

Minutes
Village of Newburg Regular Board Meeting
November 12, 2015

The meeting of the Village of Newburg Board of Trustees for Thursday, November 12, 2015, was called to order by President Heili at 7:00 P.M. Roll call was taken of the Village Board with all present except the vacant position of former Trustee Heili. Also present: Administrator/Clerk Goeckner, Treasurer/Deputy Clerk Brunner, Police Chief Buege, residents Bill and Ann Cording, and Jason Juech.

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

The Oath of Office was administered by Village Administrator/Clerk Goeckner to Jeff Camlin for the position of Village Trustee to fill the vacated un-expired term of Mike Heili ending April 30, 2016.

PUBLIC HEARING

Village of Newburg 2016 budget and Tax Levy. The public hearing was opened by Board President Heili at 7:04 P.M. Goeckner reviewed the 2016 General Fund and Sanitary budgets as well as the tax levy. The total levy amount is \$575,121, the same as 2015 with \$426,015 for general property and \$149,106 for debt service. As to the budget the proposed general fund revenues total \$1,051,707 and expenditures total \$1,141,358. \$89,650 will be drawn from reserves to balance the budget. The revenues for the sanitary fund total \$315,600 and expenditures total \$345,346 with \$29,746 from reserves. Goeckner noted a positive cash flow trend for the first time in 5 years now that the debt service levy has been in place for 2 years. The village should by 2018, have in reserves the minimum percentage (15%) of funds on hand as recommended by the auditors even though there is a draw down this year. The primary reasons for the spending from reserves are the purchase of a new squad car and related equipment, the purchase of DPW radios, the installation of a gate at the WWT Plant, possible park and recreation programming and related cost for a new business development in Newburg. The public hearing closed at 7:08 P.M.

MINUTES

It was noted that there was a mistake in the proposed minutes on page 2 noting a motion by Trustee Beimborn who was absent at that meeting. A motion was made by Trustee Beimborn, seconded by Trustee Strohmeier, to approve the minutes of the regular board meeting of October 8, 2015 with the correction as noted. Motion passed 7-0.

PUBLIC FORUM

President Heili opened the Public Forum. Ann Cording, 6805 Hickory Drive, addressed the Board in regards to the use of village equipment and manpower on private property, Newburg Fireman's Park. She questioned whether the Village would be billing the Fire Department for the time. Goeckner noted

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his receipt of a letter from Ms. Cording which will be discussed under the Correspondence section of the agenda. Fire Chief Chesak noted the numerous times the Newburg Fire Department has helped the village out without charge. Bill Sackett, 336 Highway MY, noted the good relationship the village has had in the past with the fire department asking that it continue with both parties helping each other out when needed. A motion was made by President Heili, seconded by Trustee Wollner, to close the public forum at 7:18 P.M. Motion passed 7-0.

BILLS

A motion was made by Trustee Beimborn, seconded by Trustee Strohmeyer, to pay the bills totaled as follows: General Fund expenses \$ 20,879.41 and payroll \$ 11,862.90; Sanitary Fund expenses \$10,400.44 and payroll \$2,300.47; and pre-pays totaling \$5,286.00. Motion passed 7-0.

CORRESPONDENCE

Administrator/Clerk Goeckner noted a public notice going out November 24th in regards to the Spring 2016 municipal election for 3 Trustee positions. Also, the village recently received from the Wisconsin Department of Revenue a Notice of Non-Compliance as to our Statement of Assessment property values. Goeckner has been re-assured by Grota Appraisals that the village will be back into compliance next year. He asked the Board if they would like Grota to come in and make a presentation on this letter for further explanation (there was no response). The village received a letter, as previously noted under the Public Forum section of the agenda, from Ann Cording in regards to the use of village equipment specifically for work with the fire department. Resident Bill cording felt there are issues with insurance coverage that should not allow such work on private property. There was continued discussion on this matter. Cording also logged a complaint in regards to village employee violating policy and OSHA regulations by not wearing the proper safety equipment while working in the right-of-way. Questioned was who gave DPW Superintendent Becker the authorization to do the work for the fire department. It was noted that he did so on his own.

UNFINISHED BUSINESS

Discussion and possible action approving Resolution No. 10-2015, a Resolution Approving a Fire Protection Service Contract with the Newburg Fire Department, Inc. for the Calendar Years 2016 – 2018. (Note: the Newburg Fire Department will be proposing a change to the attached contract in regards to snow removal, distribution to Board and public upon receipt). There is considerable discussion on this proposed resolution specifically in reference to snow removal. Administrator Goeckner reviewed with the Board the opinion of the village's attorney that case law prohibits the use of village resources, manpower and equipment, to remove snow from private property provided there are businesses in the community that provide snow removal service. This legal opinion is also backed by the attorney for the Wisconsin League of Municipalities. The village's insurance carrier, in research by its legal counsel, agree that the law does not allow this type of snow removal although they feel it

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can be done provided the Wisconsin Attorney General grants an exception. The insurance carrier also noted they will not provide coverage should we decide to plow snow on private property. Other comments were made in regards to additional work the village does for the fire department and the impact of this case law in regards to such. Goeckner emphasized that the law and recent case law were specific to snow removal and that he would contact the village attorney on these other matters for clarification. A motion was made by Trustee Huebner, seconded by Trustee Camlin to approve Resolution No. 10-2015 with the change adding a total of \$7,500 for snow removal to the total annual contracted payment to the fire department and verbiage allowing the fire department to come back to the village on an annual basis should the cost of the previous year exceed \$7,500 requesting additional monies. Motion passed 7-0.

