

**VILLAGE OF WALWORTH
VILLAGE BOARD**

Monday, May 13, 2019, 6:00 p.m.
Village Hall, 227 N. Main St., Walworth, WI

MINUTES

Call to Order: President Connelly called the meeting to order at 6:00 p.m.

Roll Call: Present: President Connelly, Trustees Czaja, Reiersen, McMahon, Nordmeyer. Absent: Trustee Mizialko, Maynard. Also Present: Attorney Brad Lochowicz, Police Chief Milligan, Fire Rescue Chief Austin, Clerk Treasurer Waswo, Deputy Clerk Treasurer Rogers, Nate Austin – John’s Disposal

Pledge of Allegiance

Approval of Minutes from April 8, 2019 Regular Board meeting and April 16, 2019 Special Board Meeting. Item will be continued as minutes are not complete.

April 2019 Financial Report

Finance reviewed preliminary reports. Clerk Treasurer’s Office has a soft deadline of June.

Approval of April 2019 Village and Water/Sewer Payables including Additions

Czaja/McMahon motion to approve payables as presented. Motion carried 5 to 0.

Comments from Citizens Present: Any item presented to the Village Board by a citizen will be heard and may be placed on the next regular meeting’s agenda.

Toby Lander, 660 Baker Street, voiced her concerns about the planning and building of the new fire station. She questioned if an architect been hired, how much is considered for renovations of current buildings, and she would hope there is a referendum to let the residents decide.

Shyleen Ewert, 119 Bonito Street, questioned why the Village has stopped picking up grass clippings. When she questioned this last fall, the reason given was that the machine was broke. One of the reasons they moved here was the resources provided to the residents. She would like to see Public Works resume picking up grass clippings. President Connelly noted we can put this on a public works agenda.

Communication and Miscellaneous Business – Discussion, Consideration, and Action on the following:

Proclamation proclaiming May 2, 2019 as United States Air Force Band Day

President Connelly provided a proclamation to the US Air Force who happened to be visiting the Village of Walworth.

Czaja/Reiersen motion to approve the proclamation designating May 2, 2019 as United States Air Force Band Day. Motion carried 5 to 0.

Whitetail Ridge / Fox Lane lift gate

President Connelly received a phone call from a resident of Fox Lane. They are still concerned about traffic through the emergency access road. He explained the last action the board took was to pay for half of the replacement of that gate and John Tracy would be responsible for the other half. Mr. Tracy never took action on that, so it was never replaced. She was going to take it to their homeowner’s association. We did supply them a copy of the plat and developer’s agreement. We received an opinion from our Attorney. Clerk Waswo noted Attorney Lochowicz provided the board 3 options and on

August 13th the board voted to choose option 3 of not paying for any further repairs on the liftgate. The resident was going to take it to their board and come up with possibly solutions.

Town of Walworth request to discuss and possibly renegotiate Contracts between the Village and Town of Walworth for Fire Department and Rescue Squad Services

Trustee Nordmeyer referred this to Finance to discuss contract negotiations.

Nordmeyer/Czaja motion to send item to Finance Committee. Motion carried 5 to 0.

John's Disposal – Bulk Pick Up Issues and Enforcement

President Connelly has personally received phone calls regarding the bulk pick up. We have made the change that residents will have to call in for bulk pick up. President Connelly wonders if we have not been getting the information out to the public. The change stemmed from John's Disposal as their cost for recyclables have drastically increased due to China and India not buying our recyclables. John's Disposal representative Nate Austin stated John's sold this as a better service, and they are hoping to gain some efficiency in return. He feels the disconnect is primarily educational and suggested they do a mailer to the residents. Out of the first 18 weeks of the year they had a bulk truck in the village 19 times. Last year they would have only been here 4 times. John's has been tagging piles every time. Bottom line is some people may need to learn the hard way as they won't read any informational items or websites. John's will not take anything if it is called in by a neighbor; the Village has to make the call. President Connelly stated enforcement for this is done by the Building and Zoning Administrator, Ellis Border. Ellis called Nate this morning and provided 7 addresses for bulk pickup. Nate stated 4 of those 7 have called in. The village may need to look at our ordinances if they don't line up with the program. Trustee Nordmeyer noticed rental properties where people have moved out or homes that have gone up for sale have several bulk items on the curb, which is a whole different animal. Nate stated this is team work. He can't do anything if he doesn't know about it. President Connelly would like it to go on the water bill again and he will put it on social media as well. Trustee Czaja feels we should look at our ordinance regarding move out situations.

