

Village Board Meeting Minutes
July 12, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order at 6:30 pm with roll call:*

Present	Absent
Joe Hennlich	none
Roger Kaas	
Joyce Laux	Others Present
David Miller	Randy Friday, Administrator
Jim Rath	Jennifer Schaff, Engineer
Carl Thomson	Susan Williams, Clerk-Treasurer
Terri Welisek	

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda - *Hennlich moved to approve the agenda as presented. Rath 2nd. Motion carried.*
- 4) Approval of Minutes: Regular Meeting – June 28 – *Laux moved to approve the minutes as presented. Kaas 2nd. Motion carried.*
- 5) Registered Citizen Comments on Agenda Items – no citizens present
- 6) Report of the Plan Commission: No meeting held in June
- 7) Report of Village Officers
- a) Village President – *President Miller reported receiving positive response from citizens in regards to the connection to Appleton water.*

Rath moved to advance agenda item 11 a). Thomson 2nd. Motion carried.

- b) Clerk/Treasurer –
- i. Review/Approve financial reports – *Clerk Williams presented the Board members with the list of checks in progress. Kaas moved to approve the financial reports as presented. Laux 2nd. Motion carried.*
 - ii. Operator’s License
 - Phyllis A. Bethke
 - Gregory W. Martin
 - Kathryn M. Guyette
 - Jessica H. Kersten
 - Jessica M. Stupsky
 - Joshua G. Tysver

Rath moved to approve the operator licenses of Bethke, Martin, Guyette, Kersten, Stupsky and Tysver as presented. Laux 2nd. Motion carried.

- Maria Huneycutt

Rath moved to approve the operator license of Huneycutt as presented. Hennlich 2nd. Motion carried.

8) Village Engineer

- a) Project update: Water transmission main – Engineer Schaff reported flushing was completed and bacteriological tests passed allowing the Village to receive Appleton water on July 1, 2010, Heitpas continues work on restoration, some of the boring pits remain soft, but crews are trying to complete restoration efforts, additional work remains at Well 5/6 pump house, Miron is anticipating the arrival of a check valve the week of July 19th which is needed to complete the piping work, the electrician will follow with wiring and installation of the transformer and electrical panel, the dehumidifier will be installed and the surfaces prepared for painting.

Board members commended Schaff on keeping the project on track.

9) Village Administrator

- a) *Tax Increment District 'Subtraction':* Target date of Aug. 2 meetings & public hearing

Administrator Friday presented briefly the plan and background information on the TID Subtraction plan.

- b) Snowplowing: Staff response to Knight Drive complaint (Canino; June 28)

Friday presented information from staff in regards to procedures of snowplowing.

10) Old Business

- a) Request to repair driveway & storm drain inlet at residence: Request that Village make repairs (Klapperich; W4863 Forest Lane)

Miller moved to deny request to repair driveway and storm drain inlet at residence at W4863 Forest Lane. Rath 2nd. Motion carried.

Kaas moved to authorize resident to make repairs to driveway and storm drain inlet at W4863 Forest Lane subject to Village Engineer approval and the cost (repairs and engineer services) to be paid by the resident. Rath 2nd. Motion carried.

- b) Request to improve stormwater drainage along easterly side of Spring Hill Drive (Tumey; W4919 Spring Hill Drive): To Plan Commission
- c) Request to attend training: Economic Visioning (Welisek)

No action taken.

11) New Business

- a) Garbage/Refuse Contract Extension Proposal (Veolia): Consider proposal to extend garbage pick-up contracted services for Fiscal Years 2011-2013

Friday presented history of contract terms beginning with 2005 and proposed preliminary 3 year contract for 2011, 2012 and 2013. 2011 no change in rates, bulk pick up charges of \$3,000 (2 occurrences), fuel surcharge applies when diesel raises above \$3.50. 2012 and 2013 rates change minimum of 2.5% min to 5% max CPI, and the bulk pick up charges of \$3,000 (2 occurrences), fuel surcharge applies when diesel rises above \$3.50.

Scott Van Haveren, Veolia Environmental Services, Sheboygan, WI. - Van Haveren presented to the Board information relative to the proposal and answered questions.

Welisek inquired with the size of the contract whether bids should be solicited.

Thomson stated he believes that the services could be done for less, but questioned the quality of those services.

Miller stated satisfaction with current services provided.

Miller moved to approve a 3 year contract extension with Veolia Environmental Services for Fiscal Years 2011-2013 with terms of:

***-2011 no increase from 2010 rates, \$3,000 bulk pick up charge (2 occurrences), fuel surcharge if fuel raises above \$3.50 and governmental fees/mandates would be passed on to the Village;
-2012 and 2013 rate increase of 3% CPI, \$3,000 bulk pick up charge (2 occurrences), fuel surcharge if fuel raises above \$3.50 and governmental fees/mandates would be passed on to the Village. Thomson 2nd.***

Roll call vote; Hennlich – aye, Kaas – aye, Laux – aye, Miller – aye, Rath – aye, Thomson – aye, Welisek – nay. Motion carried.

12) Complaints and Compliments: None

13) Correspondences:

- a) Perceived Algae Problem at High Cliff State Park (Arnie Lindauer – WisDNR; July 8)

Welisek inquired of the Sherwood Forest Golf Course irrigation pump replacement assistance request status from prior Board meeting Friday responded that he is doing research on it and at this point does not know if there is support for it and is waiting for feedback.

14) Adjournment - ***Thomson moved to adjourn at 7:55 p.m. Rath 2nd. Motion carried.***

Respectfully submitted for review and approval by Susan Williams, Village Clerk

Village Board Meeting Minutes
July 26, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order at 6:30 p.m. with roll call:*

Present	Absent
Joe Hennlich	Carl Thomson, excused
Roger Kaas	
Joyce Laux	Others Present
David Miller	Randy Friday, Administrator
Jim Rath	Jennifer Schaff, Engineer
Terri Welisek	Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Hennlich moved to approve the agenda. Rath 2nd. Motion carried.*
- 4) Approval of Minutes: Regular Meeting (July 12) – *Laux moved to approve the minutes of the regular July 12, 2010 Village Board minutes as presented. Hennlich 2nd. Motion carried.*
- 5) Registered Citizen Comments on Agenda Items –

Craig Moore, 805 Matthew Ln., Kaukauna - regarding agenda item 10)

Jeff Weyenberg, W4878 Forest Ln., Sherwood – regarding agenda item 15) – voiced concerns of the Village purchasing properties for the downtown development.

David Van Elzen, W5223 Schaefer Rd., Menasha - regarding agenda item 12) a)

Hennlich moved to advance agenda item 12 a). Rath 2nd. Motion carried.

- 6) Report of the Utility Commission: July 19, 2010
- a) Annual Water Request: Sherwood Lions Football Program request for *Utility* support for watering football field (NTE \$300)
- b) *Pay Request #2* – Meter Station & Well # 5 modifications: Approve for work thru May 31 (Miron Constr.; \$79,478.89)

Village Board: *Miller moved to approve pay request #2 – Meter Station & Well #5 modifications, for approval of work through May 31, 2010 (Miron Construction \$79,478.89). Kaas 2nd. Motion carried.*

- c) *Change Order #2* – Water Transmission Main: Approve for work locating water main at Timberline Drive (Hietpas; \$3,906.25)

Village Board: *Rath moved to approve change order #2 – Water Transmission Main: approval for work locating water main at Timberline Drive (Hieptas \$3,906.25). Welisek 2nd. Motion carried.*

- d) Aerator procurement (WWTF): Tabled to August
 - e) Water Rate Structure: Recommended changes to Wis. PSC
 - f) Fencing at new Meter Station in Harrison: Directed engineers to get firm bid prices and re-agendize
 - g) Replacement water meter sets: Approved purchase of 600 sets
 - h) Water main replacement projects:
 - STH 55/114 (to Forest Ave.): Awarded to PTS (\$128,965)
 - Clifton Road: Award if new PSC rate structure is approved
 - i) Sewer manhole replacement (Timberline Dr; Sundown Ct.): Tabled
- 7) Report of the PRUT Board (Parks, Rec. & Urban Tree): July 21
- a) (Presentation) Citizen group advocating for Sherwood Dog Park:
Group will continue assembling information for Oct. meeting
 - b) Trail extension (Howitt property): Contact property owner
 - c) *FY2011-14 Capital Improvement Projects*: Updated status & info.
 - d) *Annual Survey*: Add 'ice rink' & 'dog park' as survey items
- 8) Report of Village Officers
- a) Village President – *President Miller reports many calls from residents enjoying the Appleton water.*
 - b) Clerk/Treasurer
 - i. Review/Approve financial reports

Kaas moved to approve the checks in progress list as presented. Rath 2nd. Motion carried.

- 9) Village Engineer
- a) Project update: Water transmission main project is in the final stages, a check valve was installed at the Well 5/6 pump house week of July 19, 2010, dehumidifier is installed and running, Hietpas is continuing work on restoration, some of the boring pits remain soft, but crews are trying to complete restoration efforts, the electrician will install the transformer and electrical panel, painting surfaces in the pump house are yet to occur.
 - b) Road Projects: Paving contract and chip seal work complete.

10) Village Administrator

Administrator Friday introduced Craig Moore who was in attendance to present a proposal for a memorial 5K run/walk through the Village to benefit the Pancreatic Cancer Action Network.

Moore presented preliminary plans, map and information on the event planned for September 18, 2010.

The Board encourages Moore and his group to proceed with the event planning; once the group has firm numbers of participants to notify the Village Administrator. At that point in time if numbers warrant, Moore understands the conditions and requirements of Village Ordinance #05-91 Special Events Permit will be applicable.

- 11) Old Business: None
- 12) New Business
 - a) Sherwood Lions Football Program
 - i. Annual request for Village support to water football field
 - ii. Request for 3 keys to pavilion area
 - iii. Request to place shed structure for equipment storage

Rath moved to approve annual request for Village support to water football field (NTE \$300), request for 3 keys for pavilion and request to place shed structure for equipment storage. Laux 2nd. Motion carried.

Van Elzen addressed the Board and stated the Lions are interested in helping with the replacement of the concrete at the pavilion and bleachers. *The Board encouraged the Lions to present a plan at the next PRUT Board meeting in October.*

- b) Water Transmission Main: Approve request by contractor (Hietpas) for time extension due to wet weather conditions

Kaas moved to approve request by contractor (Hietpas) for time extension to August 25, 2010 due to wet weather conditions. Miller 2nd. Motion carried.

