

REGULAR MEETING OF THE KIMBERLY VILLAGE BOARD

OCTOBER 5, 2009

President Kuen called the meeting to order at 5:30 p.m. Members present for roll call were Trustees Gaffney, Hammen, Hruzek, Opsteen, Trentlage, Weber and President Kuen. Also present were Street Commissioner Vander Velden, Engineer Werner of McMahon, Community Enrichment Director Schaefer, Police Chief Misselt, Library Director Carpenter, Complex Supt. Brouillard and ten (10) guests.

Trustee Trentlage moved, Hammen seconded the motion to approve the minutes of the September Meetings as submitted. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to approve the bills and claims for the month of September as submitted. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve the financial statements for the month of September as prepared. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to approve the minutes of the various Boards and Commissions for the month of September. The cost of the rate increase for the water utility was explained. It was also noted that the water utility should consider changing the locks with combination locks, which are easily changed when necessary. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve Ordinance Number 2, Series of 2009, an ordinance repealing and recreating Section 7-1-1(b) and 7-1-6(c)(1) regarding regulations of dogs, creating language regarding dogs molesting passersby. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to approve Resolution Number 23, Series of 2009, a resolution authorizing the Community Enrichment Director to apply for an urban forestry grant for emerald ash borer. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Opsteen seconded the motion to approve the final change order for the Sunset Pond, a reduction of \$20,495.14. President Kuen noted that the reduction includes Fredrickson's contribution to the testing done by River Valley Testing. Trustee Hruzek also questioned the warranty; what happens after the two year warranty expires. He was concerned as the pond has failed once, and could again. It was noted the two year warranty is by contract and is the only standard we can hold them to. The motion carried by unanimous vote of the Board.

Trustee Gaffney moved, Hammen seconded the motion to approve Request for Payment Number Five and Final from Gene Fredrickson Trucking for the Sunset Pond Project in the amount of \$2,503.68. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Trentlage seconded the motion to approve a transfer not to exceed \$1,400 from the Fox Valley Metro Trust Fund for the joint purchase of a card printer. The motion carried by unanimous roll-call vote of the Board.

Trustee Opsteen moved, Trentlage seconded the motion to accept the recommendation of the Kimberly Water Utility and approve the contract for services with Midwest Contract Operations. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve a transfer not to exceed \$13,000 to replace the Central Office server. After some discussion, the motion carried by unanimous roll-call vote of the Board.

Trustee Opsteen moved, Hammen seconded the motion to approve the fee structure for Operators Licenses effective January 1, 2010. The motion carried by unanimous vote of the Board.

Trustee Kuen moved, Weber seconded the motion to approve operator's licenses for the following:

Thomas P. Frassetto	Appleton
Andrea L. Rudolph	Little Chute
Molly E. Hoople	Kimberly
Patricia A. McGee	Combined Locks

The motion carried by unanimous vote of the Board.

Administrator Hermus informed the Board that the Joint Riverview Storm Water Pond with Combined Locks was officially denied by the Wisconsin DNR. Notes from last week's meeting with the DNR were included in the packet. This issue will be discussed in detail at next week's Committee of the Whole.

Street Commissioner Vander Velden noted that the delivery of the recycling containers has been moved up to the end of October. He is gearing up his staff to assemble and deliver the bins ASAP upon arrival. Although it will be peak leaf collection, he is confident his crew can accomplish the task.

The Little Chute Village Board joined the meeting to discuss the three joint budgets with the department managers.

The Joint Custodial budget was reviewed first. It was noted that this is mostly the personnel services side of the budget, and the individual communities carry the remainder of the costs for operating their independent facilities. It was noted that the joint custodial budget was reduced from last year's spending. There were no further questions of the joint custodial budget.

The Joint Library budget was reviewed. Director Carpenter noted a few highlights. The wages section was increased more than the 1% due to a correction in the accounting of hours.

Historically, the hours were understated, and other portions of the budget were needed to make up the difference at the end of the year. Items like training, holiday duty to empty the book drop and such were not accounted for. After discussing this issue with Administrator Hermus, it was agreed that the actual anticipated value should be reported correctly. Computers were discussed at length, as there was concern with laptops being given to patrons. Abuse and accidents greatly reduce the lives of such devices, and their prudence was questioned. Director Carpenter noted the concerns.

There was a long discussion regarding Maintenance of Effort, and its complexities. With the shortfalls in both communities, it will be necessary to make further cuts to this budget. Leisure services are, unfortunately, one of the first to be effected by our budget dilemma. Both Administrators will have to work with Ms. Carpenter to develop a funding level, and a recommendation to the Boards.

The Metro Police Department was discussed. Chief Misselt explained the 26th officer situation. It was included in the 2009 budget, but never filled due to Chief Peterson's retirement and the transition to the new chief. It was kept in the 2010 budget, however caused an increase in spending for the department of over 5.5%. Both Administrators met with Chief Misselt and ultimately removed the 26th officer due to costs. Chief Misselt noted in this correspondence to the Board that this will cause some reduction in services as we focus on our core business plan. It was also clarified that the communities will be receiving a request to fund a one-time cost for an employee leaving the PD to pursue another career. The sick leave payout by contract will be \$13,800, and the Administrators are recommending that this one-time cost be funded from the individual communities' trust funds so as not to impact the 2010 operating budget, and allow the Chief to replace the officer without delay. Ultimately, both Boards felt the budget adjustment was appropriate and would help the communities reach our goals of reducing the 2010 spending to acceptable levels.

Chief Misselt shared his proposal for reorganization of the Metro PD. He noted that, during his research for the Chief of Police position, reorganization was quickly recognized as a pressing need. It also came to light during the interview process, and in his initial meeting with the Administrators. He shared his proposal, which has been reviewed and recommended by the Joint Police Commission. Members of both Boards voiced approval and support.

Assistant Chief Mark Recker spoke to the reorganization as the lone employee in the department who was being negatively affected by the move. His position is being reduced from Assistant Chief to Captain. He is also receiving a reduction in pay of about \$5,000. He referred to the 2001 Compensation and Classification Plan undertaken by Little Chute (the fiscal agent), and the discussion regarding pay grades for the Assistant Chief vs. Captains position. Then again in around 2004 there was discussion due to Captain Stephanie's pay at that time. Mr. Recker felt he should not be financially harmed by the re-organization. Chief Misselt did note that Mr. Recker was being treated fairly as he was recognized for his contribution and years of service to the department by his appointment as one of the two captains. The second position will be filled through an interview process. Chief Misselt also noted that he felt the classification was fair, and the pay grade commensurate with the position descriptions. In the end, it is about the organization, not the individual, and is necessary to move forward and not create additional road

blocks for the organization. It was also clarified that two lieutenants (community service and PSL) will be reassigned to patrol support, noting that other staff members are being affected, although through assignment and not affecting pay. Eventually, these two lieutenant positions will be eliminated and replaced with patrol officers.

After a long discussion, the issue will be discussed further by staff and a final recommendation made to the Boards regarding disposition of this singular issue. The individual Board's will take separate action to approve the Organizational Plan for the Fox Valley Metro PD.

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

Rick J. Hermus
Administrator/Clerk