

# Village Board Meeting Minutes

January 27, 2003

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

|   |  |
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| <b>Present</b><br>Bill Barribeau<br>Joe Beach<br>Joyce Laux<br>Lynn Milheiser<br>Dave Miller<br>Carl Thomson<br>Harland Zietlow | <b>Others Present</b><br>Steve Dozer and Scott Barr, Village Attorneys<br>Josh Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk |
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- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Zietlow second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the meeting minutes of January 13, 2003. Zietlow second. Motion carried.*
  
- 5) Registered citizen comments on agenda items – None.
- 6) Consent Agenda
  - a) Approval of Operator’s License for Emily L. Hein – *Milheiser moved to approve. Barribeau second. Motion carried.*
  
- 7) Report of the Utility Commission – January 20, 2003
  - 1) ACTION ITEMS:
    - a) Commissioner Franda was nominated Utility Commission Chairman replacing exited Chairman Koffarnus.
  
  - 2) CONSENSUS ITEMS:
    - a) A Public Facility Needs Assessment is necessary in anticipation of impact fees to be imposed on new construction.
  
    - b) Hess will sign a contract lawn service proposal for one year. Commissioners want the utility employees’ time previously consumed by lawn care to be for daily utility demands. The current lawn mower will not be sold or traded. A walk behind snow blower may be purchased with the \$650 allotted.
  
    - c) The Utility Commission cannot approve hiring an additional utility technician due to the ongoing union negotiations.
  
  - 3) DISCUSSION ITEMS:
    - a) The Public Facility Needs Assessment is necessary to determine whether impact fees will be imposed as a cost recovery method for the sewer plant expansion. The first step would be for the engineer and the utility staff to discuss the project. The next step would be to speak to a financial advisor to determine fees and to post hearings.

- b) Village Attorney Dozer will review the private irrigation system and subsurface discharge automatic fill device ordinance prepared by Van Lieshout. Dozer suggested that if no permit fee is required the ordinance wording should state, “permit is required or penalty will be assessed.” The addition of a conservation measure, daily fines for noncompliance, and permits signed by certified inspector annually were other suggestions. Dozer suggested removing the legal expense fees section from the proposed ordinance and in its place stating “legal expenses are on file.”

8) Report of Village Officers

- a) President – None
- b) Clerk/Treasurer
  - i) Review Disbursement Register and Financial reports – Reports presented.

9) Village Attorney

- a) Discussion regarding environmental legal issues at the former Wink-Mart gas station – Attorney Barr commented on the general process of acquisition of contaminated property. He understands some cleanup of the Wink Mart property, ie. investigation, tank removal has been done, and that it is currently being monitored. He said the usual process is to remove “hot spots” and then monitor to see if contamination dissipates. If contamination plume is contracting and remains confined, the DNR will often close the site. If the plume continues to migrate or does not improve, further action will be ordered.

Typically the buyer writes an offer contingent on the outcome of a site investigation. The investigation would be done by engineers contracted by the buyer and would likely cost from \$10,000 to \$15,000. After reassessing the results of this investigation the buyer decides how to proceed. Often a buyer will be required to sign a deed restriction stating that if the building is removed investigation of earth under the building will be reopened. Generally a current owner, not former owner, is financially responsible. Obligations are attached to buying a contaminated site. Usually part of purchase money would be left in escrow to cover contingencies uncovered as the land use changes. It is often the case that full closure may take from three to ten years. It is important that a buyer be protected from the long term financial impact.

Milheiser pointed out that the old gas station once featured a pit into which oils and fluids were no doubt drained. The pit was later filled in and covered. It may be an unknown source of contamination. Miller remarked that at times after a heavy rainfall a gasoline odor is apparent downhill of the site. Barr stated that knowledge of such facts will guide the writing of any offer of purchase in the future.

- Dozer reported that Ron Hawkinson has cleaned up his property according to court order and has paid imposed costs to the Village.

10) Village Engineer – No report.

11) Village Coordinator

- a) Second reading of an Amendment to Zoning Ordinance #65 allowing as a principle use in the R-2, R-3, R-4, IR-2 zoning district zero-lot-line duplexes – ***Barribeau moved to approve an Amendment to Zoning Ordinance #65 allowing as a principle use in the R-***

**2, R-3, R-4, IR-2 zoning district zero-lot-line duplexes. Thomson second. Motion carried. Beach nay.**

- b) Second reading and Action to approve Ordinance 03-24 Granting Cable Television Franchise to Time Warner Entertainment Company, L.P. – **Milheiser moved to adopt Ordinance 03-24 Granting Cable Television Franchise to Time Warner Entertainment Company, L.P. Miller second. Motion carried.**
- c) Discussion regarding Recreation Center Facilities – Van Lieshout reported that limited removal of asbestos has been completed and that Becker Boiler will inspect the boiler unit and forward a summary of needed repairs or replacement of the heating unit.
- d) Storm Water Committee Update – Van Lieshout stated that the storm water committee will finalize a priority projects list and will summarize and produce a report of their conclusions within the next two months. He stated Mary Korrell, Calumet County Community Development Coordinator has provided invaluable facilitation of the process. Dave Wagner, Ehlers Associates financial consultants, met with the committee recently to explore ways to finance storm water management projects. Milheiser asked that meeting notes be provided to the trustees.
- e) Approval of Change Order No. 4, Lift Station No. 3 Reconstruction, decreasing the contract amount by \$100.00 to \$356,582.00
- f) Approval of Change Order No. 5, State Park Road and Windswept Lane Reconstruction, decreasing the contract amount by \$12,284.12 to \$150,039.09
- g) Approval of Change Order No. 1, Mustang Acres Subdivision Asphalt Paving, decreasing the contract amount by \$4,120.27 to \$37,287.23

Van Lieshout explained that the projects listed are completed and finalized. These change orders are a housekeeping matter and a means of closing out the final contracts amounts. **Barribeau moved to approve Change Order No. 4, Lift Station No. 3 Reconstruction, decreasing the contract amount by \$100.00 to \$356,582.00; Change Order No. 5, State Park Road and Windswept Lane Reconstruction, decreasing the contract amount by \$12,284.12 to \$150,039.09; Change Order No. 1, Mustang Acres Subdivision Asphalt Paving, decreasing the contract amount by \$4,120.27 to \$37,287.23. Thomson second. Motion carried.**

- 12) Presentation of correspondence, resolutions, and related matters
  - Thomson will make suggestions at the next meeting of the Lions Club re placement of a bulletin board at the Recreation Center.
  - Milheiser asked for follow up on warning signs at the entrance to Christ the King Church on Highway 114/55, stating that unsafe conditions persist.
- 13) Adjournment – **Barribeau moved to adjourn at 7:50 p.m. Thomson second. Motion carried.**

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes

January 13, 2002

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

|                 |                                     |
|-----------------|-------------------------------------|
| <b>Present</b>  | <b>Others Present</b>               |
| Bill Barribeau  | Christine Wanless, Village Attorney |
| Joe Beach       | Josh Van Lieshout, Coordinator      |
| Joyce Laux      | Ellen Maxymek, Clerk                |
| Lynn Milheiser  |                                     |
| Dave Miller     |                                     |
| Carl Thomson    |                                     |
| Harland Zietlow |                                     |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve agenda. Thomson second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of November 25, 2002 and December 9, 2002. Thomson second. Motion carried.*
  
- 5) Registered citizen comments on agenda items – None.
  
- 6) Public Hearing on proposal from Amy Colwell to amend section 3-1(C)(b)(3) permitting as a principal use in the R-2, R-3, R-4, IR-2 zoning district zero-lot-line duplexes – Miller made three calls for public comment. Hearing none the meeting was closed at 6:36 p.m.
  
- 7) Consent Agenda – None
  
- 8) Report of the Plan Commission – January 6, 2003
  - 1) **Action Items** – See agenda item 13) b).
    - a) Recommended approval of a CSM dividing Lot 9 Nature Haven Estates into two lots, creating two parcels with a zero interior side yard setback – See agenda item 13) b).
  
  - 2) **For Information Only**
    - a) Discussed correspondence sent to Calumet County Planning and Zoning Committee regarding private onsite wastewater treatment systems – Van Lieshout stated that the Village is under pressure to extend sewer service to development area northeast of the Village boundaries but within its sewer service *planning* area. The Utility Commission, by encouraging growth and development within the current service area, is attempting to implement the Village Land Use Plan and to. It is doubtful that the cost to extend sewer service to the outlying planning area can be off set by a return on investment due to underutilization in-between the current service area and the planned development area. If developments are built with private on-site sewer systems, future revenue potential will be severely compromised. This is seen as counter-productive to smart growth planning initiatives. Van Lieshout has appealed to Calumet County Planning and Zoning Committee to restrict the building of private systems in municipal sewer service planning areas. The committee has acknowledged the appeal and will take it under consideration in upcoming weeks.

- b) Discussed time and materials agreement for planning services. Requested more defined proposal with milestones and time frame for completion – Van Lieshout reported that Vandewalle Associates has submitted a proposal to provide services on a time and materials basis detailing plans for specific neighborhood development as well as concept plans for downtown development/redevelopment. The Plan Commissioner took no action on the proposal, asking that it be resubmitted with more definition as to parameters, milestones, time frame, etc. Milheiser requested that a copy of the proposal be provided to the trustees.

Discussion was initiated by Beach regarding the eligibility of downtown development for tax increment finance. Van Lieshout reported that he has not had response from Department of Transportation regarding viability of moving the intersection of Clifton Road and Hwy 114. Nor has he received more conclusive information about costs to clean-up the Condon Oil Wink Mart site. He stated that this information needs to be obtained before starting an expensive TIF application process.

- c) Reviewed status of Development Agreement for Lakeshore Estates North and made recommendations for negotiation – No discussion.

9) Report of the Utility Commission – December 16, 2002

1) **Action Items** – No action required.

- a) Moved to have David Miller, Village President, sign the Clean Water Fund Notice of Intent Application forms. The Bio-solids and Capacity Analysis at the WWTP is still in the study phase according to Chad Olsen, McMahan Engineer.
- b) Moved to have the 2003 proposed budget for water and wastewater approved under the conditions of the removal of the receptionist position and a tentative on the support for the lawn mower until receive further information.

Footnote to budget: The additional employee, Utility Operator #3, will require prior Utility Commission approval.

2) **Consensus Items**

- a) Agreed the Utility Commission should not fund 50% of the wage expense for the receptionist position approved by the Village Board. Agreed the Village Board should fund 100% of the position.
- b) Agreed the additional utility employee, Operator #3, be included in the 2003 proposed budget with the stipulation that the position is not approved until justified.
- c) Request the village attorney to present union-negotiation progress report to the commissioners at the January 20, 2003.
- d) Request bids to contract outside lawn and snowplow service for the Utilities to be presented at the January 20, 2003 meeting. Commissioners would like bids compared to \$20,000 2003 budget proposal, after trade in, for lawn mower with snowplow attachment.

- e) Request Dave Wagner, Ehler Associates, present long-term capital improvement financing options to the Utility Commission.

10) Report of Village Officers

- a) President – No report.
- b) Clerk/Treasurer
  - i) Review Disbursement Register and Financial reports – Reports were reviewed and discussed.
  - ii) Approval of Election Inspectors for 2003-2004 – ***Barribeau moved to appoint Betty Berghuis, Joan Bolle, Carol Christenson, Mary Ann Freund, Carol Kloepffel, Marilyn Knorr, Carol Seidel, Carol Solberg, Phyllis Stine, Terry Troestler, Cheryl Warrens, Deborah Wisnet, Kate Zietlow to positions as Elections Inspectors for the years 2003 to 2004. Milheiser second. Motion carried.***

11) Village Attorney

- a) Discussion and action to approve cable franchise agreement – ***Barribeau moved to approve with attorney recommended changes to Section IX require that materials and workmanship should be to Village standard. Miller second. Motion carried. Beach moved that franchise fees be paid to the Village of 4%. Zietlow second. Motion carried. Milheiser nay.***
- b) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for 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; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting – Recommended.

12) Village Engineer – No report.

13) Village Coordinator

- a) Discussion and action to amend the Village Zoning Ordinance allowing as a principle use in the R-2, R-3, R-4, IR-2 zoning district zero-lot-line duplexes – Van Lieshout explained that Petitioner Amy Colwell is requesting the amendment as a means of permitting the division of one duplex lot into two lots each with a side yard setback of zero on one, common wall side. The purpose of the amendment is to allow lenders and owners to have clear title to the land upon which the dwelling sits. This lot division would be accomplished by certified survey map, approval of which would necessarily be sought before the Plan Commission and Village Board. (Currently purchase of individual halves of duplex is being accomplished by creating condominium ownership with shared land. In this practice no oversight by the Village is involved.)

Van Lieshout continued, saying that the amending language additionally requires that:

- exteriors of both duplex units are uniform in appearance
- matters of mutual concern to adjacent property owner shall be guarded against by private covenant and deed restriction
- separate utility services must be created for each unit

- each property owner is responsible for coordinating maintenance responsibilities
- lot must have been previously planned for duplex
- no accessory structures will be permitted
- minimum bulk area requirements and setback requirements shall be maintained
- duplex units shall be built simultaneously and firewall shall be constructed running the full length of common wall
- in the event of total destruction both unit owners must agree whether to rebuild, restore, or sell property. If damage is confined to one unit, unit shall be repaired by owner of that unit.

Laux questioned whether this amendment would encourage building of more duplex type structures. Van Lieshout stated that buildings of this sort are restricted to zoning districts previously created at the discretion of the Plan Commission/Villager Board. Zietlow opined that, if approved, all duplex lot owners should be notified of the content of the amendment. Beach expressed concern that policies regarding special assessments will become more difficult to enforce. Following discussion of these issues ***Zietlow moved to approve the amendment and to require notification of same to all duplex lot owners. Milheiser second. Motion carried. Beach voted nay.*** A second reading will be required per the Rules of the Board.

- b) Discussion and action to approve a CSM dividing Lot 9 Nature Haven Estates into two lots, creating two parcels with a zero interior side yard setback – ***Barribeau moved to approve a CSM dividing Lot 9 Nature Haven Estates into two lots, creating two parcels with a zero interior side yard setback. This approval will take effect after the final reading, adoption, and publication/posting of the amendment to Zoning Ordinance 65, allowing as a principal use, zero-lot-line duplexes in R-2, R-3, R-4, IR-2 zoning districts Thomson second. Motion carried. Beach nay.***
- c) Discussion regarding Recreation Center Facilities – Van Lieshout reported on leaking boiler system pipes at the Recreation Center. He is obtaining proposals for repair/replacement of boiler unit. He also reported that subsequent to a recent inspection of the building he received a report stating that loose asbestos was found in a janitor closet. This will require clean-up to insure the safety of personnel. Excepting this finding, no condition dangerous to the general public, and in particular to the school children who use the facility was found.
- d) Discussion regarding Economic Development Meetings – Van Lieshout stated that Calumet County is increasing services to assist municipalities with economic growth.
- e) Discussion regarding accepting advertisements in the Village News Letter – Van Lieshout reported a request to place advertisement in the newsletter. Zietlow objected, saying that the newsletter was not published for this quarter and that paying advertisers depend on timely publication. Zietlow stated that the deadline for submission of articles should be published. Laux suggested that the publication schedule could be changed to accommodate work flow.

***Miller made motion at 8:21 p.m. to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for 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 second. Motion carried.*

*Zietlow moved to RETURN TO OPEN SESSION to take further action or to adjourn the meeting at 8:40 p.m. Miller second. Motion carried.*

14) Presentation of correspondence, resolutions, and related matters

- Zietlow inquired about progress toward arranging for an intern position to coordinate park and recreation activities, say that a resident has requested a basketball camp activity.
- Zietlow stated that the American Legion has removed the flags from the flagpoles and is folding and storing the Stars and Stripes for the winter. The Tree City flag was given to the Village for storage.
- Zietlow inquired whether there are restrictions or disciplinary policies regarding acceptance of vendor premiums or incentives by personnel to influence purchasing decisions. Van Lieshout reported that the Village has adopted the state ethics statute regarding this issue.
- Laux reported that an unidentified person/s is stuffing advertising fliers into newspaper delivery boxes.
- Thomson stated that the Lions Club would like to mount a glass encased bulletin board at one of the Village facilities on which they can post notices of interest to the community.

15) Adjournment – *Barribeau moved to adjourn at 8:50 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.



## Village Board Meeting Minutes February 10, 2003

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:35 p.m. Roll called:

|                |                                |
|----------------|--------------------------------|
| <b>Present</b> | <b>Absent</b>                  |
| Bill Barribeau | Harland Zietlow - Excused      |
| Joe Beach      | <b>Others Present</b>          |
| Joyce Laux     | Steve Dozer, Attorney          |
| Lynn Milheiser | Josh Van Lieshout, Coordinator |
| Dave Miller    | Bill Diedrick, Public Works    |
| Carl Thomson   | Ellen Maxymek, Clerk           |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Milheiser second. Motion carried. Laux against.*
  
- 4) Approval of Minutes – *Beach noted a change to agenda Item 9) a) add paragraph 4 as follows: Beach asked the intended future use of the property if purchased. Miller replied that the land would be used as a downtown green space in the foreseeable future with civic development possible in the future. Barribeau moved to approve the amended minutes of the January 27, 2003 meeting. Milheiser second. Motion carried.*
  
- 5) Registered citizen comments on agenda items – None.
- 6) Consent Agenda – None.
  
- 7) Report and approve the Plan Commission Action Items – February 3, 2003
  - 1) Action Items
    - a) Recommended approval of a CSM re-describing Lot13, 14, and 15 of State Park Estates as Lots 1 and 2 of CSM. *Laux moved to approve. Milheiser second. Motion carried.*
  
    - b) Recommended approval of a time and materials agreement for planning services submitted by Vandewalle & Associates – Van Lieshout stated the services would be used for review of subdivision proposals and as well as long term planning issues. Attorney Dozer pointed out that funds expended for subdivision review can be recovered through the developer reimbursement resolution. The planners would also be used to professionally develop sound population projections necessary to plan future infrastructure. *Laux moved to approve. Milheiser second. Motion carried.*
  
    - c) Recommended approval of an agreement for downtown concept renderings from Vandewalle & Associates – The agreement, for an amount not to exceed \$4,500, would be used to conceptualize redevelopment of the downtown and to generate discussion and motivation among property owners and others interested in downtown development. Beach suggested that public input sessions should be held before money is spent for concept renderings. He would like to determine if there is substantial interest by downtown property owners in redevelopment initiatives. Beach stated that the entire commercial corridor along Highway 114/55 should be included in “downtown” redevelopment planning sessions. Milheiser said it would be foresighted to research grant opportunities so that potential funding assistance could be discussed with participants.

Van Lieshout stated that a request for proposal process for selecting downtown planning consultants should be undertaken if the scope is broadened. Thomson questioned whether development could be “frozen” in this area until planning can proceed. Van Lieshout stated that there are some restraints to putting development moratoriums in place. It was the consensus of the board that a facilitated “listening session” should be set up with merchants and downtown property owners and that the issue of downtown redevelopment should be referred back to the Plan Commission.

- 2) For Information Only
  - d) Heard report from Ken Pasich, Calumet County Planning and Zoning Department, regarding County Smart Growth Initiative – A full time planner has been hired by the county and a kick-off meeting will be held on February 20, 2003 to discuss how to organize Smart Growth process in Calumet County and to determine interest by municipalities in a joint effort.
  - e) Discussed concept plan for a 205 lot subdivision on the former Mader Farm. Directed Coordinator to contact planning consultant regarding highway access, subdivision ingress and egress, utility access – Van Lieshout reported that this subdivision which lies outside of the Village borders would consist of 113 acres, 205 lots, adding approximately 520 population, with a projected time line to start development in 2004. He stated difficulties of the proposed subdivision include that it lies outside of the sewer service area; there are physical obstacles to school children walking to a future school site across the state highway and railroad tracks; access and egress problems would complicate emergency service delivery. The project, Van Lieshout continued, is well beyond plans projected in the Village 2020 land use plan as well as the sewer service plan. He is uncertain that 113 sewer service acres are available within the Village to swap for the desired sewered acreage if we were to proceed.
  - f) Declined to reconsider development agreement for Lakeshore Estates North. Heard statement from Developer that subdivision was not financially viable if wooded ravine lots were excluded per prior request of Commission – The Plan Commission decided that the stand of hardwood trees contemplated for ravine lot development was too valuable a natural asset and declined to consider the request by the developer to subdivide.
  - g) Heard report from Coordinator regarding re-rating Wastewater Treatment Facility for capacity of 3,800 population, revision of population estimates, and future expansion of sewer service area – Beach requested assurance that the Utility would bear the cost of planning and engineering services as well as Coordinator time.
- 8) Report and approval of the of the PRUT Board Action Items – February 4, 2003
- 1) Action Items – ***Beach moved to refer the following items back to the PRUT Board for further consideration. Miller second. Motion carried.***
    - a. Recommended planting of Castle Drive trees on inside of trail.
    - b. Recommended purchase of park/recreation equipment including line painting device and portable soccer goals.

- c. Recommended that storage space be made available in Wanick Park pavilion for sports equipment and to make access to storage available to responsible representatives of Village sports organizations with security measures for key distribution – Beach expressed reluctance to make access to the storage area available and suggested that an alternate storage container or shed be installed.
  - d. Recommended tree planting and dedication of Schneider Park as official Arbor Day celebration activity.
- 2) For Information Only
- a. Instructed Coordinator to contact Sherwood Lions Football representative regarding completing Legion Park baseball field grading and rehabilitation.
  - b. Requested Coordinator to update Village Park Plan and return it for discussion at next meeting.
- 9) Report of Village Officers
- a) President – No Report.
  - b) Clerk/Treasurer
    - i) Review Disbursement Register – The disbursement report was reviewed. Laux commented that at one time Christmas trees were chipped and the mulch used by the company in exchange for the service. Milheiser requested that in the future multiple quotes be obtained before letting the tree cleanup contract
- 10) Street Superintendent
- a) Discussion on snow removal operations and sidewalk snow removal – Dozer stated that this matter was dealt with in prior years. He stated that a policy decision must be made if the Board wishes to clean these sidewalks on private property. Beach and Diedrick each noted similar situations on N. Military Road and with property abutting the Village trails. Following discussion ***Miller moved to approve snow removal by the Public Works department on sidewalks fronting Military Road between Forest Avenue and the TDS building. Milheiser second. Motion carried. Beach voting nay.*** Dozer stated that written permission to clean the sidewalks should be obtained from abutting property owners
- 11) Village Attorney
- a) Discussion and first reading of the revised nuisance ordinance – A draft of a revised Nuisance Ordinance was briefly reviewed. Dozer requested that the Trustees contact him to discuss changes. Beach requested that provision for false fire/emergency alarm be listed as a nuisance ordinance violation. Laux asked if cats running at large would be in violation. Dozer answered in the affirmative and noted that the language should be more specific if limited to certain kinds of animals.
  - b) Discussion and first reading animal control ordinance – After consideration, Dozer stated, he concluded provisions for animal running at large could best be handled in the Nuisance Ordinance.

## 12) Village Coordinator

- a) Discussion on Storm Water Committee action and findings to date – Van Lieshout reviewed the minutes and other correspondence related to activities of the Storm water Management Committee included in the meeting packet. In addition to drainage problem areas defined by the committee, Beach reported drainage problems reported to him due to storm water diverted to a different watershed. This problem apparently resulted from the re-grading of the football practice field on St. John-Sacred Heart School and Village American Legion Park property.
- b) Discussion on cleaning and restoring unnamed tributary between the fourteenth fairway and Golf Course Road – Miller reported this stream is full of debris and growth which is obstructing flow of drainage. Storm water is backing up onto the fairway and flowing into neighboring yards. The storm water committee has requested the Village Engineer to apply to the DNR for permits necessary to clean out the streambed and limit pond outflow to facilitate the cleanup. Van Lieshout stated that the volume of runoff coming from the detention pond outlet structure through the stream would be temporarily limited while excavation to restore the streambed and banks takes place. This temporary decrease in size of the outlet structure will necessarily decrease the detention capacity of the pond.

Dependent upon DNR permitting, the committee hopes to bring forward a project for Board approval this winter. Heavy equipment can be gotten in to the area to clean up the stream while the ground is frozen. The committee does not want to miss this narrow window of opportunity.