- c) Resolution #11-2010: Consider/Approve Resolution Electing Direct Charge of Public Fire Protection (\$163,200 = General Fund; \$40,772 = Water Utility)

Kaas inquired if this charge was a fixed amount only for 2010, he understood that the specific wording of the motion approved stated 80% Village/20% Utility, not a dollar amount.

Clerk Williams stated the wording of the PSC from their letter dated July 12, 2010 (which read):

“Our proposed charge for public fire protection service is \$203,972. At your request, the annual municipal charge to the Village of Sherwood will be set at \$163,200 and the remainder will be collected through direct charges on the water utility bills of general service customers using the Equivalent Meters Method, in conformance with Wis. Stat. § 196.03(3) (b).”

Kaas moved in consideration of the PSC letter dated July 12, 2010 to approve Resolution #11-2010: Consider/Approve Resolution Electing Direct Charge of Public Fire Protection (\$163,200=General Fund;\$40,772=Water Utility). Rath 2nd. Motion carried.

- d) Solicitation for artist rendering of Sherwood: Consider (unsolicited) request

The Board does not have interest at this time to engage in these services.

- 13) Complaints and Compliments: None
- 14) Correspondences: *Calumet County Sheriff's Dept. – Monthly Activity Report (June)*

15) *Closed Session:* Consider property purchase(s) in downtown area per approved *5-Year Capital Improvements Plan* (including, but not limited to W404, W410 Veteran's Ave.; W415 & W432 Clifton Road; N407 Harrison St.) – Per Wis. Stats. 19.85(1)(e), the Board may move to closed session when deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

Kaas moved to go into closed session at 8:12 p.m. to consider property purchase(s) in downtown area per approved 5-Year Capital Improvements Plan (including, but not limited to W404, W410 Veteran's Ave.; W415 & W432 Clifton Road; N407 Harrison St.) – Per Wis. Stats. 19.85(1) (e). Rath 2nd. Motion carried.

16) *Return to Open Session:* Consider property purchase(s) per approved *5-Year Capital Improvements Plan* (including, but not limited to W404, W410 Veteran's Ave.; W415 & W432 Clifton Road; N407 Harrison St.)

Kaas moved to return open session at 9:28 pm. Rath 2nd. Motion carried.

17) Adjournment - *Rath moved to adjourn at 9:29p.m. Kaas 2nd. Motion carried.*

Minutes respectfully presented for review and approval by Susan M. Williams, Village Clerk.

Joint Village Board & Plan Commission Meeting Minutes

Aug. 2, 2010

1. Call to order – *Village Clerk Williams called the meeting to order with roll call at 6:04 p.m.:*

Village Board

Present

Joe Hennlich

Roger Kaas

Joyce Laux

Jim Rath

Carl Thomson

Terri Welisek

Absent

David Miller, excused

Others Present

Randy Friday, Administrator

Susan Williams, Clerk-Treasurer

Dave Wagner, Ehlers

Plan Commission

Present

Tom Boll

Bob Gillespie

Joe Hennlich

Kathy Salo

Scott Sheppard

Steve Summers

Absent

David Miller, excused

2. Pledge of Allegiance – *recited*
3. *Election of chairman – Hennlich moved to elect Kaas chairperson. Welisek 2nd. Motion carried.*
4. *Approval of the Agenda – Hennlich moved to approve the agenda as presented. Thomson 2nd. Motion carried.*
5. Citizen comments on agenda items – none
6. Public Hearing regarding the proposed project plan amendment of boundaries and project plan for Tax Incremental District No. 1 (See the Public Hearing Notice which was published on July 17, 2010 & July 24, 2010).

After three readings for public hearing Chairman Kaas announced the hearing open at 6:06 p.m.

Wagner presented briefly basic information on the Tax Incremental District No. 1 amendment noting additional funds (\$2,300,000) for Wanick Park development beyond the projects listed in the presented plan.

Gillespie inquired as to the Wanick Park road project listed in the plan of \$1,000,000. Friday responded with the basic elements of the project; complete road construction of entry way via Knight Drive extension, continuing north into the parkland, and exit way out via Castle Drive.

Salo posed the question of the tennis/basketball project at Wanick Park. Friday stated the project is currently in the approved capital project plan, and continues to be under consideration.

Wagner continued on presenting the development and value change assumptions, stating the District created \$107,379,300 in value, the proposed amendment will reduce the District by \$95,379,300, resulting in \$12,000,000 value remaining.

Wagner stated if the Village does not incur any more debt (TID #1), the funds available over and above the currently outstanding projects is \$2,300,000.

Kaas asked and Wagner confirmed the Village could close the TID #1 in 2014 with a projected balance of \$2,313,476 for projects with contracts in place for Wanick Park.

Wagner stated at the end of the TID #1, the funds left over (without commitment to open projects) are distributed to the overlaying taxing jurisdictions in the rate of the applicable tax percentages for that year.

De Bonis stated that with the subtraction, \$95, 379,300 will be on the tax roll which will reduce the overall tax rate, but the portion available to the County (and other taxing jurisdictions) will be restricted by levy limits.

Gillespie inquired as to when the district closes what will be the effect on taxes. Wagner stated that the largest impact will be on the Village taxes, possibly be \$1/1,000.

Friday stated that February 2010, the Village Board decided to reduce the district in 2010 and close it completely in 4 years.

Summers moved to close the public hearing at 6:45 p.m. Salo 2nd. Motion carried.

7. Consideration of "Resolution Designating Proposed Amended Boundaries and Approving a Project Plan Amendment for Tax Incremental District No. 1, Village of Sherwood, Wisconsin".

Plan Commission Action: Summers moved to approve Resolution #12-2010; Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 1 with the addition of \$2,300,000 to the project plan for Wanick Park development (exhibit B). Sheppard 2nd. Motion carried.

8. Adjourn - Hennlich *moved to adjourn at 6:59 p.m. Boll 2nd. Motion carried.*

Respectfully submitted for review and approval by Susan Williams, Clerk

Village Board Meeting Minutes

Aug. 2, 2010

1. Call to order – *Vice President Laux called the meeting to order at 8:02 p.m. with roll call:*

Present

Joe Hennlich
Roger Kaas
Joyce Laux
Jim Rath
Carl Thomson
Terri Welisek

Absent

David Miller, excused

Others Present

Randy Friday, Administrator
Susan Williams, Clerk-Treasurer

2. Pledge of Allegiance – *recited*
3. Approval of the Agenda – *Hennlich moved to approve the agenda as presented. Welisek 2nd. Motion carried.*
4. Citizen comments on agenda items - none
5. Consideration of “Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 1, Village of Sherwood, Wisconsin”.

Welisek moved to approve Resolution #13-2010 Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 1. with with the project plan as amended to add \$2,300,000 to the project plan for Wanick Park development. Kaas 2nd. Motion carried.

6. Adjourn - *Hennlich moved to adjourn at 8:04 p.m. Kaas 2nd. Motion carried.*

Respectfully submitted for review and approval by Susan Williams, Clerk.

Village Board Meeting Minutes
August 9, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order at 6:30 p.m. with roll call:*

Present	Absent
Joe Hennlich	none
Roger Kaas	
Joyce Laux	
David Miller	Others Present
Jim Rath	Randy Friday, Administrator
Carl Thomson	Jennifer Schaff, Village Engineer
Terri Welisek	Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Hennlich moved to approve the agenda as presented. Rath 2nd. Motion carried.*
- 4) Approval of Minutes
- i. Regular Meeting – July 26 - *Kaas moved to approve the minutes of the regular meeting of the Village Board July 26, 2010 as presented. Thomson 2nd. Miller abstains. Motion carried.*
 - ii. Joint Village Board & Plan Commission Meeting – Aug. 2 – *Kaas moved to approve the minutes of the joint meeting of the Village Board and Plan Commission August 2, 2010 as presented. Thomson 2nd. Miller abstains. Motion carried.*
 - iii. Special Village Board Meeting – Aug. 2 – *Rath moved to approve the special meeting of the Village Board August 2, 2010 as presented. Laux 2nd. Miller abstains. Motion carried.*
- 5) Registered Citizen Comments on Agenda Items - none
- 6) Closed Session: Consider property purchase(s) in downtown area per approved 5-Year Capital Improvements Plan (including, but not limited to W404, W410 Veteran’s Ave.; W415 & W432 Clifton Road; N407 Harrison St.) – Per Wis. Stats. 19.85(1)(e), the Board may move to closed session when deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

Administrator Friday stated the closed session is cancelled and is rescheduled for the next Village Board meeting in 2 weeks due to illness of guest who was to be in attendance.

- 7) Return Open Session: Consider property purchase(s) per approved 5-Year Capital Improvements Plan (including, but not limited to W404 & W410 Veteran’s Ave.; W415 & W432 Clifton Road; N407 Harrison St.)

- 8) Report of the Utility Commission: July 23 – Special Meeting
 - a) Consider PSC-recommended water rate p/1000 gallons, effective Sept. 1 (Note: Public Hearing on Aug. 16)
- 9) Report of the Plan Commission: Aug 2
 - a) *Tax Increment District (#1) – Reduced TID Project Plan and Boundaries –*
 - b) Stormwater Management – Wendy Tumeay (W4919 Spring Hill Dr.) request for further work in Village stormwater drainage area

Board directs Friday to send letter to property owner to allow repairs/adjustments to property for stormwater drainage, subject to approval of Village Engineer at the property owner's expense.

- c) ZOA2010-01: Zoning Ordinance Amendment request to change local zoning ordinance (Article 4-1E5) allowing placement of 110' cell tower on Village-owned land at Miller Pond
 - d) CU2010-01: Conditional Use request to allow construction of 100' cell tower antenna (site) on Village-owned land
 - e) Site Plan Review: Cell tower site plan at Miller Pond
- 10) Report of Village Officers
 - a) Village President – no report
 - b) Clerk/Treasurer

- i. Review/Approve financial reports

Kaas moved to approve the financial reports as presented. Laux 2nd. Motion carried.

- ii. Operator's Licenses
 - David John Breckheimer
 - Amy Jo Breckheimer

Rath moved to approve the Operator's License applications as presented. Hennlich 2nd. Motion carried.

- 11) Village Engineer
 - a) Project update: Water transmission main - Piping is complete at the Well 5/6 pumphouse, Hietpas continues to work on restoration, some boring pits still remain soft, but crews are trying to complete restoration efforts, Hietpas and Miron are in the process of completing the final ARRA paperwork and finalizing quantities, painting of surfaces at Well 5/6 pumphouse remain to be completed, the electrical change order #9 (new transformer and electrical panel) and Well 5 change order #10 (new check valve, flow meter and piping to provide reliable backup) remain to be completed. Air relief manholes will be completed soon; some insulation must be sprayed internally. Fencing quote for metering station was \$5,100 (original projection \$9,100), this can be done under existing permit, barbed wire is not allowed, other options for the barbed wire will be considered. Friday instructed Schaff to inquire if this would be a request for variance procedure.

