

**VILLAGE OF HORTONVILLE
VILLAGE BOARD
JUNE 5, 2008 MEETING MINUTES**

President Roger Retzlaff called the meeting to order at 7:30 p.m. in the lower level of the Community Hall at 312 W. Main St., Hortonville, Wisconsin.

Trustees present: Dawn Vollbrecht, W. George Wojcik, Charles Nieuwenhuis, Alfred Handrich, Louis McKellar, and Andrew Gitter.

Officials present: Administrator J. Everett Mitchell, Clerk-Treasurer Lynne Mischker, Director of Public Works Ron Austreng, Chief of Police Michael Sullivan, and Engineer Ron Wolf.

APPROVAL OF MAY 15, 2008 REGULAR BOARD MEETING MINUTES

Motion made by Mr. McKellar and seconded by Mr. Nieuwenhuis to approve the May 15, 2008 Regular Board meeting minutes. Voice vote: 7 ayes, 0 nays, motion carried.

APPROVAL OF MAY 22, 2008 SPECIAL VILLAGE BOARD MINUTES

Motion made by Mr. Wojcik and seconded by Mr. Nieuwenhuis to approve the May 22, 2008 Special Village Board minutes. Voice vote: 7 ayes, 0 nays, motion carried.

APPROVAL OF MAY 22, 2008 SPECIAL BOARD CLOSED SESSION MINUTES

Motion made by Mr. Gitter and seconded by Mr. Nieuwenhuis to approve the May 22, 2008 Special Board Closed Session minutes. Voice vote: 7 ayes, 0 nays, motion carried.

PREREGISTERED CITIZENS TO BE HEARD

Tom Lambie of the Hortonville Commercial Club and Mike Sommers, Village Rec Director, stated that the rec program storage would be better in a storage shed to be provided by the Village. The shed could be placed on Commercial Club property. *Motion made by Mr. McKellar and seconded by Mr. Gitter to approve \$550 funding for a storage shed for the rec program. Voice vote: 7 ayes, 0 nays, motion carried.*

Cris Kringel, re: property at 609 W. Main St. Mr. Kringel stated that Mr. Lon Kringel needs more time to sort through belongings on the property. Mr. Mitchell reported that the Board set a timetable for the removal of the building and a letter was sent setting out these requirements which the property owners signed. Mr. Sullivan reported that Mr. Cris Kringel was contacted before citations were issued after the deadlines were past. A discussion took place about the concrete pad that remains. *Motion made by Mr. McKellar and seconded by Mr. Gitter that if the Building Inspector says the concrete pad is in good condition that it can remain. Voice vote: 7 ayes, 0 nays, motion carried.*

LICENSES

Operator Licenses for 2007-2008

Motion made by Mr. Nieuwenhuis and seconded by Mr. McKellar to approve: #116 for Tamira R. Captain of N1827 Hyacinth Ct., Greenville. Voice vote: 7 ayes, 0 nays, motion carried.

Operator Licenses for 2008-2009

Motion made by Mr. McKellar and seconded by Mr. Wojcik to approve licenses #1-#85. Voice vote: 7 ayes, 0 nays, motion carried. The complete list of operator licenses is available at the Administration Office at 118 N. Mill St.

Appointment of Agent

Motion made by Mr. Wojcik and seconded by Mr. Nieuwenhuis to approve Brenda J. Baerwald of N2109 Manley Rd., Hortonville, as the agent for Wally's Still dba Final-Final. Voice vote: 7 ayes, 0 nays, motion carried.

2008-2009 Intoxicating Liquor/Fermented Malt Beverage Licenses

Motion made by Mr. McKellar and seconded by Mr. Gitter to approve:

Combination Class "A" licenses for -

A&N Hortonville BP LLC, Nadia Zaatrah, agent, and Gilbert's Super Valu LLC, Leroy Gilbert, Jr., agent.

Combination Class "B" licenses for -

Jodi L. Johnson dba The Hardtails Saloon, Bob & Geri's Black Otter Supper Club LLC, Robert Guyette, agent,

Deacons Place Inc., Dyan Bichel, agent,

Grand View Golf Club Inc., Roy Hintz, agent,

Horton Inn Inc., David Schroeder, agent,

New Hortonville Lanes LLC, Ryan Burbey, agent,

Otter Creek LLC, Monica Guyette, agent,

Porky's Bar & Grill Inc., Mark Olk, agent, and

Wall's Still Inc., Brenda Baerwald, agent, (with the continuation of approved conditions with extension of the opening of the business to October of 2009).

Class "A" Malt Beverage license for -

Kwik Trip Inc., Patricia Petit, agent.

Voice vote: 7 ayes, 0 nays, motion carried.

A complete listing with premises is available at the Administration Office at 118 N. Mill St.

COMMITTEE REPORTS

Public Works: *Motion made by Mr. Wojcik and seconded by Mr. McKellar to place the Public Works Committee recommendations on sidewalks in the form of an ordinance.*

Voice vote: 7 ayes, 0 nays, motion carried.

Black Otter Lake District: A lake survey will be included in the Village Voice and is available on the District website for residents to complete.

Hortonville-Hortonia Fire District: Mr. McKellar reported that the M&I loan is almost ready and the District hopes to award the project contract in the next several weeks.

Industrial Park Construction/Marketing Report: Mr. Mitchell reported that a contract has been signed for the 15 acre land purchase.

Municipal Building Space Needs: Mr. Mitchell reported that draft survey questions have been written for a village wide survey and are ready to be considered by the survey committee.

Liquor License Business Violation/Complaints: The May report was filed with the Board.

