

**REGULAR MEETING OF THE KIMBERLY VILLAGE BOARD**

**JUNE 21, 2010**

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

Lee Stumpf of Erickson & Associates presented the Village of Kimberly 2009 Audited Financial Statements. He reviewed the budget to actual report, final year end surplus, Reserved Surplus, Unreserved Surplus and overall financial stability of the Village of Kimberly. Based on allowable standards, the Village also has plenty of debt available for use. He also reviewed the two new documents required by GAAP rules; the "Communication with Those Charged with Governance" and "Management Letter". Both are satisfactory, with normal non-critical issues noted. Trustee Hammen moved, Trentlage seconded the motion to approve the 2009 Audited Financial Statements as received. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Gaffney seconded the motion to approve Ordinance Number 5, Series of 2010, an ordinance repealing and recreating Section 8-1-12, Smoking Prohibited in Certain Areas. The motion carried by unanimous vote of the Board.

Trustee Gaffney moved, Trentlage seconded the motion to approve Resolution Number 14, Series of 2010, a resolution accepting the Compliance Maintenance Report for the Village of Kimberly Sanitary Sewer Utility. Administrator Hermus noted that our grade increased from a B+ (3.5gpa) to an A (4.0 gpa). The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve the transfer of \$13,000 from the Fox Valley Metro Trust Fund to finance the Recodification of the Village of Kimberly code of ordinances with General Code Services. The motion carried by unanimous roll-call vote of the Board.

Trustee Gaffney moved, Hammen seconded the motion to approve the requests of the Paperfest Committee for the use of Sunset Park for Paperfest 2010. The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve the Combination "Class A" Fermented Malt Beverage & Liquor Licenses for;

| Name                        | Business                |
|-----------------------------|-------------------------|
| <u>Address</u>              | <u>Business Address</u> |
| Ultra Mart Foods, LLC       | Pick'n Save             |
| P.O. Box 473, Milwaukee, WI | 850 E. Maes Ave.        |
| Brad L. Schmidt, Agent      |                         |

U.S. Oil Co., Inc.  
P.O. Box 25, Combined Locks,  
James M. Anholzer, Agent

Express Convenience Center  
420 S. Washington St.

Northern Gas, LLC  
3520 Meadowsweet Ln.  
Appleton, WI 54911  
Roshankumar K. Patel, Agent

You Pump  
730 W. Kimberly Ave.

The motion carried by unanimous vote of the Board.

Trustee Gaffney moved, Hammen seconded the motion to approve the Class “A” Beer Licenses for;

Kwik Trip, Inc.  
1626 Oak St., La Crosse, WI  
Jennifer J. Byes, Agent

Kwik Trip  
710 Schelfhout Ln.

The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Trentlage seconded the motion to approve the Class “B” Beer Licenses for;

Butch’s Pizza, Inc.  
2500 E. Newberry, Appleton  
Ned A. Montanye, Agent

Butch’s Pizza of Kimberly  
510 W. Kimberly Ave.

Yen’s Chinese Buffet  
W5412 Red Clover Tr., Appleton  
Yen Meier

Yen’s Chinese Buffet  
700 E. Maes Ave.

The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve the Combination “Class B” Fermented Malt Beverage & Liquor Licenses for;

Rider’s Saloon, Inc.  
W6549 Firelane 8, Menasha  
Daniel J. Schreurs, Agent

Riders Saloon  
103 W. Kimberly Ave.

Tiger’s Tavern, Inc.  
116-1/2 W. Kimberly Ave., Kimberly  
Gerald L. Schumann, Agent

Tiger’s Tavern  
116 W. Kimberly Ave.

Richard Halat  
210 N. Main St., Kimberly

Marty’s Place  
210 N. Main St.

James W. Peerenboom  
112 Lamine Ln., Combined Locks

Peerenboom's Bar  
150 N. Main St.

Incredible Edibles, Inc.  
822 E. Kimberly Ave., Kimberly  
James C. Weiss, Agent

Liberty Hall  
800 Eisenhower Dr.

Railroad Inn, Inc.  
P.O. Box 13, Kimberly  
Jason Bruehl, Agent

Tanner's Grill & Bar  
730 S. Railroad St.

Rusch's Kimberly Bowl, Inc.  
P.O. Box 157, Kimberly  
Timothy N. Rusch, Agent

Rusch's Kimberly Bowl  
724 S. Railroad St.

Hitter's Sports Bar, Inc.  
421 S. Main St., Kimberly  
Bruce N. Goffard, Agent

Hitter's Sports Bar  
141 N. Clark St.

Beechwood Plaza Hotel of  
Appleton LLC  
7025 E. Greenway Parkway  
Scottsdale, AZ 85254  
Teresa L. Ringelstetter, Agent

Hilton Garden Inn  
720 Eisenhower Dr.

The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to approve the Reserve Combination  
"Class B" Fermented Malt Beverage & Liquor Licenses for;

Pollywogs Bar & Grill, LLC  
1901 Sherry Lane  
Kaukauna, WI 54130

Pollywogs Bar & Grill  
700 Schelfhout Ln.

The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to approve Cigarette Licenses for;

James M. Anholzer  
U.S. Oil Co., Inc.  
Express Convenience Center  
420 S. Washington St.

Jennifer J. Byes, Agent  
Kwik Trip #405

701 Schelfhout Lane

Roshankumar K. Patel  
You Pump  
730 W. Kimberly Ave.

Brad L. Schmidt, Agent  
Ultra Mart Foods, LLC  
Pick'n Save  
850 E. Maes Ave.

Daniel J. Schreurs  
Riders Saloon  
103 W. Kimberly Ave.

Gerald L. Schumann  
Tiger's Tavern  
116 W. Kimberly Ave.