NEW BUSINESS

1. Discussion and possible action approving the 2016 Village of Newburg tax levy. A motion was made by Trustee Beimborn, seconded by Trustee Huebner to approve the levy amount totaling \$575,121. Motion passed 7-0.
2. Discussion and possible action adopting the 2016 Village of Newburg General and Sanitary Funds budgets. The final proposed budget for the General Fund is \$1,148,858 and the Sanitary Fund is \$345,346. A motion was made by Trustee Beimborn, seconded by Trustee Juech to approve these budget numbers which include an increase of \$7,500 for the fire department snow removal. Motion passed 7-0.
3. Receive and File Police Chief Buege's Letter of Resignation effective February 29, 2016. The resignation was accepted by the Village Board. A motion was made by Trustee Strohmeyer, seconded by Trustee Wollner, to receive and file his letter of resignation. Motion passed 7-0.
4. Approval of the Village of Newburg Committee and Commission assignments. President Heili will be replacing former President Sackett on the Plan Commission, Committee of the Whole, Personnel and Finance Committee, Board of Review, Administrative Review Board, and Emergency Management Committee. Trustee Camlin will be replacing former Trustee Heili on the Committee of the Whole, as Public Works Chair, on the Parks Commission, and Board of Review. Marylyn Marcsisak will replace Jeff Camlin on the Plan Commission. A motion by Trustee Beimborn, seconded by President Heili, to approve the Committee and Commission assignments as presented. Motion passed 7-0.
5. Discussion and possible action approving a street light at/near the corner of Shady Lane Road and Pheasant Lane. Goeckner reviewed the lighting in that area and possibility of adding a light to the first pole south of the intersection. This addition would not provide enough light at the intersection to justify its installation. Besides the annual cost of \$10.96, plus tax, for a 7 year

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contract, a new pole installed would be \$2,028.02. Noted were the possible over use of street lights in certain areas of the village and possibility of removing those not needed due their coverage overlap. Goeckner will contact We Energies to see if those unneeded poles that may be removed could be re-used for this new location. The new fixture to be installed will be LED. A motion was made by Trustee Huebner, seconded by Trustee Strohmeier approving the installation of a new street light at the corner of Shady Lane Road and Pheasant Lane up to a maximum cost of \$2,100 with the possibility of re-using a current village electrical pole. Motion passed 7-0.

6. Discussion and possible action adopting Ordinance No. 08-2015, an Ordinance to Repeal and Recreate Section 7.07(5) of the Municipal Code of Newburg Prohibiting Parking in Driveways. Police Chief Buege noted that this change will not affect downtown parking as much as originally thought other than near the beauty shop. A motion was made by Trustee Beimborn, seconded Juech to adopt Ordinance No.08-2015. Motion passed 7-0

COMMITTEE REPORTS

1. Trustee Camlin – will have DPW staff meetings continue with President Heili attending in his place.
2. Trustee Juech. Nothing.
3. Trustee Beimborn. Nothing.
4. Trustee Huebner. Nothing.
5. Trustee Wollner. Nothing.
6. Trustee Strohmeier. Noted that at the Plan Commission meeting the owner of the beauty shop building downtown requested covering the ornate exterior woodwork with vinyl siding
7. Police Chief Buege that the fire lane ordinance is forthcoming for approval.
8. Treasurer Brunner reviewed a new arrangement the Village will have with Digger's Hotline as to how we are billed and the cost saving results from such.
7. Administrator/Clerk Goeckner. Noted his recent meeting with a potential business owner considering a move to Newburg.
10. President Heili. Informed the Board that all contact with the village engineers are to be made through Administrator Goeckner. He also asked the Trustees to keep staff informed on all matters they are working on in regards to the village. And, that there will not be Committee of the Whole meetings in November or December.

LICENSE APPLICATION

Discussion and possible action to approve a bartender Operator's License for Lauren Elizabeth Smith. There were no issues with his background check. A motion was made by Trustee Wollner, seconded by Trustee Huebner to approve an Operator's License for Lauren Elizabeth Smith. Motion passed 7-0.

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ADJOURNMENT

A motion was made by President Heili, seconded by Trustee Huebner to adjourn the Village Board Meeting at 8:26 P.M. Motion passed 7-0.

Rick J Goeckner, MMC
Village Administrator/Clerk