- b) Project update: LSE West II roadway urbanization (see *Correspondence* below) - MCC completed contract work in Lakeshore Estates West II, repair to one sign is pending, quantities are being finalized for final payment, Scott Construction plans to complete chip seal work in Farmington Meadows week of August 2 depending on weather.

Board directs Village Engineer to inform the paving and restoration contractors of LSE West II that this was presented to the Board and no action was taken on the request.

Aerator Project

Plans and specifications are complete, bidding process is under way with opening of bids August 12, 2010, and direct purchase of aerator is next which has 6 month lead time.

Schaff responding to Laux's concern of the lead time of 6 months stated that it is mostly an internal job.

2010 Water Main Replacement Project

Contract A & B awarded to PTS Construction, contracts under review, followed by signatures, and contractor intends to start mid to late August.

12) Village Administrator

Friday reported Community Center power outage from storm Saturday night, knocked air conditioning out, and repairs completed.

Friday went on to say he received reports the emergency siren by Well 5/6 did not sound on Saturday (even after a 40 foot extension was installed). Friday stated that he is still working with Calumet County Emergency Government to uncover the problem of inconsistent sounding of the sirens.

Travis Parish, new Town of Harrison Administrator first day on job today, Friday spoke with him and will meet with him soon.

Friday added he is having on-going discussions with Craig Moore, in regards to the 5K Run/Walk Benefit scheduled for September. Friday informed the Board he cautioned Moore about the Village Ordinance #05-91 Special Events Permit being applicable if the numbers warrant.

Lastly Friday stated he has received some calls about the increase in the water bills.

13) Old Business: None

14) New Business:

- a) Consider/Approve allowance to engage UW-Madison Landscape Architecture student for community-focused look at downtown redevelopment. If grant is awarded, student works for up to 600 hours on Sherwood project towards 'Senior Thesis/Capstone Project'

Miller moves to approve allowance to have Administrator Friday to apply for grant to engage UW-Madison Landscape Architecture student for community focused look at downtown

development, in which student works up to 600 hours on Sherwood project towards 'Senior Thesis Capstone Project'. Rath 2nd. Motion carried.

15) Complaints and Compliments: None

16) Correspondences:

- a) LSE West II – Roadway Urbanization Project: Request for additional project payment (Superior Lawn & Landscape; July 30) – see 11 b) Board direction.

17) Adjournment - *Thomson moved to adjourn at 7:13 p.m. Rath 2nd. Motion carried.*

Respectfully submitted for review and approval by Susan Williams, Clerk.

Village Board Meeting Minutes
August 23, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order at 6:31 p.m. with roll call:*

Present	Absent
Joe Hennlich	none
Roger Kaas	
Joyce Laux	
David Miller	Others Present
Jim Rath	Randy Friday, Administrator
Carl Thomson	Jennifer Schaff, Village Engineer
Terri Welisek	Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Hennlich moved to approve the agenda as presented. Thomson 2nd. Motion carried.*
- 4) Approval of Minutes – Regular Meeting (Aug. 9) – *Rath moved to approve the regular meeting of August 9, 2010 as presented. Thomson 2nd. Motion carried.*
- 5) Registered Citizen Comments on Agenda Items –

Geoff Mueller, 1824 Marquette St., Appleton – regarding agenda item 6

- 6) (6:35) Closed Session: Consider property purchase(s) in downtown area per approved 5-Year Capital Improvements Plan (including, but not limited to W404, W410 Veteran’s Ave.; W415 & W432 Clifton Road; N407 Harrison St.) – Per Wis. Stats. 19.85(1)(e), the Board may move to closed session when deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

Rath moved at 6:33 p.m. to go into closed session per – Per Wis. Stats. 19.85(1) (e), Consider property purchase(s) in downtown area per approved 5-Year Capital Improvements Plan (including, but not limited to W404, W410 Veteran’s Ave.; W415 & W432 Clifton Road; N407 Harrison St.). Thomson 2nd. Motion carried.

- 7) Return Open Session: Consider property purchase(s) per approved 5-Year Capital Improvements Plan (including, but not limited to W404 & W410 Veteran’s Ave.; W415 & W432 Clifton Road; N407 Harrison St.)

Rath moved to return to open session at 8:07 p.m. Thomson 2nd. Motion carried.

Miller moved to present offer to purchase of Mueller Properties, Tx ID #s 13749, 13750, 13753, 13554, 13755 and 13756, for \$250,000 with the following conditions:

- *Current tenants (Tony and Mary Jo Mueller) may continue to reside at property for up to but not to exceed 1 year from the date of closing*
- *Current tenants are responsible for all occupancy costs during their tenancy (i.e. utility costs; maintenance, etc.)*
- *Sellers (Mueller family et al) will remove all materials to bare wall condition prior to vacating property, any property remaining will be ownership of Buyer (Village)*
- *Items of historic importance, so deemed by Geoff Mueller, may be received by the Village for future (historical) use.*
- *Buyer will insure building, current tenants will insure personal property*
- *Current tenants may continue using property as retail space on first floor and residence on second floor*

Laux 2nd. Roll call vote; Hennlich – aye, Kaas – aye, Laux – aye, Miller – aye, Rath – aye, Thomson – aye, Welisek – aye. Motion carried.

8) Report of the Utility Commission: Aug. 19 – Special Meeting

- a) Water Transmission Main: Request for sign off on ‘Certificate of Substantial Completion’ (Miron Constr.)

Kaas moved to approve the recommendation of the Utility Commission request for sign off on ‘Certificate of Substantial Completion’ (Miron Constr.). Rath 2nd. Motion carried.

- b) Change Order #11: Request to approve lighting replacement at Well #5 (\$813.14)

Rath moved to approve the Change Order #11: Request to approve lighting replacement at Well #5 (\$813.14). Hennlich 2nd. Motion carried.

- c) Change Order #13: Request to approve billing thru Miron Construction for booster pump repair (\$1,964.05)

Kaas moved to approve Change Order #13: Request to approve billing thru Miron Construction for booster pump repair (\$1,964.05). Rath 2nd. Welisek nay. Motion carried

Miller questioned what would happen if there was a failure of the new water system and the Village would have to use well #5/6, Engineer Schaff stated that if needed, the backup system is set up to be ready for use and the Utility Commission is reviewing the backup system plan. Rath stated in the case of an emergency an order would go into effect where permission would be granted to use the backup system. Friday added if needed that there is 24 hours of holding in water system already and then water from the wells 5/6 would be treated and pumped through the system. Kaas went on to say the backup system needs the booster pump is.

- d) Change Order #10: Request to change rating of fuses and grading changes at no contract price change (\$0)

Hennlich move to approve Change Order #10: Request to change rating of fuses and grading changes at no contract price change (\$0). Thomson 2nd. Motion carried.

- e) *Change Order #12: Request to approve exhaust fan Replacement (\$2,667.16) – Utility Commission is reviewing*
- f) Well components: Request to approve additional well components expenses at an increased cost to keep Wells #5 & 6 active – *Utility Commission is reviewing*
- g) Aerator replacement: Approved direct purchase of units by the Village (\$128,000) and installation awarded to August Winter & Sons (\$82,651) – *informational*
- h) Fencing at meter station: Continuing discussion w/ Harrison regarding allowable types of fences – *informational*
- i) Billing procedures: Village will continue billing on a quarterly basis, with no changes reported to the PSC– *informational*

9) Report of the Joint Review Board: Aug. 18 – Special Meeting

- a) Approved *Resolution #14-2010: TID #1 Reduction*

Friday presented to the Board the agenda and resolution approved for the TID #1 Reduction.

10) Report of Village Officers

- a) Village President – no report
- b) Clerk/Treasurer
 - i. Review/Approve financial reports - *Welisek moved to approve the financial reports as presented. Rath 2nd. Motion carried.*
 - ii. Operator's Licenses
 - Tami Lynn Loose
 - Whitney Rose Stecker

Kaas moved to approve Operator's License applications as presented. Thomson 2nd. Motion carried.

- iii. *Report of Equalized Values (Aug. 13, 2010 – Wis. Dept. of Revenue) – reviewed*

11) Village Engineer

- a) Project update: Water transmission main - Hietpas continues to work on restoration, some boring pits still remain soft, but crews are trying to complete restoration efforts, work continues on STH 114 and State Park Road intersection, Hietpas and Miron are in the process of completing the final ARRA paperwork and finalizing quantities, painting of surfaces at Well 5/6 pumphouse remain to be completed, the electrical change order #9 (new transformer and electrical panel) remain to be completed, change order related to backup system of Appleton water is being re-considered.
- b) Monthly Construction Report: Other projects

2010 *Paving Projects* - MCC completed contract work in Lakeshore Estates West II, final payment will be issued when all lien waivers are received, Scott Construction will complete chip seal work in Farmington Meadows week of August 16 depending on weather.

Aerator Project – Bids were opened August 12, 2010, Utility Commission reviewed bids and awarded project to August Winter contingent upon clarification of EIMCO warranty (equipment supplier), direct purchase of aerator is next step, lead time is 6 months.

Water Main Reconstruction – Bids were opened July 15, 2010, Utility Commission reviewed bids and awarded project to PTS Construction, contracts are in process of review and finalization, pre-construction meeting held August 16, 2010, construction commencement dependent on WDOT permit, contractor intends to begin ASAP.

- c) Request for time extension: Hietpas requests time extension to Sept. 25

Kaas moves to approve request for time extension to Hietpas until September 25, 2010 for completion of Appleton – Sherwood Water Main project. Thomson 2nd. Motion carried.

12) Village Administrator

- a) *Water Rate Case (Public Hearing – Aug. 16th)*

Friday anticipates receipt of order within time to implement September 1, 2010.

Friday stated he met with golf course professional for the review of irrigation project work nearing completion at the High Cliff Golf Course,

Friday informed the Board and presented pictures of work performed at the Village Cemetery, and briefly provided information on additional work that will be needed.

13) Old Business: None

14) New Business:

- a) LSE West II (Roadway urbanization project) – *Change Order #2: Consider request to decrease contract amount from \$393,501.40 to \$364,575.34 (-\$38,926.06)*

Laux moved to approve LSE West II (Roadway urbanization project) – Change Order #2: request to decrease contract amount to \$364,575.34 (-\$38,926.06). Hennlich 2nd. Motion carried.