- c) Discussion on recreation trail use by motorized vehicles – Van Lieshout reported the use of snowmobiles on recreation trails. He authorized Public Works Supervisor to order signs prohibiting unauthorized motorized vehicles for posting the trails. He also asked Attorney Dozer to draft ordinance language prohibiting such vehicles. Special exceptions such as motorized wheelchairs and scooters used by the disabled will be noted as available by special permit.
- d) Discussion and action to approve 2003 fire services contract – Because financial information accompanying the bill for 2003 services was incomplete, Maxymek was requested to obtain the balance of the documentation. Laux asked the Coordinator to find out how fire services will be handled in view of the annexation to City of Menasha of former Town of Harrison property. If Menasha contracts for service from Harrison the proportionate share of service costs to the Village could be reduced in the future.

## 13) Presentation of correspondence, resolutions, and related matters

- Van Lieshout called attention to packet information related to recreation center boiler repair proposals. Essential leak and refractory repairs estimated at \$13,200 will need to be done in the summer of 2003. Replacement of system controls is estimated at a cost of \$5,980-10,680. Van Lieshout recommends adding the cost of these repairs to any upcoming borrowing and budgeting payments over time to reduce negative impacts on current year and next year budgets.

## 14) Adjournment – *Barribeau moved to adjourn at 9:11 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes February 24, 2003

- 1) Call to Order and Roll Call – Meeting called to order by President Miller at 6:30 p.m. Roll call:

|  |  |
|--|--|
| <b>Present</b><br>Bill Barribeau<br>Joe Beach<br>Joyce Laux<br>Dave Miller<br>Carl Thomson | <b>Absent</b><br>Lynn Milheiser - Excused<br>Harland Zietlow - Excused<br><b>Others Present</b><br>Steve Dozer, Village Attorney<br>Josh Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk |
|--|--|
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried.*
- 4) Approval of Minutes – None.
- 5) Registered citizen comments on agenda items – None.
- 6) Consent Agenda – *Thomson moved to approve operators licenses for the applicants listed below. Laux second. Motion carried.*
  - a) Approval of Operator's License for Lee Spencer
  - b) Approval of Operator's License for Joel Pethan
- 7) Approval of the Report of the Utility Commission - February 17, 2003
  - 1) Action Items:
    - a) Approval of private irrigation system ordinance, requiring a permit for the installation, operation or maintenance of irrigation systems and automatic fill devices – Van Lieshout reported that the Utility Commission, in response to water quality complaints recommended the passage of Ordinance No. 03-78. The ordinance would obligate users of irrigation systems and automatic fill devices to obtain an annual permit. No permit fees will be collected but severe fines will be imposed for non-compliance. An anti-siphon or backflow preventer device will be required with such systems. *Miller moved and Thomson seconded approval of the first reading of the ordinance. Motion carried.* Maxymek stated that a second reading and public hearing will be scheduled before adoption of the ordinance.
    - b) Approval of the 2002 CMAR, Compliance Maintenance Report required to be completed and submitted by March 31 under Chapter NR 208, Wis. Adm. Code – Van Lieshout stated that the Utility Commission recommended approval of the CMAR. A resolution accepting the report will be brought before the Village Board at a future meeting for approval. Although the report recorded higher scores than in prior years, this is caused by higher population using the system and is not of concern.
  - 2) Consensus Items:
    - a) Request Rosenbeck, Engineer, recommend to contractor of Lakeshore Estates West II suggest an alternate external seal system on manhole section joints which would

- provide similar benefits and that can be effectively applied in cold weather, thus amending the Village of Sherwood Standard Specification for Utility Construction – Van Lieshout stated that the Utility Commission want standard specifications to require a product wrap or alternate system on manhole section joints in order to reduce clean water inflow into the sewer system.
- b) Request Rosenbeck, Engineer, develop draft for main extension policy.
- 3) Discussion Items:
- a) Commissioners requested Olsen, Engineer, put together cost estimates for automation of reed beds. They also requested an agreement letter from the City of Appleton for the treatment of municipal sludge generated by the Village and hauled to the City of Appleton Wastewater Treatment Facility.
  - b) The Commission will need to bring forth a Utility Fee Ordinance in association with the private irrigation system ordinance to be kept on file.
  - c) Rosenbeck suggested the Utility Commission develop policies on how to respond to residents outside of the village limits concerning sewer and water main extensions.
- 8) Report of Village Officers
- a) President – No report.
  - b) Clerk/Treasurer
    - i) Review Disbursement Register and Financial Reports – Reports were reviewed and accepted.
- 9) Village Attorney
- a) Review and approval of revised nuisance ordinance – Attorney Dozer briefly reviewed the draft ordinance and requested that the Board thoroughly review the draft and convey to him their wishes regarding any changes, additions, or deletions to the text. A separate schedule of fines for ordinance violations will also need to be acted on. Before passage a public hearing will be scheduled.
- 10) Village Coordinator
- a) Review of cemetery survey, mapping, and marking proposal – Van Lieshout presented a proposal from McMahan Associates estimated at \$13,440 for surveying, mapping and marking of High Cliff Cemetery. Beach asked if there is any way to recover some of this cost. Due to the unexpectedly high cost of the services, to an extent not included in the current year budget, Van Lieshout recommended holding off on this proposal until a future time. Following discussion no action was initiated.
- 11) Presentation of correspondence, resolutions, and related matters
- The calculation of cost to the Village for fire protection services was reviewed. Miller opined that the bill for service should be paid without further delay. Laux requested that the Coordinator contact Town of Harrison and City of Menasha to determine if a shared services agreement between the two is under consideration.

- Thomson reported that Constable Maynard is upset because real estate signs are being placed within the right-of-way.
- Van Lieshout reviewed a drainage plan submitted by Louis Resch in conjunction with a request to install a retaining wall at the back of Lots 77 and 78 State Park Estates II.

12) Adjournment – *Thomson moved to adjourn at 7:40 p.m. Barribeau second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Clerk.



## Village Board Meeting Minutes March 10, 2003

- 1) Call to Order and Roll Call – The meeting was called to order by Vice President Laux at 6:32 p.m. with roll call:
- |  |                |                                |
|--|----------------|--------------------------------|
|  | <b>Present</b> | <b>Absent</b>                  |
|  | Bill Barribeau | Dave Miller                    |
|  | Joe Beach      | Harland Zietlow                |
|  | Joyce Laux     | <b>Others Present</b>          |
|  | Lynn Milheiser | Josh Van Lieshout, Coordinator |
|  | Carl Thomson   | Ellen Maxymek, Clerk           |

2) Pledge of Allegiance

3) Approval of the Agenda – *Barribeau moved to approve the agenda. Milheiser second. Due to the absence of the Village President and Attorney, Beach moved to amend motion, to strike agenda items 8) a) and 9) a), b). Barribeau second. Amendment carried. Motion carried.*

4) Approval of Minutes – *Barribeau moved to approve minutes of February 10, 2003. Milheiser second. Beach requested the following change to 12) a): Beach reported drainage problems... because it diverts storm water to a different watershed. Laux seconded the amended minutes. Amendment carried. Motion carried.*

*Barribeau moved to approve minutes of February 24, 2003. Thomson second. Beach requested following change to 10) a): Beach asked if there was any way to recover some of the cost [for surveying, mapping, and marking of High Cliff Cemetery]. Motion carried. Milheiser abstained.*

5) Registered citizen comments on agenda items – None.

6) Consent Agenda

a) Approval of Operator's License for Mamie Irvine – *Milheiser moved to approve operator's license. Thomson second. Motion carried.*

7) Approval the Plan Commission Report

### 1. Action Items

a. Recommended approval of agreement with Vandewalle & Associate for downtown design services. Further recommended a visioning/listening session, facilitated by UW Extension personnel, with parties interested in downtown revitalization and with Vandewalle Associates in attendance to “kick off” the design process – Beach indicated that the downtown property owners should be noticed in writing of a visioning/listening session. Van Lieshout stated that the Plan Commission is not as much interested in doing a downtown project at this time but rather want to generate interest in and support of redevelopment over the long term. The Plan Commission believes it would be useful to have concept renderings available to generate this interest. Beach and Milheiser stated that downtown owners would be primarily interested in how their improvements can be financed. Following discussion the action item was held for more information regarding the cost of creating a TID or similar downtown development financing mechanism.

## 2. For Information Only

- a. Discussed a pre-preliminary subdivision concept on Miller/Vandenberg/Grode Property submitted by Michael Krueger, Inc. – Van Lieshout reported that the Plan Commission took issue with streets and lot layout plans in particular the extension of Meadowcliff Drive through golf course property and multiple intersects with Pigeon Road. The rough plan is absent a trail plan. On the plus side, the concept development lies within the Village planning area and sewer service area.
- b. Discussed zoning of John Stumpf Addition with direction to Coordinator to research the reasoning for prior rezone – Van Lieshout reported that a resident of the subdivision wants to build a garage addition but is hampered by restrictions of the zoning district. He requested that the Village review reasoning behind rezoning which increased setback requirements. With the rezone, the homes in this neighborhood became legal nonconforming structures. However, the degree of nonconformity cannot be increased.
- c. Discussed correspondence regarding extraterritorial planning and growth issues. Directive to concentrate on upgrading County Growth Management Policy regarding development in unincorporated areas. Also discussed ECWRPC communication re Sewer Service Area and Sewer Service Planning Area – Van Lieshout reported that Calumet County Growth Management Policy limits development in un-sewered areas to ten lot subdivisions with private sewer systems, however such private on-site systems cannot be prohibited per Section Comm 83.32(2) of Wis. Adm. Code. Van Lieshout called attention to correspondence from East Central Wisconsin Regional Planning Commission which outlined limiting factors to extending sewer service to properties owned by Don Mielke and which lay outside Sherwood’s sewer service area.
- d. Coordinator reported on options to handle sewer treatment sludge – Van Lieshout reported that Village Engineers are reluctant to recommend costly expansions to the sewer treatment plant and system because the population is not stabilized therefore planning projections are difficult and uncertain. The Utility Commission is leaning in the direction of constructing a transfer station to pump sludge waste for hauling to treatment plants in either Appleton or Green Bay. Responding to questioning from Beach Milheiser stated that neither Hilbert nor Brillion plants have the capacity to treat additional outside sludge.
- e. Coordinator updated regarding storm-water planning activities to date – Referring to possible remediative storm water inlets on CTH M near Stumpf Avenue, Beach opined that runoff should be intercepted before it can reach the Stumpf Drive drainage problem area. He would prefer to keep runoff interceptors in the road right-of-way. Van Lieshout will contact the Village Engineers for a proposal.

## 8) Report of Village Officers

- a) President – Deleted.
- b) Clerk/Treasurer
  - i) Review Disbursement Register – Disbursements presented for review.

- 9) Village Attorney
- a) Review and approval of revised nuisance ordinance – Deleted.
  - b) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for 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; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting – Deleted.
- 10) Village Coordinator
- a) Approval of 2002 Budget Amendments – ***Barribeau moved to approve amendments to the 2002 budget. Milheiser second. Motion carried.***
  - b) Approval of Cemetery Policy to allow scattering of cremains on grave site – Milheiser noted that scattering on water or in the air is disallowed. Thomson stated that in his experience few municipalities allow scattering of cremains. ***Milheiser moved to deny request to scatter cremains. Thomson second. Motion carried.*** Milheiser requested that the policy be revised to reflect disallowance.
  - c) Approval of request from David Breckheimer for use of park equipment for Town of Harrison sesquicentennial celebration on June 28, 2003 – Van Lieshout reported that Breckheimer stated the Harrison Fire Department will indemnify against damage or liability. Village staff will observe loading and unloading of equipment. ***Barribeau moved to approve. Beach second. Motion carried.***
  - d) Approval of disbursement donation to Harrison First Responders – ***Barribeau moved to approve. Milheiser second. Motion carried.***
- 11) Presentation of correspondence, resolutions, and related matters
- The Coordinator was requested to develop and distribute to the Trustees an emergency telephone contact list.
  - Milheiser expressed dissatisfaction with the revised nuisance ordinance, saying that it did not appear to be as thorough as the existing ordinance.
  - Beach asked if there is a consensus among the trustees to make a cash award to the Fire Fighter of the Year award recipient. Van Lieshout was asked to contact Town of Harrison to determine the amount of their award if any.
- 12) Adjournment – ***Thomson moved to adjourn at 8:00 p.m. Milheiser second. Motion carried.***

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes

March 24, 2003

- 1) Call to Order and Roll Call – The meeting was called to order by Vice President Laux at 6:30 p.m. Roll was called:

|                 |                                |
|-----------------|--------------------------------|
| <b>Present</b>  | <b>Absent</b>                  |
| Bill Barribeau  | David Miller                   |
| Joe Beach       | <b>Others Present</b>          |
| Joyce Laux      | Josh Van Lieshout, Coordinator |
| Lynn Milheiser  | Ellen Maxymek, Clerk           |
| Carl Thomson    |                                |
| Harland Zietlow |                                |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Zietlow moved to approve agenda. Barribeau second. Motion carried.*
  
- 4) Approval of Minutes – *Milheiser moved to approve the minutes of March 10, 2003. Beach second. Motion carried.*
  
- 5) Registered citizen comments on agenda items – *Barribeau moved to hear comments on non-agenda item. Thomson second. Motion carried.*
  - Lori Nackers, Branch Manager M & I Bank. Nackers announced that bank management will close the Sherwood Branch by the end of 2003, consolidating three branches to be operated from a newly constructed facility in Darboy.
  
  - John Thiel and Megan Kranick, Godfrey & Kahn, Attorneys at Law on agenda item 9)a).

*Laux made a motion to change order of agenda item 9) a). Discussion and action to appoint temporary interim legal counsel. Milheiser seconded. Motion carried.* Van Lieshout reported that notice has been received from the firm of McCarty, Curry, Wydeven, Peeters & Haak, appointed Village Attorneys, that Attorney Steve Dozer will, for the time being, be unable to represent the Village in labor matters. John Thiel of the firm of Godfrey & Kahn has been recommended by MCWPH to handle those matters. Mr. Thiel introduced his firm, providing references and experience in public sector bargaining. Van Lieshout stated that he has contacted the references and found them to be positive. He has also contacted Dozer who can bring interim counsel up to speed on contract negotiations to this point. Responding to Zietlow’s inquiry Van Lieshout reported that there is difference in the fee schedule of the two firms; Godfrey & Kahn’s being significantly higher. Thiel indicated he has 16 years experience in public sector labor negotiation. He also pointed out that fees for support services such as contract language development or research are billed at a lower rate. This brings the blended rate down considerably. *Milheiser moved to appoint John Thiel of Godfrey Kahn Attorneys at Law as temporary interim legal counsel. Thomson second. Motion carried. Zietlow voted nay.*
  
- 6) Consent Agenda
  - a) Approval of an Operator’s License for Donavon F. Weiss – *Milheiser moved to approve. Thomson second. Motion carried.*

- 7) Approval of the Utility Commission Report
- 1) ACTION ITEMS:
    - a) Commissioners approved that Chad Olsen, McMahon & Associates Inc., should submit the WWTP Bio-solids Facilities Plan Amendment and WWTP re-rate study to the DNR for their approval.
    - b) Approval of the 2002 CCR
    - c) Commissioners approved that McMahon & Associates Inc. be awarded the contract for Main Lift Station screen additions with the condition McMahon & Associates Inc.'s proposal is in proportion to the proposal presented by Allan Engineering Company Inc.
    - d) Approved Hess sign lawn care services contract with Bob & Dave's.

***Milheiser moved to approve the action items presented in the March 17, 2003 Report of the Utility Commission. Barribeau seconded. Motion carried.***

- 2) CONSENSUS ITEMS:
  - a) Olsen, McMahon & Associates Inc., received consensus approval for bench testing decanting at the WWTP and continuing communication with other communities for sludge removal.
  - b) Present the proposed Utility Assessment Policy to the village attorney for review.
  - c) Hess should follow the draft schedule of the Water Quality Investigation Sampling and Testing Protocol for Water Supply & Distribution System that was presented to the Utility Commission by Rosenbeck, McMahon & Associates, Inc. January 2003. Step I –Verify Integrity of Supply, A. Sample at Booster Discharge, 1. Standard Schedule, a. Once per month for March, April, & May on 1<sup>st</sup> Monday of month.
- 3) DISCUSSION ITEMS:
  - a) Van Lieshout requested Rosenbeck, McMahon & Associates, Inc. present a formal agreement with detailed plans for Sampling & Testing Protocol to the utility commissioners at the April 21, 2003 meeting for review and approval.
  - b) Van Lieshout prepare a summary of Capital Projects loan amount, including Option #4, Bio-solids Management Facility Plan Amendment, and an additional aerator at the WWTP, to be reviewed at the April 21, 2003 meeting.

- 8) Report of Village Officers
- a) President – No report.
  - b) Clerk/Treasurer
    - i) Review Disbursement Register and Financial Reports – Financial reports were reviewed.

- 9) Village Coordinator
- a) Discussion and action to appoint temporary interim legal counsel – Action recorded above.
  - b) Approve Resolution 03-01, informing the Wisconsin Department of Natural Resources that the Utility Commission has approved the 2002 Compliance Maintenance Annual Report and that the Utility Commission has agreed to operate the Wastewater Treatment Facility to maintain the WPDES permit – ***Milheiser moved to approve Resolution 03-01. Thomson second. Motion carried.***
  - c) Approve Resolution 03-02, A Preliminary Resolution declaring intent to exercise special assessment powers under section 66.0703(1)(b) Police Powers, Wisconsin Statutes, as amended – ***Milheiser moved to approve Resolution 03-02. Thomson second. Motion carried.***
  - d) Approve Resolution 03-03, Public buildings and other property belonging to the Village of Sherwood be insured in the Local Government Property Insurance Fund – ***Milheiser moved to approve Resolution 03-03. Laux second. Motion carried.***
  - e) Approval of Design, Bidding, and Construction Phase Engineering Services for 2003 Asphalt Paving Program with McMahon Associates – ***Beach moved to approve. Milheiser second. Motion carried.***
  - f) Review list of park fees comparing Sherwood to selected surrounding communities – Presented for review.
- 10) Presentation of correspondence, resolutions, and related matters –
- Emergency contact list and conditions were presented.
  - League of Wisconsin Municipalities New Officials Workshop and Regional Dinner Meetings were presented.
  - Arbor Day Proclamation was presented. Arbor Day activities will take place on April 26, beginning at 10:00 a.m. with dedication of Frank and Anne Schneider Memorial Park.
  - Correspondence regarding Emergency Management planning sub-grant was presented. Discussion regarding emergency sirens and whether they can be heard throughout Village.
  - Correspondence from Carpetco was presented, notifying the intent of that firm to vacate office space in the Rec Center Plaza effective April 30, 2003.
  - YMCA Strategic Vision meetings scheduled April 4, April 7, April 9, 2003.
  - Fox Cities Economic Development Partnership half-day conference scheduled April 3, 2003.

- A planting plan and list of trees that were ordered for 2003 was presented. Tom Jack, an arborist and member of the PRUT Board, recommended alternatives and these will be implemented when planning 2004 planting season. Zietlow suggested that shade trees should be relocated around the sports fields for the comfort of park goers. Beach requested that a copy of the planting plan, and future plans that impact the park or school site, be sent to Kaukauna School District. School district comments regarding such plans should be regularly noted.
- Milheiser asked that requests for proposals for professional services be developed for all key consultants. Proposals from service providers, including web-site designers should be compared if they have not been obtained in recent years. Van Lieshout noted that budget is not available for web site design development or hosting in 2003. Necessary appointments of providers, usually made at the annual organizational meeting in April, should be postponed until proposals are compared.
- Thomson reported that wetlands on Pigeon Road north of the woods are being filled in. Van Lieshout stated that these wetlands are in the Town of Harrison and are regulated by the Calumet County Wetland Zoning Ordinance or by the DNR Chapter 30 Site Grading Permit. He will notify the authorities of possible violations.
- Thomson stated that the Village should actively enforce its street sign ordinance. Drivers are routinely failing to stop at stop signs and danger to pedestrians is increasing. Beach opined that purchase of a digitally operated traffic control sign would warn drivers of excessive speed and remind them to slow down. Thomson stated that a sign of this sort is available from the county.
- Zietlow requested a copy of the existing Nuisance Ordinance. Van Lieshout stated that draft copies of a revision of the ordinance are available.
- In response to Beach's request Van Lieshout reviewed his [Response to Issues Posed at VB Meeting of March 10, 2003](#).
- Van Lieshout reported that a chiropractor is locating her office in the Sherwood Dental office building.
- Van Lieshout reported that a suspected water main break turned out to be an underground spring.
- Zietlow reported that engineers were observed at a construction site waiting in their vehicle for fog to lift. He estimated the time at 45 minutes to one hour. Van Lieshout stated he will contact Dave Schmalz at McMahan Associates to make sure the down time is not billed.

***11) Adjournment – Milheiser moved to adjourn at 8:23 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes

April 14, 2003

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

|  |  |
|--|--|
| <b>Present</b><br>Bill Barribeau<br>Joe Beach<br>Joyce Laux<br>David Miller<br>Carl Thomson<br>Harland Zietlow | <b>Absent</b><br>Lynn Milheiser<br><b>Others Present</b><br>Joshua Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk/Treasurer |
|--|--|
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Zietlow second. Motion carried.*
- 4) Approval of Minutes – *Beach moved to approve the minutes of the March 24, 2003 meeting. Laux second. Motion carried.*
- 5) Registered citizen comments on agenda items – None
- 6) Public Hearing on Ordinance 03-78, requiring a permit to install and maintain a private irrigation system or automatic fill device for decorative ponds. Following three calls for public comment and hearing none, Miller closed the public hearing at 6:36 p.m.
- 7) Approval of Ordinance 03-78, requiring a permit to install and maintain a private irrigation system or automatic fill device for decorative ponds – *Laux moved to approve the adoption of Ordinance 03-78. Barribeau second. Motion carried.*
- 8) Consent Agenda
  - a) Approval of an Operator’s License for Jacqueline Millard – *Thomson moved to approve. Barribeau second. Motion carried.*
  - b) Approval of an Operator’s License for Laurie O’Brien-Schmitting – *Zietlow moved to approve. Laux second. Motion carried.*
- 9) Approval of the Report of the Plan Commission Meeting – April 7, 2003
  1. **Action Items**
    - a. Reviewed planning consultant recommendation regarding Nemecek Development residential subdivision concept. Took action to recommending that this development be forestalled for a period not to exceed three years until a Village Smart Growth Plan is in place – *Miller moved to approve. Barribeau second. Motion carried.*
  2. **For Information Only**
    - a. Reviewed planning consultant recommendation regarding a concept plan for a commercial development brought forward by J.D. Grishaber.
    - b. Reviewed planning consultant recommendation regarding a concept plan for a residential development brought forward by Michael Krueger.



- c. Discussed correspondence on the Town of Harrison Comprehensive Plan.
- d. Discussed impact of Village Board action on downtown redevelopment long range planning.

10) Report of Village Officers

- a) President – Miller thanked outgoing members Milheiser and Zietlow for their service to the Village.
- b) Clerk/Treasurer
  - i) Review Disbursement Register – Presented and reviewed.
  - ii) Approval of Corporate Resolution No. 03-04, Authorizing President Miller, Vice President Laux and Treasurer Ellen Maxymek to sell, assign, and endorse for transfer, certificates representing stocks, bonds, or other securities now registered or hereafter registered in the name of this corporation – ***Barribeau moved to adopt Corporate Resolution No. 03-04. Zietlow second. Motion carried.***

11) Village Coordinator

- a) Approval of repair agreements with Becker Boiler for replacement boiler water leg and refractory – Van Lieshout stated that repairs to the boiler totaling \$14,000-\$15,000 need to be done. Numerous companies have been consulted as to the best methods of repair vs. replacement. These repairs were not budgeted so it will be necessary transfer fund balance to pay for this work. Following discussion, ***Thomson moved to approve expenditure. Barribeau second. Motion carried.***
- b) Review and possible action on request for cooperation from East Shore Humane Association – Van Lieshout reported on the annual fund raising effort by the Humane Association, noting that in prior years the Village has made a donation of fifty dollars. ***Zietlow moved to approve an expenditure of a \$50 donation to East Shore Humane Association. Barribeau second.***

12) Presentation of correspondence, resolutions, and related matters

- Trustees requested copies of Plan Commission meeting minutes.
- Miller requested that the Coordinator attempted to sell the unused '85 Ford pickup truck.
- Van Lieshout reported that Calumet County emergency warning system was tested recently. The Village warning sirens worked properly and were heard throughout the Village.
- Barribeau reported on emergency equipment to be purchased by Calumet County with the proceeds of a grant. Purchases will include a light trailer, air bags, body bags and gloves, and an auto telephone calling system. An additional grant may be available and if it is obtained the County plans to purchase a disaster trailer and paint ball guns for weapons training.

