

Village of Newburg
Meeting of the Village Board of Trustees
September 12, 2019 at 7:00pm
Village Hall, 620 W. Main St. Newburg, Wisconsin

MINUTES

Draft – Subject to Approval of the Board of Trustees

OPENING OF MEETING / CALL TO ORDER

ROLL CALL

Trustee	Present	Absent/Excused
Sarah Beimborn	X	
Amy Marquardt	X	
Vacant		
Lynn Burkard		Excused
David DeLuka	X	
Sandy Stockhausen	X	
Rena Chesak (President)	X	
Total:	5	1

CORRECTION AND APPROVAL OF PAST MINUTES

Board of Trustees Meeting – August 8, 2019

Motion for approval, by Stockhausen; seconded.

Prevailed by a voice vote.

Committee of the Whole – August 22, 2019

Motion for approval, by Marquardt, seconded.

Prevailed by a voice vote.

PUBLIC FORUM

Members of the public are invited to address the Village Board regarding any topic of public concern. Those who wish to speak are asked to complete a written card to register with the clerk. The chairperson will then call on individuals to address the council from the front table in an orderly fashion for up to three minutes each.

Mr. Harry Gramoll of 6577 Hwy Y in Newburg spoke regarding his tax bill. He is one several residents who paid their property taxes to the Village of Newburg, has evidence of his cancelled check which was deposited into a Village of Newburg bank account, yet the village staff who accepted payments in December 2018 and January through February 2019 did not properly credit his tax account with Washington County. This has resulted in Washington County sending Mr. Gramoll a bill for the remainder supposedly due. Mr. Gramoll noted that he spoke on this

matter previously and returned before the board to ask that how the error occurred be investigated and the name of the individual responsible be released to the public.

Ms. Alexander responded, apologizing on behalf of the village for the error and stated that a review of tax accounts and transactions will be undertaken to determine how the error occurred.

PRESENTATIONS

Updates on MMSD projects relating to the river and potential funding sources for environmental improvement.

Karen Nenahlo, Senior Project Planner for the Milwaukee Metropolitan Sewerage District

Ms. Nenahlo provided a PowerPoint presentation with optional handouts for attendees. Topics included:

- The Clean Water Act of 1972, put in place by the federal government to create a standard for surface waters.
- Safe waters are swimmable and satisfactory for fish to survive.
- There has been a lot of funding available over the years and projects completed, but there is still incremental room for improvement.
- The 2018 Farm Bill has been approved by the federal government, and it provides a lot of flexibility on how grant dollars are spent throughout the region. One way to use this funding is to “dot the l’s and cross the t’s” in meeting EPA standards for watershed planning.
- Seeking lower cost ways to protect and preserve green spaces strategically and look at future growth so infrastructure is planned for, shallow bedrock is recognized, groundwater contamination potential is considered, etc.
- On the current scorecards showing how the system is doing, and total phosphorus is a concern; there are three sites exceeding standards.
- The plan being created to apply for and consolidate various forms of grants for watershed improvement is expected to be final on November 1, 2019. Anyone seeking to add input to the draft plan may do so and should reach out to Ms. Nenahlo.

ACTION ON BILLS AND CLAIMS

Ms. Alexander presented bills and claims requiring payment. Trustees asked detailed questions about select vendors’ requests. Trustees cited concerns about Graef engineers, stating that the invoices do not provide as much detail as desired, and concerns that Graef seeks to bill at a high rate for even minor services. Trustees discussed that in cases where Graef has contacted village officials without solicitation, they have added the time spent in such phone calls to their billings.

Additional details about invoicing from Fahrner Asphalt and O'Meara Law Firm were also discussed.

Ms. Alexander showed the board the accounts payable vouchers / cover sheets she has created to attach to each invoice and provide a consistent method of documenting concerns about invoices, logging approvals, and coding expenses.

Motion to approve paying bills and claims, by DeLuka, seconded.

Prevailed by a voice vote.

Ms. Alexander provided the Board with an extensive report requested at the last meeting detailing gross wages for all village employees and elected officials, designated month-by-month, identifying the number of work hours, the amounts paid as regular wages and overtime wages, totals for the year through August 2019, and with each also totaled by department.

Trustee DeLuka requested a listing of all bills paid to date for the next meeting.