- b) LSE West II (Roadway urbanization project) – Pay Request #2: Consider request by MCC, Inc. (\$126,337.63) as partial payment for services provided thru July 14, 2010

Rath moved to approve LSE West II (Roadway urbanization project) – Pay Request #2: Consider request by MCC, Inc. (\$126,337.63) as partial payment for services provided thru July 14, 2010. Thomson 2nd. Motion carried.

15) Complaints and Compliments:

- a) Thanks for usage of *Community Center* (Paper Valley Garden Club; Aug. 12)
- b) Request to place street light at intersection of Lake Breeze Drive & STH 55/114 (Ray Geweke; Aug. 19)

Board directs Administrator to inquire of the State's jurisdiction, cost and details of moving the street light and report back.

16) Correspondences:

- a) *Prelim. Estimate of January 1, 2010 Population* (Wis. Dept. of Admin; Aug. 10)
- b) Legal opinion supporting *Project Plan* as part of TID #1 Reduction (Attorney Carlson; Aug. 13)

17) Adjournment - *Rath moved to adjourn at 9:08 p.m. Thomson 2nd. Motion carried.*

Respectfully submitted for review and approval by Susan Williams, Clerk.

Village Board Meeting Minutes

September 13, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order at 6:30 p.m. with roll call:*

Present	Absent
Joe Hennlich	none
Roger Kaas	
Joyce Laux	
David Miller	Others Present
Jim Rath	Randy Friday, Administrator
Carl Thomson	Jennifer Schaff, Village Engineer
Terri Welisek	Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Hennlich moved to approve the agenda as presented. Thomson 2nd. Motion carried.*
- 4) Approval of Minutes – Regular Meeting (August 23) – *Rath moved to approve the regular meeting of the Village Board minutes of August 23, 2010 as presented. Laux 2nd. Motion carried.*
- 5) Registered Citizen Comments on Agenda Items –

Alden Ferguson, W4858 Forest Ln. Sherwood – regarding agenda item 11 b)

- 6) Report of the Plan Commission: Sept. 7
- a) ZOA2010-01: Zoning Ordinance Amendment request to change local zoning ordinance (Article 4-1E5) allowing placement of 100' cell tower (antenna) on Village-owned land(s) – *Plan Commission recommends approval of Zoning Ordinance Amendment to Article 4-1E5 allowing cell tower (antenna) construction up to 100 ft. in height on village owned land.*

Administrator Friday briefly presented the application, proposed tower construction details, proposed site location, and related zoning ordinance amendment.

- b) CU2010-01: Conditional Use request to allow construction of 100' cell tower antenna (site) on Village-owned land in Miller Pond area, according to radio frequency coverage study provided by applicant – *Plan Commission recommends approval of conditional use permit CU2010-01 to allow construction of cell tower (antenna) on public land either at Miller Pond or Dragotta property, with extra photo simulation and more extensive notification of abutting property owners.*

Friday briefly presented the request, additional information and stipulation by the Plan Commission to increase the resident notification beyond the standard 100 feet of property line of the location under consideration.

Kaas stated that the wording shall be only placed on Village land.

Rath requested Friday check with his fellow administrators for municipalities in regards to ordinance exemptions.

Welisek inquired as to the financial benefit for the Village. Friday stated in general terms, since his return to Wisconsin (3 years ago) he has seen contracts as low as \$200/month, up to \$2,200/month, predicting Sherwood to be in the middle.

Friday presented photo simulations of the proposed tower from different angles in the Village.

Friday stated this application was submitted by Begley Wireless Consulting Services, LLC representing AT & T (an outside party).

Miller inquired if approving one tower will permit additional towers. Friday responded this is a conditional use request, the Board exercises control with each application presented.

c) Site Plan Review: Cell tower site plan at Miller Pond – *Plan Commission tabled*

Laux moved to direct staff to set the public hearing(s) for CU2010-01: Conditional Use request and ZOA2010-01: Zoning Ordinance Amendment request and authorize the Village Administrator to negotiate the tower agreement. Rath 2nd. Motion carried.

7) Report of Village Officers

a) Village President – nothing to report

b) Clerk/Treasurer

i. Review/Approve financial reports – ***Rath moved to approve the financial reports as presented. Hennlich 2nd. Motion carried.***

ii. Election Inspector appointments

- Laurie Raab (W4485 Sunset Lake Court)
- Penny Gorniak (W4839 Cliffview Drive)

Kaas moved to approve the Election Inspectors presented for appointment for 2010-11. Thomson 2nd. Motion carried.

8) Village Engineer

a) Project update: Water transmission main – Hietpas continues to work on restoration, some boring pits still remain soft, but crews are trying to complete restoration efforts, work has been done on STH 114 and State Park Road intersection, but not completed, walk through of the project occurred on August 26, 2010, Hietpas is working to complete identified punch list items, electrical change order #9 is complete, Miron is working on punch list items, they anticipate completion of punch list work the week of September 20, 2010, painting of surfaces at the well 5/6 pump house remain to be completed, it is anticipated to occur the week of September 13, 2010, change order related to backup system of Appleton water is being re-considered, additional information will be presented to the Utility Commission at their September 20, 2010 meeting.

b) Monthly update: Other projects

2010 *Paving Projects* - MCC completed contract work in Lakeshore Estates West II, final payment will be issued when all lien waivers are received, Scott Construction completed chip seal work in Farmington Meadows.

Board directs Schaff and staff to move forward with the final engineer report and special assessment roll for presentation at the next Village Board meeting (9/27/10).

Aerator Project – Bids were opened August 12, 2010, Utility Commission reviewed bids and awarded project to August Winter contingent upon clarification of EIMCO warranty (equipment supplier), direct purchase of aerator is next step, lead time is 6months, pre-construction meeting is scheduled for September 10, 2010.

Water Main Reconstruction – Bids were opened July 15, 2010, Utility Commission reviewed bids and awarded Contracts A & B to PTS Construction, pre-construction meeting held August 16, 2010, WDOT permit received, PTS installed the mainline pipe on Clifton Rd., crews are in the process of testing, upon completion of successful testing, crews will make connections to existing services and existing mains, Clifton Rd. area will be cleaned and crews will move to work on STH 114-55.

2010 Street and Trail Re-surfacing – Palisades Circle and Pigeon Road (State Park Road to Lower Cliff Road) are the streets identified for resurfacing, Nuthatch Trail (segment off of Castle Drive) is included with this work, all of these projects are identified in the Capital Improvements plan and budgeted (respectively) for 2010, and bids opened September 8, 2010.

9) Village Administrator

a) Land Acquisition: Transfer complete as portion of 'Irrigation System' project

Friday presented the basic elements of the transaction related to the irrigation project of High Cliff Golf Course. Friday went to say that PW employees have begun cutting in trails and Friday outlined basic details of future trail development.

b) Resident request to place light at Lake Breeze Drive & STH 55/114 intersection

Friday stated that he communicated with We Energies and reviewed the initial resident e-mail received and is still waiting for additional information from We Energies on making a change/switch to the fixture.

Rath suggested future developer agreements include language that the developer is responsible for the lights and lighting related costs should be assessed to the development.

Hennlich asked if the Village would be responsible for a new pole. Friday replied that he is looking into switching with an existing light first.

Miller inquired if the WDOT has the responsibility to adequately light intersections with state highways.

Kaas asked about the Village having the jurisdiction to construct the light to shine on the highway or if the State has control. Friday responded that the State will allow the Village to light up their highway.

Kaas stated his understanding is that the Village does not require a State permit, it is subject to State standards and would be at Village cost. Friday will present to State to assure proper handling.

c) Budget(s): Timelines for 5-Year Capital Improvement Projects and Annual Budget review(s) and workshop(s) – reviewed

10) Old Business: None

11) New Business:

a) Village of Sherwood 2010 Street & Trail Resurfacing Bid Award: Consider/Approve bid award for Pigeon Road, Palisades Circle & Nuthatch Trail projects to *Badger Highways Co* (\$87,848.99)

Hennlich inquired of Schaff if the trail repair would incorporate the areas where the water pools. Schaff replied the scope of the project is the first 450 ft of the trail, the areas in question are beyond. Hennlich stated drain tiles could be utilized.

Kaas requested information on this project being on budget, Friday and Schaff stated they are within the capital and budgeted amounts.

Kaas moved to approve Sherwood 2010 Street & Trail Resurfacing Bid Award for Pigeon Road, Palisades Circle & Nuthatch Trail projects to Badger Highways Co (\$87,848.99). Welisek 2nd. Motion carried.

b) Request to use Tax Increment Finance District funding for ‘Dog Park’ (Alden Ferguson)

Ferguson requested Board to research the Village use of TID #1 funds for an unleashed dog park.

Friday stated this is a proper request. Friday went on to say the Village is coming to the end of TID #1 and it is important to make sure legal counsel concurs with use of funds. Friday added that the TID #1 was developed to create a better recreational experience and briefly outlined locations and actions taken by the proponents of the dog park.

Ferguson inquired if there are plans for the recently acquired lands adjacent to Wanick Park. Friday stated the Park Recreation Urban Tree Board is tasked with developing the plan for the land adjacent to Wanick Park, including improvements and trails.

Friday indicated that the original plan of TID #1 did not specifically identify a dog park.

Friday added the fall Village newsletter is being distributed which includes a resident survey with some questions about dog park development.

Rath inquired if Ferguson had contacted the State Park about locating the dog park there and the viability of that area as a shared tax base.

Ferguson stated he sent correspondence to and received communication back from the superintendent.

Rath inquired of Ferguson the expectations of the group in favor of the dog park; who is responsible for cleaning up after the dogs and will there be a board overseeing the park.

Ferguson is uncertain if there will be a board right now, he went on to say that there will be rules and regulations; for instance, dogs under 4 months old will not be allowed since they will not be vaccinated.

Welisek stated that she would prefer to wait for the newsletter survey response. Friday stated that compilation of feedback to the survey will be ready for first meeting in November.

12) Complaints and Compliments: None

13) Correspondences:

- a) *Calumet County Sheriff's Department – Monthly Report (July, 2010) - reviewed*
- b) *Village of Sherwood facilities used for emergency shelter – American Red Cross; Outagamie Chapter (Sept. 3)*
- c) *Implementation of new water rates – Wis. Public Service Commission (Sept. 3)*

14) Adjournment – *Rath moved to adjourn at 8:00 p.m. Hennlich 2nd. Motion carried.*

Minutes respectfully presented for review and approval by Susan Williams, Village Clerk.

