

August 29, 2016 (Village Board Meeting)

**DENMARK VILLAGE BOARD MEETING
MONDAY, AUGUST 29, 2016
4:30 P.M., DENMARK VILLAGE HALL**

CALL TO ORDER/ROLL CALL

President Mleziva called the meeting to order at 4:30 p.m. at the Village Hall, 118 East Main Street, Denmark, WI 54208

Present: Susan Selner, Vince Wertel, Milton Bielinski, Alan Schilke, Paul Hargarten, Mary Jo Bielinski, Gregory Mleziva

OFFICIALS/STAFF PRESENT

Clerk Sherri Konkol, Treasurer Kim Coogle, Director of Public Works Erika Sisel, DEO Dan Delebrea, DEO Jonathon Dzekute

REMARKS/COMMENTS BY VILLAGE PRESIDENT

President Mleziva welcomed all present. He recapped the rules of an open meeting and cited the two opportunities outlined in the agenda where pre-registered citizens or anyone present could speak.

PREREGISTERED CITIZENS TO BE HEARD

Deb DeGrave, 508 Woodrow Street, thanked the Village for putting up speed sign. It definitely slowed people down, and thank you to the police officers for stopping and warning a few speeders. DeGrave gave several reasons that in her opinion feels the sidewalks for pedestrian safety on Woodrow should not be considered.

Michael Swetlik, 227 Grand Avenue, expressed his concerns with one items on the agenda addressing the Village's Sex Offender Policy.

APPROVE CONSENT AGENDA. ALL ITEMS UNDER CONSENT AGENDA ARE CONSIDERED ROUTINE AND WILL BE ENACTED UPON BY ONE (1) MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A TRUSTEE SO REQUESTS IN WHICH EVENT THE ITEM WILL BE REMOVED AND PUT ON THE REGULAR AGENDA AS DESIGNATED BY THE VILLAGE PRESIDENT

Selner/Wertel moved to approve the consent agenda with one clarification by Milt Bielinski, he was not absent. He arrived at 4:35 p.m. and, two clarifications by Wertel on page 2 of the August 1 Village Board Meeting minutes, there is a typo on page 2 under Board Discussion/Action regarding Woodrow Street pedestrian safety as it relates to Woodrow Street from Green Bay Road to North Avenue Road "sidewalks ono Woodrow" should be sidewalks "on" Woodrow, and in the Law Enforcement Committee Meeting minutes, on page 2 under Discuss allowing Golf Carts/ATV's on Village streets, the first paragraph Wertel reached out to the "Village of Reedsville and the City of Brillion President's" should be reached out to "*the Manitowoc Police Department*". Motion carried.

TREASURERS MONTHLY REPORT ON REVENUE/EXPENDITURES

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M.J. Bielinski presented the monthly treasurers report.

Wertel/Milt Bielinski moved to approve the treasurer's monthly report on revenues/expenditures. Motion carried

PRESENTATION BY EHLERS REGARDING DEBT REFINANCING. BOARD ACTION TO FOLLOW. RESOLUTION AUTHORIZING THE ISSUANCE AND ESTABLISHING PARAMETERS FOR THE SALE OF NOT TO EXCEED \$1,255,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016A

James Mann here representing Ehlers to inform and answer questions of the Village Board regarding refinancing.

Selner/Mary Jo Bielinski moved to approve the Resolution authorizing the issuance and establishing parameters for the sale not to exceed \$1,255,000 General Obligation Refunding Bonds Series 2016A. Motion carried.

PRESENTATION BY BROWN COUNTY SHERIFF'S OFFICE REGARDING POLICIES AND PRACTICES ADOPTED BY OTHER COMMUNITIES REGARDING SEX OFFENDERS, REVIEW OF CURRENT ORDINANCE AND STATE LAW, AND OTHER PRACTICES ADOPTED BY THE VILLAGE. BOARD ACTION TO FOLLOW

Chief Deputy Todd Delain here representing the Brown County Sheriff's Office stated that there is New Law Enforcement in Denmark, and the Brown County Sheriff's Office is going to handle things in Denmark just as they do in other communities that have DEO's contracted for police service. Delain stated that what our Denmark DEO did by going door to door notifying neighbors that a sex offender moved in was appropriate, he moved up the chain of command and was given the go ahead to notify the neighborhood. Residents need to know where sex offenders are. An educated public is a safe public. The public needs to know where the threat is and be educated. There is a high probability there will never be a problem. The Sheriff's Office is here to protect the residents in Denmark and make it difficult for offenders to re-offend. What kind of notification do you want for the Village of Denmark? Brown County Sheriff's Office's preference is to educate the public so they do not become targets. Residents can sign up on the Sex Offender Registry Program for notification of offenders moving into the Village, and the system works well. Brown County encourages the whole process in the Village be looked at. Brown County needs guidance on what the Village board would like them to do, as there were no provisions with the previous police department. The goal of the Brown County Sheriff's Office is to keep the community safe. Offenders with stable employment and a place to live are much less likely to re-offend.