The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Opsteen seconded the motion to approve Milk Licenses for;

Richard Halat  
Marty's Place  
210 N. Main St.

Brad L. Schmidt  
Ultra Mart Foods, LLC  
Pick'n Save  
850 E. Maes Ave.

Jennifer J. Byes  
Kwik Trip #405  
701 Schelfhout Lane

Afrim Rexhepi  
Al's Diner  
104 E. Kimberly Ave.

James C. Weiss  
Incredible Edibles, Inc.  
Liberty Hall  
800 Eisenhower Dr.

Thomas & Diane Baumgarten

Pioneer Ventures LLC  
Pioneer II  
760 W. Kimberly Ave.

Yen Meier  
Yen's Chinese Buffet  
700 E. Maes Ave.

Lorie Young  
Mom & Pop's Bakery  
710 W. Kimberly Ave.

Brian Gajewski  
BMG Enterprises  
Subway #13473  
870 E. Maes Ave.

Teresa L. Ringelstetter  
Beechwood Plaza Hotel  
Hilton Garden Inn  
720 Eisenhower Dr.

Steven Vetter  
Pollywogs Bar & Grill  
700 Schelfhout Lane

Roshankumar K. Patel  
You Pump  
730 W. Kimberly Ave.

Ned Montanye  
Butch's Pizza of Kimberly  
510 W. Kimberly Ave.

Jason Bruehl  
Railroad Inn, Inc.  
Tanner's Grill & Bar  
730 S. Railroad St.

Chuck Kuen  
Valley Management  
McDonald's  
840 Eisenhower Drive

James M. Anholzer  
U. S. Oil Co., Inc.

Express Convenience Center  
420 W. Washington Street

The motion carried by majority vote of the Board, with President Kuen abstaining.

Trustee Trentlage moved, Hammen seconded the motion to approve Milk Distributor Licenses for;

Lamers Dairy, Inc.  
W3268 Creekview Lane  
Appleton, WI 54915

Kemps LLC  
1270 Energy Lane  
PO Box 130250  
St. Paul, MN 55113-0003

Foremost Farms USA  
Morning Glory Dairy  
3399 South Ridge Road  
De Pere, WI

The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve Amusement Device Licenses and Operators Owning Machines for;

Amusement Device Only

Gerald L. Schumann  
Tiger's Tavern  
116 W. Kimberly Ave.

Bruce Goffard  
Hitter's Sports Bar  
141 N. Clark St.

Richard Halat  
Marty's Place  
210 N. Main St.

James Peerenboom  
Peerenboom's Bar  
150 N. Main St.

Timothy N. Rusch

Rusch's Kimberly Bowl  
724 S. Railroad St.

Jason Bruehl  
Railroad Inn, Inc.  
Tanner's Grill & Bar  
730 S. Railroad St.

Ned A. Montanye  
Butch's Pizza, Inc.  
510 W. Kimberly Ave.

Daniel J. Schreurs  
Riders Saloon  
103 W. Kimberly Ave.

Steven Vetter  
Pollywogs Bar & Grill  
700 Schelfhout Lane

Paul Thiel  
Skate City  
708 S. Railroad St.

Operators Owning Machines

Gerald L. Schumann  
Tiger's Tavern  
116 W. Kimberly Ave.

Jim Peerenboom  
Peerenboom's Bar  
150 N. Main St.

Kurt Jacobson  
Amusement Devices, Inc.  
1219 Appleton Rd.  
Menasha

The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Gaffney seconded the motion to approve Massage Establishment Licenses for;

Norma Peerenboom  
228 S. Matthew St.

Kimberly

Business Address:

**Renew Therapeutic Massage (740-1205)**

702 Eisenhower Dr., Suite F

Kimberly

The motion carried by unanimous vote of the Board.

Trustee Trentlage moved, Hammen seconded the motion to approve Operators licenses for;

Amanda M. Furman

578 Van Elzen Ln

Kimberly

Norbert J. Karner

575 Lamers Rd.

Kimberly

Thomas M Ourada

309 Tampa Way

Little Chute

Wendy M. Bauman

405 S. Olde Oneida #412

Appleton

Michael G. Van Asten

N169 Arrowhead Rd. A

Fremont

Alan L Schaefer

1338 W. 4<sup>th</sup> St.

Kimberly

Paul R. Sanderfoot

W2742 Emons Rd.

Appleton

Matthew J. Schmidt

W6484 Cherry Bark Circle

Menasha

The motion carried by unanimous vote of the Board.

Administrator Hermus distributed the Capital Improvement Program documents for review at the next Committee of the Whole Meeting. President Kuen asked Trustees to consider alternatives for project if they feel they are not justified, or untimely.

The Board reviewed the report from C.E.D. Schaefer regarding the Sunset Beach Well Project. Final costs were about \$5,900, and the well is now producing at a normal level. This cost will be taken from the 2010 budget. There was some discussion regarding the age of the equipment, and developing a routine maintenance plan for the pump and piping.

Administrator Hermus reviewed the request of Street Commissioner Vander Velden to purchase a used tire balancer from Kimberly Service for \$1,500. As this will be taken from the 2010 budget, there is no need for a transfer. The Board felt it was appropriate.

President Kuen asked that a maintenance plan be developed for the maintenance of the wet ponds. Administrator Hermus noted that there is a guideline on maintenance, but we do not have a specific plan. Staff will look into this for future discussion.

Trustee Trentlage moved, Hammen 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 per the posted Agenda. The motion carried by unanimous vote of the Board.

Trustee Hammen moved, Trentlage seconded the motion to approve a mid-year salary adjustment for Street Commissioner Vander Velden of \$1,000 effective July 1, 2010. The motion carried by unanimous vote of the Board.

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

Rick J. Hermus  
Administrator/Clerk