CORRESPONDENCE

Ms. Alexander stated that she has taken action on Ms. Jenny Strohmeyer's request to update the village voicemail to remove the former administration's greeting. Ms. Alexander had initial trouble accessing the primary greeting but received assistance and the voicemail has been updated. Ms. Alexander noted that the phone system is having intermittent issues; one phone is inoperable at times, others have fuzzy or crackled-sounding connections; she hopes to propose an update to the phone system as part of the 2020 budget.

Ms. Alexander noted that the rideshare taxi service between Ozaukee and Washington Counties was without a stopover due to the Casey's gas station temporary closure during rebuilding. She has authorized the service to use Village Hall as a transfer point temporarily and anticipates a formal written request to be presented from the county level to seek permission to erect a shelter. She will bring that request to the Board when received.

Also due to the Casey's rebuild, the village was missing a location for posting public notices. Ms. Alexander has arranged and obtained permission from the U.S. Postal Service to use a window in the Newburg Post Office as a new posting location. Only legally required or essential government communications may be posted there.

The village has received an open records request from a national organization researching public employee rates of pay. It seems that their request may actually be asking the village to create a document that does not exist. Ms. Alexander will consider and respond to the request.

Ms. Alexander distributed photos of the new computer-connecting-microscope, the snow blower, and the trailer.

Ms. Alexander notified the board of two additional notices received from property tax payers claiming that the village cashed their tax payment checks but did not apply the funds to their tax accounts with the county. The village will issue payments to the county to pay those bills and will work to identify how to avoid such issues in the future.

ACTION ON LICENSE APPLICATIONS

2019/2020 Alcohol Beverage License:

Marie Antoinette VanTreeck

Jamie A. Hays

Chief Foeger presented that the NPD conducted a search of records for the WisDOT, WI criminal history records and circuit court records and found no history in the recent past that should exclude the applicants from receiving a license from the village.

Motion to approve license applications, by DeLuka, seconded.

Prevailed by a voice vote.

BUSINESS FOR CONSIDERATION

1. File 2019-21: An Ordinance on Vaping

Amending village ordinances to include the practice of vaping (inhaling vaporized products) alongside each section that addresses use of tobacco cigarettes.

Trustee DeLuka asked about line 47 and whether vending machine operators are even in existence anymore; NPD responded that just to ensure all areas are covered, they recommend leaving that clause in the ordinances.

Trustee DeLuka asked whether or not the sale of vaping products should be allowed in the village; NPD responded that it may be too early to begin discussing such a change because vaping is a legal activity and there is a lot of new discoveries and legislation about it coming up.

Ms. Alexander reminded trustees to address comments to the chair.

Motion to adopt File 2019-21, by Marquardt, seconded.

Prevailed by a voice vote.

2. Introduction and Discussion of the Draft 2018 Audit.

The draft audit from Johnson Block CPAs will be available for review and discussion. Presentation of the final audit will be scheduled for a future meeting.

Trustee DeLuka noted concerns on page 9 of the draft audit, discussing the reconciliation of payroll liabilities and account review and coding accuracy, and recommending that the village implement a procedure to assist in identifying the correct account coding of transactions; Ms. Alexander responded that this process has begun and internal practice changes are already underway, and pointed to the A/P voucher cover sheets as an example; she also cited that letters have been received from the IRS declaring that the village did not pay enough in payroll taxes in 2017 or 2018, and had underpaid by several thousand dollars, she is looking into this and will be reconciling the previous years payments in order to respond to the IRS.

Trustee DeLuka noted concerns on page 10 of the draft audit, discussing uninsured cash deposits in bank accounts; Ms. Alexander alluded to a plan to ensure that all village funds become insured with intent to have the issue fully remediated in the coming months.

Ms. Alexander requested any additional comments on the draft audit be provided to her as soon as possible so they can be provided to the auditors.

3. Appointment of Village Deputy Clerk / Deputy Treasurer

Under Village Ordinance §30.02 the position of Deputy Clerk shall be appointed by the Village President, subject to confirmation by the Village Board.

Ms. Alexander introduced Lori Ewing to the board, noting her two decades of experience working in accounting and tax, having owned her own business, and being originally from Newburg, currently residing in West Bend.

Motion to appoint Lori Ewing to the position of Deputy Clerk / Deputy Treasurer, by DeLuka, seconded.