Village Board Meeting Minutes

October 11, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order with roll call at 6:30 p.m.:*

Present

Joe Hennlich

Roger Kaas

Joyce Laux

David Miller

Jim Rath (arr 7:26 p.m.)

Carl Thomson

Terri Welisek

Absent

none

Others Present

Randy Friday, Administrator

Jennifer Schaff, Village Engineer

Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda - *Hennlich moved to approve the agenda as presented. Thomson 2nd. Motion carried unanimously.*
- 4) Approval of Minutes – Regular Meeting (Sept. 27) - *Laux moved to approve the minutes of the regular meeting September 27, 2010 as presented. Kaas 2nd. Motion carried unanimously.*
- 5) Registered Citizen Comments on Agenda Items

Lawrence Delaney, W5012 Golf Course Rd. #625, Sherwood – regarding agenda item 7) - questioned why the tower would be located next to the ridge

Cindy Krueger, W5007 Cherrywood Dr., Sherwood – regarding agenda item 7) - questioned the health effect on individuals

Robert Gillespie, N7886 Lakeshore Ln., Sherwood – regarding agenda item 7) - stated concern over the placement of tower in Village

Judy Vallier, W5016 Golf Course Rd. #617, Sherwood – regarding agenda item 7) - read letter from condo association president (Meadowcliff Estates) and personally commented on the health effect on individuals

Kenneth Vallier, W5016 Golf Course Rd. #617, Sherwood – regarding agenda item 7) - concerned on the health effects on individuals

Rich Storey, W4773 Natures Way Ln., Sherwood – regarding agenda item 7) - questioned the towers currently in the Village and technology advancement

Ray Bartman, N7790 Spurline Ct., Sherwood – regarding agenda item 7) - questioned which site is most suited to AT & T and the number of complaints

Val DeRuiter, W5012 Golf Course Rd., Sherwood – regarding agenda item 7) - questioned the health effect on individuals

Zeb Green W5055 Natures Way Ln., Sherwood – regarding agenda item 7) - voiced concerned tower effect on home values

Terry Krueger, W5007 Cherrywood Dr., Sherwood – regarding agenda item 7) – inquired about improved land line availability

- 6) Report of the Plan Commission: No meeting held in October

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October 11, 2010

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- 7) Public Hearing:
- i. ZOA2010-01: Consider/Approve Plan Commission recommendation to amend local Zoning Ordinance Article 4-1E5 allowing cell tower (antenna) construction up to 110 ft. in height on public land (Shane Begley – Begley Wireless Consulting for AT&T)
 - ii. CU2010-01: Consider/Approve Plan Commission recommendation to approve Conditional Use permit for construction of cell tower (antenna) on public land (Miller Pond on Stommel Road, or former-Dragotta property on Golf Course Road)
 - iii. Site Plan Review: Consider/Approve site plan for proposed cell tower (antenna) construction at Miller Pond area, or former-Dragotta property (village-owned lands)

After three readings for public hearing Vice President Laux announced the hearing open at 6:36 p.m.

Shane Begley, Begley Wireless Consulting for AT & T, 14114 South Country Circle, Gordon, WI, presented information on the tower, the purpose, the construction, cell technology and responded to resident questions.

Administrator Friday presented to the Board copies of the Village of Sherwood Year 2030 Comprehensive Plan section 4.19 Utilities and Community Facilities Policies and Recommendation Objectives #2 which read:

“Seek to balance desired service levels with potential negative community impacts when reviewing the proposed design and location of telecommunication, wind energy, or other utility towers.”

Welisek inquired as to benefit to the Village

Friday informed the Board that the options are \$8,000 per year for AT & T as one tenant and the Village locate 2 other tenants or AT & T would secure all 3 tenants for \$18,000 per year with 3 % increase with each year. Non-benefit is proximity to another municipality if Village does not allow tower.

Begley stated that environmental studies are required prior to construction.

Welisek moved to close the public hearing at 8:04 p.m. Kaas 2nd. Motion carried unanimously.

Laux moved to approve ZOA2010-01: to amend local Zoning Ordinance Article 4-1E5 allowing cell tower (antenna) construction up to 110 ft. in height on public land. Kaas 2nd.

Hennlich is concerned about the advancement of technology and this being the first of many towers.

Begley responded that the coverage maps indicate a present need that will be filled with this tower; he cannot anticipate advancement of technology and predicts this tower can serve present technology for the next 10 years.

Friday inquired as to the tower accommodating future emergency services needs.

Laux called for a voice vote; Hennlich – aye, Kaas – aye, Laux – aye, Miller – recused, Rath – aye, Thomson – aye, Welisek – aye. Motion carried.

Kaas moved to approve CU2010-01: Conditional Use permit approved for construction of 100 feet cell tower on public land (Tax ID #25206; Miller Pond) subject to approval of lease agreement terms negotiated by Village Administrator Friday, including items discussed during the meeting (annual lease revenue, annual increase, tear down provision, etc.). Laux 2nd.

Welisek voiced concern over health risk and legal issues caused by the tower construction.

Friday responded Village is properly insured and likelihood of litigation from tower construction would be considered low.

Begley stated litigation responsibility would fall to AT&T and FCC if tower is operated within established standards.

Kaas stated that he is unaware of verification or documentation to support the claim of health risks from cell towers.

Laux called for a vote; Hennlich – aye, Kaas – aye, Laux – aye, Miller – recused, Rath – aye, Thomson – aye, Welisek – aye. Motion carried.

Friday stated the site plan will go back to the Plan Commission for final review and requested input from the Board.

Miller moved to advance agenda item 12 a). Kaas 2nd. Motion carried unanimously.

8) Report of Village Officers

- a) Village President – *requests all Board members to view Hawkinson property so to agendize this item for the next Village Board meeting*
- b) Trustee Welisek: *Summary of conclusions from Economic Summit Series – summit material discussed*
- c) Clerk/Treasurer
 - i. *Review/Approve financial reports - Laux moved to approve the financial reports as presented. Rath 2nd. Motion carried unanimously.*
 - ii. *Operator's License Applications*
 - *Elizabeth M. Cotton*
 - *Jamie Lynn Franzen*

Rath moved to approve the Operator's License applications as presented. Kaas 2nd. Motion carried unanimously.

Clerk Williams presented letters drafted to developers regarding special assessments outstanding for Board's information.

Village Board Meeting Minutes

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9) Village Engineer

a) Project update: Water transmission main – Pipe installation, bore/jack casing pipe and air relief manholes are 100% completed, Hietpas restoration work is complete, walk through of the project occurred on August 26th, Hietpas completed punch list items, McMahon will verify all items are completed, Miron has completed majority of the punch list items, McMahon reviewed punch list during a site visit October 4th, work to be finished includes: site grading, restoration at well house/metering station, asphalt repair at well house and touch up painting at metering station, WDNR will be making final project walk through this month, change orders 13, 14 and 15 approved at Utility Commission meeting and Village Board meeting are being officially processed for inclusion in the contract.

b) Monthly update: Other on-going projects

2010 *Paving Projects* – MCC completed contract work in Lakeshore Estates West II, final payment will be issued when all lien waivers are received, Scott Construction completed chip seal work in Farmington Meadows, pay request will be presented at next Board meeting.

Aerator Project – Bids were opened August 12, 2010, Utility Commission reviewed bids and awarded project to August Winter contingent upon clarification of EIMCO warranty (equipment supplier), aerator purchase contract signed by all parties, pre-construction meeting held September 10, 2010.

Water Main Reconstruction – Bids were opened July 15, 2010, Utility Commission reviewed bids and awarded Contracts A & B to PTS Construction, pre-construction meeting held August 16, 2010, WDOT permit received, PTS installed the mainline pipe on Clifton Rd., testing completed, restoration will follow, paving tentatively planned for week of October 11th, crews anticipate completing pipe installation on STH 114-55 week of October 11th.

2010 Street and Trail Re-surfacing – Palisades Circle and Pigeon Road (State Park Road to Lower Cliff Road) are the streets identified for resurfacing, Nuthatch Trail (segment off of Castle Drive) is included with this work, all of these projects are identified in the Capital Improvements plan and budgeted (respectively) for 2010, bids opened September 8, 2010, contract awarded to Badger Highway, contracts are in the review/signature process.

10) Village Administrator

a) Capstone Project (Mike Mliner) information – *Friday presented information on assignment and Mliner background information*

11) Old Business: None

12) New Business:

a) *Agreement for Special Law Enforcement Services between Village & Sheriff's Dept. in FY2011: Consider/Approve service contract (\$16,056.04) – reviewed reports and agreement*

Miller moved to approve the Agreement for Special Law Enforcement Services between Village & Sheriff's Dept. in FY2011 service contract (\$16,056.04). Hennlich 2nd. Motion carried unanimously.

- b) Pay Request & Lien Waiver: Consider/Approve Lien Waiver and Pay Request #5 (Miron Constr.; \$12,746.95) as partial payment for work completed thru August 31, in conjunction w/ New Meter Station & Well #5 pumphouse modifications

Rath moved to approve lien waiver and pay request #5 (Miron Constr.; \$12,746.95) as partial payment for work completed thru August 31, in conjunction w/ New Meter Station & Well #5 pumphouse modifications. Miller 2nd. Motion carried unanimously.

- c) Budget: Consider/Approve 5-Year Capital Improvement Projects Budget

Friday presented budget for review.

Hennlich inquired as to use of County equipment and pay rental, as an option to outright purchase. Friday stated that Hennlich could assist him in identifying cost savings, if available.

Kaas requested that the large vehicle replacement move to FY2012.

Board directs Friday to include new plow in FY2011 for estimated \$7,000.

Hennlich suggested soccer field drainage expenditures (FY2012) prior to the basketball and tennis courts improvements (FY2011), switching fund years.

- d) Budget: FY2011 Annual Budget (informational, only)

Friday presented summary information on highlights compared to FY2010.

13) Complaints and Compliments: U.S. Census Bureau – Dept. of Commerce (Sept. 17)

14) Correspondences: Request to reduce amount billed for landscape restoration on LSE West – II roadway urbanization project (Reinholz N7941 Windsong Ct.) – Schaff presented letter , no action taken

15) Closed Session:

- a) Review request by local property owner to consider purchase of property in the downtown area (N397 Military Road) Note: Per Wis. Stats. 19.85(1)(e), the Board may move to closed session when deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

Rath moved to go into closed session Per Wis. Stats. 19.85(1)(e) at 10:02 p.m. Thomson 2nd. Motion carried unanimously.