President Mleziva asked staff to get more information for consideration of moving forward on setting precedence as to how to handle sex offender residency notification in the future.

BOARD DISCUSSION/ACTION ON APPROVING LINE OF CREDIT

The Board was presented with information on a non-revolving line of credit from Denmark State Bank in the amount of \$3,600,000 for a term of 3 years fixed at 2.01%

Wertel/Mary Jo Bielinski approved the line of credit from Denmark State Bank. Motion carried.

BOARD DISCUSSION/ACTION ON EXTENSION OF VARIANCES FOR FD DENMARK WISCONSIN, DEPERE ROAD, LLC WITH A VARIANCE EXPIRATION DATE OF TWO YEARS

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FROM THE DATE OF APPROVAL OR WHEN A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE FAMILY DOLLAR STRUCTURE/SITE WHICHEVER COMES FIRST

President Mleziva explained that if the variances are extended, Family Dollar will not have to go back to the Zoning Board of Appeals to have them approved again prior to building. This was a recommendation of the Building Inspector.

Milt Bielinski/Wertel moved to extend the variances for FD Denmark Wisconsin, DePere Road, LLC with a variance expiration date of two years from the date of approval or when a Certificate of Occupancy is issued for the Family Dollar Structure/Site whichever comes first. Motion carried.

BOARD DISCUSSION/ACTION ON POSSIBLE CONTRACT REVISION AS IT RELATES TO SECOND COAT OF ASPHALT DAYBREAK ESTATES SECOND ADDITION

Mleziva explained that the second coat of asphalt was to be completed in 2014.

Steve Radue here representing Radue Homes and Daybreak Estates stated that they would like to get more homes built prior to putting the second coat of asphalt on and would like to postpone putting the second coat on until next year. Mleziva stated that there is room to postpone the area with homes still being built until next year, but asked if Harvest Hill and Red Clover could be done this year because if you wait too long to put the second coat on you may need to mill the road again. Radue stated that Harvest Hill and Red Clover could be done this year. Will review and meet again next June to see how the asphalt is in the second addition where the homes are being built.

Milt Bielinski/Wertel moved that Harvest Hill Drive and Red Clover Lane up to the new section have the second coat of asphalt put down this year and revisit in June of 2017 the timeline for Morning Star Lane which is where homes currently being constructed. Motion carried.

BOARD DISCUSSION/ACTION ON RECOMMENDATION FROM THE STORM WATER MANAGEMENT COMMITTEE REGARDING FORMALIZING A POLICY AS IT RELATES TO RUN-OFF ISSUES

President Mleziva explained the recommendations from the Storm Water Management Committee which are, that all storm water pipes located in the Village's right of way will be maintained by the Village, which includes mains and minis, but does not include laterals or the lateral connections. The Village of Denmark will only repair, replace or rehabilitate storm sewers on private property if the Village installed the pipe and there is a documented easement.

Selner/Mary Jo Bielinski moved to approve the Storm Water Management Committee's recommendations regarding formalizing a policy as it relates to run-off issues. Motion carried.

BOARD DISCUSSION/ACTION REGARDING PEDESTRIAN SAFETY ISSUES ON WOODROW STREET. ENGINEERING STUDY AND OPTIONS WILL BE PRESENTED

Mick Migalski and Matt Greely Engineers representing McMahan Associates stated that the engineering study showed that sidewalks represent the best option as it relates to pedestrian safety.

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Mleziva stated the Village needs a policy going forward. Several issues came up and policy is important to help you plan. The village needs to evaluate problem areas and identify them to develop criteria for sidewalks.

Mleziva/Schilke moved to implement a sidewalk from North Avenue to Woodrow court on the west side of Woodrow Street. Motion carried 5-2, Selner and Wertel opposed.

Mleziva/Hargarten moved to direct staff to explore different areas with sidewalks and come back with a Village wide policy. Include, whether it is an arterial road, width of road, traffic data and number of residents impacted. Sidewalks are already a part of the 2007 Comprehensive Plan. Staff should utilize the Comprehensive Plan as a spring board going forward. Recommendations in the 2007 Comprehensive Plan should be included in the sidewalk policy options that will be brought back to the Board for adoption.