- In regard to an equipment storage shed needed at the new park pavilion, Beach suggested that Van Lieshout contact local industrial arts school program to see if they are interested in this building project.

13) Adjournment – *Barribeau moved to adjourn at 7:50 p.m. Thomson second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes

Monday, April 28, 2003

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

|                |                                |
|----------------|--------------------------------|
| <b>Present</b> | <b>Absent</b>                  |
| Bill Barribeau | David Miller, Excused          |
| Joe Beach      | Carl Thomson, Excused          |
| Barb Jack      | <b>Others Present</b>          |
| Roger Kaas     | Josh Van Lieshout, Coordinator |
| Joyce Laux     | Ellen Maxymek, Clerk           |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*
  
- 4) Approval of Minutes
  - a) *Barribeau moved to approve the minutes of the April 14, 2003 meeting. Laux second. Motion carried.*
  - b) *Barribeau moved to approve the minutes of the April 22, 2003 meeting. Kaas second. Motion carried.*
  
- 5) Registered citizen comments on agenda items
  - Tom Jack, W4843 Escarpment Terrace, re. First Responder donation.
  
- 6) Consent Agenda
  - a) Approval of an Operator’s License for Abbey Gregory – *Barribeau moved to approve the application for operator’s license. Jack second. Motion carried.*
  
  - b) Approval of an Operator’s License for Sean Vander Veen – *Barribeau moved to approve the application for operator’s license. Jack second. Motion carried.*
  
- 7) Approval the Utility Commission Report – April 21, 2003
  1. **Action items**
    - a. Commissioners advised McMahon to begin Liquid Sludge Load-out Station – Design, Bidding and Construction Related Services, subject to DNR approval, at the Wastewater Treatment Plant with the following revision to the proposed agreement: removal of the automated reed bed feeding system. Per Van Lieshout construction of the sludge load out station is estimated to cost \$185,000, which will be financed either through sewer cash equity, sale of revenue bonds or a combination.
  
    - b. Commissioners tabled action on Mustang Acres Utility layout and construction plans until the May 19, 2003 Utility Commission meeting. Village engineer requested the commissioners allow him time to consult with the Village of Sherwood Utility Technician before approval.
  
    - c. Commissioners approved payment for the sewer back up claim submitted by Ed and Tina Froemming, N7873 Ashbrooke Court, Sherwood.

*Barribeau moved to approve action item recommendations a), b), and c). Laux second. Motion carried.*

**2. Consensus items**

- a. Action on plant capacity re-rating, design, bidding, and construction phase services will be held. Olsen explained that sludge removal is priority at the WWTP.
- b. Commissioners requested the Utility Assessment Policy be put on agenda for the May 19, 2003 Utility Commission meeting. Also requested a copy of the Utility Capital Projects time line to be included in every Utility Commission meeting packet.

**3. Discussion items**

- a. Utility Technicians should follow the draft schedule of the Water Quality Investigation Sampling and Testing Protocol for Water Supply & Distribution System plan. The plan is a proactive approach to ensure the safety and quality of the water supply.
- b. Suggested Village of Sherwood expenses related to the sewer back up on March 16<sup>th</sup> be submitted to the responsible contractor.
- c. In order to bring the municipal water supply system into compliance with DNR regulations, Van Lieshout will prepare an emergency operation plan by or before July 1, 2003 – Van Lieshout reported that the DNR has not drafted a model emergency action plan. He and utility staff will formulate a plan with the assistance and support of Chris Nordeng, Coordinator of Calumet County Emergency Services.

**8) Report of Village Officers**

- a) President – None
- b) Clerk/Treasurer – Responding to Laux, Maxymek reported that no date has been set for Open Book or for Board of Review since 2003 assessments are not completed.
  - i) Review Disbursement Register and Financial Reports – Reports reviewed.

**9) Village Coordinator**

- a) Report of Complaints and Compliments – Van Lieshout reported that Randy Moore of Best Builders complained about the length of time to set grades and culvert elevations saying that building starts are delayed. Van Lieshout stated that we have ten days to turn around the elevation staking. The Village Engineers set and stake the elevations to subdivision road plans. After discussion the Board agreed that experience has proven carefully set elevations are critical to development of good drainage. They were in consensus that the process time frame is not extraordinary and that no change is warranted.
- b) Approval to proceed with storm water planning in Golf Course Road Area – Van Lieshout reported that engineering reports and project plans are not yet available for review or approval. Kaas, a member of the storm water drainage committee recapped the progress of the committee. He stated the committee's consensus that the entire drainage basin should be considered as a whole. The committee sees a need for a detailed storm water comprehensive plan. Developed and undeveloped land should be considered as potential contributors of runoff volume. Golf Course Road, Blackcherry Court, Bridle

Lane, Forest Lane, Niagara Court, Palisades Trail have drainage problems, however, the Miller and Vandenberg properties, likely to be developed in the near future, must be considered and planned for as well. The development of these properties may necessitate construction of additional pond/s for detention. Structures for storm water quality enhancement should also be considered at this time. Kaas noted a consensus has not been achieved in committee regarding road reconstruction in the basin. Some members strongly opt for urban roads with storm sewer conveyance of runoff including curb and gutter. Others are adamant about retaining the rural ambiance of the Village employing ditch and culvert construction. Still others want to see a semi-rural approach of contoured ditches, perhaps with catch basins to direct storm water to sewer area or detention ponds.

Kaas stated that the engineers have applied for DNR permits to clean up the streambed between the 14<sup>th</sup> tee of High Cliff Golf Course and Golf Course Road. He emphasized that this clean out will be a stopgap measure only. A long-term solution to these drainage problems will be available by building a storm sewer conveyance system. The committee has discussed creating a storm water utility to finance a stable funding source for maintenance and other ongoing costs. Although storm water quality issues are not currently on the radar screen, the committee is inclined to recommend taking proactive steps toward quality improvement such as settling ponds.

A joint meeting of the Village Board, Plan Commission, and Storm Water Committee was scheduled for July 7, 2003 to review the pending engineering study and project plan when completed.

10) Presentation of correspondence, resolutions, and related matters

- Tom Jack stated that “rainbow ponds” are increasingly used in some parts of the country for residential storm water management.
- Tom Jack thanked the Board for the donation of \$2,000 for First Responder equipment.
- Barb Jack asked if the Board has discussed a Village Internet web-site. Kaas reported that his company made a proposal for web-site creation and maintenance post budget approval last year. Another proposal was recently received from Mr. McVickers of Brillion according to Van Lieshout. Kaas estimated ongoing direct expense after set up of \$50 to \$100 per month.
- Beach requested, on behalf of Harrison Volunteer Fire Department, updated Village maps, which Van Lieshout will provide to him.
- In response to Laux, Van Lieshout stated that numerous emergency numbering signs have been returned to the Village office. The Boy Scout Troop that was distributing the signs reported that they were unable to deliver signs to the many property owners who were not at home. Jack stated that Constable Maynard has said he would deliver the signs if necessary. He should also contact those who have mounted the signs improperly. She also suggested that the Coordinator contact Jim Klutes of the Lions Club for volunteers.

- Van Lieshout reported that been in contact with the Village Attorneys, informing them Ron Hawkinson is in violation of court order to store no more than four vehicles on his property.

11) Adjournment – *Barribeau moved to adjourn at 7:50 p.m. Jack second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

**Village Board Organizational Meeting Agenda**  
**Tuesday, April 22, 2003 Time: 6:30 p.m.**  
**Village of Sherwood Community Center**

- 1) Call to Order and Roll Call
- 2) Pledge of Allegiance
- 3) Registered citizen comments on agenda items
- 4) Review/Approval of Rules of the Village Board
- 5) Election of Vice-President
- 6) Village Board Appointments
  - a) Accountant – Virchow, Krause & Company
  - b) Attorney – McCarty Curry Wydeven Peeters & Haak
  - c) Building Inspector – Paul Hermes, All States Inspections
  - d) Engineer – McMahan & Associates
  - e) Official Publications – Post Crescent
  - f) Code Administrator – Joshua Van Lieshout
  - g) Weed Commissioner – Gerald Maynard
- 7) Elected by Village Board
  - a) Plan Commission/Trustee Member – 1 Year term ending April 2004 – Currently seated Bill Barribeau
  - b) PRUT Board/Trustee Member – 1 year term ending April 2004 – Currently seated, Carl Thomson
  - c) Utility Commission – 1 year term ending April 2004 – Vacated by retiring Trustee Lynn Milheiser
- 8) Appointed by Village President/Confirmed by Village Board
  - a) Plan Commission/Citizen Member – 3 year term ending April 2006 – Currently seated Joe Hennlich
  - b) Plan Commission/Chair PRUT Board (1) 1 year term ending April 2004 – Current PRUT Chair Tom Doughman
  - c) PRUT Board/Citizen Member – 3 year term ending April 2006 – Currently seated, Patti Sevela
  - d) PRUT Board/Citizen Member – 3 year term ending April 2006 – Currently vacant
  - e) PRUT Board/Citizen Member – 3 year term ending April 2005 – Currently vacant
  - f) Board of Appeals/Citizen Member – 3 year term ending April 2006 – Currently seated Bob Dhein
  - g) Board of Appeals/Alternate #1 – 3 year term ending 2005 – Currently vacant
  - h) Board of Appeals/Alternate #2 – 3 year term ending 2006 – Currently vacant
  - i) Board of Appeals/Chair – 1 year term ending 2004 – Current Chair Kate Zietlow
- 9) Presentation of correspondence, resolutions, and related matters
- 10) Adjournment

Welcome to the Village Board Meeting!

To assist the Board in conducting its business, we ask that you observe the following:

1. Please register to speak on the sign-in sheet on the table in the back of the room as you enter.
2. Please speak only to issues on the agenda.
3. Please limit your presentation to three (3) minutes.
4. Please do not address the Trustees during their deliberations unless requested to do so.

**Village Board Organizational Meeting Minutes**  
**April 22, 2003**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:35 p.m.

|            |                       |                                  |
|------------|-----------------------|----------------------------------|
| Roll call: | <b>Present</b>        | <b>Absent</b>                    |
|            | Bill Barribeau        | Joyce Laux                       |
|            | Joe Beach - 7:10 dep. | <b>Others Present</b>            |
|            | Barb Jack             | Joshua Van Lieshout, Coordinator |
|            | Roger Kaas            | Ellen Maxymek, Clerk/Treasurer   |
|            | David Miller          |                                  |
|            | Carl Thomson          |                                  |

- 2) Pledge of Allegiance
- 3) Registered citizen comments on agenda items – None
- 4) Review/Approval of Rules of the Village Board – ***Kaas moved to insert an item under Section 4) Order of Business entitled Coordinator presentation of citizen issues, concerns, and comments. Thomson second. Motion carried. Beach moved to approve Rules of the Village Board as revised. Kaas second. Motion carried.***
- 5) Election of Vice-President – ***Thomson moved to elect Joyce Laux Vice President of the Village Board. Bill Barribeau second. Motion carried.***
- 6) Village Board Appointments – ***Miller moved to appoint a) - g) as listed below. Beach second. Motion carried.***
- a) Accountant – Virchow, Krause & Company
  - b) Attorney – McCarty Curry Wydeven Peeters & Haak
  - c) Building Inspector – Paul Hermes, All States Inspections
  - d) Engineer – McMahan & Associates
  - e) Official Publications – Post Crescent
  - f) Code Administrator – Joshua Van Lieshout
  - g) Weed Commissioner – Gerald Maynard
- 7) Elected by Village Board
- a) Plan Commission/Trustee Member – 1-year term ending April 2004 – Currently seated Bill Barribeau – ***Thomson moved to elect Bill Barribeau. Jack second. Motion carried.***
  - b) PRUT Board/Trustee Member – 1-year term ending April 2004 – Currently seated, Carl Thomson – ***Beach moved to elect Carl Thomson. Barribeau second. Motion carried.***
  - c) Utility Commission – 1-year term ending April 2004 – Vacated by retiring Trustee Lynn Milheiser – ***Beach moved to elect Roger Kaas. Barribeau second. Motion carried.***



- 8) Appointments by Village President/Confirmed by Village Board
- a) Plan Commission/Citizen Member – 3-year term ending April 2006 – Currently seated Joe Hennlich – ***Thomson moved to confirm appointment of Joe Hennlich. Barribeau second. Motion carried.***
  - b) Plan Commission/Chair PRUT Board – (1) 1-year term ending April 2004 – Current PRUT Chair Tom Doughman – ***Thomson moved to confirm appointment of PRUT Chair. Kaas second. Motion carried.***
  - c) PRUT Board/Citizen Member – 3-year term ending April 2006 – Currently seated, Patti Sevela – ***Thomson moved to confirm appointment of Patti Sevela. Kaas second. Motion carried.***
  - d) PRUT Board/Citizen Member – 3-year term ending April 2006 – Currently vacant – ***Barribeau moved to confirm the appointment of Scott Sheppard. Thomson second. Motion carried.***
  - e) PRUT Board/Citizen Member – 3-year term ending April 2005 – Currently vacant – ***Barribeau moved to confirm the appointment of Frank Kirshling. Thomson second. Motion carried.***
  - f) Board of Appeals/Citizen Member – 3-year term ending April 2006 – Currently seated Bob Dhein – ***Barribeau moved to confirm the appointment of Bob Dhein. Thomson second. Motion carried.***
  - g) Board of Appeals/Alternate #1 – 3-year term ending 2005 – Currently vacant
  - h) Board of Appeals/Alternate #2 – 3-year term ending 2006 – Currently vacant
  - i) Board of Appeals/Chair – 1-year term ending 2004 – Current Chair Kate Zietlow – ***Barribeau moved to confirm the appointment of Kate Zietlow. Thomson second. Motion carried.***
- 9) Presentation of correspondence, resolutions, and related matters
- Discussion regarding gifting retiring members of the Board of Trustees in recognition of service to the community. Barribeau suggested that shirts embroidered with the name of the Village, or a logo, and length of service may be appropriate. Led to discussion and suggestion by Thomson that a non-profit group such as SAYSO may want to sell Village garb as a fundraiser.
  - Barribeau proffered Calumet County comparative growth and development map.
  - Barribeau distributed a flyer advertising a League of Wisconsin Municipalities New Officials Workshop, which will be offered in the Appleton Area.

- Barribeau reported receiving notice of the new composition of Town of Harrison Board.
- Noting a provision in the Rules of the Village Board, Maxymek stated that she would order the new edition of Robert's Rules of Order for distribution to the Trustees.

**10) Adjournment – *Barribeau moved to adjourn at 7:28 p.m. Kaas second. Motion carried.***

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes May 12, 2003

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:33 p.m. with roll call:  

|  |  |
|--|--|
| <b>Present</b><br>Bill Barribeau<br>Joe Beach<br>Barb Jack<br>Roger Kaas<br>Joyce Laux<br>David Miller<br>Carl Thomson | <b>Others Present</b><br>Lee Reibold, Village Engineer<br>Josh Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk |
|--|--|
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve agenda. Thomson second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve. Beach second.* Kaas noted revision in language 9) b) para. 2...engineers have applied for DNR permits to clean up the streambed between the 14<sup>th</sup> tee and Golf Course Road. *Motion carried with noted change.*
  
- 5) Registered citizen comments on agenda items
  - Chuck Stumpf, Ridgeview Court, re. item 10) f).
  - Tom Doughman, W4816 Springhill Drive, re. youth sports summary.
  - Steve Paul, N7719 Palisades Trail, re. youth sports.
  
- 6) Public Hearing on Special Assessments for Public Improvements in the Village of Sherwood
  - John Jurek, N7865 Jurek Court, Menasha, stated that Lakeshore Estates Ltd. assured him when planning the Lakeshore Estates West subdivision that he would not have to pay for any assessments. He also inquired why neighboring property abutting the road was not assessed. Van Lieshout clarified that special assessments are levied on property and while billing will be sent to the property owner, Jurek is free to exercise any agreement with Lakeshore Estates Ltd. He said that Jurek owns the special assessed Outlot 2 which is within the Village limits. Jurek’s residential property as well as the neighboring property are not in the Village and are not assessed.
  
  - Shirley Painter, N7784 State Park Road, stated that she believes she is and has been unfairly assessed because she lives on a corner lot. Painter complained that this will be the third year for road work assessments. She doesn’t feel the storm sewer and curb and gutter construction done in 2002 benefited her property. Van Lieshout explained that the Painter property was improved by base course asphalt paving on Lakeshore Lane in 2001. Final course asphalt paving will be special assessed in 2003. The State Park Road frontage of the property was assessed for storm sewer, curb and gutter improvements in 2002. Asphalt paving of State Park Road was not assessed. These improvements were assessed according to provisions of the Village Special Assessment Policy.

Following three calls for public comment, Miller announced the hearing closed at 7:05 p.m.

- 7) Consent Agenda
  - a) Approval of an Operator's License for Michael S. Brochtrup – *Thomson made and Barribeau seconded a motion to deny application. Motion carried.*
- 8) Approval the Plan Commission Report Monday, May 5, 2003 – *Barribeau moved to approve Plan Commission recommendations listed 1., a. through f. Laux second. Motion carried.*

### **1. Action Items**

- a. Recommended action to approve Mustang Acres II Drainage Plan contingent on changes as indicated in McMahan Associates correspondence of May 2, 2003 re. plat review.
- b. Recommended action to approve Mustang Acres II Preliminary Plat.
- c. Recommended action to approve Mustang Acres II Final Plat contingent on payment of all fees including storm water management fee, cash in-lieu of contributed parkland, trail and tree development if performed by Village and other fees as applicable. Also contingent on correction of errors on development plans and changes to utility, drainage, and erosion control plans as indicated by engineer.
- d. Recommended action to approve a Certified Survey map combining Lots 1 and 2 of the John H. Stumpf Subdivision into one lot for the purpose of garage expansion and meeting setback requirements.
- e. Recommended approval without objection to an extra-territorial Certified Survey Map describing a parcel of property in the NW ¼ of Section 6, Town 20 North, Range 19 East in the Town of Harrison (Steven Bevers property) for the purpose of separating homestead property from adjacent corporation owned farmland.
- f. Recommended approval without objection to an extra-territorial Certified Survey Map describing a parcel of property in the NE1/4 of Section 1, Town 19 North, Range 18 East Town of Harrison (Wilmer Schulz Property) for the purpose of separating homestead property from adjacent land intended for conveyance in estate plan.

### **2. For Information Only**

- a. Tabled discussion/action regarding State Park Estates IV Drainage Plan, Preliminary Plat, and Final Plat until information is available regarding compliance to plat review comments from Village Engineer Rosenbeck outlined in correspondence dated May 2, 2003. Commissioners discussed feasibility of and preference for a looping street configuration as opposed to the two cul-de-sac streets as seen on the preliminary plat plan.
- b. Instructed Coordinator to pursue consideration for community design research services made available as senior projects through the Department of Landscape Architecture, Office of Community Design Research Services, University of Wisconsin, Madison.
- c. Instructed Coordinator to inspect deteriorating structures including primary building at corner of Veterans Avenue and Meehl Street and recommended enforcing ordinances to bring property in compliance with codes.

- d. Noted neighbor complaints regarding a dumpster which has been left on-site of property at W4958 Golf Course Road for an extended period. This dumpster has created an eyesore and a nuisance in the neighborhood.
- e. Noted that erosion control requirements are not being complied with on numerous parcels under construction in State Park Estates

9) Report of Village Officers

- a) President – None
- b) Clerk/Treasurer
  - i) Review Disbursement Register – Reviewed.
  - ii) Schedule Opening of 2003 Board of Review – The Board of Review is scheduled to open on June 9, 2003 at 6:20 p.m. and immediately adjourn until the assessment roll is completed.
  - iii) It was the consensus of the Board that a meeting will not be scheduled during the week of Memorial Day.

10) Village Coordinator

- a) Report of Complaints and Compliments – A letter thanking Van Lieshout for attending the Heart of the Valley YMCA Strategic Vision presentation was reported.
- b) Consideration and award of contract S0017-920786 2003 Asphalt Paving Program – Reibold noted that the contract would call for completion of the paving project by September 1, 2003. A less flexible time frame would likely attract significantly higher bids. ***Barribeau moved to approve award of 2003 asphalt paving contract to Badger Highways Co., Inc. low bidder in the amount of \$125,503.45. Kaas second. Motion carried.***
- c) Approval to proceed with storm water planning in Golf Course Road Area: McMahon Agreement for Professional Service, No. M0032-930006 – ***Barribeau moved to approve an Agreement for Professional Service, No. M0032-930006 with McMahon Associates, Inc. in the lump sum of \$12,600 to develop a storm water management plan. Thomson second.*** Kaas asked why the study area incorporated in the project description did not represent all problem areas in the village. Reibold surmised that some problem areas drain to other basins. He said that the study would need to analyze data from upstream and downstream of the study area in order to create the resultant plan. Beach inquired whether costs of this agreement would be recovered from future development. Van Lieshout responded, saying that the costs could be recovered if a recalculation of storm water impact fees was done and a corresponding increase in developer fees was collected. This project, however, will be paid out of the storm water management fund, which is composed of impact fees paid by developers since the Subdivision Ordinance was amended. The Engineer and Coordinator have agreed that the calculation of impact fees needs to be revisited. Jack asked for an explanation of #5 of McMahon Associates, Inc. General Terms & Conditions. Reibold responded that hiring of sub-consultants/rental of

equipment outside of the scope of the contract would be billed at cost plus 12%/10%. All of these kinds of services done within the scope of the agreement would be covered in the lump sum compensation. ***In a roll call Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voted aye. No nay votes. Motion carried.***

- d) Review and approval of Draft 2002 Audited General Purpose Financial Statements and Management Letter – After review of the documents, Barribeau asked that the last sentence, pg. 2 of the management letter be stricken ~~*There are many other changes too numerous to mention here.*~~ Barribeau also noted the pension related debt of \$71,315 at year-end 2002 on pg. 25 and asked that the Village financial consultant be questioned regarding borrowing to pay off that debt. Laux noted that the Village has not had a Finance Committee for a number of years and that reference too same found on pg. 15 of the financial statements should be removed. Van Lieshout outlined steps that have been taken to correct items noted by the auditors in the management letter. He stated that much work needs to be accomplished to gather information needed to comply with GASB 34.
- e) Discussion and action to increase per diem amounts from \$35.00 to \$40.00 for Plan Commission, PRUT Members, Board of Review, and Zoning Board of Appeals – ***Barribeau moved to increase the meeting stipend by \$5 for each meeting subsequent to the April 1, 2003 election. Jack second. Motion carried.***
- f) Review and approval of request by Chuck and Brenda Stumpf to install a ditch enclosure in the rear yard of lot 60 Lakeshore Estates IV – Van Lieshout reported that the developers put in a swale at the rear of lots 60, 61, 62 in order to comply with the approved drainage plan. This swale effectively made its width unusable as yard space. Stumpf would like to install a drainage pipe and enclose the ditch thereby regaining 17 feet of yard space. Before further consideration to this request Van Lieshout wants to check on lots 52, 51, 50 of Lakeshore Estates III. If these lots are not in compliance with that subdivision drainage plan the property owners may be compelled to share the width of the swale. Van Lieshout will contact the developers to determine if the drainage plans for either or both Lakeshore Estates III and IV were properly constructed.

11) Presentation of correspondence, resolutions, and related matters

- Tom Doughman reported that a group known as Sherwood Area Youth Sports Organization, a.k.a. SAYSO has been formed to coordinate and fund raise on behalf of youth sports activities. Doughman is the Chairman of the organization with Dave Goeser and Steve Paul acting as President and Vice President respectively. 125 youths have come out for soccer and 115 for baseball, softball and T-ball. The softball field grass at Wannick Park, although tender, is coming along beautifully. Unfortunately the soccer fields are in poor condition due to the cold and wet weather of late. Doughman and Paul asked that unspent funds budgeted for parks are spent on maintenance of the new facilities. Miller congratulated SAYSO, stating that the Board would do everything in its power to encourage and support the volunteer youth activities of the group. Van Lieshout commented that there have been no incidents of damage or vandalism, to the credit of activity participants and organizers.
- Tom Jack presented information that he has gathered outlining a program for improving the condition of the soccer fields. Costs of this maintenance would approach \$3,000

excluding labor. Included in the program are 8 weeks of fertilizing, filling in low areas, aerating and over seeding including starter fertilizing, and reseeded in August. The SAYSO organization hopes to provide volunteer labor. Additionally, late season fertilizing and weed control (winterization) would cost \$270 per acre. Van Lieshout reported that the remaining budget will support the purchase of fertilizer, however, he will need to look at the budget again in June to see how much is left after current dollar commitments are paid before committing to other maintenance.