- b) Personnel & Compensation Review (Village Clerk) Note: Per Wis. Stats. 19.85(1)(c) the board may move to close session when considering employment,

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October 11, 2010

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promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility

Kaas moved to return to open session at 10:58 p.m. Thomson 2nd. Motion carried unanimously.

16) *Return to Open Session:*

- a) *Review request by local property owner to consider purchase of property in the downtown area (N397 Military Road) Consider purchase – no action taken*
- b) *Personnel & Compensation Review (Village Clerk) Consider compensation for Clerk in FY2011*

Kaas moved to set Village Clerk compensation at \$42,640 for FY2011. Thomson 2nd. Motion carried unanimously.

17) *Adjournment - Thomson moved to adjourn at 11:00 p.m. Kaas 2nd. Motion carried unanimously.*

Minutes respectfully presented for review and approval by Susan Williams, Village Clerk.

Village Board Meeting Minutes
October 25, 2010

- 1) Call to Order and Roll Call – *Vice President Laux called the meeting to order at 6:30 p.m. with roll call:*

Present

Roger Kaas
Joyce Laux
Jim Rath
Carl Thomson
Terri Welisek

Absent

Joe Hennlich, excused
David Miller, excused

Others Present

Randy Friday, Administrator
Jennifer Schaff, Village Engineer
Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Kaas moved to approve the agenda as presented. Thomson 2nd. Motion carried unanimously.*
- 4) Approval of Minutes – Regular Meeting (Oct. 11) – *Thomson moved to approve the minutes of the regular meeting of October 11, 2010 as presented. Kaas 2nd. Motion carried unanimously.*
- 5) Registered Citizen Comments on Agenda Items –

Camie R. Ferrier, W5279 Arbor Vitae Ct., Sherwood – regarding agenda item 12 a)
Bernie Hackel, W5283 Arbor Vitae Ct., Sherwood – regarding agenda item 12 a)
Linda Zakowski, N406 Robinhood Dr., Sherwood – regarding agenda item 7 b)
Alden Ferguson, W4858 Forest Ln., Sherwood – regarding agenda item 7 b)

Rath moved to advance agenda item 12 a). Laux 2nd. Motion carried unanimously.

- 6) Report of the Utility Commission: Oct. 18, 2010
- a) *5-Year Capital Improvements Plan: Water & Sewer Utility Projects sked between FY2011-FY2015 – Kaas moved to approve the Water and Sewer Utility Commission 5-Year Capital Improvements Plan as presented. Thomson 2nd. Motion carried unanimously.*
- b) *Water Main Transmission Project: Approved Pay Request #5 (Miron Constr.; \$12,746.95) as partial payment for work completed thru August 31 – previously approved by VB October 11, 2010 – agenda item 12 b).*
- c) *Protection at Meter Station on CTH ‘N’: Reviewed 4 options – informational*
- d) *Clifton Road watermain replacement: Approved Change Order #1 (PTS Constr.; \$1,584.52) – informational*
- 7) Report of the Parks, Rec. & Urban Tree Board (PRUT): Oct. 20, 2010
- a) *Howitt Property: Update regarding connection to Pigeon Road– to be discussed in closed session – Friday presented information on PRUT Board activity; originally considering offer*

in light of appraisal supported by Village Board, owner was not receptive, owner returned with offer of easement and Board now recommends purchase.

- b) Proposed 'Dog Park': Update (costs, location, etc.) – *informational*
 - c) Miller Pond Trail: Update progress on trail extension– *informational*
 - d) Annual Survey: Review and discuss– *informational*
- 8) Report of Village Officers
- a) Village President – *no report*
 - b) Clerk/Treasurer
 - i. Review/Approve financial reports

Kaas moved to approve the financial reports as presented with additional invoice payable to Clem Kelly in the amount of \$2,700. Rath 2nd. Motion carried unanimously.

- 9) Village Engineer
- a) Monthly construction update: Various projects – Engineer Schaff reports:

2010 Paving Projects – MCC completed contract work in Lakeshore Estates West II, final payment will be issued when all lien waivers are received.

Aerator Project – Bids were opened August 12, 2010, Utility Commission reviewed bids and awarded project to August Winter contingent upon clarification of EIMCO warranty (equipment supplier), project is on-hold until spring.

Water Main Reconstruction – Bids were opened July 15, 2010, Utility Commission reviewed bids and awarded Contracts A & B to PTS Construction, pre-construction meeting held August 16, 2010, PTS has completed the installation of waterline, crews anticipate completing restoration the week of October 25, 2010.

2010 Street and Trail Re-surfacing – Palisades Circle and Pigeon Road (State Park Road to Lower Cliff Road) are the streets identified for resurfacing, Nuthatch Trail (segment off of Castle Drive) is included with this work, all of these projects are identified in the Capital Improvements plan and budgeted (respectively) for 2010, Badger Highways completed trail and Pigeon Road paving and the first layer on Palisades Circle.

Recent water main break occurred at Hwy 114 and Forest Lane, it was repaired and restoration to take place week of 10/25/10.

- 10) Village Administrator
- 11) Old Business:
- a) *5-Year Capital Improvement Projects Budget*: Final review and adoption

Friday presented information on small capital purchases (chipper and stump grinder) research from Board direction.

Kaas inquired as to need to replace truck and snow plow Friday responded that discussion previously was not to purchase plow.

Laux moved to approve the 5-year Capital Improvement Projects Budget as presented. Rath 2nd. Welisek – nay. Motion carried.

b) *FY2011 Annual Budget: Review of budget specific items (Adoption sked Nov. 8)*

Kaas inquired as to the effect of change in equalized value and assessment value on the Village budget. Friday replied a decrease in valuation will affect the Village based on changes in the global economy. Rath stated since we share school districts if the property values in those school districts decrease more than the Village that will adversely affect our taxpayers.

Kaas inquired as to line item labeled 59200 transfer to other funds, proposed for FY2011– \$200,517. Friday replied that number is composed of 2 items, repayment from General Fund to TID #1 and debt principal and interest.

Welisek suggested not to pass on a 2.4% increase to residents, but work to have a 3% decrease.

Rath directed staff to present the effects on the Village of 3% increase, remaining level and 3% decrease.

12) **New Business:**

a) **Request to tap into Village stormwater system infrastructure (Ferrier – W5279 Arbor Vitae Court; Hackel – W5283 Arbor Vitae Court)**

Ferrier presented request to tap into the Village stormwater system.

Friday presented overview of the driveway and culvert permit application submitted by Ferrier and Hackel.

Schaff reported that she has reviewed the application and has no objection to the under drain, but has caveats to the project; 1) no connections to roof drains, 2) no sump pump hard lined to under drain, and 3) maintenance agreement between Ferrier property and Hackel property.

Friday stated there should be a differentiation between private and public sections of the drainage system and raised the issue of engineering costs involved.

Rath added the maintenance agreement between the property owners should have language to hold the Village harmless.

Rath moved to approve request to tap into Village stormwater system as presented, subject to engineer plan approval, residents financially responsible for project, and residents provide copy of executed maintenance agreement to Village. Kaas 2nd. Motion carried unanimously.

b) **Pay Request: Consider Pay Request #1 & Final (\$41,176; Scott Constr.) for full payment related to FY2010 chip-sealing (Farmington Meadows subdivision)**

Kaas moved to approve Pay Request #1 & Final to Scott Construction for full payment related to FY2010 chipsealing in Farmington Meadows subdivision. Rath 2nd. Motion carried unanimously.

- c) Future 55/114 corridor development: Consider WisDOT request to allow access to Village properties for the purpose of *Phase 1* Archaeological Survey - reviewed

Rath moved to table item until more specific proposal pertaining to land within the Village is presented. Thomson 2nd. Motion carried unanimously.

- d) *Schedule of Fees*: Consider changes to fee schedule for FY2011

Thomson moved to set Village cemetery fees beginning in FY2011 for non-residents \$300 for cemetery plot and \$300 for perpetual care, and resident fees \$200 for cemetery plot and \$200 for perpetual care. Kaas 2nd. Motion carried unanimously.

Kaas moved to change Temporary Class B License for sale of beer or wine fees to \$20 beginning in FY2011. Thomson 2nd. Motion carried unanimously.

Rath moved to increase State Seal Cost to \$33 beginning in FY2011 (to reflect State increase to Village). Kaas 2nd. Motion carried unanimously.

13) Complaints and Compliments: None

14) Correspondences:

- a) *Calumet County Sheriff's Department – Monthly Report (Sept., 2010) – reviewed*

15) *Closed Session*:

Consider PRUT Board recommendation by purchase property (Howitt–4.6 acres; Pigeon Road) to extend Miller Pond trail, per approved 5-Year Capital Improvement Plan. Note: Per Wis. Stats. 19.85(1)(e), the Board may move to closed session when deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session

Laux moved to go into closed session Per Wis. Stats. 19.85(1) (e) to Consider PRUT Board recommendation by purchase property (Howitt–4.6 acres; Pigeon Road) to extend Miller Pond trail, per approved 5-Year Capital Improvement Plan at 8:20 p.m. Kaas 2nd. Motion carried unanimously.

Kaas moved to return to open session at 8:37 p.m. Rath 2nd. Motion carried unanimously.

16) *Action on PRUT Board recommendation by purchase property (Howitt–4.6 acres; Pigeon Road) to extend Miller Pond trail, per approved 5-Year Capital Improvement Plan.*

Rath moved to table item. Kaas 2nd. Motion carried unanimously.

Friday presented additional item from PRUT Board meeting; PRUT Board recommended purchasing ice rink system with TID #1 funds for approximately \$3,000 for location at Wanick Park.

Board voiced concerns as to cost of water and maintenance being burden on Village.

17) Adjournment – *Kaas moved to adjourn at 8:58 p.m. Welisek 2nd. Motion carried unanimously.*

Minutes respectfully presented for review and approval by Susan Williams, Village Clerk.

