

Village of North Fond du Lac
OFFICIAL MINUTES - Meeting of September 14, 2009
COMMITTEE OF THE WHOLE

PRESENT: James Moore, Village President
Keith King, Trustee
Jim Scharf, Trustee
Mike Streetar, Trustee
Mike Will, Trustee

OTHERS, continued
Kim Baumgartner
Tammy Jorgensen
Pat Nelson

OTHERS: Lyle Denny
Ali Scharpf
Bekki Munro
Lora Westemeier
Richard Westemeier

STAFF PRESENT:
Chuck Hornung, Administrator
Chief Bill Lamb, Police Chief
Paul Nelson, Fire/EMS Chief
Nick Leonard, Director of Engineering and Planning
Donna Richards, Village Clerk
Melissa Hunt, FCEDC

Chairman: SCHARF

Meeting was called to order by Chairman Scharf at 6 PM.

A. ADMINISTRATIVE ITEMS.

1. Discuss Ordinance O-2009-08 Amending Traffic Controls Regarding Bus Parking in the Village of North Fond du Lac. (Tabled from last meeting).

Administrator Hornung summarized the discussion last time, the restrictions proposed, and in response to the energy cost issue, the current draft document. The proposed designated areas at this time would be the Swimming Pool lot and the North end of Village Park as possible locations during the day, and only at the Pool at night. Trustee Streetar asked about complaints, and it was explained that police have difficulty with enforcement, as there are persons with exceptions and person who do not have an exception approved but who are parking their buses in various places around the Village. Tammy Jorgensen and Ali Scharpf who spoke at the last regular meeting said that prohibiting driveways was not in the previous version of restrictions. It was explained by staff that some of the restrictions are under the parking regulations and others are under the zoning regulations. Chief Lamb explained further that complaints relate to large trucks and vision issues at an intersection. Need rules to be clearer, as ordinance is clouded, in part due to the exceptions. Trustee Streetar said waivers come before the Board. Drivers said a designated area will work when not too cold out, but below 30 degrees fahrenheit need to be plugged in. Otherwise, it will not start, according to Jorgensen. Discussion included the following issues: large trucks asking for exceptions; whether schools are charged for overage miles; whether parking in driveway is okay if someone cannot see the bus or whether it is in a cul de sac or not; weight limitations (buses were said to have an empty weight of 28,000 pounds); whether a school bus parked in someone's driveway or on the street is an eyesore; whether they should be allowed in driveways; how long the engine is on before they take off (about 5 minutes); Kim Baumgartner wants to know if her exception will continue, as she needs her car nearby in case of a health emergency for her daughter's diabetes. Other issues raised include: how far one might have to walk to their bus (designated area proximity to each driver's home); school buses vs. coach buses, is there a difference in regulations?; what about ADVOCAP buses?; fuel costs and savings to schools estimated to be \$15,000 a year possible but not clear how this is handled; and that some drivers simply want to leave the bus in her respective driveway. Another citizen wanted discussion of ¾ vs. one ton trucks being allowed, i.e. what is a normal pickup truck. Board tried to give Administrator Hornung some principles he should work from for next meeting, and will call him to input what they think will work. Administrator Hornung will talk to the NFdL Schools and see if they can help. Chief Lamb tried to explain the importance of avoiding exceptions to ordinances, as they are impossible to keep track of; and others see someone else doing something and think is it allowed. A code needs to be enforceable and enforced. Scharf asked to table until next week. Newly drafted changes will make next week a first reading again.

2. Discuss whether citizen comments on an agenda item or under Citizens to be Heard on the COW agenda or Citizen Participation on the Board agenda should have a time limit.

Trustee King felt that no time limit is needed. Even the previous discussion, though long, was under control. Trustee Streetar said we are here to discuss things.

CONSENSUS to take to the Board.

3. Discuss elimination of Unfinished Business and New Business from the Board agenda, and other changes to the Operating Policy.

Village Clerk Richards explained the reasons for the proposed changes: for the Agenda policy to reflect what is current practice, and to eliminate Unfinished and New Business from the Board agenda, as they are already on the Committee of the Whole agenda, and there are legal problems under the Open Meetings law when there is discussion of items on the Board Agenda that are not specifically outlined on the Agenda. Board members wanted to support some of the proposed changes, and not others.

CONSENSUS to take to the Board.

4. Discuss Resolution R-18-2009 Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property (under Police Powers) in North Fond du Lac, WI. – Illinois Avenue.