- Van Lieshout called attention to the Wisconsin City/County Management Association (WCMA) white paper regarding its position on levy limits.
- Miller reported that negotiations are underway between M&I Bank and another bank to purchase property and continue banking operations.

***12) Adjournment – Barribeau moved to adjourn at 9:58 p.m. Beach second. Motion carried.***

Respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes June 9, 2003

1) Call to Order and Roll Call – The meeting was called to order at 6:35 p.m. with roll call:

**Present**

Bill Barribeau  
Joe Beach  
Barb Jack  
Roger Kaas  
Joyce Laux  
Carl Thomson

**Absent**

David Miller, Excused

**Others Present**

Josh Van Lieshout, Coordinator  
Ellen Maxymek, Clerk

2) Pledge of Allegiance

3) Approval of the Agenda – *Barribeau moved to approve. Kaas second. Motion carried.*

4) Approval of Minutes – Postponed to next meeting.

5) Registered citizen comments on agenda items

- John Hocks, N216 Queens Ct., Calumet County Sheriff Department. Hocks played a taped recording of an emergency call recently received through the 911 system. The frustration of the responders to a call for help from a possible stroke victim was evident when the victim was not located for fourteen minutes due to lack of clear address numbering. Tom Jack of First Responders stressed the importance of correct placement of emergency address signs to locating distressed victims. Van Lieshout reviewed the history of the emergency numbering system in the Village and the status of the implementation plan. Barb Jack stated that the Lions Club has agreed to deliver the many signs which have not been picked up by property owners. She reported that she and the Village Constable will work together to achieve correct display of the many signs which have been improperly mounted. Kaas requested that the Emergency Numbering System Ordinance be copied to the trustees and reviewed/revised at the next meeting.

6) Consent Agenda – *Barribeau moved to approve all application as listed. Kaas second. Motion carried.*

a) Approval of Alcohol Beverage Licenses

- i) Condon Oil Company, Kraig Bauman, Agent
- ii) T.J.'s Foods Ltd. of Sherwood, Anthony Mueller Agent
- iii) Granary Supper Club; Lynn Hopfensperger, Agent
- iv) High Cliff Golf Course, Inc., Robert Jome, Agent
- v) Holz-In-One, Inc., Gregg Holz, Agent
- vi) High Cliff Restaurant, Doug Schneider, Agent
- vii) Duncliffe, Inc., Rick Dunnum, Agent
- viii) Temporary Class "B" & "Class B" Retailer's License, Saint John / Sacred Heart

b) Approval of Tobacco Products Licenses

- i) Condon Oil Company, Inc.
- ii) T.J.'s Foods Ltd. of Sherwood
- iii) High Cliff Golf Course, Inc.

c) Approval of Operators License

- i) Patricia Meyers



- ii) Jeanie Kuepper
- iii) Ashley Sprangers

7) Approval the Plan Commission Report – June 2, 2003

1) **Action Items** – *Barribeau moved to approve action items a), b), c) listed. Laux second. Motion carried.*

- a) Recommended action to approve without objection one lot certified survey map in part of the SW ¼ of NE ¼ and the NW ¼ of the SE ¼ of Section 23 Town 20 North, Range 18 East Town of Harrison (Fire Lane 13) – Van Lieshout reported that the plat was located in the unplanned sewer service area between the Waverly Sanitary District and Sherwood’s planned service area. This unplanned area has been determined to be too costly for either district to provide sewer infrastructure in the foreseeable future.
- b) Recommended action approving State Park Estates IV Preliminary Plat with conditions as follows:
  - i) 32 feet back of curb to back of curb road width standard will be met.
  - ii) Platted outlot 4 will be eliminated – Engineer Gary Zahringer, representing Developer Louis Resch, reported that this property will be added to surrounding lots.
  - iii) A looping trail will be platted between lots 94 and 95 and will link with trail between lots 108 and 109. The trail will be conveyed to the Village.
  - iv) A revised drainage plan will be reviewed/approved by the Village Engineer.
  - v) The hydrant at the end of Big Lake Court will be installed 1 foot off the lot line.
  - vi) The water main between Big Lake Court and Pond Court will be looped and a stub out to the highway right-of-way will be provided in the utility plans.
- c) Recommended approval of a street lighting plan for Lakeshore Estates West II featuring 4 coach lights with two additional future lights planned.

2) **For Information Only**

- a) Approved a CONDITIONAL USE PERMIT request by St. John-Sacred Heart Parish for the purpose of constructing an addition to an existing school building, and a storage building, on residentially zoned parcels of land located in the SW ¼ of the SW ¼ Section 29, Town 20 N, Range 18 E, N369 Military Road, Village of Sherwood, Calumet County, Wisconsin. Regarding Engineer’s questions on the site plan, the following comments were noted:
  - i) No conclusive decision made with regard to drainage issues. On-site detention was planned to hold increased runoff, however, if a Clifton Road detention facility is constructed the parish may elect to contribute toward the cost and allow runoff to be accommodated in that facility.
  - ii) Since a second water line will not be interconnected with the existing service check valves will not be required on the lines.

- iii) Agreed as a condition of approval to align the existing gravel drive with the Harrison Street intersection and pave the driveway.
  - iv) Encroachment of the addition into the parish owned athletic fields is not an issue.
- b) Smart Growth Planning strategies were presented by Calumet County Planning Department. The county approach will be to group common interest clusters that will meet together and in breakout forums to formulate individual plans. Base package will include an urban/rural issues meeting, 2 public information meetings, 1 public hearing meeting, 10 regional cluster meetings. A cost of \$15,000 per municipality, payable over 3 years, is estimated if all municipals currently involved remain onboard. Additional meetings with planners may be opted by municipalities. A countywide inventory and trends report will be delivered approximately 6 months after process begins. An individual, Smart Growth compliant plan will be produced at the conclusion of the process. Calumet County will select and contract for planning consultant, who will prepare and submit a funding grant proposal. A draft of an intergovernmental agreement was also presented.
- c) Tabled discussion and action on a two lot certified survey map in the SE ¼ of the SE ¼ of Section 23 Town 20 North, Range 18 East, Town of Harrison (North side of Mielke Road)
- 8) Approval of the Utility Commission Report – May 19, 2003
- 1) **Action Items – *Barribeau moved to approve action items a), b), c) as listed. Thomson second. Motion carried.***
- a) Commissioners unanimously voted Rob Franda as Utility Commission Chairman
  - b) Commissioners approved the Utility Construction Plans for Mustang Acres II subject to provisions stated in April 17, 2003 letter from McMahon & Associates, Inc, Village Engineer.
  - c) Commissioners approved the Utility Construction Plans for State Park Estates IV pending use of originally submitted plat incorporating McMahon & Associates, Inc. recommendations.
- 2) **Discussion Items**
- a) Gary Rosenbeck, McMahon & Associates, Inc., Village Engineer and Van Lieshout will meet to better organize the Capital Projects List. A possible “triggered by events” organization may be projections from the year 2003: 0-5 year projects, 5-10 year projects and more than 10-year projects.
  - b) The Village Engineer will meet with the Village Financial Advisor to discuss Rate and Fee Analysis – Van Lieshout reported that re-evaluation of the sewer connection fee as well as sewer and water rates will be the topic of this meeting.

- c) The Village Engineer will revise the Utility Assessment Policy by implementing recommendations discussed during the May 19, 2003 Utility Commission meeting.
- d) Commissioners suggest communication with the Planning Commission and the Village Board concerning Over-Sizing. Utility Commissioners suggest the Village Board revise the Subdivision Ordinance and not pay for utility over-sizing.
- e) McMahon & Associates, Inc. will address WDNR letter dated May 13, 2003 concerning Wastewater Treatment Facility Re-rating Capacity Review Comments.

9) Report of Village Officers

- a) President – None
- b) Clerk/Treasurer
  - i) Review Disbursement Register & Financial Reports – Reviewed. Maxymek reported that the audit of 2002 financial statements has been completed and year end adjusting entries have been made. Year end accounting reports will be provided to the trustees. The auditors' management letter and final draft of the financial statements is in progress.

10) Village Coordinator

- a) Report of Complaints and Compliments
  - Complaint from Lorraine Wells regarding dogs barking much of the day, disturbing the peace of her neighborhood. Van Lieshout reported the nuisance needs to be observed by a Village authority and subsequently cited for violation of the ordinance. According to the Coordinator, Wells seems satisfied with initial action to alleviate the nuisance.
  - Louis Seeger complained about the condition of Stommel Road. Van Lieshout reported that, upon contact with the complainant, Seeger was unclear whether he referred to the Village section of the road or to the part owned by T/Harrison. Kaas stated that the road is one of two in the Village that are in consideration by the storm water drainage committee for resurfacing or reconstruction following solution of drainage problems in the area.

11) Presentation of correspondence, resolutions, and related matters – Van Lieshout reviewed correspondence copied to the meeting packets. Regarding other matters, the following items were addressed:

- Van Lieshout briefly reviewed progress of union negotiations, saying that agreement has been reached in general on contract language but not on amount of wages and other benefits.
- On inquiry by Kaas, Van Lieshout reported that Nick Vande Hey of the Village's engineering firm is scheduling a contractor walk-through and inspection of the trees planted in conjunction with the 2002 detention pond construction project. Kaas requested a report on the condition of the trees and the expected outcomes in anticipation of finalization of the contract.

- Beach requested that the county's traffic speed sign be placed at both directions of Springhill Drive and Pigeon Road in an attempt to reduce the speed of drivers using the roadways. Beach also requested the Coordinator to bring information to the Board regarding availability and pricing of the portable speed signs.

12) Adjournment – *Barribeau moved to adjourn at 8:20 p.m. Kaas second. Motion carried.*

Respectfully submitted for approval by Ellen Maxymek, Village Clerk

**Village Board Meeting  
June 23, 2003**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:32 p.m. with roll call:
- | <b>Present</b> | <b>Absent</b>                      |
|----------------|------------------------------------|
| Bill Barribeau | Joe Beach                          |
| Barb Jack      | <b>Others Present</b>              |
| Roger Kaas     | Nick Vande Hey, Village Engineer   |
| Joyce Laux     | David Wagner, Financial Consultant |
| David Miller   | Josh Van Lieshout, Coordinator     |
| Carl Thomson   | Ellen Maxymek, Clerk/Treasurer     |
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried.*
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of May 12 and June 9, 2002. Thomson second. Motion carried.*
- 5) Registered citizen comments on agenda items – None
- 6) Consent Agenda
- a) Approval of Alcohol Beverage Licenses
- i) Jeanne’s Bar & Grill, Jean M. Sprangers, Agent – Laux moved to approve. Thomson second. Motion carried.*
- ii) Knottingham’s, LLC, Lynn Milheiser, Agent – Barribeau moved to approve contingent on payment of outstanding and past due taxes and utility charges. Kaas second. Motion carried.*
- b) Approval of Tobacco Products Licenses
- i) Jeanne’s Bar & Grill – Barribeau moved to approve. Thomson second. Motion carried.*
- c) Approval of Operators License
- i) Laura Miller – Barribeau moved to approve. Thomson second. Motion carried.*
- 7) Approval of the Utility Commission Report - June 16, 2003
- 1) Action Items – *Barribeau moved to approve action item a). Laux second. Motion carried.*
- a) Utility Commission moved to approve a second water line from Clifton Road to service the new St. John Sacred Heart building addition with the understanding that there second water line will not interconnect with the existing water service from STH “114/55”
- 2) Discussion Items
- a) Utility Commission tabled approval of the Utility Special Assessment Policy. The policy author, Gary Rosenbeck, Village Engineer, is requested to be present at the July Utility Commission meeting to discuss and clarify policy items.

- b) Mr. & Mrs. Roman Daun attended the June Utility Commission meeting. The Dauns inquired as to whether or not the STH 114 water main extension requests are presently being addressed and the potential cost. Mr. & Mrs. Daun own five acres of land directly behind Knottingham's.

The Utility Special Assessment Policy must be completed and approved before consideration of the STH 114 water main extension requests. The potential cost would be addressed in the Utility Special Assessment Policy.

- c) STH 114 water main extension project needs to be added to the Water Capital Projects Budget Plan, "triggered" by customer demand. Gary Hess, Utility Technician, would like the "Replace Meter to State Park" moved from the 5-10 year to the 0-5 year schedule, "triggered" by need.

Commissioners requested Van Lieshout ask McMahan & Associates, Engineer, to price the STH 114 water main extension project. Van Lieshout is also requested to find out whether or not the requesting parties will annex to the Village.

- d) Carl Boucher, SJSH representative, stated they would entertain the idea of hydrant rent from the Village of Sherwood as suggested by Van Lieshout.

#### 7) Report of Village Officers

- a) President – None.

- b) Clerk/Treasurer

- i) Review Disbursement Register & Financial Reports – Reports were reviewed. Laux stated that she would have advised against making final payment to Virchow Krause Co. for 2002 audit until final financial statements were presented.

- ii) Open Book & Board of Review – The clerk reported that Open Book is scheduled July 16, 2003 from 11:00 a.m. to 1:00 p.m. Board of Review will hear objections on August 12, 2003 from 6:30 p.m. until 8:30 p.m. The Board concurred with this scheduling.

#### 8) Village Engineer

- a) Report on tree replacement in Miller and Nuthatch stormwater retention ponds – Nick Vande Hey presented a landscaping inspection report regarding trees and shrubs planted at the Miller and Nuthatch Stormwater Pond project sites. He summarized the report, saying that 63 of the trees planted in 2002 were replaced. Of those trees, 11 are questionable but unlikely to survive. Those 11 will be replaced again. The contract calls for the contractor to water newly planted trees on average every eleven days depending on rainfall frequency. Vande Hey continued, saying that the pond sites appear to be mowed to frequently to allow for proper growth of the prairie grass and aquatic plants used to landscape. Van Lieshout said he would instruct the public works crew to reduce mowing at the sites.

9) Village Coordinator

- a) Report of Complaints and Compliments – A complaint was received regarding use of herbicide to control roadside growth on Timberline Drive. Van Lieshout explained that herbicidal treatment is the most economic method of weed control. It was undertaken on Timberline at the request of the post office because weed growth was impeding mail delivery.
- b) Discussion and action Emergency Sign Ordinance – Because the ordinance was not copied to the meeting packets, discussion and action was delayed to the next meeting. The clerk noted that if the ordinance is amended in a manner that causes a potential financial impact it should be brought to a public hearing before final passage. Miller and Jack will compose another notification to property owners instructing them to pick up and properly mount the emergency signs.
- c) Discussion regarding radar or speed trailers – Van Lieshout noted that re received a quote of \$7,800 for a solar powered speed sign. Availability of grant funds is unlikely per information gathered by Lt. John Hocks of Calumet County Sheriff Department. Van Lieshout suggested that the trustees wait until 2004 budgeting cycle further consider. Thomson and Kaas stated they preferred continued regularly scheduled use of the county's speed board trailer to the expense of purchased equipment.
- d) Discussion and action regarding a resolution authorizing general obligation debt in an amount not to exceed \$4,000,000 for public improvements – Dave Wagner reported the state budget that is currently under review may impose local levy limits. It appears that the limit would apply to debt not authorized prior to the date the budget is enacted. Although there is a good chance that the budget act will not be signed into law in its present form, in the worst case scenario municipalities would be unable to sell general obligation debt. Unable to finance, planned capital projects would be stymied. Although adopting a resolution authorizing debt may preserve borrowing capacity, it is not guaranteed. Wagner reviewed Village debt schedules and capacity and Van Lieshout presented major capital project borrowing anticipated over the next three years of budget cycle. Wagner clarified that adoption this resolution does not mean that the Village will borrow any or all of the authorized issuance. ***Barribeau moved to adopt a resolution authorizing and providing for the issuance of not to exceed \$4,000,000 general obligation promissory notes, in one or more series for the purpose of public improvements. Miller second. In a roll call vote Barribeau, Jack, Kaas, Miller, Thomson voted aye. Laux Nay. Motion carried.***

10) Presentation of correspondence, resolutions, and related matters

- Miller discussed a request from Valley Home Builders Association to enable contractors to pay a permit fee that would waive road weight limit restrictions. He opined that revenues generated by permit fees would not cover the cost of anticipated damage caused by construction trucks. Van Lieshout stated that the Village should do everything in its power to protect the roads.
- Responding to a question by Laux, Van Lieshout reported that union negotiations are proceeding however he cannot yet anticipate a date certain when recommendations can be presented to the board for action.

- Laux requested that job descriptions be included in a future meeting packet for review.

11) Adjournment – *Barribeau moved to adjourn at 8:25 p.m. Miller second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Clerk.



**Village Board Meeting Minutes**  
**July 14, 2003**

1) Call to Order and Roll Call – Miller called the meeting to order at 6:30 p.m. Roll called:

**Present**

Joe Beach  
Barb Jack  
Roger Kaas  
Joyce Laux  
David Miller  
Carl Thomson

**Absent**

Bill Barribeau, excused

**Others Present**

Josh Van Lieshout, Coordinator  
Ellen Maxymek, Clerk

2) Pledge of Allegiance

3) Approval of the Agenda – *Kaas moved to approve. Thomson second. Motion carried.*

4) Approval of Minutes – *Thomson moved to approve. Laux second.* Page 1, item 4) corrected year from 2002 to 2003. Change noted, *motion carried.*

5) Registered citizen comments on agenda items

- Tom Jack, representing First Responders, noted that new subdivision streets names similar to or the same as others in the Village and neighboring towns are confusing emergency responders. Jack asked that new plats be reviewed to make sure that streets are not similarly named. After discussion Beach resolved that within a five to ten mile radius of the Village only non-similar street names should be approved and that the subdivision ordinance should be amended as necessary to avoid the problem.
  
- Don Mielke, Mielke Rd. Town of Harrison, re. agenda item 7) 1) a).

6) Consent Agenda

a) Approval of Operators License

- i) Kristy Loiselle – *Laux moved to approve issuing an operator’s permit to Kristy Loiselle. Thomson second. Motion carried.*

7) Approval of the July 7, 2003 Report of the Plan Commission

1. Action Items:

- a. Discussion and action on a two lot certified survey map in the SE ¼ of the SE ¼ of Section 23 Town 20 North, Range 18 East, Town of Harrison (North side of Mielke Road) – Recommended approval without objection of CSM dividing land into two one-acre lots. Property owner Don Mielke stated he intends to construct an approved mound system to service the buildings that have been moved to the sites as well as his homestead property. A well will furnish water to the properties. Driveway access to the two sites will come off Mielke Road. – Van Lieshout noted that extra-territorial objecting authority doesn’t apply except when the division creates three or more lots of less than 1.5 acres in size. *Beach moved to approve the CSM named above. Miller second. Motion carried.*
  
- b. Discussion and action on a three lot certified survey map in the SE ¼ of the NE ¼ and SW ¼ of the NE ¼ of Section 24, Town 20 North, Range 18 East, Town of Harrison. (Northwest corner of the intersection of STH 114 and STH 55) – Recommended approval

without objection of a CSM dividing property owned by Morning Star Dairy Partnership into three lots of 11.57, 11.62, and 14.8 acres respectively. Partner Keith Propson desires to take ownership of the center wooded lot, using it a buffer for his homestead property. Propson stated that he and his brothers do not intend to develop the properties. – Van Lieshout again noted that the Village does not have objecting authority because the divided lots are greater than 1.5 acres in size. ***Kaas moved to approve the CSM in question. Miller second. Motion carried.***

- c. Discussion and action on State Park Estates IV Final Plat – Recommended approval of State Park Estates IV Final Plat contingent on the following revisions as stipulated by Gary Rosenbeck, McMahan Associates Inc. in correspondence dated June 27, 2003:
- There should be drainage easements at the rear or side yard line of any lot which is adjacent to another which accepts drainage from another lot. Examples include, but are not limited to, between Lots 105 and 106, 107 and 105, 103 and 109, 108 and 107, and along 99 and 100
  - There should be drainage easements along the proposed ditch line in front of the berm on Lots 101, 102, 110, 111, 112, 113, and 114 where the ditch is.
  - The bituminous trail will need to be constructed the entire length of Outlot 1.
  - A valve will be needed on the 8-inch water main north of the tee between Lot 102 and 103 for the water line to the highway. Valves will also be needed at the end of each cul-de-sac, at Lake Court and Pond Court.

Recommended that the Utility Commission consider adding a water main loop to its long-range capital project plan. The loop would extend approximately 500 feet from Pond Court to Lakebreeze Drive along the southwest right-of-way on Hwy. 114.

***Kaas moved to approve the final plat of State Park Estates IV with noted contingencies. Thomson second. Motion carried.***

- d. Approval of a street lighting plan for the balance of Lakeshore Estates West II – Recommended approval of Phase 2 street lighting plan of Lakeshore Estates West II – Responding to Beach, Van Lieshout reported that streetlights are designed to shine in a downward direction. Kaas stated that the Subdivision Ordinance should be amended to consistently provide for type and frequency of street lights. ***Laux moved to approve Phase 2 of a street lighting plan of Lakeshore Estates West II. Miller second. Motion carried.***

8) Report of Village Officers

- a) President – Miller reported contact from the Fox Valley Visitors' Bureau regarding Village membership. He asked that this matter be placed on the next agenda for discussion/action.
- b) Clerk/Treasurer
- i) Review Disbursement Register – Reviewed.

9) Village Engineer

10) Village Coordinator

- a) Report of Complaints and Compliments – Tim Stevenson, a Pigeon Road resident expressed appreciation that the County speed board was placed on the road. He noticed an immediate response from drivers and thanked the Village and Sheriff's Department for their efforts. Beach stated that the speed board was needed on weekends when traffic is heaviest. He said that he would like to have the Village purchase a speed board device that can be used at will. Kaas requested the Coordinator to report on a regular schedule for use of the County sign at the next meeting.
- b) Discussion and action Emergency Sign Ordinance – Following discussion Kaas agreed to draft amending language to provide for proper mounting of emergency signs or cost recovery in the event that the Village has to correct improperly placed signage. **Miller moved to table the matter to the next meeting. Thomson second. Motion carried.**
- c) Discussion and action to allow use of prior year's unused vacation for Scott Nadler – Following discussion **Thomson moved to deny the request. Laux second. Motion carried.**
- d) Discussion and action to approve a disbursement to SAYSO for the reimbursement of fertilizing the soccer and baseball fields. After discussion **Miller moved to reimburse the SAYSO organization in the amount of \$500 to offset costs incurred by them to fertilize the sports fields. Jack second. Motion carried.**
- e) Public Works and Administration Report – Van Lieshout presented the report which the trustees stated they found informative.
- f) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) for the purpose of discussing the status of collective bargaining and to RETURN TO OPEN SESSION to take further action or to adjourn the meeting – **Miller made motion to move into closed session at 8:50 p.m. Thomson second. Motion carried.**

**Miller moved to return to open session at 9:22 p.m. Kaas second. Motion carried.**

11) Presentation of correspondence, resolutions, and related matters

- Beach requested information from other municipalities in regard to collecting impact fees for additional storm water runoff to Village facilities in the event of future annexation of residential or commercial properties.

12) Adjournment – **Miller moved to adjourn at 9:25 p.m. Thomson second. Motion carried.**

Respectfully presented for approval by Ellen Maxymek, Clerk.

**Village Board Meeting Minutes**  
**Monday, July 28, 2003**

- 1) Call to Order and Roll Call – Meeting was called to order by President Miller at 6:30 p.m.  
**Present:** Bill Barribeau, Joe Beach, Barb Jack, Roger Kaas, Joyce Laux, David Miller, and Carl Thomson. **Others Present:** Josh Van Lieshout, Coordinator, Kathy Mader, Finance Clerk.
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – **Barribeau moved to approve the agenda. Jack second. Motion carried.**
- 4) Approval of Minutes - **Barribeau moved to approve the July 7, 2003 Joint Meeting of the Village Board and Village Plan Commission Minutes. Thomson second. Beach opposed. Motion carried.**

**Laux moved to approve the July 14, 2003 Village Board Meeting minutes. Kaas second. Motion carried.**

Discussion: Beach stated there should have been minutes referencing the Village engineer's discussion from the July 7, 2003 Joint Meeting Minutes.

- 5) Registered citizen comments on agenda items – None
- 6) Consent Agenda – None
- 7) Approval of the Utility Commission Report – **Kaas moved to approve the Utility Commission Report. Barribeau second. Motion carried.**

Discussion: Kaas explained that the 5-year Private Well Permit granted to David Petrie in 2000 is valid because vague wording in the amended 1-year Private Well Permit Ordinance does not state that the 5-year permits are not “grand-fathered” into the amended ordinance. The annual Private Well Permit fee is \$50. Van Lieshout explained all private wells are tested annually to protect the Village's system. Petrie's is the only residence within village limits that is not connected to village sewer and water. Chuck and Lynn Milheiser, Hwy 55, are within the village limits. Milheiser's do have a private well but are connected to the village sewer system.

