

**VILLAGE OF NORTH PRAIRIE
REGULAR VILLAGE BOARD MEETING MINUTES
DECEMBER 11, 2014**

The meeting was called to order by President D. Hall at 7:02 p.m. in the Village Board Room. Roll call was taken with the following members present:

President D. Hall

Trustees: J. Moravec, A. Pellegrino, D. Stellpflug, D. Samuels and G. Nickerson.

Clerk: R. Bagley

Absent: Trustee B. Peters

Others Present: Police Chief S. Tamez.

Motion by G. Nickerson, seconded by J. Moravec, to approve the November 13, 2014 Village Board and Public Hearing minutes as written. Motion carried unanimously.

Motion by D. Hall, seconded by G. Nickerson, to open the meeting to Public Comments. Motion carried.

D. Salter, 507 Chad Court, mentioned that the snow plow dug up a 40 foot swatch of sod during the last snowfall and dumped it in the culvert area along the front of her property. Trustee D. Stellpflug will check on the situation.

Motion by D. Hall, seconded by G. Nickerson, to close the Public Comment section of the meeting. Motion carried.

VILLAGE PRESIDENT: D. Hall stated that she received a letter from Deputy Clerk D. Drazkowski indicating that she will be resigning her position with the Village effective Jan. 1, 2015 due to inconsistencies with raises and the reduction of office hours. The letter was read into the minutes. The Finance & Personnel Committee will review this position at a meeting in January.

Disallowance of Claim from S. Christenson- President D. Hall gave a brief description of the claim from Scott Christenson regarding the incident with his vehicle on Harrison Street during the road construction. The recommendation from the Village insurance company is to disallow the claim and have S. Christenson file with his insurance company. Due to the lengthy delays regarding the completion of Harrison Street, S. Christenson is hoping for restitution to cover the cost of the front-end repairs to his vehicle of \$2,177.43.

President D. Hall suggested that the Village has some responsibility as the Board removed the requirement that Payne & Dolan complete Harrison Street at the regular meeting on Oct. 9, 2014 due to lack of progress on Harrison St. J. Moravec stated that the driver of the vehicle drove into the ditch where there was no established approach for a driveway.

D. Samuels believes that responsibility lies with all parties involved and that the Village should not bear the sole responsibility and each share the liability equally.

Motion by J. Moravec, seconded by D. Hall, to reimburse Scott Christenson for the amount not-to-exceed \$2,177.43 for the charges invoiced for the damages to his vehicle on Harrison Street on October 14, 2014. Discussion: D. Samuels suggested that the responsibility lies with the three parties and that the amount should be divided three ways. The Village should cover 2/3's of the cost to cover Payne & Dolan's portion. **Roll call vote: D. Hall, aye; J. Moravec, aye; D. Stellpflug, aye; A. Pellegrino, No; D. Samuels, No; and G. Nickerson, No. Motion failed - tie vote.**

Motion by D. Samuels, seconded by A. Pellegrino, to provide restitution to Scott Christenson in the amount of \$1,451.62 which will cover two-thirds (2/3) of the cost to repair the vehicle damaged on Harrison Street based on the portions for the Village and Payne & Dolan. Discussion:

Motion by D. Hall, seconded by D. Samuels, to suspend the rules to allow S. Christenson to comment if he wishes. Motion carried. S. Christenson is agreeable to the resolution of the

claim. **Motion by D. Hall, seconded by G. Nickerson, to close the comment portion. Motion carried.**

D. Hall recommended that the original motion be amended to include that S. Christenson agrees to sign a Release from Liability Claims and Hold Harmless Agreement for the Village of North Prairie prior to receiving any reimbursement. Board members concurred.

Amended motion to read: Motion by D. Samuels, seconded by A. Pellegrino, to provide restitution to Scott Christenson in the amount of \$1,451.62 which will cover two-thirds (2/3) of the cost to repair the vehicle damaged on Harrison Street based on the portions for the Village and Payne & Dolan. Roll Call Vote: G. Nickerson, Aye; D. Samuels, Aye, D. Stellflug, No, D. Hall, Aye; A. Pellegrino, Aye; and J. Moravec, No. Motion carried.

Motion by D. Hall, seconded by J. Moravec, to provide a check for reimbursement to S. Christenson in the amount of \$1,451.62 no later than December 16, 2014 upon receiving a signed Release from Liability Claims and Hold Harmless Agreement and copy of actual car repair invoice, thereby resolving the Disallowance of Claim for the Village of North Prairie. Motion carried.

VILLAGE CLERK: The Village tax bills were mailed out the first week in December.

PUBLIC SAFETY & PROTECTIVE SERVICES COMMITTEE: Trustee D. Samuels stated the Committee met on December 17th and reviewed annual reports from the Fire Department and Police Department. They also approved the computer purchase for the Police Clerk. The Fire Department was authorized to purchase a tablet for use in the Department as well as some new turn-out gear. The North Prairie Lion's Club presented a check to the Police Dept. for \$1,800 to be utilized for the purchase of an AED (Automated External Defibrillator) for the Village Hall Community Room. The Police Dept. has been fund-raising for the purchase of two AED's.