Prevailed by a voice vote.

4. Appointment of Department of Public Works (DPW) Superintendent

Under Village Ordinance §30.02 the position of DPW Superintendent shall be appointed by the Village President, subject to confirmation by the Village Board.

Ms. Alexander introduced Nathan "Nate" Wendelborn to the board, noting his experience working in a relatable position reporting to the DPW Superintendent for West Bend, having experience installing sewer, water, and storm drain pipes, digging ditches, controlling traffic around work zones, snow plowing and

conducting maintenance on vehicles, working as a warehouse manager, overseeing tent installations and inventories, operating his own business as a landscaper, and working previously in the banking industry opening new bank branch locations.

Trustees questioned his availability for the part-time management position, which he confirmed is open and versatile due to his other primary source of income being from self-employment, and having reliable helpers for weather events. There was also discussion about his level of experience with maintenance of equipment.

Motion to appoint Nathan Wendelborn to the position of DPW Superintendent, by Chesak, seconded.

Prevailed by a voice vote.

5. Appointment to Vacant Trustee Position

Trustee Chris Stangel resigned on August 26, 2019. Under state statute, when a Trustee resigns, the remaining members of the Village Board may appoint an individual to fulfil the remainder of the vacant term. In the event the Board wishes to delay selecting a new Trustee, it may do so. In the event the Board does not appoint a new Trustee, the position shall remain vacant until the Spring 2020 election.

Approximately one day prior to the meeting, Trustee DeLuka requested information about potentially reconsidering the size of the Board of Trustees, and clarification on if the board is able to reconstitute its size, and if so, how. Ms. Alexander provided the board with a memo explaining that the size of the board is designated in Wisconsin Statutes (§61.20) as seven members, but that villages may override that quantity by enacting their own ordinances; taking action on such a change would need to be completed before the Spring 2020 election preparation activities begin in order to be implemented in time for the next election, if it was the will of the board to make such a change.

Ms. Alexander presented that four village residents had submitted letters of interest for the trustee position vacancy. The applicants in order of receipt were:

William (Bill) Sackett – *In attendance and spoke to the board.*

Phyllis Damrow – *Not in attendance.*

Curt Lewin - *Withdrawn*

Michael Heili – *In attendance and spoke to the board.*

Ms. Alexander noted that Mr. Lewin regretfully withdrew his application a few hours before the meeting, despite his sincere interest in village affairs, because

of his concern that false perceptions of his reputation would be used by some to harm the village's reputation, and he did not want to take that risk.

Trustee Stockhausen asked if the board had requested people to apply for the position or to advertise that it was open. Ms. Alexander stated that the board had not taken formal action, but that she notified the board along with Washington and Ozaukee counties as soon as former Trustee Chris Stangel had resigned; that she sought legal advice on next steps; and took actions necessary to provide the board as much latitude in decision-making as possible by publicly advertising that the position was available and that the board may fill the position through appointment or may choose not to and instead allow the election process to fill the position.

President Chesak stated that the public and the board needed more time to consider the position and that applicants may not have had enough time to consider applying because the Bridges Newsletter had just been distributed two days prior.

Motion to layover the issue of the trustee position vacancy to the next Board of Trustees meeting, by Chesak, seconded.

Trustee Stockhausen commented that the decision of appointment was a board decision and therefore opposed layover.

Failed by a voice vote.

Motion to appoint Bill Sackett to the position of Village Trustee, by DeLuka, seconded.

Prevailed by a voice vote.

ADJOURNMENT

Ms. Alexander asked the board to delay adjournment momentarily in order for trustees to be afforded the opportunity to make any pressing announcements.

Trustee DeLuka stated that he did not receive the financial statements for the summer months as he had previously requested. He further shared that the smoke testing for sanitary sewer would be moved to spring instead of fall.

Trustee-elect Sackett asked if the vacancies on the Plan Commission had been filled. President Chesak stated that she had hoped Chris Stangel would be willing to return to the post but had declined and that she was having trouble identifying a person willing to serve, but that she would keep approaching villagers to promote the post.

Motion to adjourn, by Marquardt, seconded.
Prevailed by a voice vote.

Minutes drafted by Deanna Alexander and approved by the Board of Trustees on
XXXXXXXXXX,

Deanna Alexander, Clerk
Village of Newburg, Wisconsin