Donna Richards talked about why this resolution is needed, and Nick Leonard talked about what has been done. Nick clarified how the interest rate was changed and why. There used to be an administrative charge of 10% on all assessments. And the interest rate for people with payment plans was prime plus 1%. Several years ago with the Westwood development, the 10% administrative fee was eliminated, and interest on payment plans increased to prime plus 3%. There were very few complaints on the assessment numbers this time, as everything was carefully videotaped. A few corrections were done.

CONSENSUS to take to the Board.

5. Discuss request for an exception to the three dog limit, submitted by Christine Krofta.

Christine Krofta of 502 Wisconsin said there were complaints by a neighbor about her dogs, but they were dropped. Ms. Krofta put up barricades. She was not told that there were restrictions in NFdL when she got the third dog as a puppy from the Humane Society. Ordinances were explained to her. Said she thought even visiting dogs are a violation. A neighbor took the dog, now it is back. Ms. Krofta said lots of neighbors have too many dogs, three or more dogs, in the neighborhood. She said her dogs have not run in over a year. Other dogs in the area have been a problem. She said she is working with the district attorney's office on recent problems. Her sister Ms. Newhouse came up to speak, and asked how long they would have to find a home, as this breed is difficult to find another home for, if she is denied. Need to retrain the dog in a decent home. Sister will try to help find another home.

CONSENSUS to take to the Board.

6. Discuss Memorandum of Understanding with Fond du Lac County, to continue to provide Statewide Voter Registration System data entry and management service for the Village.

Village Clerk Richards explained that this contract will expire at the end of 2011, and there is a 5% increase in the fee, but the cost per entry remains at \$1 per new registration and \$/50 for changes.

CONSENSUS to take to the Board.

7. Discuss accepting the staff recommendation to contract with Feaker and Sons Co., Inc., the low bidder, for construction of the Well Station Supply Main, Contract #E107-09-05.

Nick Leonard explained that they will choose the best site for the well to be drilled, have one test pump happening now, but it may be a deeper site. Hoping it is the Creek Vu site, will discuss again when the options are better defined. Want to proceed with low bidder, as otherwise will have to rebid this, and the dollar figures right now are favorable, with the next closest bid more than \$85,000 more.

CONSENSUS to take to the Board.

8. Discuss Operating Policy that defines when sealed bids and competitive proposals are used.

Administrator Hornung explained current policy, which does not, by definition, allow the Village to consider other reasons to not take the lowest bid, given all factors. Situations arise where competitive proposals (like Requests for Proposals) allow for maintenance, service, and quality issues, among others, to be taken into consideration. The proposed change would include that purchases over \$25,000 in this manner would be discussed with the Board. It will allow staff to be fiscally responsible. An attorney's opinion was enclosed. A sealed bid process is only required for public construction projects, but our current policy is much more restrictive. An example of garbage trucks was given: what if different type is cheaper, but needs entire staff to be retrained, or end up with wrong trucks for our systems? Operating costs are not taken into account on a sealed bid. Trustee Will said the low bid is important. Need controls on how the decisions are made. Paul Nelson gave example of a Fire truck : Pierce is here and is the best, others don't last as well, and maintenance would be difficult. Some communities have local preferences, said Richards.

CONSENSUS to take to the Board.

B. CITIZENS TO BE HEARD.

Pat Nelson of 427 Illinois Avenue asked about the topsoil and seeding that was done. She is getting ready to do hers over again, as there are so many weeds. Nick Leonard explained that the contractor will have to re-do this or will not be paid.

Future Possible Agenda Items can be discussed under Unfinished Business and New Business. No action will be taken at this meeting on discussions under the next two items, and discussion should be greatly limited unless the item is described on the agenda.

C. UNFINISHED BUSINESS.

Discuss fundraising results, and plans for the Optimist Park playground. We have 13 donations with \$15,650 as a total. A mock-up sign was given to BCI Burke to begin to design the signage. Then the draft will be reviewed to make sure it is what donors want. Looking at an end of September/early October dedication ceremony. Categories of donors are defined, not actual amount of donation.

D. NEW BUSINESS.

Melissa Hunt announced the workshop on Tax Increment Financing at the Community Center on Wednesday the 16th at 6 PM. All are welcome.

E. CLOSING OF MEETING.

Meeting closed at 7:40 PM.

Respectfully submitted,

Jim Scharf, Trustee