding provides the capacity and resources to move forward on projects such as this sooner than later.

Trustee Holyoke expressed that he wished this project would happen sooner rather than later.

Administrator Robertson shared that the Village Board will have to accept this area into the sewer service area by Resolution and that this site was never planned to be in the Village's sewer system. The City of Mequon will also have to authorize giving those RECs from the City's calculation for MMSD to the Village of Thiensville. An Agreement approved by the City of Mequon will authorize the transfer of the RECs.

Trustee Beck asked for clarification on exactly what is being offered: is the Village giving Mr. Hoff permission after the Agreement is signed or is the Village extending approval for both the connection as well as an Agreement.

Trustee Kucharski inquired about a timetable for Agreement completion. Administrator Robertson suggested that Attorney Feind works with the City Attorney to draft an Agreement and then to schedule a Special Board before the February Common Council meeting. Trustee Heinritz wants this Agreement to include all the details.

Attorney Feind clarified that the Village will have to accept the sewer territory from Mequon in a formal Resolution; this evening's Motion is not making this commitment.

Mr. Hoff anticipated this process to be administratively handled and not to have be so lengthy. Mr. Hoff was able to get one last extension from the owner of the property that will expire on April 1st. Mr. Hoff respectfully requested that this evening's motion could grant connection subject to executing this Agreement. Mr. Hoff has faith in both communities.

Administrator Jones shared that the next Common Council meeting is on February 13th. Administrator Robertson stated that the Village could possibly hold a Special Board after the February Committee of the Whole on Monday, February 5th to approve the Inter-Governmental Agreement.

MOTION by Trustee Lange, **SECONDED** by Trustee Prenzlów to Authorize Connection for Mr. Hoff Contingent Upon an Inter-Governmental Agreement to be Entered Into between the Village of Thiensville and the City of Mequon Regarding the Betterment of Service on Buntrock Avenue. **MOTION CARRIED UNANIMOUSLY.**

- C. Review and approval of Lease Modification Agreement for Mueller Lease, 121 South Main Street, to Include Michael Koepke as Sublessee of Parking Lot Leased from the Village of Thiensville

A request has been received from Mr. Mueller to include Mr. Koepke (127 S. Main Street) as sublessee of the parking lot that is leased by Mr. Mueller from the Village. This Lease Modification Agreement holds both parties responsible for each paying their proportionate share.

Attorney Feind shared that according to the current Lease, it states that Mr. Mueller cannot sublease unless the Board approves because it is Village owned.

MOTION by Trustee Prenzlów, **SECONDED** by Trustee Lange to approve the Lease Modification Agreement for Mueller Lease, 121 South Main Street, to Include Michael Koepke as Sublessee of Parking Lot Leased from the Village of Thiensville. **MOTION CARRIED UNANIMOUSLY.**

NEXT RESOLUTION NUMBER:	2018-01
NEXT ORDINANCE NUMBER:	2018-01

XIII. REPORTS AND COMMUNICATIONS

XIV. BUSINESS FROM THE FLOOR

- A. Citizens to be Heard

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

XV. UNFINISHED BUSINESS

XVI. ANY OTHER MISCELLANEOUS BUSINESS BY THE TRUSTEES AS MAY BE BROUGHT BEFORE THE BOARD, OR CARRIED OVER FROM THE DECEMBER 11, 2017 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. \$50.00 from James and Katherine Gennrich for Christmas Decorations
 - 2. \$5,000.00 from Port Washington State Bank for Village Park Reimagined
 - 3. \$100.00 from Thomas and Susan Bremer for Village Park Reimagined
 - 4. \$50.00 from Henry and Elizabeth Bjorkman for Thiensville Volunteer Fire Department

MOTION by Trustee Kucharski, **SECONDED** by Trustee Beck to accept the following gifts with much gratitude: \$50.00 from James and Katherine Gennrich for Christmas Decorations; \$5,000.00 from Port Washington State Bank for Village Park Reimagined; \$100.00 from Thomas and Susan Bremer for Village Park Reimagined; and \$50.00 from Henry and Elizabeth Bjorkman for Thiensville Volunteer Fire Department. **MOTION CARRIED UNANIMOUSLY.**

- D. Dialog with Mequon regarding water utility service
- E. Review next month's meeting date schedule

Trustee Kucharski inquired as to if the Village has ever, or would ever, consider selling the parking lot that is leased to Mr. Mueller. Administrator Robertson shared that the Village bought this parcel for access for future development and is undevelopable.

Trustee Lange shared that the Gateway Committee has just recently started meeting with potential contributors, and a presentation has been made to the City Council.

XVII. MOTION TO ADJOURN TO CLOSED SESSION

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to adjourn to Closed Session at 6:55 PM 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 cell tower lease.

- 1. Roll Call Vote

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

Naes: None

MOTION CARRIED.

MOTION TO RECONVENE IN OPEN SESSION

- 1. Vote of Board to reconvene.
- 2. Possible action on cell tower lease Closed Session topic.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to reconvene in Open Session at 7:05 PM. **MOTION CARRIED UNANIMOUSLY.**

XVIII. ADJOURNMENT

MOTION by Trustee Beck, **SECONDED** by Trustee Kucharski to adjourn the meeting at 7:05 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,



Amy L. Langlois
Village Clerk

Approved by,



Dianne S. Robertson
Administrator