Standing Committee Reports – Discussion, Consideration, and Action on the following:

Finance: Meeting Update

a. Impact Fees

i. Report on Impact Fees from Trustee Czaja

Trustee Czaja reported since 1995 we've collected \$1,235,811.41. We currently have \$100,654. We are looking at impact fees again by doing a study with Ehlers. Going forward she feels the accounting we are doing with the resolution will produce a solid record with transparency of how these funds are allocated. There are restrictions as to how impact fees are to be used. She is delighted the new accounting system will provide for dates and amounts taken in and how those funds will be used. In doing research we found the water funds were used to put in a new well, sewer funds were used to pay for additional capacity due to growth, and park funds paid for playground equipment. It was time consuming and rather difficult to come up with an accounting of how the funds were spent. Audit reports were very sketchy and not definitive. She suggested we look at this annually and inform the various boards on how these are to be allocated.

ii. Ehlers update from Jon Cameron on Impact Fees

This relates to fees that were over collected. We are looking at interest calculations as when you over collect on impact fees they have to be paid back with interest. Jon Cameron did a great job of breaking down what was collected. We are going to pay those back but will have to calculate the interest first and write those checks. Trustee Czaja is concerned if there will be funds available in that account to repay these fees. President Connelly replied

if it has to happen over a period of time, that's what we will have to do as the homeowners are owed this money. Deputy CT Rogers stated most of that money will have to be paid out of the utility as it has already been spent.

iii. Use Park Impact Fees to pay for the Comprehensive Outdoor Recreation Plan

We did find out from Ehlers we can use impact fee money to pay for the CORP plan. This ties into the Resolutions 2019-1 and 2019-2. It takes some of the borrowing and carries it forward so we can use borrowing from last year to this year.

iv. Refund overpayment of Water Impact Fees

This was discussed above.

v. Professional opinions on use of Impact Fees for the purpose of Impact Fee studies

We did get the Attorney's verbal opinion. We would need a written opinion if we were to use impact fees to pay for an impact fee study. The Auditors and Attorney believe we cannot use impact fees to pay for an impact fee study. Ehlers believes we can as it falls under the administrative portion of the state statute. The Attorney's opinion remains that we cannot use it. We will have to repurpose the borrowing to pay for the Ehlers Impact Fee Studies that were already board approved. There are 5 studies at \$5,000 each, totaling \$25,000. One study was already approved in the borrowing. The cost of the CORP plan was \$19,000 so we are really trying to find \$1,000. President Connelly believes this is the best solution, which is the reason for the resolutions in the packet.

b. Resolution 2019-1, a Resolution to Repurpose the 2018 Borrowing and Designate Use of Park Impact Fees.

Czaja/Reierson motion to adopt Resolution 2019-1, a Resolution to Repurpose the 2018 Borrowing and Designate Use of Park Impact Fees.

Roll Call: Czaja, Reierson, Connelly, McMahon, Nordmeyer voting "yes." Motion carried 5 to 0.

c. Resolution 2019-2, a Resolution to carryforward Capital Project unspent Funds

Czaja/McMahon motion to pass Resolution 2019-2, a Resolution to carryforward Capital Project unspent Funds. Roll Call: Czaja, Reierson, Connelly, McMahon, Nordmeyer voting "yes." Motion carried 5 to 0.

d. Authorization to allow Baker Tilly to complete US Census Form F-65 at a cost of \$150

Czaja/Reierson motion to allow Baker Tilly to complete US Census Form F-65 at a cost of \$150. Clerk Waswo spoke with our auditors who stated about 50% of municipalities complete the report. There is no penalty if we do not. Nordmeyer opposed. Motion carried 4 to 1 with Trustee Nordmeyer voting no.

e. Contract with Spectrum to upgrade internet connection and combine Police and Clerk Treasurer accounts. We have already physically combined the departments. This is the contract to upgrade the internet bandwidth to 200 megabits per second (mbps) and combine the 2 accounts. It increases broadband and is less costly. The term is month to month.