Village Board Meeting Minutes

November 8, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order with roll call at 6:30 p.m.:*

Present	Absent
Joe Hennlich	none
Roger Kaas	
Joyce Laux	
David Miller	Others Present
Jim Rath	Randy Friday, Administrator
Carl Thomson	Jennifer Schaff, Village Engineer
Terri Welisek	Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda - *Hennlich moved to approve the agenda as presented with the advancement of agenda item #12 a). Laux 2nd. Motion carried unanimously.*
- 4) Approval of Minutes – Oct. 25 Regular Meeting – *Kaas moved to approve the minutes of the regular Village Board meeting October 25, 2010 as presented. Rath 2nd. Motion carried unanimously.*
- 5) Registered Citizen Comments on Agenda Items

Ron Wenzel, N7751 Windswept Ln., Sherwood - regarding agenda item 6) – concerned about TIF program negative impact on taxes and expectation of reduction of county taxes

Don Mielke, N8127 State Park Rd., Menasha – regarding agenda item 12 a)

- 6) (Public Hearing) FY2011 Village Budget: *Consider/Approve Resolution #16-2010 Adopting the FY2011 Village Budget and Appropriating Necessary Funds for the Operation and Administration of the Village of Sherwood for Fiscal Year 2011.*

After three readings for public hearing President Miller announced the hearing open at 6:33 p.m.

Rath moved to approve the FY2011 Village Budget as presented with Resolution #16-2010 Adopting the FY2011 Village Budget and Appropriating necessary funds for Operation and Administration of the Village of Sherwood for Fiscal Year 2011. Miller 2nd. Roll call vote: Hennlich–aye, Kaas–aye, Laux–aye, Miller–aye, Rath–aye, Thomson–aye, Welisek–nay. Motion carried.

Friday presented the proposed FY2011 budget for the general fund with highlights of changes to revenues and expenses in comparison with FY2010. Welisek posed questions on various line items including stating a 13.7% increase in revenues and equal amount increase in expenses does not mean holding the budget, and desired a way to reduce taxes. Friday provided reasoning behind each account amount in question.

Kaas moved to approve the FY2011 Village Budget as presented for Funds 200-210-220-230-300-400-410-420 as presented. Laux 2nd. Welisek – nay. Motion carried.

Friday continued the budget presentation with the remaining Village funds.

- 7) Report of the Plan Commission: Nov. 1, 2010
- a) Extra-territorial review: Consider CSM request (Gebhart) to split Parcel #7072 (N6835 Kees Road) from 15.1 acres into two parcels, 1.5 acres (home) and 13.6 acres (farm field)

Village Board: Hennlich moved to approve without objection to the Extra-territorial Certified Survey Map request by Dennis Gebhart to subdivide Town of Harrison parcel #7072 at N6835 Kees Road from 15.1 acre parcel into two parcels of 1.5 acres (home) and 13.6 acres (farm field). Rath 2nd. Motion carried unanimously.

- b) Site Plan Review for cellular tower site (AT&T) – informational

- 8) Report of Village Officers

- a) Village President – *received feedback from individuals in regarding notice of cell tower public hearing.*

Clerk Williams stated that the Plan Commission directed staff to enlarge the list of property owners notified beyond the Village requirements (within 100 feet of the property in question); 81 letters were sent out, the property owners notified began with Joan Petrie on Stommel Road, going south along Golf Course Road to High Cliff Villas, then north to southeast edge of Lakeshore Estates East subdivision, in addition the legal publication of the public hearing and ordinance amendment was done on a proper and timely basis.

- b) Clerk/Treasurer

- i. Review/Approve financial reports - ***Welisek moved to approve the financial reports as presented. Kaas 2nd. Motion carried unanimously.***
- ii. Outstanding Developer Special Assessments: Consider repayment terms (Hopfensberger; Wittman)

Kaas moved that Clerk-Treasurer contact Hopfensberger and Wittman by phone to inform them in lieu of payment full by Friday November 12, 2010, the assessments would be placed on an installment plan of 4 years (with 4.38% interest) and one year installment will be transferred to the tax roll. Rath 2nd. Motion carried unanimously.

Clerk Williams presented information on the 2010 Village Appreciation Dinner options.

- 9) Village Engineer:
- a) Project Updates

2010 Paving Projects – MCC completed contract work in Lakeshore Estates West II, final payment will be issued when all lien waivers are received.

Aerator Project – project is on-hold until spring.

Water Main Reconstruction – PTS has completed the installation of waterline, project walkthrough scheduled for Nov. 3.

2010 Street and Trail Re-surfacing –Badger Highways completed paving Nuthatch trail, Pigeon Road Palisades Circle, restoration and shouldering remain to be completed.

Water transmission main – Hietpas completed punch list items, Miron has completed majority of punch list items, WDNR final project walkthrough on Nov. 11, change orders 13, 14 and 15 are being processed for inclusion in contract, ADT will provide security services pricing for metering station.

Schaff handed out letter received from the Town of Harrison Road Superintendent, Bob Kesler stating after completion of the water main project, he performed an inspection of Pigeon Road and found that there was no damage to the road, and therefore Donald Hietpas and Sons should be released from any future expenses in conjunction with the project on Pigeon Road.

- b) Curb & gutter assessment: Consider modification of price charged to residence (Raatz; W5174 Nature's Way Drive)

Board directs staff to charge the \$134.25 to General Fund street paving account for the cost of the credit for overcharge for frontage of W5174 Nature's Way Drive special assessment.

10) Village Administrator: Annual Survey results - *reviewed*

11) Old Business:

- a) Future STH 55/114 corridor development: Consider WisDOT request to allow access to Village properties for the purpose of *Phase 1* Archaeological Survey

Board directs Administrator to sign form.

12) New Business:

- a) Signage (deer hide donations for children): Consider temporary sign exemption – Mielke presented information on sign exemption request.

Welisek moved to approve exemption to the Sherwood Village sign ordinance to place Sherwood Lions sign for collection of deer hides (to benefit the Wisconsin Lions Camp for disabled children) in backyard of private residence at W4698 Parkway Ct. from November 10 through December 10, 2010. Miller 2nd. Hennlich abstain. Motion carried.

- b) *Contract for Services Agreement (McMahon): McMahon to complete engineering & administration related to roadway and trail resurfacing projects (\$13,400)*

Schaff handed out accounting of 2010 street and trail resurfacing to date.

Hennlich moved to approve McMahon contract for services agreement to complete engineering and administration related to roadway and trail resurfacing projects not to exceed \$13,400. Kaas 2nd. Motion carried unanimously.

- c) *Lower Cliff Road Culvert Replacement Project*: Approve amending budget to include engineering costs (previous cost \$12,090)

Schaff updated the Board on the status of the project and provided the engineering cost related to the project.

Laux moved to amend the budget to include engineering costs of \$858.85 for Lower Cliff Road culvert replacement. Hennlich 2nd. Motion carried unanimously.

- d) Request to return funds related to 'dog park': Approve request to return funds previously accepted by Village Board as partial support for dog park creation

Kaas moved to approve return of remaining funds to dog park supporter donor (approximately \$925). Welisek 2nd. Motion carried unanimously.

- e) Request by PRUT Board for 'ice rink': Consider request for purchase of ice rink for placement at Wanick Park using TID funding

Rath moved to table issue until Administrator can contact other municipalities for feedback. Motion fails for lack of 2nd.

Hennlich moved to place ice rink on frozen ground at Wanick Park. Laux 2nd.

Kaas stated that the water amount required for a rink would be substantial and expensive, and the cost of this should not be charged to the utility but on the Village budget.

Rath suggested the Board consider the proposals presented by the citizen boards in the Village.

Hennlich inquired as to requesting the golf course to set up a community ice rink.

Thomson reported on discussion at October 2010 PRUT Board meeting and the consensus of the PRUT Board was that ~~the Village residents~~ would want a rink.

Welisek commented that the ice rink on the fall Village newsletter survey did not receive significant support.

All opposed. Motion failed.

13) Complaints and Compliments: None

14) Correspondences: None

15) *Closed Session: Consider PRUT Board recommendation by purchase property (Howitt-4.6 acres; Pigeon Road) to extend Miller Pond trail per approved 5-Year Capital Improvement Plan. Note: Per Wis. Stats. 19.85(1)(e), the Board may move to closed session when deliberating or negotiating the purchase of public properties, the investing of public funds, or*

conducting other specified public business, whenever competitive or bargaining reasons require a closed session

Miller moved to go into closed session per Wis. Stats. 19.85(1)(e) at 9:28 p.m. Laux 2nd. Kaas absent from Board chambers. Motion carried.

- 16) *Return to Open Session: Resolution #17-2010 – Consider/Approve purchase of Real Estate (Howitt property; 4.6 acres on Pigeon Road to connect Miller Pond trail to existing Pigeon Road trail, per approved 5-Year Capital Improvement Plan*

Rath moved to return to open session per Wis. Stats. 19.85(1)(e) at 10:10 p.m. Thomson 2nd. Motion carried unanimously.

- 17) *Adjournment – Kaas moved to adjourn at 10:11 p.m. ~~Kaas~~ Thomson 2nd. Motion carried unanimously.*

Minutes respectfully presented for review and approval by Susan Williams, Village Clerk.

Village Board Meeting Minutes

November 22, 2010

- 1) Call to Order and Roll Call – *President Miller called the meeting to order at 6:31 p.m. with roll call:*

Present	Absent
Joe Hennlich	none
Roger Kaas	
Joyce Laux	
David Miller	Others Present
Jim Rath	Randy Friday, Administrator
Carl Thomson	Jennifer Schaff, Village Engineer
Terri Welisek	Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Hennlich moved to approve the agenda as presented. Thomson 2nd. Motion carried unanimously.*
- 4) Approval of Minutes – Regular Meeting (Nov. 8) – *Laux moved to approve the regular Village Board meeting of November 8, 2010 with changes as discussed. Hennlich 2nd. Motion carried unanimously.*
- 5) Registered Citizen Comments on Agenda Items – no public present
- 6) Report of the Utility Commission: Nov. 15
- a) Protection method for CTH 'N' meter station (micro-fencing; \$7,172)

Laux moved to approve micro-fencing for the Metering Station on CTH N in the amount of \$7,172.00. Welisek 2nd. Motion carried unanimously.

- b) New Meter Station & Well #5 Pumphouse Modifications: Consider Pay Request #6 (\$7,207.76; Miron Constr.) as partial payment for work completed thru Sept. 30

Miller moved to approve New Meter Station & Well #5 Pumphouse Modifications Pay Request #6 (\$7,207.76; Miron Constr.) as partial payment for work completed thru Sept. 30. Rath 2nd. Motion carried unanimously.

- c) Water Main Transmission Project: Consider Change Order #3 (decrease \$255,393.74; Hietpas & Sons, Inc.) reducing contract from \$2,263,881.65 to \$2,008,487.91

Schaff presented change order #3, highlighting several line items. Welisek requested McMahon consider negotiating the cost for lowering water main. Schaff responded it was an omission not an error, which took place during construction without the need for corrections and if concessions are to be considered that other line items should be reviewed. Rath stated the Village Board has held firm to contracts approved and that the EPA through the DNR required the Village to move forward as quickly as possible. Schaff added that the budget included a contingency.

