

REGULAR VILLAGE OF BIRON BOARD MEETING APRIL 13, 2009

The April 13, 2009 Regular Board meeting was called to order by President Jon Evenson at 6:30 p.m. at the Biron Municipal Center. The meeting was properly posted according to Wisconsin State Statutes.

PRESENT: Trustees: Tammy Steward, Jan Gaber, Margaret Billman, Dan Muleski and Wayne Lambert attended by phone. June Siegler was pre-approved absent. Also in attendance were Public Works Supervisor Rick O'Keefe, Treasurer Joyce Komppa, newly elected officials whose term of office will begin on April 21, 2009 Tim Krause and Pam Witt, three residents, MSA Professional Services representative Kirk Skoog, Lampert Lee representative Greg Mueller and 2 interested parties.

MINUTES: Minutes were reviewed from the Regular Board Meeting held on March 9, 2009. **Motion** Billman, seconded Gaber to accept the minutes of the Regular Board Meeting held on March 9, 2009 with a correction as follows in italics: Committee met on *March 4, 2009* and reviewed, and approved all the bills for the Village, Wastewater Department and Water Utility. *Committee also met on March 9, 2009 for a brief meeting to review and approve a few additional bills.* M.C.

FINANCE & BUDGET COMMITTEE: Chairperson Billman reporting. **Committee Minutes & Update:** Committee met, reviewed, and approved all the bills for the Village, Wastewater Department and Water Utility. **Motion** Muleski to pay all bills as recommended by the Finance Committee, seconded Steward. M.C. **Reviewed Non-Lapsing Accounts** – Committee reviewed all non-lapsing accounts and felt everything was good. **Motion** Muleski to accept the Finance and Budget Committee report, seconded Gaber. M.C.

TREASURER'S REPORT: Treasurer Komppa reporting. The report of expenditures and receipts was reviewed. The checking account balance on hand March 31, 2009 is \$395,313.73 of which \$160,000.00 is invested in a CD. The balance includes total receipts of \$6,332.93 and expenditures of \$106,158.35. Investment accounts through March: Village Non-Lapsing Fund CD's \$388,714.69. **Water Utility:** Checking \$33,723.08, Money Market \$17,449.05, Non-Lapsing Fund \$308,269.19. **Wastewater Department:** Checking \$32,972.34, Non-Lapsing Fund \$4,292.80. **Motion** Muleski to accept the Treasurer's report, seconded Gaber. M.C.

PUBLIC WORK'S COMMITTEE REPORT: Chairperson Steward reporting. **Review City of Wisconsin Rapids Cost Proposal for Transportation and Treatment of Wastewater & Wastewater Fees** – Committee met with representatives from the City of Wis. Rapids and reviewed the cost proposal. Committee will review this proposal and determine what action will be needed to cover the costs of the transportation and treatment of wastewater. **Repairs on Jet Truck** – The jet truck needs the debris hose, control switches and gaskets replaced. **Motion** Muleski to repair the items on the jet truck at a cost of \$650.00 seconded Gaber. M.C. **Street Sweeping** – Three estimates have been received for street sweeping. Committee will review these estimates at their next meeting. **Update on Shore Acres Project** – Central Wisconsin Engineers have completed the soil borings and is working on plans for re-construction. **Public Work's Supervisor Update** – Dan Hobbs has agreed to pay for the survey and legal costs for the sale of the property to the Village of Biron between Chapman Road and Van Slate. The cell phone plan was renewed with Cellcom and new phones were purchased with the plan. **Motion** Muleski to accept the Public Work's Committee report, seconded Billman. M.C.

WATER UTILITY COMMITTEE: **Water Superintendent's Update** - There is a problem with the communications between the tower and the well. The system has been in place for 12 years and it is possible that such things as trees that have grown or a cell tower placed in the area is causing the interference. We will continue to work on the problem and narrow the possibilities. The water lines in the area that was froze between our last hydrant and the first house in the City of Wis. Rapids on South Biron Drive has been replaced with a 16 foot PVC pipe. **Motion** Gaber to accept the Water Utility Committee report, seconded Steward. M.C.

LEGISLATIVE, ORDINANCE & ZONING COMMITTEE: Chairperson Muleski reporting. **Update on Ordinance Complaints & Violations** – A letter had been sent to the trailer park owner, Luke Hilgers, with a deadline of April 6th to clean up the park. The letter noted several areas of particular concern. Most of the items noted have been cleaned but a couple of areas remain. Committee will continue to monitor this. The minimum housing ordinance is being worked on. Ordinances will be brought before committee for review. **Motion** Evenson to accept the Legislative, Ordinance & Zoning Committee report, seconded Billman. M.C.