- 8) Report of Village Officers
  - a) President – Residents have made positive comments concerning the black topping being completed on the streets. Van Lieshout was requested to verify with the village engineer whether or not Harbor Court is part of the 2003 Asphalt Contract. Harbor Court was black topped and the residents were not aware it was to be.

b) Clerk/Treasurer

- i) Review Disbursement Register – Van Lieshout responding to Laux inquiry explained Engineering: Subdivision Review is a line item expense paid to Mc Mahon & Associates for reviewing new subdivisions, Mustang Acres II, State Park Estates IV, and Lake Shore Estates West II. This line item must be recorded as a budget expense. Van Lieshout stated he did not expect Mustang Acres II or State Park Estates IV to be developed this year thus the line item is over budget. The Engineer.: Subdivision Review expense is charged to the developer. The revenue from the developers reimbursement can be found on line item Developer Reimburse- Engineer.

9) Village Engineer – The paving contract is underway. The final walk through may be in a few weeks.

10) Village Coordinator

- a) Report of Complaints and Compliments – Van Lieshout has received several positive comments from residents pleased with the paving project being completed on their streets. Dr. Michael Rieder sent the village a letter of thanks for paving Edgewater Court.

Residents have called the village office concerned with the cattails being cut throughout the village right of ways. Van Lieshout explained there are a few reasons for cutting the cattails, they obstruct water more than grass at the bottom of the ditches, visual obstruction in the right of ways, and they can be garbage collectors.

- b) Discussion and action Emergency Sign Ordinance – Van Lieshout explained that at the July 14, 2003 Village Board meeting Trustee Kaas was asked to draft a revised Emergency Sign Ordinance to be presented at the July 28, 2003 Village Board meeting.

Discussion: Kaas explained the draft Ordinance title includes the wording Emergency Street Identification Number. The emergency signs are not for house number purpose. The draft proposes copies of the plats with the Village shall be given to all emergency units providing service within the village. If the property owner has not chosen either the vertical or horizontal design, the village will order the vertical design.

Van Lieshout explained Rural design streets have ditches and Urban design streets have curb and gutter.

Installation. Trustees suggested signs installed vertically on a signpost should be placed two feet from the driving surface of the road and at least 42” above the edge of the road and no lower than the bottom of the mailbox on Rural design streets. On Urban design streets the signs must be placed within two feet of the back of the curb and at least 42” above the road level and no lower than the bottom of the mailbox.

Enforcement. Trustees suggested property owners would have 14 days to comply with notice of installment. If the property owner does not comply, the village will install the number and charge the property owner a \$100 installation fee.

Use wording from the original ordinance addressing sign placement at property that is too close to the road, “sidewalk stores.”

Trustees suggested charging inspection fees.

Kaas will revise the draft with suggested changes and additions.

- c) Discussion and action regarding an ordinance limiting the hours of sale of for fermented malt beverages – *Consensus: Van Lieshout consult with village attorney and submit ordinance at the next village board meeting that limits the hours for sale of fermented malt beverages within the Village of Sherwood.*

Discussion: Village Clerk was approached by the manager of Sherwood Mobil Convenience Store (Condon Oil Company, Inc) requesting to know the process required to sell fermented malt packaged goods after 9:00 p.m. Village Clerk noted in July 17, 2003 Memorandum to the Village Board that WI Statute 125.32 (3) (b) states a municipality may, by ordinance, impose restrictive hours.

- d) Approval of an ordinance establishing standards for issuance of provisional license for sales of alcoholic beverages – ***Barribeau moved to approve an ordinance establishing standards for issuance of provisional license for sales of alcoholic beverages. Thompson second. Motion carried.***
- e) Approval of ordinance establishing a deadline for the delivery of the property tax roll – ***Barribeau moved to approve an ordinance establishing a deadline for the delivery of the property tax roll. Thomson second. Motion carried.***

- 11) Presentation of correspondence, resolutions, and related matters – Responding to Beach, Van Lieshout stated a copy of the Calumet County Radar Board schedule is at the village office. Sherwood is scheduled for every other week, weekdays only.

Trustees requested Van Lieshout speak to the Mayor of Manitowoc regarding the number of municipalities that may have responded to his letter dated July 11, 2003. The trustees would also like copies of resolution be included in the next Village Board Meeting packet.

Trustees requested the stop sign ordinance be amended to remove the stop sign at Robinhood Drive and Sherwood Forest Golf Course clubhouse parking lot.

*Consensus: Remove the stop sign on Castle Drive at the intersection with Knight Drive.*

- 12) Adjournment – ***Thomson moved to adjourn at 8:35 p.m. Barribeau second. Motion carried.***

Respectfully submitted by Kathy Mader, Finance Clerk

## Village Board Meeting Minutes August 11, 2003

- 1) Call to Order and Roll Call – Meeting called to order by V. President Laux at 6:31 p.m. Roll called:

|                |                                |
|----------------|--------------------------------|
| <b>Present</b> | <b>Absent</b>                  |
| Bill Barribeau | David Miller, Excused          |
| Joe Beach      | <b>Others Present</b>          |
| Barb Jack      | Josh Van Lieshout, Coordinator |
| Roger Kaas     | Ellen Maxymek, Clerk/Treasurer |
| Joyce Laux     |                                |
| Carl Thomson   |                                |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve. Kaas second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve minutes of the July 28, 2003 meeting. Laux second. Kaas requested correction on page 2, 10) b) para. 4) Installation sentence 3 & 5 no lower than... Motion carried.*
  
- 5) Registered citizen comments on agenda items
  - David & Joan Petrie, N7986 Stommel Road, re agenda item 11) b)
  
  - Betty Berghuis, W510 Clifton Road, asked that the Village take steps to get the unnamed driveway known locally as John Street dedicated to the Village. Neighbor conflicts have arisen, which Mrs. Berghuis believes would be resolved by having the roadway dedicated. Van Lieshout reported that “John St.” and “Railroad St.” are undedicated roads about which there are unresolved issues. The matter was referred to the Plan Commission.
  
  - Tom Jack, W4843 Escarpment Terrace, stated that trees planted in Wanick Park by the Public Works crew were improperly planted and mulched excessively. Particularly the Norway maple trees are dying from an excess of water around the root system.
  
- 6) Approval of Consent Agenda
  - a) Operator’s License
    - i) Glennie Jane Lopez – *Laux moved to approve. Kaas second. Motion carried.*
    - ii) Sarah Shirley Ott – *Barribeau moved to approve. Beach second. Motion carried.*
  
- 7) Approval of the Plan Commission Report – August 4, 2003
- 1) ACTION ITEMS:
  - a) Commissioners moved to recommend approval without objection of a CSM dividing property owned by JD Grishaber in the NW ¼ of the SW ¼ and SW ¼ of the SW ¼ of Section 19, Town 20 North, Range 19 East, Town of Harrison, Calumet County, Wisconsin (Stommel Road) into three lots. Owner stated Lot 1 and Lot 2 are proposed for single family buildable lots and Lot 3 will remain zoned agricultural. Van Lieshout stated that each lot exceeds 1 ½ acre size, which does not fall within the Subdivision Ordinance. The property is not within the Village of Sherwood sewer service area but it is within the sewer planning area – *Barribeau moved to approve the recommendation.*

***Kaas second. Motion carried. Laux nay.*** Refer to Plan Commission to develop a request that Calumet County amend its land division ordinance to limit piecemeal creation of minor subdivisions which tend to limit natural municipal growth pattern and create pockets of development at the Village borders which are unencumbered by Village development ordinances.

2) DISCUSSION ITEMS:

- a) Commissioners suggested Mike Johnson, M. Johnson Development Corp, revisit current DNR Wetland studies as they may relate to the proposed Fairway at High Cliff Development. The property is located off the 14<sup>th</sup> fairway of High Cliff Golf Course. Nick Vande Hey, McMahan & Associates, Engineer, stated that the DNR has updated their Wetlands requirements, any new development would have to adhere to the updated requirements. Commissioners noted an amendment in the Village of Sherwood Zoning Ordinance. The amended ordinance allows a maximum of 8 dwellings per unit in the R-4 zoning district. A concern to the Village would be the storm water run off issue.
- b) Commissioners suggested for future subdivisions proposed street names should be put into a Calumet County database, if such a database exists. If Harrison, Woodville, or Sherwood already have the same or similar street name the proposed street name will be denied. Commissioners agreed it would be difficult to change the names of existing developed streets.
- c) Commissioners requested Van Lieshout, Coordinator, and Rosenbeck, McMahan & Associates, Engineer, meet with Les Stumpf concerning a proposal for Clifton Road drainage across the Stumpf property to the existing drainage way to the wetland area lying south of Castle Drive.

8) Report of Village Officers

- a) President – None
- b) Joe Beach
  - i) Discussion and action approving a resolution opposing the North American Free Trade Agreement – Upon Beach’s inquiry Van Lieshout stated that he talked to the representative of the Mayor’s Office, Manitowoc, who reported a positive response to the mayor’s request that municipalities pass a resolution opposing the North American Free Trade Agreement. Beach stated that passage of the resolution was warranted because American manufacturers need to have a level playing field to compete for manufacturing sent overseas. ***Beach moved to return a draft of the resolution for consideration at the next meeting. Laux second. Motion carried with Kaas voting nay.***
  - ii) Clerk/Treasurer – Called attention to UW Extension Local Government Center training series, Local Finance & Elections Workshops for new or continuing officials.

9) Village Attorney

- a) Recommend a motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) for the purpose of discussing the status of collective bargaining and RETURN TO OPEN SESSION to take further action – Recommended.



## 10) Village Engineer

- a) Discussion and action to accept Nature's Way Drive bridge – Per August 11, 2003 correspondence from Village Engineer Gary Rosenbeck, McMahan Associates, Inc. remaining issues as listed will need to be addressed prior to acceptance of this culvert structure by the Village:
- General shaping of the rip-rap and the addition of more rip-rap on the upstream and downstream aprons is required.
  - Additional rip-rap is also required along the wing walls where it is proposed to construct the curbing for the road and the walkway on the south side to provide backfill and support.
  - There is a storm sewer that extends into the interior of the culvert that needs to be cut flush with the interior surface and grouted as it is leaking around the lower quadrant of the pipe.
  - An easement will be required along the south property lines for encroachment.

No action taken. The matter will be returned to a future agenda.

- b) Discussion and action to award a bid in the amount of \$14,270.00 to Steffes Construction for the Stream Enhancement Project – Van Lieshout reported that the abutting property owner has not provided a maintenance easement. It is the opinion of the Village Attorney that the Village may utilize authority under Wis. Stats. Sec. 88.90 to remediate problems caused by sedimentation and vegetative growth in the streambed. Action to award the bid was postponed until written confirmation of this legal opinion is obtained.

## 11) Village Coordinator

- a) Report of Complaints and Compliments – Van Lieshout reported the incidence of a small number of sewer back-ups during recent heavy rains. Infiltration of storm water into the sanitary sewer system combined with a power failure, which temporarily put Lift Station #1 out of service, overwhelmed the capacity of the system.
- b) Discussion and action regarding charges to Dave Petrie levied pursuant to Resolution 94-02, Concerning Reimbursement of Administrative Costs Incurred by the Village of Sherwood – Dave Petrie stated that he refuses to pay two Village billings for reimbursement of engineering services provided by McMahan & Associates prior to the acceptance of Mustang Acres subdivision. The first of the invoices was for plat review services during the period ending June 30, 2001 in the amount of \$128.00. The second invoice was for roadway/drainage on-site resident services ending July 28, 2001 in the amount of \$256.00. The total of these invoices plus added late charges calculated on the unpaid balance is currently \$513.72. Petrie stated that the services billed were for inspecting subdivision grades and were unnecessary and repetitive work billed previously. Petrie then presented his bill to the Village in the amount of \$467.00 for engineering services to shoot corner elevations performed for him by Martensen & Eisele and legal advice provided to him by George Twohig. Petrie stated that on advice of his attorney if he has any more problems in regard to these bills he would take the matter to small claims court. Kaas requested that a detailed description of the services covered by the invoices be furnished by McMahan Associates for review by the Village Board at a future meeting.

Regarding parkland fees in lieu of land dedication in the amount of \$7,612.50 billed in conjunction with Mustang Acres II, Petrie maintained that parkland was dedicated in an amount to satisfy the acreage requirement according to the redevelopment agreement covering the original subdivision phase. Van Lieshout responded that he can find no exception in the developer agreement that would excuse the payment of cash in lieu of parkland for the second phase.

Similarly Petrie stated that he paid for storm water management development per the redevelopment agreement that covers phase one. Van Lieshout stated that the Village is paying for the storm water management infrastructure at 100% reimbursement of development cost per the redevelopment agreement. Van Lieshout stated that under the current subdivision ordinance, storm water management fees in the amount of \$23,498.00 are owed.

Finally Petrie stated that he does not want to install oversized sewer and water mains according to the conditioned approval of the Utility Commission. Van Lieshout briefly reviewed the issues, stating that these approvals were made by action of Utility Commission and the Village Board ratified those actions.

- c) Discussion and action regarding Emergency Sign Ordinance – Kaas introduced a second draft of the emergency numbering ordinance. The following changes were noted:
- Change each reference to “number” to “emergency number” unless it is identified as “identification number”.
  - 3. B. last sentence. Village will obtain a vertical emergency number for placement on ~~a signpost~~ the premises.
  - 4. A. first sentence. The property owner is responsible for the proper installation and maintenance...
  - 4. B. last sentence. ...or other primary building structure to unambiguously identify said location.
  - 4.C. 4) first sentence ...or other primary building structure has sidewalk covering the entire space between the building and the abutting paved roadway...
  - 4. C. 4) last sentence ...shall be at least 42 inches but no more than 84 inches ...
  - 5. D. ~~The cost of such installation~~ Said charge ...

The third draft of the amended ordinance will come forward at the next meeting for a first reading and to the meeting of September 8, 2003 after publication and notice of public hearing for the second reading and action.

- d) Discussion and action to approve an ordinance limiting the hours of sale of for fermented malt beverages – Maxymek stated that Wis. Stats. Section 125.32 (3)(b) limits Class “A” licensees to sale of fermented malt beverages for consumption off-premises between the hours of 8:00 a.m. and 12:00 midnight. Paragraph (d) provides a municipality the ability to further restrict the hours of sale by ordinance. Discussion followed relative to the merits of a restrictive ordinance. ***Barribeau moved to approve an ordinance that limits sale of fermented malt beverages by Class “A” licensees to the hours of 8:00 a.m. to 9:00 p.m. Thomson second. Motion fails due to lack of a majority with Barribeau, Jack, Thomson voting aye and Beach, Laux, Kaas voting nay.***

- e) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for deliberating or negotiating the purchase of public properties RETURN TO OPEN SESSION to take further action or to adjourn the meeting – Recommended.

12) Presentation of correspondence, resolutions, and related matters – None

- ***Beach made a motion at 9:03 p.m. to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) for the purpose of discussing the status of collective bargaining and per State Statute 19.85(1)(e) for deliberating or negotiating the purchase of public properties. Barribeau second. Roll call. Voting aye; Barribeau, Beach, Jack, Kaas, Laux, Thomson. Voting nay; none. Motion carried.***
- ***Kaas moved to RETURN TO OPEN SESSION at 10:26 p.m. Barribeau second. Roll call. Voting aye; Barribeau, Beach, Jack, Kaas, Laux, Thomson. Voting nay; none. Motion carried.***

13) Adjournment – ***Barribeau moved to adjourn at 10:27 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk

**Special Village Board Meeting Minutes**  
**August 18, 2003**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 8:33 a.m. at the Village office. Roll call: **Present**

Bill Barribeau  
Barb Jack  
Roger Kaas  
Joyce Laux  
David Miller  
Carl Thomson

**Absent**

Joe Beach, Excused

**Others Present**

Nick Vande Hey, Village Engineer  
Josh Van Lieshout, Coordinator  
Ellen Maxymek, Clerk/Treasurer

- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
- 4) Registered citizen comments on agenda items – None
- 5) Village Engineer
- a) Discussion and action to award a bid in the amount of \$14,270.00 to Steffes Construction for the Stream Enhancement Project – Vande Hey reported that the DNR has given an extension to October 1, 2003 to complete the stream enhancement project. He said he is comfortable with the wide range of the bid proposals and that Steffes Construction is a firm that specializes in stream enhancement. In response to Laux, Vande Hey stated that he does not know if Steffes Construction is a union contractor. Kaas said that the golf cart path would continue to be an area of flooding. He stated the Village should influence the owners of High Cliff Golf Course to do their part by undertaking a parallel project to install a floatable bridge over the flood area or a larger culvert to convey storm water at the same rate as the upstream flow. Barribeau moved to approve a contract award in the amount of \$14,270.00 to Steffes Construction for the Stream Enhancement Project. Thomson second. In a roll call Barribeau, Jack, Kaas, Laux, Miller, and Thomson voted aye. Motion carried unanimously.*
- 6) Presentation of correspondence, resolutions, and related matters – None
- 7) Adjournment – *Kaas moved to adjourn at 8:45 a.m. Barribeau second. Motion carried.*

Respectfully submitted for approval by Ellen Maxymek, Clerk

## Village Board Meeting Minutes August 25, 2003

- 1) Call to Order and Roll Call – Meeting called to order at 6:31 p.m. by Vice President Laux.

|            |                         |                                |
|------------|-------------------------|--------------------------------|
| Roll call: | <b>Present</b>          | <b>Absent</b>                  |
|            | Bill Barribeau          | Roger Kaas, excused            |
|            | Joe Beach, arrived 6:50 | David Miller, excused          |
|            | Barb Jack               | <b>Others Present</b>          |
|            | Joyce Laux              | Josh Van Lieshout, Coordinator |
|            | Carl Thomson            | Ellen Maxymek, Clerk           |

- 2) Pledge of Allegiance

- 3) Approval of the Agenda – *Barribeau moved to approve agenda. Thomson second. Motion carried.*

- 4) Approval of Minutes – *Barribeau moved to approve the minutes of August 11, 2003. Thomson second. Motion carried.*

- 5) Registered citizen comments on agenda items

- David Petrie, N7986 Stommel Rd., Developer of Mustang Acres and Mustang Acres II, re. agenda item 10) e) & f). Petrie stated that he refuses to pay for reimbursement of engineering expense relating to Mustang Acres subdivision. He further stated that these services, performed on behalf of the Village by McMahan Associates Inc., were repeated and unnecessary. Copies of documents from Petrie's engineering firm were presented to corroborate his statement. Chairperson Laux stated that the Board would take the matter under consideration when they have had sufficient time to review all pertinent information.
- George Twohig, Attorney for David Petrie & Mustang Acres Inc., re. agenda item 10) e) & f). Attorney Twohig referred to correspondence from Van Lieshout dated July 29, and August 7, 2003. The correspondence indicated that, according to the Village subdivision ordinance, payment of parkland fees in the amount of \$7,612.50 and storm water detention fees of \$23,498 are due. Twohig maintained that under provisions of a Redevelopment Agreement parkland and storm water detention adequate to serve the initial phase of development, Mustang Acres, and the second phase, Mustang Acres II have already been dedicated. He stated that claiming a fee at this time is incorrect and unfair.

Regarding planting of street trees in Mustang Acres II, Twohig said that if the applicable ordinance requires the Village to plant these trees rather than Petrie planting the required trees directly then the fee calculation of \$7,119.50 is correct.

Laux again stated that the Board would take the matter under consideration when they have had sufficient time to review all pertinent information. Petrie stated that his bank would not complete a mortgage transaction to fund construction of Mustang Acres II [until the final plat is signed by the Village and recorded]. Laux reiterated that the Village Board couldn't give due diligence to the matter without adequate review of supporting information.

- Paul Schwartz, W6040 Cameo Ct. Appleton, re. Lakeshore Estates West II subdivision. Schwartz asked why a permit to build in Lakeshore Estates West II subdivision can't be issued. Van Lieshout explained the process of development planning, construction, approval and acceptance by the Village that takes place before issuance of building permits. He stated that, for the protection of the Village and future homebuilders, infrastructure must be completed and inspected before the Plan Commission and Village Board will accept it. With acceptance of the infrastructure the Village also accepts future responsibility for it. In the case of Lakeshore Estates West II the subdividers have not reached infrastructure completion sufficient to request acceptance.
- 6) Approval of Consent Agenda
- a) Operator's License – ***Barribeau moved to approve operator's license applicants i-iii, Thomson second. Motion carried.***
    - i) Maria A. Schneider
    - ii) Tracy A. Ketchum
    - iii) Lisa Koehler
  - b) Temporary Class "B" License – ***Barribeau moved to approve Temporary Class "B" license applicant, High Cliff Ridge Riders. Laux second. Motion carried.***
    - i) High Cliff Ridge Riders, Tina M. Betters
- 7) Approval of the Utility Commission Report – August 18, 2003
- 1) Discussion Items:
- a) Gary Rosenbeck, Village Engineer, will incorporate the suggested revisions by the Utility Commission to the proposed Utility Special Assessment Policy and submit for discussion and approval at the September 2003 Utility Commission meeting. Rosenbeck suggested that the village attorney should review #8. Property Not in Village & Agricultural Zoning of the Utility Special Assessment Policy. Van Lieshout, Coordinator, suggested #8 should also be checked against the deferred assessment statutes.
  - b) Gary Hess, Utility Technician, requested to extend the standard schedule of testing protocol beyond August 15, 2003. He also stated that he would be flushing the system and taking samples at the water tower. The samples at booster discharge will be collected and analyzed every two weeks until the September 2003 Utility Commission meeting.
  - c) Gregg Holz, Sherwood Forest Golf Course, and Jay Stadler, Railroad Street were present to discuss their property losses due to sewer back up at the Main Lift Station (1) on Cty M (Military Road) during storm events on July 30<sup>th</sup> and August 3<sup>rd</sup>. It was noted that a tree was struck by lightening on July 30, 2003 near the railroad tracks on Cty M, possibly causing a power outage. Utility Commissioners advised Mr. Holz and Mr. Stadler to submit claims to Van Lieshout that will be submitted to the Village's insurance company.
  - d) Mr. David Petrie stated that in his opinion the Village should pay the \$45,000 cost to install a 10" sanitary sewer on Stommel Road from Cliff View Drive to the north end of plat to serve the existing residence and Lots 49 through 52 as suggested by McMahon & Associates, Inc.

- 2) Action Items:
  - a) Commissioners moved to approve Private Well Operating Permits for Dan Lane, Lower Cliff Road, David Petrie, Stommel Road, Sherwood Forest Golf Course, Gregg Holz, Robinhood Drive, and Les Stumpf, Stumpf Ave – ***Barribeau moved to approve private well permits as stated. Thomson second. Motion carried.***
  
- 3) Consensus Items:
  - b) Commissioners stated that the Village should waive the application and fee required for Private Well Operating Permit for Mr. and Mrs. Charles Milheiser, Hwy 55, residence. Milheiser residence is in the Village of Sherwood limits however is not connected to village water. Milheiser stated she will continue to solicit her own sampling and submit the results to the village annually.
  
  - b) Commissioners stated that the Village should refund the Private Well Operating Permit fee to Mrs. Koutnik, as requested by her son, representative, when the Village receives a proof of formal abandonment. In 2002 the Koutnik private well tested unsafe twice.
  
- 8) Report of Village Officers
  - c) President – None.
  
  - d) Trustee Joe Beach
    - i) Discussion and action approving a resolution opposing the North American Free Trade Agreement – ***Beach moved to approve a resolution opposing North American Free Trade Agreement. Laux second.*** Laux called attention to information provided by Trustee Kaas. In correspondence dated August 21, 2003 [attached and made part of this record] Kaas proposed that the resolution opposing NAFTA be tabled until such time as information evidencing the statements promoted in the resolution is received. ***On a roll call Beach and Laux voted in favor: Barribeau, Jack, Thomson voted against. Motion defeated.***
  
  - e) Clerk/Treasurer
    - i) Review financial reports – Reports reviewed.
  
    - ii) Discussion and acceptance of 2002 audited financial statement and management letter – Barribeau initiated discussion regarding the Village’s implementation of GASB 34 as referred to in the management letter. Maxymek reported that a meeting between the accountants and Village staff is planned to strategize implementation. Considerable work must be accomplished to gather needed financial and asset data. She reported that a 30% increase in accounting and audit expenditures is likely. Laux stated that proposals to implement GASB 34 should be obtained. ***Laux moved to approve and accept the 2002 audited financial statement and management letter. Barribeau second. Motion carried.***
  
- 9) Village Engineer
  - a) Discussion and action to accept Nature’s Way Drive bridge – Van Lieshout introduced Engineer Rosenbeck’s letter dated August 25, 2003, which stated that outstanding issues during the construction phase of the bridge and culvert have been addressed and the culvert is generally in conformance with plans. However an easement required along the

south property line for encroachment has not been provided to the Village as yet. No action was taken until the easement has been received.