APPROVAL OF LICENSES AND MISCELLANEOUS PERMITS

Selner/Mary Jo Bielinski approved an Operator's License for Elizabeth G. Babiash. Motion carried.

REPORT OF VILLAGE OFFICIALS

None

COMMENTS/SUGGESTIONS FROM CITIZENS PRESENT

Jody Duckart, 611 Woodrow Street, wants an understanding as to why the sidewalks are being put on the west side of the street. At one time it was proposed to take parking off the west side of the street to pull people off the street. If pedestrian safety is the first issue, it only makes sense to put sidewalks on the east side of the street. If this is a safety issue, pedestrians should not have to cross the street at Woodrow Street to North Avenue Road from the east side to the west side of the street.

Schilke stated that it is better to put it on the residential side, and that the bulk of people using the sidewalk will not be Woodrow Street residents. Also, there are 400 cars coming out of the business on the east side of the street at shift change.

Mary Lax, 621 Woodrow Street, knows that the Pedestrian Safety issue and installing sidewalks is an emotional topic and asked where the democracy on this topic is. Feels some members of the Board need to conduct themselves in a professional manner, and it is really unprofessional to call people out. The statement made by a specific Board member was not necessarily accurate, as Lax stated she never heard of a Safety Engineer prior to the July 13, 2016 Law Enforcement Committee Meeting.

Lloyd Schott, 515 Woodrow Street, the street is 40 feet wide, there is 8 feet on each side for pedestrians. Questions why the Board is pushing putting the sidewalk on the west side of the street. If the issue is bicycle traffic, any kid 10 years or older has to ride on the street. You are taking driveways away, and this is going to encourage more parking on the street.

Alan Malewieski, 405 Woodrow Street, thanked the two board members that voted against the sidewalk installation. Going to have to take all the trees out. There has been speeding for years up

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and down Woodrow. There are vehicles going 60 MPH on Green Bay Road and no one catches them.

Michael Swetlik, 227 West Grand Avenue, came in to talk about a law that was broken.

Chief Deputy Todd Delain, Brown County Sheriff's Office disagrees that anyone violated the law.

Bill Kane, 451 Sunset Court, stated he is going to get a petition started to close Woodrow Street at Oak Court where the big culvert is. He stated he is going to propose putting concrete barriers in the road to close it off and put cul-de-sacs in.

Bob DeGrave, 508 Woodrow Street, thanked the police officers for all they do. DeGrave stated the car counts have gone down with the speed indicator and car count put out. Asked if you had 100 feet in your yard how much it would be to put sidewalks in. It would be \$9-\$10 per running foot. DeGrave also thought that years ago, as Village Board Members, the Village President was not allowed to vote unless it was a tie. Mleziva stated that is not the case, as he thought that was the way it was when he was elected, and did some research and contacted legal counsel regarding voting. Not only is the Village President able to vote, the President is **expected** to vote.

Lloyd Schott, 515 Woodrow Street, sidewalks are going to be 11 feet from the curb, and suggests that it would be wise to look where the water conservancy is. Does the street need to be as wide as it is? Why take it from the residents? Why do the residents have to surrender so much property?

Dallen Lax, 621 Woodrow Street, asked when the North Wall construction will take place, and if the traffic will be re-routed to Woodrow Street. North Wall construction will be done in 2018 and traffic will be re-routed to Woodrow Street.

CLOSED SESSION

Mary Jo Bielinski/Schilke moved to Convene into closed session pursuant to Wis. Statutes Section 19.85(1)(e) deliberating or negotiating the purchasing of public property, the investing of public funds, or conducting other specified public business, as it relates to Economic Development whenever competitive or bargaining reasons require a closed session. Roll call vote: Selner – aye, Wertel – aye, M. Bielinski – aye, Schilke – aye, Hargarten – aye, M.J. Bielinski – aye, Mleziva – aye. Motion carried.

RECONVENE INTO OPEN SESSION UNDER WIS. STATUTE 19.85(2) TO TAKE POSSIBLE ACTION ON ITEM(S) IN CLOSED SESSION

Mary Jo Bielinski/Wertel moved to reconvene into open session. Motion carried.

No action taken.

ADJOURN

Selner/M.J. Bielinski moved to adjourn at 9:03 p.m. Motion carried.

Minutes submitted by Sherri Konkol, Village Clerk