Hennlich moved to approve Water Main Transmission Project Change Order #3 (decrease \$255,393.74; Hietpas & Sons, Inc.) reducing contract from \$2,263,881.65 to \$2,008,487.91. Kaas 2nd. Welisek nay. Motion carried.

- d) Water Main Transmission Project: Consider Pay Request #8 (\$169,843.13; Hietpas & Sons, Inc.) as partial payment for work completed thru Sept 29, including lien waivers

Kaas moved to approve Water Main Transmission Project Change Pay Request #8 (\$169,843.13; Hietpas & Sons, Inc.) for work completed through September 29. Thomson 2nd. Motion carried unanimously.

- e) Clifton Road Watermain Reconstruction: Consider Pay Request #2 (\$46,878.23; PTS Contractors, Inc.) as partial payment for work completed thru Sept. 30 – *informational*
- f) STH 55/114–Watermain Reconstruction: Consider Pay Request #1 (\$107,015.53; PTS Contractors, Inc.) as partial payment for work completed thru Sept. 30 – *informational*

7) Report of Village Officers

- a) Village President

- b) Clerk/Treasurer

- i. Review/Approve financial reports – ***Welisek moved to approve the financial reports as presented. Laux 2nd. Motion carried unanimously.***

Rath inquired as to the status of the Public Works garage door. Friday reported the company that performed the garage door repairs stated the bumper springs were not installed. Friday requested Schaff to research and report back.

Clerk Williams informed Board the status of the outstanding developer special assessments and the appreciation dinner details.

8) Village Engineer

- a) Monthly construction update: *discussed with other agenda items*

9) Village Administrator

Friday informed the Board of communication from residents about the cell tower to date; 10 residents attended public hearing in October, and in addition 8 negative and 2 positive comments have been received.

Welisek stated that most of the comments she received were related to health concerns, response to a letter written by a resident and distributed in the village, more communication about the topic and the actual design tower.

10) Old Business: None

11) New Business:

- a) Request to exceed noise parameters for wedding planned on Sept. 24, 2011, at High Cliff Restaurant (Krystal Krueger and Derrick Gossen)

Welisek moved to deny request (Krystal Krueger/Derrick Gossen; September 24, 2011) to exceed noise ordinance #52 – 7 Loud and Unnecessary Noise Prohibited 2) Radios, phonographs, similar devices. Kaas 2nd. Motion carried unanimously.

- b) 2010 Street and Trail Resurfacing: *Pay Request #1* (\$70,426.10; Badger Highway) as partial payment for work completed thru Nov. 12

Kaas moved to approve 2010 Street and Trail Resurfacing Pay Request #1 (\$70,426.10; Badger Highway) as partial payment for work completed through November 12th. Laux 2nd. Motion carried unanimously.

- c) New Meter Station & Well #5 Modifications: *Change Order Request #13* (\$420.14; Miron Constr.) to install air release valve & pressure gauge on back-up booster pump piping, increasing total contract from \$273,985.84, to \$274,404.73

The Board questioned and discussed the process of change order items presentation.

Rath moved to approve New Meter Station & Well #5 Modifications; amended Change Order Request #13 (\$420.14; Miron Constr.) (previously approved 9/27/10 under change order request #14) to install air release valve & pressure gauge on back up booster pump piping, increasing total contract from \$273,985.54 to \$274,404.73. Miller 2nd. Motion carried unanimously.

- d) Upper Wanick Park Drive: *Contract for Services* (\$2,440; River Valley Testing) to conduct soil borings in advance of park entrance road construction, per 5-year *Capital Improvements Plan* using *Tax Increment District* cash-on-hand

Kaas moved to approve River Valley Testing contract for services in the amount of \$2,440 for upper Wanick Park Drive for soil borings in advance of park entrance road construction per 5-year Capital Improvements Plan using Tax Increment District cash on hand. Rath 2nd. Motion carried unanimously.

- e) *Resolution #17-2010*: Purchase 4.609 acres along Pigeon Road (Parcel #13429; Howitt) per 5-year *Capital Improvements Plan* as connector to trail system between Pigeon Road and both Miller Pond (Stommel Road) and planned Golf Course Road trail extension, using *Tax Increment District* cash-on-hand

Hennlich moved to approve Resolution #17-2010: Purchase 4.609 acres along Pigeon Road (Parcel #13429; Howitt) per 5-year Capital Improvements Plan as connector to trail system between Pigeon Road and both Miller Pond (Stommel Road) and planned Golf Course Road trail extensions using Tax Increment District cash on hand. Miller 2nd. Roll call vote: Hennlich – aye, Kaas – aye, Laux – nay, Miller – aye, Rath – aye, Thomson – aye, Welisek – nay. Motion carried.

- 12) Complaints and Compliments: None

- 13) Correspondences:
 - a) *Calumet County Sheriff's Department – Monthly Report (Oct., 2010) – reviewed*
- 14) Adjournment – *Thomson moved to adjourn at 8:01p.m. Rath 2nd. Motion carried unanimously.*

Minutes respectfully presented for review and approval by Susan Williams, Village Clerk.

Village Board Minutes
December 13, 2010

- 1) Call to Order and Roll Call—*President Miller called the meeting to order at 6:30 p.m. with roll call:*

Present

Joe Hennlich
Roger Kaas
Joyce Laux
David Miller
Carl Thomson
Terri Welisek

Absent

Jim Rath, excused

Others Present

Randy Friday, Administrator
Jennifer Schaff, Village Engineer
Susan Williams, Clerk-Treasurer

- 2) Pledge of Allegiance – *recited*
- 3) Approval of the Agenda – *Hennlich moved to approve the agenda as presented. Thomson 2nd. Motion carried unanimously.*
- 4) Approval of Minutes – Regular Meeting (Nov. 22) - *Kaas moved to approve the minutes of the regular Village Board for November 22, 2010 as presented. Laux 2nd. Motion carried unanimously.*
- 5) Registered Citizen Comments on Agenda Items

Vern Bastjan, W4879 Cliff View Dr., Sherwood – regarding agenda item 6 b) multiple concerns voiced, not in favor of tower

Bob Giesen, W4871 Cliff View Dr., Sherwood – regarding agenda item 6 b) multiple concerns and questions posed, not in favor of tower

Terry Krueger, W5007 Cherrywood Dr., Sherwood – regarding agenda item 6 b) concerned about representation in tower issue, not in favor of tower

Gary Evenson, W5018 Birchwood Dr., Sherwood – regarding agenda item 6 b) interested in another location for cell tower

John Sharer, W5011 Cherrywood Dr., Sherwood – regarding agenda item 6 b) questioned the legal status of the cell tower

- 6) Report of the Plan Commission: Dec. 6
- a) Extra-territorial Review: Consider CSM request (Schulz) to split Parcel #6876 (High Cliff Road) from 39.832 acres into two parcels, 3.26 acres and 36.568 acres

Village Board: *Hennlich moved to approve without objection the extra-territorial CSM request (Schulz) to split Parcel #6876 (High Cliff Road) from 39.832 acres into two parcels, 3.26 acres and 36.568 acres as presented. Laux 2nd. Motion carried unanimously.*

b) Site Plan Review: AT&T cell tower at Miller Pond (Stommel Rd.) – *informational*

- 7) Report of Village Officers
- a) Village President – *President Miller commented the Village Public Works employees performed a good job clearing the streets during past weekend's snow storm.*

- b) Clerk/Treasurer Review/Approve financial reports – *Laux moved to approve the financial reports as presented. Thomson 2nd. Motion carried unanimously.*

Miller moved to direct staff to pay bills that would incur penalties if left unpaid prior to January 10, 2011 Village Board meeting. Hennlich 2nd. Motion carried unanimously.

- 8) Village Engineer – Engineer Schaff reported approaching end of transmission main project, Miron is completing their punch list, final change orders are being completed, Hietpas' portion of contract is complete and final pay request is agenda item 11 a), 2010 Paving contractor MCC is working out final details of contract.
- 9) Village Administrator – *Administrator Friday stated TID #1 Amendment application will go to the State later this week.*
- 10) Old Business: None
- 11) New Business:
- a) Water Transmission Main: Consider *Certificate of Payment #9 (Final)* (Hietpas & Sons, Inc.; \$1,004.24) regarding transmission main construction (lien waivers previously approved)

Kaas moved to approve Certificate of Payment #9 (Final) (Hietpas & Sons, Inc.; \$1,004.24) regarding transmission main construction (lien waivers previously approved). Hennlich 2nd. Motion carried unanimously.

- b) *Single Audit* for Water Main project: Consider audit award to Baker Tilley (est. \$6,500 - \$7,500) to conclude project & federal (grant) audit requirements

Laux moved to award professional services contract to Baker Tilley (est. \$6,500 - \$7,500 basic fees + extra/travel expenses) to conduct Single Audit to comply with project & federal (grant) audit requirements. Miller 2nd. Motion carried unanimously.

- c) High Cliff Cemetery: Consider 'Sale of Plot' and 'Contract for Perpetual Care' (Beck)

Hennlich moved to approve 'Sale of Plot' and 'Contract for Perpetual Care' (Beck) at High Cliff Cemetery. Thomson 2nd. Motion carried unanimously.

- d) High Cliff Cemetery: Consider 'Sale of Plot' and 'Contract for Perpetual Care' (Christenson)

Hennlich moved to approve 'Sale of Plot' and 'Contract for Perpetual Care' (Christenson) at High Cliff Cemetery. Thomson 2nd. Motion carried unanimously.

- e) Lakeshore Estates–South subdivision: Consider acceptance of public infrastructure related to (9 lots; Pigeon Road)

Kaas moved to approve acceptance of Lakeshore Estates–South subdivision: public infrastructure related to (9 lots; Pigeon Road) contingent on Utility Commission on December 20, 2010. Laux 2nd. Motion carried unanimously.

12) Complaints and Compliments: None

13) Correspondences:

- a) Wis 114 Stakeholder Meeting on Thursday; Dec. 16th (WisDOT; Nov. 30)
- b) Cell Tower opposition (Verhagen; Dec. 7)
- c) 'Formidable Neighborhood Exercise' flyer (Cal. County Emergency Mgmt.; Dec. 8)

14) Adjournment - ***Kaas moved to adjourn at 7:51 p.m. Thomson 2nd. Motion carried unanimously.***

Minutes respectfully presented for review and approval by Susan Williams, Village Clerk.

Village Board Meeting Notice and Agenda

Monday, December 27, 2010 – MEETING CANCELLED