#### 10) Village Coordinator

##### a) Report of Complaints and Compliments

- Complaints from Doug Cotrell, Lakebreeze Drive and Karen Alesch, Robinhood Drive regarding the cutting of cattails and other vegetation in the right-of-way. Van Lieshout explained that the vegetation is cut to increase visibility on the roadways and to encourage storm water flow in the ditches. In response to a question from Tom Jack, Van Lieshout stated that natural tributaries and streams should be kept free of vegetation, debris, and sedimentation and that in certain instances action can be taken under Wis. Stats. Sec. 88.90 to ameliorate obstructions causing property damage.
- Karen Alesch also complained that water was shut off due to flushing of the water delivery system without the usual notice. Van Lieshout stated that the Utility Commission determined a need for immediate system flushing in order to manage water quality. The immediacy of the order unfortunately did not allow time for published notices. Barribeau noted that in the future Calumet County's CITYWATCH calling system might be a method of notification.
- Lori Lee, N7755 State Park Road, complained about water standing in backyard [Windswept Lane] ditches. Water is coming from neighbor sump pumping water into the ditch where it remains and stagnates rather than running off. Van Lieshout reported that restoration and seeding of Windswept Lane ditches after 2002 road surfacing did not survive winter. Ms. Lee is asking that the Village re-restore the ditch. Unfortunately due to extraordinary and unexpected expenditures there is not enough budget remaining to accomplish this remediation this year. Beach inquired if the project contractor can be prevailed upon to return and restore the ditchwork. Van Lieshout is unsure but will review the project contract to determine if he is obligated to do so.
- Mike Krueger, Questa Court, complained about the \$50. penalty added to the cost of abating a public nuisance to health ie. noxious weeds and rank growth. He also complained that the mowing contractor has not supplied evidence of insurance to the Village. This is, says Krueger, illegal and places him at risk to claims by the contractor. Van Lieshout said that the mowing contractor states that his homeowner's insurance covers him. Maxymek noted that Nuisance Ordinance #52, Sec. 10 expressly allows collection of \$50 [nuisance affecting public health] in addition to costs of abatement.
- Christine Bockhorn, M.D., Escarpment Terrace, sent correspondence related to the handling of a "barking dog" complaint made against neighbors by Lorraine Wells. Referring to Wells, Bockhorn stated "One person does not have the right to engage an inordinate amount of village employee/board personnel time when there are more urgent, more important, and more appropriate issues to contend with."



- b) Discussion and action regarding Emergency Sign Ordinance – The first reading of an amendment to the Emergency Street Identification Number Ordinance #69 was announced. Changes to the draft were noted as follows:
- Page 1, 2. A. second line ...each residence, place of business and other primary building structure within the Village of Sherwood...
  - Page 1, 2. A. last line ...from and through the Village, an emergency street identification number.
  - Page 2, 3. B. last line ...Village may obtain a vertical or horizontal emergency number...
  - Page 2, 4. B. second line ...or other primary building structure and in such proximity as to unambiguously identify said location.
  - Page 3, 5. A. & B. ...written notice

The Coordinator was instructed to create a 14-day written notice to complete or correct installation form.

- c) Discussion and action to amend Ordinance 49, Installation of Stop Signs striking paragraph 1(cc) – ***Laux moved to amend Village Ordinance 49 to delete listed stop sign at the intersection of Robinhood Drive and Club House Parking. Barribeau second. Motion carried.***
- d) Discussion and action to accept the 2003 Dept. of Administration population estimate – Van Lieshout reported the department preliminary estimate of Sherwood population at 2,036, a change of 486 persons and 31.355% since the 2000 census. ***Barribeau moved to accept the 2003 population estimate. Laux second. Motion carried.***
- e) Discussion and action regarding charges to Dave Petrie levied pursuant to Resolution 94-02, Concerning Reimbursement of Administrative Costs Incurred by the Village of Sherwood – See registered citizen comments above.
- f) Discussion and action regarding storm water management fees and cash in lieu of parkland fees charged pursuant to Subdivision Ordinance #38 against Mustang Acres II Subdivision, Dave & Joan Petrie Developer – See registered citizen comments above.
- g) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for deliberating or negotiating the purchase of public properties RETURN TO OPEN SESSION to take further action or to adjourn the meeting. Not recommended.

11) Presentation of correspondence, resolutions, and related matters

- a) Correspondence presented by Van Lieshout as follows:
- Ehlers Associates, Inc., a spreadsheet that will enable municipalities to calculate the effect of a levy freeze on new development in TIF district.
  - Department of Revenue, a paper and summary regarding Impact of Property Tax Freeze on Economic Development and Basic Services.
  - Certificate for payment no. seven and final of Lift Station #3 Reconstruction Project in the amount of \$2,000.

- To Louis Resch, RBH Development, regarding the developer's request for payment for outlot parcels and warranty deed of the parcels to the Village.

12) Adjournment – *Barribeau moved to adjourn at 8:20 p.m. Thomson second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**Monday, September 8, 2003**

- 1) Call to Order and Roll Call – Meeting called to order by President Miller at 6:30 p.m. Roll call:
- | <b>Present</b>                                    | <b>Others Present</b>          |
|---|--------------------------------|
| Bill Barribeau                                    | Josh Van Lieshout, Coordinator |
| Joe Beach   | Ellen Maxymek, Clerk           |
| Barb Jack – departed 7:50 p.m. returned 8:14 p.m. |                                |
| Roger Kaas  |                                |
| Joyce Laux  |                                |
| David Miller                                      |                                |
| Carl Thomson                                      |                                |

- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried.*
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of August 18, 2003. Thomson second. Beach stated that the time of adjournment was not recorded. Change noted. Motion carried.*

*Barribeau moved to approve the minutes of August 25, 2003. Thomson second. Motion carried.*

- 5) PUBLIC HEARING: Considering an amendment to Ordinance 68, an ordinance requiring the placing of emergency street identification numbers upon all residences, places of business and other primary building structures within the Village of Sherwood. This ordinance, if amended, will include monetary charges to install or correct installation of emergency numbers.

- Harland Zietlow, W4895 Golf Course Road, requested that the amendment include requirements for proper mounting of identification numbers using criteria as recommended by emergency personnel. Miller commented that the Village would send out one more notice to property owners to properly mount signs and then will proceed with enforcement measures.
- Robert and Betty Berghuis, W510 Clifton Road, referred to a sign placement problem resulting in a neighbor's signpost placed proximate to the Berghuis property because the neighboring home fronts an undedicated road. Kaas responded quoting the language of the amendment and noting that, because of the peculiar nature of the neighboring frontage, the matter cannot be resolved by applying the ordinance.

After three calls for public comment the hearing was closed at 7:05 p.m.

- 6) Registered citizen comments on agenda items
- Robert Wittmann, W5146 Natures Way Drive, re. agenda items 7) & 9)d)
  - Nick Grode, Menasha, re. agenda item 7)

7) Approval of the Plan Commission Report of September 2, 2003 – *Laux moved to approve the Plan Commission Report in entirety. Barribeau second. Motion carried.*

1) **Action Items**

- a) Discussion and action to approve entering into an agreement for Comprehensive Planning Services with Calumet County – Recommended approval of an agreement for Comprehensive Planning Services with Calumet County contingent on County receiving a Smart Growth planning grant.
- b) Discussion and action recommending acquisition of a right of way on what is commonly referred to “John Street” – Recommended continuing efforts to acquire 60’ right-of-way from owner Les Stumpf, and 3’ from each abutting owner for a total of 66’ right-of-way.
- c) Review and approval of building site plans for a garage addition to Forrest Run Pet Cemetery – Recommended approval of building site plans for a garage addition to Forrest Run Pet Cemetery.
- d) Discussion and action to recommend the approval of the annexation of 82.56 acres located in the Town of Harrison – Recommended approval of a direct petition by unanimous consent to annex 82.56 acres located in the Town of Harrison.
- e) Review and discussion of a concept plan for Lakeshore Estates East – Recommended approval of a concept plan for Lakeshore Estates East contingent upon acceptably addressing concerns as listed that will be presented to developers before submission of preliminary plat:
  - Property will be subdivided into approximately 200 lots with plats of 30-40 lots developed in phases over several years.
  - A zoning district conflict will be resolved pertaining to plan for twelve duplex lots in district currently zoned industrial recreational.
  - A wooded stand of hardwood trees will be kept as a nature reserve/park area.
  - Since Natures Way Drive will connect at Cliffview Drive at Stommel Road to form an east/west corridor, Schuler questioned the need for another potential through-corridor to the north.
  - Developers ask that consideration be given to amending the official map to remove the mapped east/west road running west from Nature Lane.
  - Concept plan depicts a number of lots with driveway access to Pigeon Road. This conflicts with the Village desire to limit access to the road.
  - The Land Use Plan limits cul-de-sac streets to 20% of the roads per subdivision. However the “Grode-Vandenberg” has wetland areas and will not accommodate 80% through streets. Can the limited cul-de-sac policy apply to the subdivision excluding the “Grode-Vandenberg” acreage.
  - Developers will screen street names through county street database to avoid duplication/similarity.
  - All required easements will be made available to Village.

Van Lieshout noted that the Lakeshore Estates East concept plan does not, in the current version, envision a street intersecting or connecting with the Meadowcliff Drive right-of-way.

- f) Review and approval of a surveyor's affidavit of correction to the plat of State Park Estates III – Recommended approval of surveyor's affidavit of correction to the plat of State Park Estates III.

## 2) For Information Only

- a) Discussion on proposing a Calumet County Subdivision Ordinance amendment, limiting the piecemeal creation of small subdivisions by CSM (referral from the Village Board) – Barribeau suggested consulting with Calumet County Planning Department to affect a change in the type and size of lots allowed by CSM in the County subdivision ordinance or planning document.
- b) Barb Jack regarding moratorium on building permits – Commissioners declined to pursue a moratorium on issuance of building permit based on the following observations:
  - 2003 building permits have declined by 30% from 70 to 45 for the same period in 2002 and have returned to the level of permits issued in 2001
  - Building is compliant with the adopted Land Use Plan
  - Building is being approved according to Sewer Service Plan provisions
  - Sewer plant capacity has doubled assuring adequate service into the future
  - Recreational land, parks, trails are contributed by developers, keeping pace with population growth
- c) Scott & Jerry Michaels proposal for 24 mini storage units – Michaels proposed building 24 steel mini storage units on owned property immediately south of their car wash property [Knight Drive]. Commissioners doubted that steel storage units would meet the building and design standards.

## 8) Report of Village Officers

- a) President – Miller reported that an estimated thousand persons attended a recent Sherwood Lions Football Program scrimmage at the Legion Park field. The High Cliff Ridge Riders Annual Rodeo event also attracted a large turnout. It is good, he commented, to see growing use of the facilities and showcasing of the Village.
- b) Clerk/Treasurer
  - i) Review financial reports – Disbursement reports were reviewed.

## 9) Village Coordinator

- a) Report of Complaints and Compliments – Van Lieshout reviewed as follows:
  - John Prato, N7839 Lakeshore Lane, requested that broken culvert be replaced and yard restored. Van Lieshout reported that sinkholes opened twice due to joint failures in the step-down drainage culvert. Full replacement would cost from \$15,000 to \$20,000 while repair costs of the culvert system, which still has a useful life of 15 years, are \$3,000. Prudence dictates system repair. Beach asked if the Village engineers approved the original drainage plan. Van Lieshout responded that it is probable that they did, however, this kind of construction was not likely covered by

the Village's Standard Specifications. We will need to develop standard design detail for similar applications in future developments.

- Shakur Rao, N7831 Edgewater Court, complained that water is collecting and standing at the end of his driveway instead of draining into the storm drain inlet. As this water evaporates dirt and dust remains and is a nuisance. Van Lieshout explained that this is a frequent circumstance when a base layer of asphalt is laid. Storm drains are set at a higher elevation to accommodate the future final coat of asphalt. Rao's complaint will be alleviated when the street is final surfaced.
- b) Second reading and approval of amended Emergency Street Identification Numbering Ordinance – ***Barribeau moved to approve Emergency Street Identification Numbering Ordinance No. 69 as amended. Thomson second. Discussion. Barribeau moved to amend the main motion as follows: Section 2. A. last sentence...an emergency street identification number. Section 3. B. last sentence...the Village will ~~may~~ obtain a vertical or horizontal emergency number....Kaas seconded the motion to amend. Motion to amend carried. Main motion carried with Beach opposed.***
- c) Discussion and action to approve resolution, entering into an agreement with Calumet County for a Grant Application in the Development of a Multi-Jurisdictional Smart Growth Comprehensive Plan – Van Lieshout reported that the firm of Foth & Van Dyke was selected as planning consultant to develop the multi jurisdictional Smart-Growth comprehensive plan. Representatives of participating municipalities undertook the extensive selection process with Calumet County planners. The Village will have ten planning meetings with the consultants in addition to two public participation meetings one of which will include a required public hearing. A required contribution of \$9,000 will be made to the county, which will act as agent on the grant application. If obtained the grant will pay for the majority of the cost of the Smart-Growth plan. ***Barribeau moved to approve entering into an agreement with Calumet County for a Grant Application in the Development of a Multi-Jurisdictional Smart Growth Comprehensive Plan. Beach second. Motion carried.***
- d) Discussion and action to approve a Petition for Direct Annexation of 82.56 acres in the Town of Harrison – On inquiry from Miller, Tom Schuler stated that Town of Harrison was notified of the petition to annex per statutory provisions. ***Barribeau moved to approve a Petition for Direct Annexation of 82.56 acres in the Town of Harrison. Miller second. Motion carried.***
- e) Approve and adopt Ordinance 03-81 Annexing Territory to the Village of Sherwood – ***Barribeau moved to adopt Ordinance 03-81 annexing territory to the Village of Sherwood. Laux second. Motion carried.***
- f) Discussion and action regarding the intersection of Nature's Way Drive and State Park Road – Van Lieshout described the T-intersection, stating that the developer has asked to delay construction of the State Park Road section until Nature's Way Drive is paved. The primary reason for the delay is to minimize dust and maintenance associated with directing a relatively high volume of traffic from the paved State Park to the graveled Nature's Way Drive. After clarifying that the developer will remain financially

responsible for future road construction, ***Barribeau moved to approve the construction delay. Kaas second. Motion carried.***

- g) Discussion and action to approve Certificate for Payment No. 1 to Badger Highways Co. Inc. in the amount of \$116,704.91 for partial payment for work performed through Aug. 13, 2003 – ***Barribeau moved to approve payment contingent on performance of a walk through inspection of the work. Thomson second. Motion carried.***
- h) Discussion and action to approve a budget amendment allowing for the purchase of computer hardware – A proposal from Heartland for upgrading the administrative computer system for an amount of \$8,638 was reviewed. Barribeau suggested purchasing flat screen monitors that take up less desk space. ***Barribeau moved to transfer \$5,837 from designated fund balance to the 2003 general government capital equipment budget for the purchase of computer system upgrades. Laux second. Motion carried.***
- i) Discussion and action to schedule Trick or Treat on October 25, 2003 – ***Barribeau moved to approve scheduling Trick or Treat in the Village of Sherwood between 12:00 and 2:00 p.m. on October 25, 2003. Thomson second. Motion carried.***
- j) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for deliberating or negotiating the purchase of public properties and RETURN TO OPEN SESSION to take further action or to adjourn the meeting – ***Dave Miller made a motion to go into closed session per Statute 19.85(1)(e) at 8:15 p.m. Barribeau second. Roll call vote: Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voting in favor. No votes against. Motion carried.***

***Dave Miller made a motion to return to open session at 8:50 p.m. Thomson second. Roll call vote: Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voting in favor. No votes against. Motion carried.***

10) Presentation of correspondence, resolutions, and related matters

- The County Equalization, Apportionment, Assessment/Sales Ratio Analysis, and Equalized Value reports were reviewed.
- Beach requested that the Public Works personnel check the level of mulch around tree plantings.
- Van Lieshout reported that the recreation center boiler has deteriorated more than originally estimated. Additional costs will run around \$16,000 to repair versus \$26,000 to replace the boiler. As repair cost estimates mount, replacement may be warranted. Financing was briefly discussed. The Coordinator was instructed to obtain proposals for a boiler and forced-air heating system.
- Van Lieshout reported that after additional review of the Mustang Acres/Petrie redevelopment agreement he is less convinced that storm water management fees and cash in lieu of parkland should be collected for Mustang Acres II. He has forwarded documents to Attorney Chad Koplein for legal opinion.

- Regarding an inspection of the 2002 Windswept Lane road construction, Van Lieshout has an upcoming inspection with the Engineer Lee Reibold.

11) Adjournment – *Thomson moved to adjourn at 9:20 p.m. Kaas second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.



## Village Board Meeting Minutes September 22, 2003

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

|  |   |
|--|---|
| <b>Present</b><br>Bill Barribeau<br>Joe Beach, arr. 7:00 p.m.<br>Barb Jack, left 7:15 ret'd 7:45<br>Roger Kaas<br>Joyce Laux<br>David Miller<br>Carl Thomson | <b>Others Present</b><br>Josh Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk |
|--|---|
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Kaas second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of the September 8, 2003 meeting of the Village Board. Kaas second. Motion carried.*
  
- 5) Registered citizen comments on agenda items
  - Tom Jack, W4843 Escarpment Terrace, re. agenda item 7)
  - Dave & Joan Petrie, N 7986 Stommel Road, re. agenda items 8) iii) & 9) b)
  
- 6) Approval of the Utility Commission Report – September 15, 2003
  - 1) ACTION ITEMS:
    - a) Commissioners moved to accept the Utility Special Assessment Policy as written.
    - b) Commissioners moved to approve the Memorandum of Understanding for acceptance and conveyance of sludge to Appleton Waste Water Treatment Facility. The village will seek quotes from qualified hauling contractors.
  
  - 2) CONSENSUS ITEMS
    - a) Commissioners requested Van Lieshout submit to the village's insurance carrier a copy of the letter from McMahon & Associates, Inc. dated 9/9/03, regarding Emergency Power at Main Lift Station, 8/18/03 Utility Commission Meeting minutes, and of the fax from Allan Engineering Co. Inc. dated 8/15/03. Commissioners would like the village insurance carrier to review these items and reconsider the claim denials of Gregg Holz, Sherwood Forest Golf Course, and Jay Stadler. Holz and Stadler submitted loss claims to the village after the July 30<sup>th</sup> and August 3<sup>rd</sup> rain events.
  
    - b) Commissioners agreed to schedule a special Utility Commission meeting to accept utility improvements in the east half of Lakeshore Estates West II. Commissioners explained to the developer that all work must be complete and the village must have written letter of

approval from the village engineer. A week's notice is requested from the developer to schedule the special Utility Commission meeting.

### 3) DISCUSSION ITEMS

- a) Commissioners requested Rosenbeck, McMahon & Associates, Inc., Village Engineer, to locate and review a manhole report dated approximately ten years ago. Commissioners also requested Rosenbeck to submit a detailed analysis of risk assessments regarding sewer back ups. They requested Rosenbeck to submit recommendations and to prioritize the solutions, including cost per possible scenario.
- b) Commissioners requested Hess, Utility Technician, be present for the October Utility Commission meeting to discuss his request for \$5,100 heating system upgrade at the Waste Water Treatment Plant garage.
- c) Commissioners received 2003 Water Sampling Protocol results from the village engineer. According to CH Diagnostics, Colorado, the Village of Sherwood water does not present a health risk and there is no detection of microorganisms going into the water. The Village of Sherwood Utility Department will continue to flush, keep chlorine residual up, and monitor lab results.

***Thomson moved to approve the report of the Utility Commission. Barribeau second.  
Motion carried.***

### 7) Approval PRUT Board Report - September 9, 2003

#### 1) Action Items

- a) Discussion and action to make recommendation to the Village Board on maintenance of trees in Miller Pond – Recommended that the Village engineer require the Detention Pond Project contractor to plant, replant and maintain trees according to the original contract.

#### 2) For Information Only

- a) Discussion and action to approve tree species selection for 2004 planting season – Jack and Kirshling will review list of tree availability and advise for fall order placement.
- b) Discussion and action regarding tree placement – Half of 2004 trees should be planted in Wanick Park and remainder planted on street right-of-ways.
- c) Discussion and recommendation on the purchase of recreation equipment – Requested Coordinator to prepare a list and cost estimate of equipment designed for two to twelve year olds.
- d) Discussion and action formulating a format for athletic organizations to collaborate on how to improve Village playing fields and equipment – Advised local sports organizations to create a plan and budget for collaborative improvements and present to the Village Board.
- e) Discussed need for “Leash Your Dog” signs on detention pond properties.

***Barribeau moved to approve the report of the Park, Recreation and Urban Tree Board. Jack second. Motion carried.***

- 8) Report of Village Officers
  - a) President – No report.
  - b) Clerk/Treasurer
    - i) Review financial reports – Reports reviewed.
    - ii) Discussion and action to delete noxious weed/rank growth billings from accounts receivable – No action.
      - (1) Progressive Homes
      - (2) Annette Hovie
      - (3) Jody Vanevenhoven
    - iii) Discussion and action to disallow a claim from Mustang Acres, Inc. for engineering and legal expenses – ***Miller moved to deny to disallow claim. Laux second. Motion carried.***
- 9) Village Coordinator
  - a) Report of Complaints and Compliments – None.
  - b) Discussion and action regarding professional service reimbursement from Mustang Acres Inc. – ***Miller moved to discount 50% of billed reimbursement and 100% of late charges incurred by Mustang Acres Inc. Barribeau second. Motion carried.***
  - c) Discussion and action to approve Certificate for Payment No. 2 to Badger Highways Co. Inc. in the amount of \$3,588.00 for partial payment for work performed through Aug. 25, 2003 – Action was postponed until a walk through inspection of the project is performed.
  - d) Discussion and action to approve Village Health Plan for 2004 – Maxymek noted a 46% reduction in premium based on claims experience. ***Barribeau moved to approve renewal of the Network Health Insurance plan. Thomson second. Motion carried.***
  - e) Discussion and action to approve Centrex and Long Distance Plans with TDS Telecom – Maxymek noted that Centrex service with a 60-month agreement will cost \$213.25 per month for six Village lines. Seven Utility lines will cost \$283.10 per month. TDS True Talk Edge Long Distance plan agreements have a three-year term with no monthly fee. In-state long distance is billed at \$0.079 and out of state at \$0.069 per minute with 6-second incremental billing. ***Barribeau moved to approve agreements with TDS Telecom for long distance plan and Centrex service and maintenance. Thomson second. Motion carried.***
  - f) Review and approval of general web page specifications – Van Lieshout reviewed specification. Kaas suggested that content of web page should include meeting agendas and minutes as well as on-line newsletter in addition to the other specifications as presented. Kaas reported his limited research found GOV OFFICE, Internet Solutions for

Government Offices with which League of Wisconsin Municipalities and City of Chilton are affiliated. Start up costs of \$400 for domain name registration and \$30 per month (based on population) would be anticipated. This pre-programmed governmental set-up allows user to select from a menu of design templates. An unknown number of staff hours would be required to accomplish set-up. Another commercial web-site design and set-up firm is NETSONIC IN Green Bay would cost approximately \$25.00 per hour. Barribeau reported that Calumet County may start offering web site services. He suggested contacting area governments to find out how often their web-sites are accessed.

- g) Report on John Street right of way acquisition – Van Lieshout reported that in initial contact with Les Stumpf regarding right-of-way acquisition, Stumpf was amenable to a trade of John Street right-of-way in return for vacating an unfinished section of Margaret Court. Stumpf later retracted and is not interested in dedicating the John Street property or in resultant road improvement assessment. Miller asked if Stumpf is aware that assessments would be deferred until his property is developed and Van Lieshout responded affirmatively. Another option is to condemn the John Street property, however, due to budget limitations Van Lieshout suggested that the Village postpone such proceedings until next year. He has researched John Street property deeds and can find no recorded driveway or access easements. Beach suggested that a street be located on the west-side of Village property and abut the back of the Freund property. Thomson stated that this would transfer the cost of developing the street to the Village. Van Lieshout reported that the Village has a concern of utility mains and a hydrant adjacent to the “John Street” property.

