

REGULAR MEETING OF THE KIMBERLY VILLAGE BOARD

APRIL 20, 2009

President Kuen called the meeting to order at 6:00 p.m. Members present for roll call were Trustees Hammen, Hruzek, Opsteen, Trentlage, Weber and President Kuen. Absent and excused was Trustee Gaffney. Also present was Engineer Werner and three citizens.

Trustee Hammen moved, Trentlage seconded the motion to adjourn into a Public Hearing for the purpose of holding a public hearing regarding the proposal to abandon a portion of Office Court in CE Commercial Plat. The motion carried by unanimous vote of the Board.

President Kuen called for public comments regarding the proposed abandonment of a portion of Office Court in CE Commercial Plat. There were no comments received.

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

Trustee Trentlage moved, Hammen seconded the motion to approve Resolution Number 10, Series of 2009, a final resolution vacating and discontinuing public street right-of-way, being a portion of Office Court in CE Commercial Plan. The motion carried by unanimous roll-call vote of the Board.

Trustee Weber moved, Hammen seconded the motion to approve Resolution Number 11, Series of 2009, a resolution authorizing the sale of park property to the Storm Water Utility for the Sunset Storm Water Detention Pond in the amount of \$88,000. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Weber seconded the motion to approve Resolution Number 12, Series of 2009, a resolution authorizing a representative of the Village of Kimberly to apply for the financial assistance from the State of Wisconsin Environmental Improvement Fund. Administrator Hermus noted that this resolution is required to make the community eligible for stimulus funding for water utility projects from the State of Wisconsin. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Trentlage seconded the motion to approve Resolution Number 13, Series of 2009, a Resolution declaring official intent to reimburse expenditures from proceeds of borrowing. Administrator Hermus clarified that borrowing may not be necessary for the projects, and the projects have not yet been approved; however the resolution is required to be eligible for funding in case borrowing from the State Clean Water Fund is necessary. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Trentlage seconded the motion to approve the purchase of a Case 621E Loader with plow attachment for \$83,530. The motion carried by unanimous vote of the Board.

Administrator Hermus shared the Notice of Claim received for damage done to a vehicle wheel and tire at the intersection of Third and Willow Street. A formal investigation has begun based on the Notice of Claim. Once the dollar claim is received, a formal investigation will be concluded and a recommendation brought to the Village Board for disposition of the claim.

Engineer Werner shared his information regarding the pavement issue on Papermaker Drive, being inferior gravel used in the mix which absorbs water, then freezes and pops the top of the pavement. Appleton and Kaukauna had the same problem. The Board is familiar with the issue, and would like to know what the resolution to the problem will be. The Board was unanimous that they feel the product is unacceptable to the residents and community of Kimberly. After some discussion, Engineer Werner will write a letter to Vinton, to be proofed by Administrator Hermus, asking for a resolution to this unacceptable problem. It was also noted that some steps are taking place to insure this does not happen again this year.

Trustee Weber questioned the possibility of putting sidewalks along Railroad Street from Kimberly Avenue to Third Street. As the railroad is no longer abiding by their past agreement, is this an option? Administrator Hermus noted that staff has discussed this as an option, but is moving slowly hoping the Canadian National Railroad will come down in their price, the property can be acquired, and the multi-purpose trail installed.

Trustee Hruzek questioned the issue of wireless fences for dogs. He is concerned with some people who utilize these, and the barking dogs are unsupervised outdoors. Administrator Hermus noted that the Police Department has been contacted regarding this and is checking with other communities to determine what communities have done with regard to the wireless fences.

Administrator Hermus noted that he has nothing for next weeks' Committee of the Whole. Trustee Hammen moved, Weber seconded the motion to adjourn. The motion carried by unanimous vote of the Board.

Rick J. Hermus
Administrator/Clerk