McMahon/Czaja motion to approve the contract with Spectrum for a 200 mbps broadband service. Motion carried 5 to 0.

f. Town of Walworth Annexation Tax invoice regarding taxes charged to village for annexation of property owned by Shodeen LLC

Trustee Czaja reported in January we were expected to make a payment to the Town of Walworth for real estate taxes owed to the Township from the annexation. When she looked at

the computation, she found we were being charged for the total amount of taxes including the school district taxes. She also located a clerical error where one property was charged twice. This came out to a charge of \$6,235.10 over 5 years. She recalculated the tax based on the Town of Walworth taxes alone. Her calculation for 5 years totaled \$1,266.05. She recommended a letter to the Town of Walworth pointing out the difference with a request for a refund of \$2,475.01 as the obligation has already been met. A refund would bring the issue up to date with no further payments to the Town of Walworth.

Czaja/Reierson motion to send a letter to the Town of Walworth asking for a refund on the basis of the calculations for Town of Walworth taxes instead of taxes to the school districts as originally charged. It was noted that Clerk Treasurer Waswo will double check the calculations before sending out the letter. Motion carried 5 to 0.

g. Existing Employer Update Resolution for continued enrollment in the Wisconsin Public Employers' Group Health Insurance Program

This is a formality if we want to continue to be enrolled in the Wisconsin Group Health Insurance Program.

Czaja/Reierson motion to approve the Resolution for continued enrollment in the Wisconsin Public Employers' Group Health Insurance Program. Motion approved 5 to 0.

General Services: Meeting Update

a. First Amendment to Mutual Aid Agreement for Emergency Medical Services

Chief Austin noted we have a mutual aid contract with Superior. The issue comes in with the billing as under a mutual aid contact, Medicare will only pay one service. They have made it clear with Superior that unless we are unable to transport, they will be used as an intercept service, meaning one of their personnel will get on to our rig to provide the service. Under this new intercept agreement, we could be able to collect our amount and they could collect an additional \$200 from Medicare per transport as an intercept service. This is amendment serves as clarification.

Nordmeyer/McMahon motion to approve and authorize President Connelly's signature. Motion carried 5 to 0.

b. Hiring two part-time Police Officers

Chief Milligan is requesting hiring two part-time officers with the upcoming promotion of Officer Jeters. This only replacing officers, it does not add additional officers. He does have a couple candidates that meet the qualifications.

Nordmeyer/Reierson motion to approve hiring two part-time officers. Motion carried 5 to 0.

c. Original 2018-2019 Operator's License application from Bonnie Rayborn and Judith Adams

Nordmeyer/McMahon motion to approve the Original 2018-2019 Operator's License application from Bonnie Rayborn and Judith Adams. Motion carried 5 to 0.

Public Works: Meeting Update

a. Approval of Wolf Paving Contract in an amount not to exceed \$48,838.00 for repaving of Howard Street. Wolf Paving was the low bid. This is part of the Local Road Improvement project, and we will receive a matching amount from the state to repave Howard Street.

Czaja/McMahon motion to accept the Wolf Paving Contract in an amount not to exceed \$48,838.00 for repaving of Howard Street. Howard Street was last done for a cost of \$24,000. Considering the grant money, we are slightly over what the road cost 20 years ago. Motion carried 5 to 0.

Commission and Special Committee Reports: Discussion, Consideration, and Action on the following:

Plan Commission: Meeting Update

Plan is looking at updates to the comp plan and existing maps. We have an application for a rezone of a property on South Main in between two highway business zoning properties. They already have a Conditional Use Permit to operate but would like to be able to put the same kind of signage up as the rest of the surrounding properties. Permitting has went out for the Big Foot High School Sports Complex.

FWWPCC: Meeting Update.

The Engineer has been discussing phosphors compliance.

Emergency Government: Meeting Update.

President Connelly thanked the Fire Chief for helping out the Oak Knolls residents during the flooding. Trustee Czaja noted Oak Knolls will be back on the Public Works agenda.

Library Board: Meeting Update.

No update.

Adjournment

Czaja/McMahon motion to adjourn at 7:03pm. Motion carried 5 to 0.

Sabrina Waswo, Clerk Treasurer