10) Presentation of correspondence, resolutions, and related matters

- Correspondence from Mary Kohrell, Community Development Educator, Calumet County UW-Extension Office, regarding average annual daily traffic counts in Sherwood and Calumet County. The Sherwood count is 8,900 vehicles daily. Laux queried the number of vehicles traveling through the Village that would justify a signal light at the intersection of Hwy. 114/M/Clifton Road.
- Correspondence from Calumet County, Department of Human Services relative to county continuing to operate W-2 program.
- Correspondence from M & I Bank announcing upcoming closure of Sherwood Office. Maxymek was instructed to research statutory restrictions if any. Laux stated her preference to retain Village bank accounts in a community repository if credit union banking is not statutorily restricted.
- Correspondence from Department of Revenue relative to reduction in estimated shared revenue from \$33,876 to \$22,309 for 2004.
- Correspondence from League of Wisconsin Municipalities reporting 2004 League dues set at \$867.13.
- Correspondence from Longberg Brandel & Associates, Inc., Consulting Engineers, documenting on-site meeting to review HVAC systems.

*11) Adjournment – Barribeau moved to adjourn at 8:55 p.m. Thomson second. Motion carried.*

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Minutes**  
**October 13, 2003**

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:30 p.m. Roll call:
- | <b>Present</b> | <b>Others Present</b>          |
|----------------|--------------------------------|
| Bill Barribeau | Josh Van Lieshout, Coordinator |
| Joe Beach      | Ellen Maxymek, Clerk           |
| Barb Jack      |                                |
| Roger Kaas     |                                |
| Joyce Laux     |                                |
| David Miller   |                                |
| Carl Thomson   |                                |
- 2) Pledge of Allegiance
- 3) PUBLIC HEARING: Regarding proposed text amendment to the Sherwood Zoning Code, Section 3-1 (4) (b) (7) (e) to allow non-owner/occupant apartments in the C-1 Commercial zoning district – After three calls for public comment and hearing none the public hearing was closed at 6:33 p.m.
- 4) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried.*
- 5) Approval of Minutes – *Barribeau moved to approve the minutes of September 22, 2003. Thomson second. Beach noted that in agenda item 9) e) the second to the motion to approve agreements with TDS Telecom and the outcome of the vote were not noted. Laux requested that her comment and question be recorded (agenda item 10) regarding traffic counts and number of vehicles necessary before a traffic light would be considered by the Department of Transportation to control the hazardous intersection at Hwy. 114/Cty. M/Clyfton Road. Motion to approve the minutes as revised carried.*
- 6) Registered citizen comments on agenda items
- Robert Wittmann, W5146 Natures Way Drive, regarding agenda item 11) b)
  - Tom Jack, W4843 Escarpment Terrace, agenda item 11) a)
  - Kathy Salo, W4865 Forest Lane, regarding request for a second driveway access. Maxymek stated that the matter will be on the next meeting agenda.
- 7) Consent Agenda
- a) Approval of Operators License
- i) Jennifer L. Stoeckert – *Laux moved to approve operator’s license. Kaas second. Motion carried.*
- 8) Approval of the Plan Commission Report October 6, 2003
- 1) **Action Items** – *Beach move to separate items 1) d), e) and f). Miller second. Motion carried. Barribeau moved to approve items 1) a), b), c), g), h). Miller second. Motion carried*
- a) Recommended approval to amend Zoning Ordinance #65, Section 3-1 (4) (b) (7) (e) to allow non-owner/occupant apartments in the C-1 Commercial zoning district by conditional use grant – *Barribeau moved to approve. Miller second. Motion carried.*

- b) Recommended approval of a building and site plan for Ken's Plumbing, Inc. N395 Military Road for expansion of a commercial building – ***Barribeau moved to approve. Miller second. Motion carried.***
- c) Recommended approval of a petition for direct annexation of 1.17 acres lying in the N ½ of the SE ¼ of the SE ¼ Section 31 Town 20 North Range 19 East, lying west of STH 114 – ***Barribeau moved to approve. Miller second. Motion carried.***
- d) Recommended urbanizing (add curb and gutter) the east-side of Pigeon Road – ***Beach moved to approve the recommendation to urbanize the east side of Pigeon Road. Thomson second. Motion carried.***
- e) Recommended authorizing further planning/pre-design for a route for Miller Pond outfall storm sewer interceptor (Option 1, Golf Course Road Storm Water Study) including urban road design – ***Barribeau moved to refer the matter to the Ad Hoc Storm Water Study Group and Plan Commission for further implementation. Thomson second. Motion carried.***
- f) Recommended creation of a storm water utility for the Village of Sherwood – ***Barribeau moved to refer the matter to the Ad Hoc Storm Water Study Group and Plan Commission for further implementation. Thomson second. Motion carried.***
- g) Recommended approval of the proposed lighting plan for Mustang Acres II Subdivision – ***Barribeau moved to approve. Miller second. Motion carried.***
- h) Recommended approval without objection of a land division by CSM located in the NE ¼ NE ¼ Section 26, Town 20 North, Range 18 East, Town of Harrison – ***Barribeau moved to approve. Miller second. Motion carried.***

2) **For Information only**

- a) Reviewed a preliminary site and operational plan for Sherwood Veterinarian Hospital and requested detailed renderings with regard to fencing, parking, and construction design and materials. Stressed importance of compatibility with and enhancement of the downtown corridor.
- b) Heard report regarding limiting the piecemeal creation of small subdivisions by CSM (referral from the Village Board). Instructed Code Administrator to draft an amendment to Village Subdivision Ordinance #38 to change the description of subdivision.

9) **Approval of the Utility Commission Report**

- 1) Discussion and action to accept utility improvements in the east half of Lakeshore Estates West II – Franda moved to accept utility improvements in the east half of Lakeshore Estates West II. Benz second. Motion carried – ***Kaas moved to approve the report and action of the Utility Commission.***

10) **Report of Village Officers**

- a) President – No report.

- b) Clerk/Treasurer
  - i) Review financial reports – Reports were reviewed.

11) Village Coordinator

- a) Report of Complaints and Compliments
  - i) Cherrie DeGroot, N7770 State Park Road, complained that weeds on neighboring lot have not been cut. DeGroot also commented that the Village has failed to enforce the weed nuisance ordinance.
  - ii) James/Patricia Danielson, complaint relative to weed abatement billing.
- b) Discussion and action to accept the roadway and drainage improvements in ‘Phase One’ of Lakeshore Estates West II – Van Lieshout reported that phase one improvements have been completed and inspected. Developers will voluntarily construct curb and gutter surrounding box culvert. Maintenance easement has been received and recorded.  
***Barribeau moved to accept roadway and drainage improvements in ‘Phase One’ of Lakeshore Estates West II. Miller second. Motion carried.***
- c) Discussion and action to amend the 2003 General Fund Budget – Following review  
***Barribeau moved to approve amendments to the 2003 General Fund Budget. Beach second. Motion carried.***
- d) Discussion and review of 2004 Draft Budget – Van Lieshout presented the initial draft of 2004 Budget.
- e) Discussion and action to approve Change Order No. 1, in the amount of \$7,998.18 to the 2003 Asphalt Paving Program – ***Miller moved to approve the change order in the amount of \$7,998.18. Beach second. Motion carried.***
- f) Discussion and action to approve Change Order No. 2 in the amount of \$3,011.56 to the 2003 Asphalt Paving Program – ***Beach moved to approve a change order in the amount of \$3,011.56. Laux second. Motion carried.***
- g) Discussion and action to approve Certificate for Payment No. 2 to Badger Highways Co. Inc. in the amount of \$3,588.00 for partial payment for work performed through Aug. 25, 2003 – ***Beach moved to approve Certificate for Payment No. 2 to Badger Highways Co. Inc. in the amount of \$3,588.00 for partial payment for work performed through Aug. 25, 2003. Miller second. Motion carried.***
- h) Discussion and action to approve Certificate for Payment No. 1 and Final for the Stream Enhancement Project to Steffes Construction in the amount of \$15,144.30 – ***Miller moved to approve Certificate for Payment No. 1 and Final for the Stream Enhancement Project to Steffes Construction in the amount of \$15,144.30. Kaas second. Motion carried.***
- i) Discussion and action to approve Resolution 03-07, Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property in the



Village of Sherwood, Wisconsin under Section 66.0703(1)(b) Police Powers, Wisconsin Statutes as Amended – Reporting a discrepancy in the computation of the final assessment rate, Van Lieshout recommended that action be postponed.

- j) Report on John Street right of way acquisition – Van Lieshout reported no progress toward acquisition.

12) Presentation of correspondence, resolutions, and related matters

- Laux requested that the coordinator investigate possible DOT installation of a traffic light at the intersection of Hwy. 114/Cty. M/Clifton Road.
- Laux requested that the coordinator check statutes to determine if there are population limit at which point the Village must provide its own police and fire protection services or experience increases in fire insurance rates.

13) Adjournment – *Thomson moved to adjourn at 8:15 p.m. Barribeau second. Motion carried.*

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes October 27, 2003

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

|  |  |
|--|--|
| <b>Present</b><br>Bill Barribeau<br>Roger Kaas<br>Joyce Laux<br>David Miller<br>Carl Thomson | <b>Absent</b><br>Joe Beach - Excused<br>Barb Jack - Excused<br><b>Others Present</b><br>Josh Van Lieshout, Coordinator<br>Ellen Maxymek, Clerk<br>David Wagner, Financial Consultant |
|--|--|
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Laux second. Motion carried.*
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of October 13, 2003 meeting. Kaas second. Motion carried.*
- 5) Registered citizen comments on agenda items
  - Kathy Salo, W4865 Forest Lane, re agenda item 10)a).
- 6) Consent Agenda – None
- 7) Financial Advisor
  - a) Discussion and action to approve Resolution 03-09 Authorizing the Defeasance of a Portion of Certain Outstanding Debt Obligations – David Wagner, Ehlers & Associates Financial Consultants, presented a plan and schedule for prepayment of \$1,000,000 of TIF debt on the 1997A Series G.O. Notes. The action would reduce TIF interest costs in 2004 by more than \$40,000. While interest earnings would be reduced by an estimated \$10,000, a net benefit of \$30,000 in 2004 and about \$40,000 in 2005 and 2006 would be achieved. The remaining \$175,000 in non-TIF debt on the 1997 issue could be refinanced whenever the Village is ready to borrow for non-TIF capital improvements or could be scheduled for repayment in 2007. The TIF district is expected to close out in 2006 which will then return approximately \$60 million of tax base to the General Fund, at least \$300,000 in new General Fund revenue. *Barribeau moved to approve Resolution 03-09 Authorizing the Defeasance of \$1,000,000 of principal on its General Obligation Promissory Notes, Series 1997A, dated April 1, 1997. Laux second. Motion carried on a roll call vote with Barribeau, Kaas, Laux, Miller, Thomson voting in favor and no votes against.*
  - b) Discussion and possible action to approve proceeding with debt refinancing and new financing – Wagner proposed to refinance Unfunded Pension Liability in January of 2004 to provide net savings of interest of approximately \$900 annually over the next thirteen years. *Miller moved to authorize staff to proceed to refinance the Wisconsin Retirement System unfunded liability debt estimated in the amount of \$63,967 with a State Trust Fund loan in an amount of approximately \$64,500. Thomson second. Motion carried.*
- 8) Approval of the Utility Commission Report of October 20, 2003

a) Action Items

i) Commissioners moved to allocate \$35,000 in funds from the Sewer Fund to update equipment at the Main Lift Station as recommended by McMahon Associates Inc., Village Engineer. The Utility Commissioners had requested the village engineer to submit a detailed analysis of risk assessments regarding sewer backups at the Main Lift Station, make recommendations to eliminate backups, and prioritize the solutions with estimated costs. A permanent generator with an automatic transfer switch (≈ \$30,000), proximity switches on the check valves to detect a no flow condition or pump failure condition (≈ \$1,500), a spare processor with memory chip for the PLC (\$950), a selector switch to enable backup floats to control the pumps (\$1,500), and a baffle in the wet well to divert the wastewater flow from falling near the suction pipes (\$1,000) were recommended improvements – ***Laux moved to approve the action. Barribeau second. Motion carried.***

ii) Commissioners moved to approve \$5,140 heating system modification at the WWTP garage. The proposal from Energy Control & Design, Inc. states that (2) 75,000 BTU gas fired heaters will replace the existing hot water heater. The proposed cost does not include LP gas tank or LP gas regulator – ***Laux moved to approve the action. Barribeau second. Motion carried.***

b) Consensus items

i) Commissioners requested Van Lieshout to pose direct questions to the village legal council regarding Gregg & Ann Holz's, Sherwood Forest Golf Course, claim: 1) If the Sherwood Sewer and Water Utility pays this claim does the Sherwood Utility jeopardize their immunity and 2) Would the Village of Sherwood be establishing precedence by paying a partial or whole balance of the claim? The commissioners requested Van Lieshout schedule a special UC meeting if the village legal council renders his/her response prior to the November Utility Commission meeting.

c) Discussion Items

i) Gregg Holz, Sherwood Forest Golf Course, stated that he had submitted their claim to their insurance carrier. They had received a \$5000 payment from their carrier, according to Mr. Holz, the maximum amount allowed for this type of claim and had to pay the \$1,000 deductible. Mr. Holz requests the Utility Commission to pay the balance, \$4,897.29, which includes the \$1,000 deductible, for the claim submitted on August 19, 2003 to the Village. The commissioners will take action on this item after receiving response from the Village legal council.

ii) Commissioners requested a report detailing the tally costs for the quality investigation done to date. Commissioners also requested Van Lieshout conduct a rate review of sewer rates and connection fees based on the Wastewater Treatment Plant's expenditures to be presented at the November Utility Commission meeting.

9) Report of Village Officers

a) President

- i) Nomination and election of Utility Commissioner (seat currently held by B. Benz) – **Miller moved to reappoint Bob Benz to Utility Commission for a five-year term ending October 2008. Thomson second. Motion carried.**
  - b) Clerk/Treasurer
    - i) Review financial reports – Reports reviewed. Laux recommended that when purchasing computer system hardware in the future proposals should be obtained from multiple vendors.
- 10) Village Coordinator
- a) Discussion and action to approve two driveways to W4865 Forest Lane – After consideration of the request Miller determined that property owner Salo is aware that a storm water project including Forest Lane may result in additional future costs to the driveway project. Van Lieshout stated that a zoning change would be needed because the property is now in legal non-conforming to the zoning code. The owners want to add a second garage addition which would remove the legal status. **Miller moved to approve a second driveway entrance at W4865 Forest Lane contingent on a Plan Commission recommendation to amend zoning of the property. Laux second. Motion carried.**
  - b) Discussion and action to approve Resolution 03-07, Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property in the Village of Sherwood, Wisconsin under Section 66.0703(1)(b) Police Powers, Wisconsin Statutes as Amended – **Barribeau moved to approve the final resolution to levy special assessments with option to pay in five annual installment at an interest rate of 5.30%. Thomson second. Motion carried.**
  - c) Discussion and review of 2004 Draft Budget – Following review the coordinator was instructed to make the following adjustments to the General Fund Budget in order to accomplish a zero increase tax rate:
    - Delete \$4,000 from administrative/reception health insurance line
    - Reduce conservation and development/planning by \$5,500
    - Reduce culture and recreation capital equipment outlay \$1,500
    - Reduce cemetery expenditures by \$13,554
    - Reduce public works capital equipment outlay by \$5,150
    - Delete \$5,150 from public works capital improvement outlay
  - d) Adoption of Resolution 03-08, establishing a policy for assessing public sewer and water improvements – **Kaas moved to approve Resolution 03-08 establishing a policy for assessing public sewer and water improvements. Miller second. Motion carried.**
  - e) Discussion and action to adopt ordinance 03-82 annexing territory to the Village of Sherwood, Wisconsin – **Laux moved to adopt ordinance 03-82 annexing territory to the Village of Sherwood, Wisconsin. Miller second. Motion carried.**
  - f) Report on CTH M, STH 114/55, Clifton Road, Harrison Street Intersection traffic control correspondence – Van Lieshout noted communications from the Department of Transportation that indicated the intersection of CTH M, STH 114/55, Clifton Road, Harrison Street is not a candidate for a street light.

11) Presentation of correspondence, resolutions, and related matters

- Van Lieshout reported that Wisconsin statutes require municipalities with populations over 5,000 to provide fire protection. Similarly populations over 5,500 require provision of police protection. In both cases contracted services meet the requirements. He stated that he has not gotten a definitive answer to trustee inquiries regarding what distance from a fire station would trigger increase in cost of property insurance to owners.
  
- Van Lieshout commented on correspondence from American Red Cross regarding disaster preparedness. The Community Center and/or Recreation Center could be designated Emergency Shelters if the following items were provided:
  - ✓ Designate person/persons that would be available on a 24-hour basis.
  - ✓ Provide a current floor plan of the buildings with area to be used for sheltering clearly marked.
  - ✓ The viability of the buildings would be improved if the Village invested in a generator for each building.
  - ✓ Improve the kitchen facilities to a functional level at the Rec Center site and invest in a microwave unit.

12) Adjournment – *Thomson moved to adjourn at 8:35 p.m. Kaas second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes November 10, 2003

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

|                        |                                |
|------------------------|--------------------------------|
| <b>Present</b>         | <b>Others Present</b>          |
| Bill Barribeau         | Josh Van Lieshout, Coordinator |
| Joe Beach – Arr. 6:32  | Ellen Maxymek, Clerk           |
| Barb Jack              |                                |
| Roger Kaas             |                                |
| Joyce Laux – Arr. 6:35 |                                |
| David Miller           |                                |
| Carl Thomson           |                                |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve. Miller second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve. Miller second. Noted Beach and Jack absent excused. Motion carried with corrections.*
  
- 5) Registered citizen comments on agenda items
  - Kent & Annette Hovie, N8196 Big Lake Lane. Complained regarding weed abatement charge stating they mowed weeds on their vacant lot twice during growing season and weeds were never over 12 inches.
  
  - Robert Wittmann, Lakeshore Estates Ltd., W5146 Natures Way Drive re agenda item 8)a.
  
  - Tom Jack, W4843 Escarpment Terrace, commented that he has consulted numerous experienced nurserymen who corroborate his opinion that trees suitable for prairie planting are available and should replace the inappropriate varieties used to landscape the Miller and Nuthatch Detention Ponds. Referring to meeting packet correspondence, Van Lieshout noted a letter to Reliance, Inc., General Contractor for the detention pond project, from the Village’s project engineer. In this letter he stated that appropriate corrective action needs to be taken prior to December 1, 2003 with regard to unacceptable varieties, substandard quality, and undersized plantings. Future payment requests will, the engineer noted, depend on the contractor’s response to necessary corrective action. Van Lieshout said that the contractor has not responded to the notification to date. Miller reiterated that the Village wants an expeditious solution to the matter.
  
  - Rollie Stephenson, N7797 Lakeshore Lane – Stephenson stated that duck hunters are discharging weapons from area of lake front lots owned by him. He believes that hunting shouldn’t be permitted in populated residential areas such as the Village. Van Lieshout reported that hunting and discharge of weapons in the Village of Sherwood is prohibited by Ordinance No. 47. However, Lake Winnebago is not in the Village. By state statute hunting is permitted from a boat 1,000 feet from shore, or immediately offshore if both feet are on the bottom of the lake. The municipality cannot regulate offshore hunting and it is unlawful to harass legally permitted hunters. Responding to Barribeau’s inquiry, Van Lieshout stated that the Town of Harrison owns the boat landing. The Town may be

willing to change the parking hours, making it less convenient for hunters to get access to the lake during duck hunting season.

6) Approval of the Plan Commission Report of November 3, 2003 meeting – *Barribeau moved to approve action items and accept report in entirety. Kaas second. Motion carried.*

1) **Action Items**

- a) Recommended approval without objection of an extra territorial CSM brought by Mary A. Franczek, dividing property described as part of NE quarter of the NE quarter and SE quarter of the NE quarter of Section 32, Township 20 N, Range 19 E, Town of Harrison (corner CTH B and S Harwood Road).
- b) Recommended approval of a CSM re-describing lots 20 and 21 Mustang Acres as lots 1& 2. This re-describing was instigated at the direction of the zoning code administrator to correct a deficiency in the setback of the house built on lot 20.
- c) Recommended approval of revised concept drawing for Lakeshore Estates East. Accesses to Pigeon Road were reduced from five in the original drawing to one in the revised. Trail development and placement was discussed but was not conclusively decided. Developer will build on-site storm water management facility/ies – Responding to a question by Kaas, Van Lieshout stated that the concept plan has been reviewed relative to the upcoming drainage project and is consistent with the project perimeters. In addition he confirmed that one private lot access and two public roads will intersect with Pigeon Road.

2) **For Information Only**

- a) Approved a conditional use permit for non-owner/occupant apartments in the C-1 Commercial zoning district.
- b) Approved a conditional use permit for a veterinary clinic in the C-1 Commercial zoning district

7) Report of Village Officers

- a) President
- b) Clerk/Treasurer
  - i) Review financial reports
    - (1) Disbursement Report - Reviewed

(2) Miscellaneous Billing Aging Report – Per consensus of the Board the treasurer was instructed that delinquent accounts may be rolled to the tax roll with the exception of the Hovie account which is to be forgiven.

8) Village Coordinator

- a) Discussion and action to accept improvements in Phase 2 of Lakeshore Estates West II – Van Lieshout reported the developers’ request for Village acceptance of the gravel streets, subdivision grading and storm sewers in Phase 2 of Lakeshore Estates West II. During a recent walk through inspection the improvements were found to be largely

satisfactory. The developers have agreed to provide an irrevocable letter of credit to insure that the finish grade and gravel as well as the restoration work at the State Park Road and Natures Way Drive intersection will be satisfactorily completed. **Barribeau moved to accept Phase 2 of Lakeshore Estates West II improvements contingent on receipt of a recommendation to accept from the Village engineers. Laux second. Motion carried.**

- b) Discussion and action to approve the Storm Water Committee recommendations for improving storm water quality, enhancing storm water collection and conveyance, and storm water management improvement financing – Kaas noted that the Plan Commission previously recommended authorizing further planning/pre-design for a route for Miller Pond outfall storm sewer interceptor. The Village Board referred the matter back to the Ad Hoc Storm Water Study Group for further implementation. He stated that it was the consensus of the Study Group that further implementation should be made at the Village Board/Plan Commission level. Kaas further noted that there were strong feelings on both sides regarding reconstruction of roads to a rural or urban design. The group did not achieve consensus regarding that part of the project. Following discussion **Kaas moved to approve the Plan Commission recommendation to authorize further planning/pre-design for a route for Miller Pond out-fall storm sewer interceptor. Design specification shall implement plans described in Option 1 and Option 1 B of the Storm Water Drainage Committee Recommendations for Drainage System Improvements for the Golf Course Road Area. An urban road design reconstruction of Stommel Road as described in Option 1 B shall extend to the Village boundary. Jack second. Motion carried.**
- c) Discussion and possible action to approve Resolution 03-10 supporting the Wisconsin Smart Growth Comprehensive Planning Law – No actions.
- d) Discussion and action regarding special revenue and capital fund budgets – Van Lieshout reported that the Village would be the recipient of a \$40,000 Local Roads Improvement Project grant from Calumet County in 2004. This will increase revenues in the Capital Projects Fund. Maxymek reported that tax increment revenues overestimated in the TIF Fund would be reduced by approximately \$86,000 in the final budget.
- e) Review and approval of ordering 2004 F-250 pick-up – **Miller moved to accept the low quote offered by Horn Ford.** Following review of quotations, Thomson noted that government price incentives offered by most dealers was not mentioned in the Stumpf Ford quote. If that proposal was further reduced by the discount Stumpf would be the lowest bidder. **Miller withdrew his motion.** Van Lieshout was asked to bring the matter back for action after checking on the availability of further discount.
- f) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for 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; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.



***Miller motioned at 8:05 p.m. to move into closed session per State Statute 19.85(1)(e) for 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. Barribeau second. Motion unanimously approved.***

***Miller moved to return to open session to take further action or to adjourn the meeting at 8:25 p.m. Barribeau second. Motion carried unanimously.***

9) Presentation of correspondence, resolutions, and related matters

- Van Lieshout noted his correspondence to David Petrie, Developer of Mustang Acres II relative to needed restoration of the ditch abutting N8057 Stommel Road in the Town of Harrison. Bob Kessler, Road Superintendent for the Town, brought this matter to the attention of the Village. Per Van Lieshout the restoration must be completed before July 1, 2004 and will be a condition of acceptance of utility improvements by the Village.
- In response to an inquiry by Laux, Van Lieshout stated that hydrants would not be flushed until next spring unless a water break occurs that necessitates flushing of debris.
- Thomson reported an electric box in disrepair across from High Cliff Cemetery, asking that WE Energies be contacted for repair.
- Laux reported that a large sewer interceptor appears to be under construction in the vicinity of Christ the Rock Church on Hwy. 10/114 in Town of Harrison. She believed this is outside of Waverly Sanitary District's Sewer Planning area as agreed upon during the long range service and planning process of 2001/2002. Van Lieshout reported the sanitary district received an eleventh hour change to the plan despite the written objection of Gary Rosenbeck, Village Engineer.