WASTEWATER COMMISSION: Commission Member Tammy Steward reporting. *Note: The Waste Water Treatment Plant is operated & staffed by the City of Wisconsin Rapids. One member of the Village of Biron Board of Trustees is an acting member of the Commission.* - **Review Minutes from March 11, 2009 Wastewater Commission meeting.** At the March 11th commission meeting, the rebuild was about 3 weeks behind schedule. Commission is meeting again on April 15th and will be updated on the progress. Ocean Spray has violated their solids again which may be due to the high concentration of sugar. Commission is working with them to resolve the issue. **Motion** Muleski to accept the Wastewater Treatment Commission report, seconded Billman. M.C.

PLAN COMMISSION: Chairperson Evenson reporting. **Minutes from November 6, 2008, April 2, 2009 and April 8, 2009** – Minutes were included for review. The November 6, 2009 Plan Commission meeting dealt with TID #1 & TID #2 amendments and initial discussion on Midwest Cold Storage & Logistics LLC project. The April 2, 2009 Plan Commission meeting dealt with further work on TID #2 amendments and held the public hearing for amending TID #2. Joint Review Board also met that day to begin the process of amending TID #2. Plan Commission acted on a resolution recommending approval of the project plan and amendment of mixed use tax incremental finance district #2 and that project plan and resolution is currently before the board for approval. Kirk Skoog, MSA explained some items of the project plan that had been changed to based on discussion with Plan. The April 8 minutes not approved by Plan Commission yet **Update on Development Agreement for Midwest Cold Storage & Logistics LLC and Village of Biron** – Plan Commission will be reviewing the development agreement at their meeting to be held on Tuesday, April 14, 2009. After their review the board will review for approval. **Review Site Plan for Midwest Cold Storage & Logistics LLC** – CWE engineer Dave Grutzik and Lampert Lee engineer Larry Koopman attended the Plan Commission meeting and reviewed the site plan with members. Fire access was reviewed and the buildings are 25 feet off the property lines and fire access would be a gravel surface that would be 20 feet wide with a 5 foot green space. Per state codes one side of the building would need a 26 foot wide access area within 30 feet of the building. Commission members reviewed the plans for utility extensions as this is private property. They evaluated it as to whether a street should be constructed or to leave it private property with an easement so that the main line would be owned by the Village and we could have access to service and maintain the lines. The development agreement was drafted to include easements for the water and sewer main lines and an easement if not public ownership of the rail spur. Dave Grutzik CWE reviewed the site plan further following the meeting and stated the site plan is acceptable in general but submitted recommendations for board consideration. Dave Grutzik would like to review and also have Plan Commission review the various permits that are forthcoming yet such as the railroad permit, state permits, signage permit, landscaping and lighting design. **Motion** Muleski to accept the submission of the site plan for Midwest Cold Storage & Logistics LLC contingent on the recommendations from Dave Grutzik CWE, excluding item 14 which needs clarification of fire access width, seconded Tammy Steward. **Motion Carried. Motion** Muleski to accept the Plan Commission report, seconded Steward. M.C.

PRESIDENT'S REPORT: President Evenson reporting. **Discussion on Tax Incremental Finance District #2 Project Plan and Amendment** – This was covered above in the draft project plan by Kirk Skoog, MSA Professional Services. The project plan includes revisions made by the Plan Commission. The Joint Review Board also reviewed the plan. Kirk explained the total percentage of Biron's value in TID's would need to be below 12%. The projects listed on the draft plan are the additional project costs for the amendment. The original project costs remain intact and none of the projects need to be completed but stay as part of the TID. Wording was changed in the draft agreement to reflect that the amendment is not the total cost of TID 2 but only the amended portion of TID 2. **Resolution Approving the Project Plan and Amendment to Tax Incremental Finance District #2** – **Motion** Muleski to approve draft project plan and 1st amendment to TID #2 per resolution #2-09 approving the project plan and amending mixed use TIF #2, seconded Steward. M.C. by roll call vote with Billman and Lambert against. **Report on Meeting Activity** – The majority of meetings attended were Plan Commission meetings. A meeting was held with Congressman Dave Obey concerning how the Village would utilize the appropriation of the 1.225 million dollars that was granted the Village. **Motion** Muleski to accept the President's report, seconded Steward. M.C.

ADJOURNMENT: **Motion** Steward to adjourn the April 13, 2009 board meeting, seconded Gaber. M.C.

Respectfully Submitted,

Debra Eichsteadt, Clerk