

COMMITTEE OF THE WHOLE OF THE KIMBERLY VILLAGE BOARD

OCTOBER 12, 2009

President Kuen called the meeting to order at 6:00 p.m. Members present for roll call were Trustees Gaffney, Hammen, Hruzek, Opsteen, Trentlage, Weber and President Kuen. Also present were two (2) citizens.

Administrator Hermus reviewed his recommended budget adjustments to reach the 3% levy cap of the state, and the target of the Village Board for the 2010 Operating Budget. Administrator Hermus noted that this recommendation is not final, and there will be other issues addressed during the final month of the budget process. He did ask for Board support to institute capital projects which are being cut with this proposal if other venues for cost savings are developed. Also, there are some budget items that will require Village Board action to institute (complex rental fees, eternal flame issue, commercial waste collection, etc.) Each budget adjustment was reviewed by the Board and discussion held. Administrator Hermus noted that the important concept with these changes is that we now know we can get to where we need to be with regard to our budget goals.

President Kuen noted that commercial pickup elimination should be communicated soon to property owners to allow them time to make arrangements. It was also noted the history behind this service should be shared in the correspondence so business owners understand this has been a long range plan for the community, which started in 1985. President Kuen also raised a question about the fireworks and arboretum, noting the "community" nature of these events. He feels there is too much "doom and gloom" today, and perhaps the unreserved surplus could be used for some of these types of projects. There was discussion regarding the 1% pay raise, and the fact that the employees are doing a great job for the community and should be compensated. There was a long discussion regarding these issues, and the frustration with the Board regarding our inability to control our own destiny.

The use of fees was discussed. It was asked by Administrator Hermus to look into a fee for the State's landfill tipping fee surcharge. This is a state fee being placed on our residents, and could be a special charge noting such.

Administrator Hermus reviewed the tax rate summary sheet, noting a 15 cent increase in the assessed rate, meaning a \$19 increase for a \$126,000 home.

The Committee reviewed the recommendation of Chief Misselt to utilize the Fox Valley Metro Trust Fund for the potential sick leave payout for an officer in 2010. It was clarified that this will only be used if the officer does leave. This will be placed on next week's agenda for official action.

Administrator Hermus explained the denial of the Joint Riverview Pond, and the proposal to move forward with the Cortland Court Pond, as a joint pond. There was much discussion regarding the pros and cons of this proposal, including the fact that we cannot and will not get prior assurances from the DNR that this will suffice as the “reasonable good faith effort” to reach our 40% solids removal. Cortland Court pond was part of our community’s projects to reach the goals, however, with sharing it with Combined Locks; we will also share the removal quantity. After a long discussion, it was agreed to move forward in a good faith effort to meet our 40% solids removal with the joint pond. Administrator Hermus noted the short time frame allowed to get this project ready, and the cooperative efforts of U. S. Oil to sell the property necessary for the pond.

The Committee reviewed the claim of Ron Senecal of 115 Louise Street. In addition to the information we gathered to deny the claim, Trustee Hammen also noted that the black walnut tree on the property is extremely acidic and kills evergreen trees. It is not the spray from weed killer. The claim will be placed on next Monday’s agenda for action.

Administrator Hermus shared the proposal of Wireless Technology to erect a tower and building on village property between the Thomas Oatman Safety Center and Municipal Complex. After a short discussion, the Board asked that Administrator Hermus check on what the value of such a site would be. While the Board was not enthusiastic about the proposal, for the right price, they would consider it.

The Committee reviewed the Resolution recommended by Community Enrichment Director Schaefer to authorize him to apply for a DNR Grant for the Sunset Handicapped Fishing Pier. Although this was approved in 2007, the DNR feels the old resolution is too old to use for the current project. This will be placed on next Monday’s agenda for consideration.

Administrator Hermus shared correspondence from the DNR regarding the possible area code change for this area.

Administrator Hermus informed the Board of the follow up contact by ACS regarding the server replacement. They have offered an alternative which would increase the cost from \$13,000 to \$18,000. The increase in cost is due to more efficient backup software which would greatly reduce the down time and labor to restore a server. A community in Minnesota recently had a failure, and the two week period and cost to rebuild the server was considered devastating to their operation. Basically, the \$5,000 cost could be considered an insurance policy against the added cost and down time during a system crash. It was noted that we have not had a server failure. After a short discussion, the Board did not feel the additional cost was worth the potential.

Trustee Trentlage announced that the Little Chute Library has received an \$7,000 anonymous gift, and the Kimberly Library has received a \$1,000 anonymous gift.

Trustee Hammen moved, Trentlage seconded the motion to adjourn into Closed Session per the posted Agenda. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to reconvene into open session. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Opsteen seconded the motion to adjourn. The motion carried by unanimous vote of the Board.

Rick J. Hermus
Administrator/Clerk