10) Adjournment – ***Beach moved to adjourn at 8:30 p.m. Barribeau second. Motion carried.***

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes November 24, 2003

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:37 p.m. Roll was called:

|                |                                  |
|----------------|----------------------------------|
| <b>Present</b> | <b>Others Present</b>            |
| Bill Barribeau | Gary Rosenbeck, Village Engineer |
| Joe Beach      | Josh Van Lieshout, Coordinator   |
| Barb Jack      | Ellen Maxymek, Clerk             |
| Roger Kaas     |                                  |
| Joyce Laux     |                                  |
| David Miller   |                                  |
| Carl Thomson   |                                  |
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Barribeau moved to approve the agenda. Thomson second. Motion carried.*
  
- 4) Approval of Minutes – *Barribeau moved to approve the minutes of the November 10, 2003 meeting. Kaas second. Motion carried.*
  
- 5) Registered citizen comments on agenda items – None
  
- 6) PUBLIC HEARING: On the Proposed 2004 Budget of the Village of Sherwood. This hearing has been published and posted pursuant to Sec. 65.90 of the Wisconsin Statutes – After three calls for public comment and hearing none, Miller closed the public hearing at 6:40 pm.
  
- 7) Discussion and action to adopt the 2004 Budget for the Village of Sherwood – *Barribeau moved to approve the 2004 budget as presented. Thomson second.* Jack noted that no funds were budgeted for donation to the First Responders volunteer emergency response team. Discussion followed in which it was noted that the group was partially funded by payment for services to Town of Harrison for fire protection services and emergency services. Jack stated that the team received \$4,000 per year from the Town. Van Lieshout reported that the Village’s pro rata portion of Town budget for fire/first response services was 24%. *Barribeau moved to amend the budget to increase the fire protection/donation allocation to \$500 and to decrease the conservation and development mapping/numbering allocation by \$500. Beach seconded the motion to amend. In a roll call vote Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voted in favor. No votes against. In a roll call vote on the main motion to approve the amended budget Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voted in favor. No votes against. Motion carried.*
  
- 8) Discussion and action to waive rule 9(a) of the Rules of the Village Board, enabling one reading of Ordinance 03-83 – *Barribeau moved to waive rule 9(a) of the Rules of the Village Board, enabling one reading of Ordinance 03-83. Kaas second. Motion carried on a roll call with Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voting in favor. No votes against.*

9) Discussion and action to adopt Ordinance 03-83 Appropriating the Necessary Funds for the Operation of the Government and Administration of the Village Of Sherwood for the Year 2004 Budget – ***Barribeau moved to adopt Ordinance 03-83 Appropriating the Necessary Funds for the Operation of the Government and Administration of the Village Of Sherwood for the Year 2004 Budget in the amount of \$530,225 for General Fund purposes and \$5,980 for Debt Service purposes. Miller second. In a roll call vote Barribeau, Beach, Jack, Kaas, Laux, Miller, Thomson voted in favor. No votes against. Motion carried.***

10) Consent Agenda

11) Report of the Utility Commission – ***Barribeau moved to approve action items a) through e) and to accept the report of the Utility Commission meeting of November 17, 2003. Laux second. Motion carried.***

1) Action Items

- a) Commissioners moved to accept \$17,675 quote for Outdoor Generator and Automatic Transfer Switch at Lift Station #1 from FABCO/Caterpillar.
- b) Commissioners moved to allow McMahon Associates, Inc. accept streamline bids for modifications to be implemented at the Main Lift Station.
- c) Commissioners moved to accept sewer and water improvements in Phase 2 of Lakeshore Estates West II based on McMahon Associates, Inc. recommendations.
- d) Commissioners moved to approve request for a water extension to property lying in the NW ¼, SW ¼ Section 32 Town 20 N Range 19E – Van Lieshout stated that the property is owned by Mike Verkuilen.
- e) Commissioners moved to deny approval for a second water and sewer service extension to Sherwood Veterinary Clinic – Van Lieshout reported that the Utility Commission denied the request because the property has not been divided for future development as yet.

2) Discussion Items

- a) Commissioners discussed purchase of land for the purpose of siting a generator at the Main Lift Station. The proposed land is owned by Sherwood Forest Golf Course, Gregg Holz proprietor. Commissioners requested Van Lieshout to seek legal council advice in regards to the implications the purchase of land from Sherwood Forest Golf Course may pose in relation to the sewer back up claim at Sherwood Forest Golf Course Mr. Holz submitted to the Village on August 19, 2003. The legal council shall advise whether the agreement to purchase the land will jeopardize the Village's immunity. Commissioners also requested that he Draft Agreement have a waiver eliminating the chance of a lawsuit on behalf of the Sherwood Forest Golf Course against the Sherwood Sewer and Water and the Village of Sherwood for their claim.
- b) Commissioners requested McMahon Associates, Inc. to submit proposals for professional fees to implement Wastewater Treatment Facilities Vulnerability Assessment for the Village of Sherwood. The deadline is June 30, 2004.

- c) Commissioners requested Rosenbeck, McMahon Associates, Inc. do a cost justification on the \$10,000 wet well listed on the Wastewater Capital Projects Budget Plan. If the cost were not justified, the commissioners would like the wet well removed from the list.

12) Report of Village Officers

- a) President
- b) Clerk/Treasurer
  - i) Review Disbursement Register and Financial reports – Reports reviewed. Anticipating the closure of the local M & I Branch Bank Laux requested that information regarding services available from Best Advantage Credit Union be presented at a future meeting.
  - ii) Discussion and action to award insurance services for 2004 – Following review of the proposals presented by three providers, ***Beach moved to accept the proposal of League of Wisconsin Municipalities Mutual Insurance for liability and Workers Compensation insurance in the amount of \$17,493. Barribeau second. Motion carried.***

13) Village Attorney

14) Village Engineer

- a) Discussion and action to approve agreement for services to investigate and analyze drainage improvements in the Stumpf-Meehl Highland Addition to the Village of Sherwood – Rosenbeck stated that this project would analyze potential drainage solution/improvement options and their costs. ***Laux moved to approve a McMahon Associates agreement for professional services estimated at \$4,500 to investigate and analyze drainage improvements for the Stumpf-Meehl Highland Addition and the John H. Stumpf Subdivision located between Stumpf Avenue and Margaret Court. Kaas second. Motion carried.***
- b) Discussion and action to approve an agreement for services to provide for design, bidding, and construction phase services for storm water improvements in the Golf Course Road, Forest Lane, Black Cherry Court, Bridle Lane, Palisades Trail Area, previously described at Option 1 and, Option B of the Storm Water – Rosenbeck presented a proposal for professional pre-design, design, bid out, construction and on-site services for the Miller Basin Outfall Sewer portion of the storm water and road reconstruction project. Meadowcliff Basin and Fox Basin services are included with the outfall sewer pre-design. In regard to scope, Van Lieshout reported that Dave Wagner, Financial Consultant, advised that borrowing to the extent necessary to finance a full scope of anticipated storm water improvements would significantly impact future mil rates unless the debt service is supported by special assessments, grants, storm water utility or other revenue streams. Unsupported debt service should be postponed until the TIF District is closed in 2006-2007 and unencumbered tax revenue is available. Kaas expressed concerns about postponing Stommel Road resurfacing due to the already poor condition of the road. ***Beach moved to approve the agreement with McMahon***

*Associates for described engineering services to be compensated in an amount estimated at \$35,800. Laux second. Motion carried.*

15) Village Coordinator

- a) Discussion and action to approve the ordering of a 2004 Ford F-250 for purchase in January 2004 – ***Laux moved to accept a proposal in the amount of \$22,430 and approve ordering a 2004 Ford F-250 truck from Les Stumpf Ford for purchase in January 2004. Miller second. Motion carried.***
- b) Discussion and action in relation to correspondence regarding trees at Miller and Nuthatch Ponds – No activity.
- c) Discussion regarding Outagamie County Housing Authority request for community support – Barribeau noted that Calumet County will apply for Housing Cost Reduction Initiative and Home Investment Partnership Program grants and will administer its program directly. ***Miller moved to decline letter of support request of Outagamie County Housing Authority. Thomson second. Motion carried.***
- d) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(e) for 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; and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting.

***Miller made motion to move into closed session per State Statute 19.85(1)(e) for 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 at 8:03 p.m. Barribeau second. Motion carried unanimously.***

***Barribeau moved to return to open session to take further action or to adjourn the meeting. Thomson second. Motion carried.***

16) Presentation of correspondence, resolutions, and related matters

- Van Lieshout reviewed correspondence in which Lee Reibold, McMahon Associates, Inc. reported that an obstruction within the outlet structure of the Mustang Acre Detention Pond is causing the permanent water elevation of the pond to be higher than designed. Therefore the pond is incapable of adequate retention in the event of large storm events. Possible damage due to flooding of adjoining property as well as damage to storm sewer discharge pipes could result. The engineer recommended immediate removal of the ‘board’ obstruction. Van Lieshout reported that Mustang Acre developer David Petrie put the obstruction in place. He disagrees with the engineer’s evaluation and argues for the improved aesthetics of a higher pond level.
- The status of emergency numbering signage was discussed. Miller and Jack will compose a letter to property owners re the need to properly post the signs.

- Laux requested that employment evaluations and wage increases be placed on the next agenda for closed session discussion and possible action.

17) Adjournment – *Barribeau moved to adjourn at 8:33 p.m. Thomson second. Motion carried.*

Minutes respectfully submitted for approval by Ellen Maxymek, Village Clerk.

## Village Board Meeting Minutes

December 8, 2003

- 1) Call to Order and Roll Call – President Miller called the meeting to order at 6:35 p.m. Roll call:

|                |                                |
|----------------|--------------------------------|
| <b>Present</b> | <b>Absent</b>                  |
| Bill Barribeau | Joyce Laux - Excused           |
| Joe Beach      | <b>Others Present</b>          |
| Barb Jack      | John Thiel, Attorney           |
| Roger Kaas     | Josh Van Lieshout, Coordinator |
| David Miller   | Ellen Maxymek, Clerk/Treasurer |
| Carl Thomson   |                                |

- 2) Pledge of Allegiance  
3) Approval of the Agenda – *Barribeau moved to change the order of the agenda 8)f) moving to closed session, otherwise approving the agenda as posted. Miller second. Motion carried.*

*Miller made motion at 6:37 p.m. to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) for the purpose of discussing the status of collective bargaining. Barribeau second. On roll call Barribeau, Beach, Jack, Kaas, Miller, Thomson voted in favor. No votes against. Motion carried.*

*At 7:04 p.m. Miller moved to RETURN TO OPEN SESSION to take further action. Barribeau second. On roll call Barribeau, Beach, Jack, Kaas, Miller, Thomson voted in favor. No votes against. Motion carried.*

- 4) Approval of Minutes – *Kaas moved to approve the minutes of November 24, 2003. Thomson second. Motion carried.*

- 5) Registered citizen comments on agenda items
- David & Joan Petrie, N7986 Stommel Road, re. agenda item 8)a)
  - Roy Knoll, N7981 Carriage Court, re. agenda item 8)a)
  - Kevin Hoffman, W4862 Cliffview Drive, re. agenda item 8)a)
  - Alice Zarda, W4862 Cliffview Drive, re. agenda item 8)a)

- 6) Report of the Plan Commission – December 1, 2003

1) **Action Items**

- a) Discussion and action to recommend amending Section 2 of the Village of Sherwood Subdivision Ordinance – Recommended amending Subdivision Ordinance #38; Section 2) Definitions, a) Subdivision, i) and ii) deleting qualifying reference to area size. Public Hearing is required – The amendment was read.

- b) Discussion and action to recommend to the Village Board to amend the special assessment policy to require reconstructed streets to be reconstructed to municipal minimum street standards as identified in the Subdivision Ordinance – Recommended amending the Special Assessment Policy to require that reconstructed roads be reconstructed to municipal minimum street standards as identified in the Subdivision Ordinance – *Kaas moved to approve amending the Special Assessment Policy to require*

***that reconstructed roads be reconstructed to municipal minimum street standards as identified in the Subdivision Ordinance. Thomson second.*** Beach stated that ditches with adequate grade filter storm water more efficiently than runoff into storm sewers. He is in favor of curb and gutter system if adequate ditch grade is not available. ***Motion carried with Beach opposed.***

- 7) Village Officers
  - a) President – No report
  - b) Clerk/Treasurer
    - i) Review Disbursement Register and Financial reports – Reports reviewed.
- 8) Village Coordinator
  - a) Discussion regarding outlet structure at Mustang Retention Pond – Van Lieshout reviewed DNR application for a permit to construct the Mustang Acres Pond as well as written confirmations made to that agency regarding operation and maintenance. These documents provide that the pond will be maintained at an elevation of 788 ft. above mean sea level. He referred to a letter from the Village Engineer that stated a board obstruction was keeping the water level higher than permitted and that it should be removed immediately. Developer Petrie identified himself as putting the obstruction in place. He presented a statement signed by Mustang Acres property owners citing his evaluation of the pond level and requested that the board obstruction be replaced. Mssrs. Petrie and Knoll commented on the poor aesthetic of the neighborhood when the pond was maintained at the lower level. Knoll stated that a neighborhood group was willing to work on pond beautification. Miller stated that pond aesthetics and maintenance of water level should be addressed as separate issues. The neighbors may want to gather information and work toward beautification using plantings and other means.
  - b) Discussion and action to approve request from Bruce Schulz to waive gym rental fee for recurring Saturday basketball program – Requesting that Schulz be present at the next meeting to provide additional information about the program, ***Beach moved to table the matter. Barribeau second. Motion to table carried.***
  - c) Review and approval of Internet service provider contract – Van Lieshout offered service and cost comparisons between dial-up, digital subscriber line [DSL], and cable Internet services. He was instructed to put together a coordinated plan for Internet and web site services. The trustees specifically want comparative costs from multiple vendors for firewall protection as well as more information on whether web hosting can be removed from the proposals to achieve a lower cost.
  - d) Discussion and action regarding purchasing a community advertisement in the 2004 Calumet County Visitor's Guide – Action delayed to next meeting. Trustees asked for copies of past editions.
  - e) Discussion and action to approve writing letter of support for Calumet County in their effort to obtain a State of Wisconsin Housing Cost Reduction Initiative Grant – ***Thomson moved to approve a letter of support for a Calumet County Housing Initiative. Kaas second. Motion carried.***



- f) Recommend a motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) for the purpose of discussing the status of collective bargaining and RETURN TO OPEN SESSION to take further action – Recorded above.
- g) Discussion and action to approve a labor contract with Local 1362, AFSCME, AFL-CIO for employees of the Village of Sherwood – ***Thomson moved to ratify the labor contract with Local 1362, AFSCME, AFL-CIO. Barribeau second. On roll call Barribeau, Beach, Jack, Kaas, Miller, Thomson voted in favor. No votes against. Motion carried.***
- h) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting – No recommendation.
- i) Discussion and action regarding employment promotion and compensation of non-represented employees – ***Miller moved to table. Barribeau second. Motion carried.***
- 9) Presentation of correspondence, resolutions, and related matters
- Responding to a Board query regarding locating a school site in proximity to an establishment that serves or sells alcoholic beverages, Reg Wydeven forwarded statutory provisions. He reported that an associate of the Wisconsin Association of School Boards is unaware of any laws that prohibit a school from being built in proximity to such a vendor.
  - Referring to an e-mail from Shawn Reily, Chilton Community Development Director, regarding a business retention survey, Van Lieshout said that input and comments can be forwarded directly to Shawn.
  - Thomson reported a damaged electric cable box across from High Cliff Cemetery.

***10) Adjournment – Barribeau moved to adjourn at 8:43 p.m. Thomson second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.

**Village Board Meeting Notice and Agenda**  
**December 22, 2003**

- 1) Call to Order and Roll Call – Miller called the meeting to order at 6:05 p.m. Roll called:

|  |   |
|--|---|
| <b>Present</b><br>Bill Barribeau - Arr. 6:25<br>Barb Jack – Dep. 6:07, Ret. 6:38<br>Roger Kaas<br>Joyce Laux<br>David Miller | <b>Absent</b><br>Joe Beach - Excused<br>Carl Thomson - Excused<br><b>Others Present</b><br>Gary Rosenbeck, Engineer<br>Ellen Maxymek, Clerk/Treasurer |
|--|---|
  
- 2) Pledge of Allegiance
- 3) Approval of the Agenda – *Kaas moved to approve the agenda. Laux second. Motion carried.*
  
- 4) Approval of Minutes – No minutes available.
  
- 5) PUBLIC HEARING – at 6:30 p.m. or soon thereafter, regarding an amendment to Ordinance 38 Regulating Subdivisions, Section 2(x), eliminating removing the parcel size limit in the definition of a subdivision – Following three calls for public comment and hearing none, Miller announced the hearing closed at 6:33 p.m.
  
- 6) Registered citizen comments on agenda items
  - Bruce Schulz, W160 Kings Way, regarding agenda item 11)b).
  - Steve Bloemer, principal High Cliff Golf Course, re. 11)c).
  - Patrick & Susan Wnek, N7738 Sundown Court, re. 9)a).
  - Helen Fieweger, N7746 Sundown Court, re. 9)a).
  
- 7) Consent Agenda
  - a) Operator License
    - i) Mitchell E. Nabbefeld – *Miller moved to deny approval of operator’s license due to information provided in a Wisconsin Department of Justice Crime Information Bureau Report. Barribeau second. Motion carried.*
  
- 8) Report of the Utility Commission – December 22, 2003 – *Barribeau moved to approve actions items a) through f) of the Utility Commission report as listed herein. Laux second. Motion carried.*
  - 1) **Actions**
    - a) Commissioners approved acceptance of the 11/24/03 revised agreement for professional services for the Main Lift Station modifications from McMahon Associates.
  
    - b) Commissioners agreed to table an agreement for professional services for the completion of a vulnerability assessment of the waste water treatment system from McMahon Associates until the January Utility Commission meeting, when more information may be available.
  
    - c) Commissioners approved an agreement for professional services for designing sewer and water impact fees from McMahon Associates.

- d) Commissioners approved an agreement for professional services to prepare an Emergency Response / Operation Plan for the Water Supply System.
- e) Commissioners approved the continuation of lawn mowing services in 2004 for the utilities. Commissioners requested bids be accepted for 2004.
- f) Commissioners approved a labor contract with Local 1362, AFSCME, AFL-CIO for employees of the Sherwood Water and Sewer Utility.

2) **Discussion**

- a) The village engineer discussed the direction being taken at this time to pursue drinking water quality enhancement. The Bench Scale study is using alternative oxidants to deal with the hydrogen sulfide in the water supply.
- b) The commissioners will assess the decision whether or not to continue with the permanent generator at the Main Lift Station after hearing further information regarding possible available reimbursable funds associated with the Vulnerability Assessment.
- c) Commissioners requested the Village Coordinator to revisit the buy-out price quote for the 2000 Sonoma currently being leased by the utility. The commissioners also request a purchase price quote in addition to the lease amount quotes for the 2004 Ford Ranger Pickup from Les Stumpf Ford.
- d) Commissioners request, in relation to 2004 sewer operating expenses, the Village Coordinator give the utility technician directive for a timeline to complete priority I&I on manholes: inspections, plugging pick holes and tightening seals.
- e) Commissioners stated they are not satisfied that there is a justification of need to approve the addition of a third utility technician at this time. Commissioners also requested job description details for the employed utility technicians be provided at the January Utility Commission meeting.

9) Report of Village Officers

a) President

- i) Presentation from Pat Wnek regarding sister city program – Wnek requested preliminary support to establish a “sister city” or “twinning” relationship with Edwinstowe, England, the medieval home of Sherwood Forest. The purpose of this relationship will be to create widespread cultural benefits for all residents, especially for children. ***Barribeau motioned to move forward to investigate development of a sister city relationship. Miller second.*** Kaas asked that pertinent information be brought to the Board as it becomes available. ***Motion carried.***

b) Clerk/Treasurer

- i) Review Disbursement Register and Financial reports – Reviewed.

10) Village Engineer

- a) Discussion and action to approve an agreement for services for the purposes of developing a storm water utility – Rosenbeck reviewed an agreement to develop a storm

water utility. To this end a comprehensive regional approach to storm water management plan, including water quality measures would be developed. Storm water utilities were created in local communities ranging in total cost from the Garners Creek Utility at approximately \$20,000 to the Grand Chute Utility at \$200,000. A budget for creating a Village of Sherwood Storm Water Utility was estimated at \$42,000. This would encompass the following steps:

|  |          |
|--|----------|
| (1) Develop Storm Water Management Plan for Entire Village | \$22,000 |
| (2) Develop Storm Water Management Action Plan             | \$ 4,000 |
| (3) Ordinance Creation & Revenue Generation                | \$ 8,500 |
| (4) Implementation   | \$ 7,500 |

Following discussion regarding possible storm water utility rates, ***Laux moved to disapprove creating a storm water utility.*** Responding to questions of rates, Rosenbeck indicated that he could do preliminary analysis to approximate average rates. Following discussion ***Laux withdrew her motion. Kaas moved to table. Miller second. Motion carried.***

Rosenbeck requested input from the Board toward resolution of the uncompleted landscape portion of the contract for construction of Miller and Nuthatch Storm Water Detention Ponds. He reviewed the status of the tree plantings, stating that 31 trees were properly installed and appear to be taking root; 14 substandard plantings should have payment reduced; 8 trees although planted correctly were unauthorized varieties; approximately 50 trees have failed. The general contractor does not intend to replant or to seek payment for unsuccessful trees. After discussion the Board agreed that the Engineer should final out the Miller and Nuthatch Detention Pond Contract and the Village should undertake corrective action to replace failed plantings [using escrowed TIF Project funds administered by Rosenbeck].

11) Village Coordinator

- a) Complaints and Compliments – Reviewed.
- b) Discussion and action to approve request from Bruce Schultz to waive gym rental fee for recurring Saturday basketball program – Schulz requested fee waiver to use the gym on Saturday afternoons from 4:00 to 5:30 p.m. He stated that 6-8 third and fourth grade boys will actively participate in this program at no charge to the youngsters. ***Kaas moved to approve waiver of fees for the above use. Laux second. Motion carried.***
- c) Presentation from High Cliff Golf Course regarding irrigation system replacement assistance – Steve Bloemer outlined the urgent need to deliver irrigation to the golf course turf grass. The present system is 35 years old. More than 20 leaks in the underground pipes have rendered the outdated system non-operational. The approximate cost of a new system is \$250,000. The owners of the golf course are seeking low cost financing through the Village to replace the irrigation system in 2004. ***Barribeau moved to pursue developing a financial assistance package to aid High Cliff Golf Course in the replacement of an irrigation system. Laux second. Motion carried.***

- d) Discussion and action to approve an amendment to Ordinance 38 Regulating Subdivisions, Section 2(x), removing the parcel size limit in the definition of a subdivision – This being a second reading of this ordinance amendment, ***Barribeau moved to approve amendment to Ordinance 38 Regulating Subdivisions, Section 2(x), removing the parcel size limit in the definition of a subdivision. Kaas second. Motion carried.***
- e) Discussion and action to approve a letter in support of tourism diversification – ***Miller moved to approve letter of support. Jack second. Motion carried.***
- f) Discussion and action regarding purchasing a community advertisement in the 2004 Calumet County Visitor's Guide – noting that budgetary considerations restricted purchase of a larger ad, ***Miller moved to purchase a 4" x 2 ½" advertisement in the amount of \$295 in the Calumet County Visitor's Guide. Kaas second. Motion carried.***
- g) Recommend motion to MOVE INTO CLOSED SESSION per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation and then to RETURN TO OPEN SESSION to take further action or to adjourn the meeting – No recommendation.
- h) Discussion and action regarding employment promotion and compensation of non-represented employees – ***Barribeau moved to table. Miller second. Motion carried.***

12) Presentation of correspondence, resolutions, and related matters – None presented.

13) Adjournment – ***Kaas moved to adjourn at 8:01 p.m. Barribeau second. Motion carried.***

Minutes respectfully presented for approval by Ellen Maxymek, Village Clerk.