Gold Cross Ambulance Report: The year-to-date report was filed with the Board.

OLD BUSINESS

O-3-08, Ordinance to Amend Sections 1.01, 1.02, 1.15 and 1.18 of the Village of Hortonville Code of Ordinances, General Government [J. Everett Mitchell]

Motion made by Mr. Wojcik and seconded by Mr. Gitter to approve O-3-08. Voice vote: 7 ayes, 0 nays, motion carried.

The ordinance takes care of housekeeping to clear up outdated language about the election of the Clerk-Treasurer, appointment of the Fire Chief, and terms of appointment for other positions.

Request for Reduction of Community Hall Fees for the Girl Scouts [J. Everett Mitchell]

Motion made by Mr. McKellar and seconded by Mr. Wojcik to extend free rental to the Girl Scout troop with a meeting schedule to be provided and a security deposit to be kept on file. Voice vote: 7 ayes, 0 nays, motion carried.

NEW BUSINESS

Discussion with Village Engineer, McMahon Associates, Regarding Project(s) Status/Time Frames in Village

Mr. Ron Wolf reviewed the history of the S. Mill St. project planning and the stormwater ordinance possibilities.

A discussion followed on improvements in communication for the future.

Mr. Wolf is to find out the Outagamie County ruling on municipal rules necessary so that the Outagamie County stormwater ordinance does not apply to newly annexed properties in the Village and is to bring the information to the next Board meeting.

First Reading of O-4-08, Ordinance to Add Section 10.07 to Chapter 10, Public Nuisances, of the Village of Hortonville Code of Ordinances to Regulate Solid Fuel-Fired Outdoor Heating Devices

The Board acknowledged the first reading of the ordinance which provides rules for the installation and use of solid-fuel fired outdoor heating devices.

R-2-08, Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers under Section 66.0703, Wisconsin Statutes, for Asphalt Roadway Reconstruction, Water/Sewer Lateral Replacement, Sidewalk, Storm Sewer, and Curb/Gutter Improvements on South Mill Street

Motion made by Mr. Wojcik and seconded by Mr. McKellar to approve R-2-08. Voice vote: 7 ayes, 0 nays, motion carried.

A public hearing will be held at 7:30 p.m. on June 19th at the Village Board meeting.

Compliance Maintenance Annual Report (CMAR) [Ron Austreng]

Motion made by Mr. Wojcik and seconded by Mr. Gitter to approve the Compliance Maintenance Annual Report. Voice vote: 7 ayes, 0 nays, motion carried.

The CMAR is a report card for the health of the Wastewater Treatment Plant regarding maintenance, staffing, testing, and financial standing for equipment replacement.

R-3-08, Compliance Maintenance Resolution

Motion made by Mr. Wojcik and seconded by Mr. Gitter to approve R-3-08. Voice vote: 7 ayes, 0 nays, motion carried.

Any Other Miscellaneous Business

Mr. Wojcik asked about fencing of junk yards. He also asked about Schmidt Salvage using the Village's Kelly Way right-of-way.

Mr. Mitchell replied that Attorney Sorenson has looked into the situation where someone can maintain a property for twenty (20) years and then claim ownership of the property. According to Mr. Sorenson this situation cannot be used against a municipality.

Mr. Wolf asked if there is a question of fluids leaking onto the Village right-of-way from Schmidt vehicles that may cause a future soil cleanup problem.

REPORT OF OFFICERS

Administrator: Referred to the compilation of correspondence between the Village and the Wisconsin Department of Transportation (WISDOT) regarding the proposed HWY 15 bypass. This compilation was included in the Board packets. The Board should be aware of the information in this correspondence for future discussions and meetings. Asked if enough Board members would be present at the July 3rd Board meeting for a quorum. Five members will be able to attend.

Clerk-Treasurer: 1. Presentation of Vouchers *Motion made by Mr. Wojcik and seconded by Mr. Nieuwenhuis to approve the Village wire and vouchers #13012-13063 in the amount of \$22,140.44, payroll checks in the amount of \$23,635.96, and Water & Sewer Utility wire and vouchers #7644-7658 in the amount of \$70,458.64 as presented. Roll call vote: Gitter aye, McKellar aye, Handrich aye, Nieuwenhuis aye, Wojcik aye, Vollbrecht aye, and Retzlaff aye, motion carried.*

Chief of Police: 1. DOT Travel Survey Updated the Board on the Travel Survey by the DOT on STH 15. **2. Sexual Offender Residency Ordinance and Safety Zones**

Information Spoke to the Board about a registered sexual offender that is using the fishing pier. The current ordinance only covers residency not safety zones. The Board discussed the addition of safety zones to the sexual predator residency ordinance. It was the consensus of the Board to place safety zones in the form of an ordinance. 3. Reported that Lt. Harper received an Exemplary Service Award for Outstanding Commitment and Contribution to the Community for Alcohol, Tobacco, and other Drug Abuse Prevention. 4. Lt. Harper has received a Special Olympics – Fox Valley Area Law Enforcement Officer of the Year award. 5. Reported that Lt. Harper is no longer covered by Union rules and the PD is not specifically mentioned in the Personnel Manual because all patrol officers were in the union. It was the consensus of the Board to treat Lt. Harper as before with the exception that the Village will pay his disability insurance premiums.

ADJOURNMENT

Motion made by Mr. McKellar and seconded by Mr. Gitter to adjourn. Voice vote: 7 ayes, 0 nays, motion carried. The meeting was adjourned at 9:42 p.m.

Submitted by,

Lynne Mischker
Clerk-Treasurer