

SPECIAL MEETING OF THE KIMBERLY VILLAGE BOARD

DECEMBER 14, 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 Fire Chief Van Thiel and one citizen.

Fire Chief Van Thiel explained the request for a transfer of \$1,150 from the Donation Trust Fund for the purpose of a television used for training in the fire station. It was noted that the television is also used by Gold Cross when they are using the facility, and they have agreed to donate \$400 towards the purchase. Chief noted that this purchase from the donation trust fund is endorsed by the membership of the fire department. Trustee Hammen moved, Weber seconded the motion to approve a transfer of \$1,150 from the Fire Department Donation Fund for the purchase of a television for the fire department. The motion carried by unanimous roll-call vote of the Board.

The issue of commercial refuse collection was discussed, along with two new resolutions offering options, with the third option being taking no action, which would then revert to the action taken on November 9th, which was to eliminate all commercial collection by March 31, 2010.

After much discussion, Trustee Hammen moved, Hruzek seconded the motion to approve Resolution Number 31, Series of 2009, a resolution clarifying commercial refuse collection, stating that the Village of Kimberly will continue to collect refuse from those businesses which are still receiving service, if they can utilize only one poly cart for weekly collection of refuse. This resolution also states that we will continue to eliminate collection from businesses as they sell or change ownership. The motion failed by majority vote of the Board, with Trustees Opsteen, Trentlage, Weber and President Kuen dissenting.

President Kuen moved, Weber seconded the motion to approve Resolution Number 1, Series of 2010, a resolution calling for commercial refuse collection from any business in the Village of Kimberly, other than those in the Kimberly Business Park (who have private collection via their covenants), including those which were previously excluded, if they can utilize only one 65 gallon poly cart. The motion failed by majority vote of the Board, with Trustees Gaffney, Hammen, Hruzek, Opsteen and Trentlage dissenting.

After additional discussion and some clarification, Trustee Hruzek moved, Hammen seconded the motion that the Board revisit Resolution Number 31, Series of 2009. The motion carried by majority vote of the Board, with Trustee Opsteen dissenting.

Trustee Hruzek moved, Hammen seconded the motion to approve Resolution Number 31, Series of 2009, a resolution clarifying commercial refuse collection, stating that the Village of Kimberly will continue to collect refuse from those businesses which are still receiving service, if they can utilize only one 65 gallon poly cart for weekly collection of refuse. This resolution

also states that we will continue to eliminate collection from businesses as they sell or change ownership. The motion carried by majority vote of the Board, with Trustees Opsteen and Trentlage dissenting.

The Village Board discussed joining Outagamie County and other county communities and school districts in developing a renewable energy plan. This is in conformance with the State of Wisconsin's 25X25 Plan, which is intended to generate 25% of our energy from renewable resources by 2025, thus reducing our carbon footprint. The Board showed caution that we are not committing to any financial obligation to meet these goals, but rather only committing to this grant application. Trustee Opsteen moved, Gaffney seconded the motion to approve Resolution Number 32, Series of 2009, a resolution stating support for the State of Wisconsin Energy Independence Goals for 2025 (25X25). The motion carried by unanimous vote of the Board.

Administrator Hermus noted the letter sent to Representative Ott regarding the Wisconsin Labor Laws and the efforts of the League, Alliance of cities, the Wisconsin Counties Association and the Association of School Boards, urging his support. Mr. Hermus also informed the Board that he contacted Representative Ott urging him to co-sponsor the bill repealing the maintenance of effort for emergency services which was inserted into the budget bill.

The Fox Cities Performing Arts Center debt schedule, which was requested a few weeks ago, was shared with the Board. The current outstanding debt and reserve balance were noted. Trustee Hruzek inquired if the surplus could be used to reduce the debt at any time. Mr. Hermus noted that when bonds or notes are sold, there are normally specific "call dates", during which premature repayment is allowed. Otherwise, investors tend to hold the bonds/notes as the interest increases over time.

The Library economic report received from Director of Library Services Beth Carpenter, as produced by the WLA Foundation, was shared with the Board.

Administrator Hermus informed the Board that the draft of the 2030 Comprehensive Plan is on your desks. This draft will be discussed by the Plan Commission on January 4th, and the Board will be asked to adopt the document that evening after the Plan Commission's Public Hearing, and an informational session. Please contact Administrator Hermus with any questions or comments regarding the plan, prior to January 4th.

President Kuen questioned the snow plowing with the December 9th blizzard, and the maintenance of sidewalks. He noted that our sidewalks at the Street Department building and Memorial Park were some of the worst in the community. Street Commissioner Vander Velden explained that the timing of this event caused some unique problems. As it snowed all day, we tried to keep up, but traffic continued to matt down the snow. It then froze the following night and we could not scrap it off until Saturday. New equipment would not help this situation. Regarding the sidewalks, due to the heavy snowfall, we spent all day with the blower attachment moving the snow. The blower leaves about an inch or two of snow down as it cannot clean to pavement. We normally switch to the broom and go back and clean to pavement. Again, due to the amount of snow, we could not get back to the walks until the next day, which by then were frozen down. The crew worked twelve hours, which is about the limit due to safety purposes.

The only thing that Mr. Vander Velden learned from the experience is that we could have started earlier, and worked longer. Trustee Hammen noted that he compares this storm to a 100-year rain storm. You cannot always plan for what Mother Nature throws at you.

The disposal of leaves in the fall was questioned. Street Commissioner Vander Velden noted that we have about 15 sites we use for disposal. Communities are very secretive as they do not want to have competition for haul sites. We do not pay a fee to dump them, just transportation. It was questioned if we could burn them, and we have never investigated this option due to issues with smoke, and our ordinance banning open burning.

A resident questioned the intersection of Railroad and Kennedy. Our occasional traffic counts still indicate that the numbers do not justify traffic signals. President Kuen also noted that the intersection is targeted for a round-a-bout for the intersection.

The resident also questioned the possibility of a sidewalk across the tracks at Maple Street by the new pond, to Cortland Court. It was noted that the Railroad would never approve such a cross walk, as they are dangerous and too much liability comes with such an access. They have also denied road crossings for the same reason.

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

Rick J. Hermus
Administrator/Clerk