Motion by D. Samuels, seconded by D. Stellflug, to suspend the rules to allow Chief S. Tamez to speak. Motion carried.

Chief S. Tamez mentioned that the North Prairie Auxillary has expressed interest in providing an AED for the Village squad car. The Department will continue to raise funds to facilitate some purchases for Fire Department equipment.

Fire Department Mergers/consolidation/options update- D. Samuels mentioned that nothing has changed since last month.

Resolution 2014-04R- 2014 Trunked Radio System Contract Addendum and Authorizing the Issuance of GO Promissory Notes- D. Samuels stated that it is the recommendation of the committee to approve the Resolution and enter into the Trunked Radio System Contract Addendum and authorize the issuance of general obligation promissory note to Waukesha County.

Motion by D. Samuels, seconded by D. Hall, to approve Resolution 2014-04R 2014 Trunked Radio System Contract Addendum and Authorizing the Issuance of a General Obligation Promissory Note to Waukesha County to Pay Infrastructure Costs of the New Digital Radio System as recommended by the Public Safety & Protective Services Committee. Motion carried.

PUBLIC WORKS, BUILDINGS AND GROUNDS COMMITTEE: Trustee D. Stellflug stated the committee met on December 4th and discussed numerous items. The catch basin repairs have been completed along St. Andrews Blvd. with the asphalt repairs around the basins being completed in the spring. The Village received two applications for experienced snow plow drivers and anticipate hiring both on a part-time basis. The heat cables have been installed on the roof of the Fire Dept. building.

DPW Plow Truck Related Equipment- Trustee D. Stellpflug mentioned that the Committee is recommending that Best Truck in North Prairie build the new snow plow vehicle as the company can facilitate immediate repairs for a total of \$54,435.00. This includes installing auxiliary headlights to hood. Bud's Truck will sand, prime and paint frame areas and box, as needed, for \$1,700.

Best Truck proposal	\$54,435
Bud's Truck quote	<u>\$ 1,700</u>
Total	\$56,135

Motion by D. Samuels, seconded by D. Stellpflug, to approve the proposal from Best Truck Repair, Inc., dated October 28, 2014, to build the new snow plow vehicle at an amount not-to-exceed \$54,435.00. The Village is requesting the truck be completed within six months upon delivery to Best Truck. Motion carried unanimously.

Motion by D. Hall, seconded by A. Pellegrino, to approve the proposal by Bud's Truck, dated December 5, 2014, to paint the new snow plow truck at a cost not-to-exceed \$1,700.00, with an additional \$450.00 Village expense for paint, primer and decals, for a total of \$2,150.00. Motion carried unanimously.

Holiday Decorations- D. Stellpflug has requested a quote for the refurbishing of the existing holiday decorations but has not received anything at this time.

FINANCE AND PERSONNEL COMMITTEE: Village President D. Hall mentioned that the Finance and Personnel Committee met just prior to this meeting as well as Tuesday evening, December 9th.

Monthly Bills and Payroll: The Committee reviewed the following invoices prior to the Board meeting.
Motion by D. Hall, seconded by D. Stellpflug, to approve checks 8322-8323 for the end of November utilities for \$2,932.49, December payroll checks from 8324-8357 for a total of \$26,352.90, and Accounts Payable checks 8358-8417 for a total of \$63,115.76, as recommended by the Committee. Motion carried unanimously.

Bartolotta Fireworks Contract for 2015-

Motion by D. Samuels, seconded by D. Stellpflug, to approve the contract with Bartolotta Fireworks Company, Inc. in the amount of \$5,000 to provide fireworks on the weekend of September 19 and 20, 2015 during Harvest Fest, with a prepayment of \$2,500 in December, 2014 as recommended by the Committee. Motion carried unanimously.

Village Insurance for 2015- The Committee has reviewed three proposals for Insurance for 2015. The Horton Group is the current provider with a proposal of \$41,148.00, Community Insurance Company proposing \$42,867.00 and R&R Insurance (League of WI Municipalities) proposing a cost of \$37,837.00. It is the opinion of the Committee to accept the proposal from R&R Insurance based on the maximum liability coverage limits provided by R&R, and the possibility that dividends may be paid back at the end of year based on percentage of funds paid in and usage.

Motion by D. Samuels, seconded by D. Hall, to approve the 2015 Insurance proposal from R&R Insurance as submitted with a total cost of \$37,837.00. Discussion: A. Pellegrino mentioned the Agility Program (catastrophic/disaster plans) and other options with R&R Insurance such as vehicle replacement costs verses actual costs which could reduce future costs of insurance. No resolution is required for the proposal from R&R Insurance. **Motion carried unanimously.**

Payne & Dolan Invoices relating to Harrison Street and Oakridge Drive- D. Hall mentioned that a meeting was held with Payne & Dolan, Ruekert & Mielke, D. Hall and Trustee J. Moravec on Nov.18th to review the street projects and invoices.

N. Oakridge Drive – Village marked the driveway approaches with a 4" raise. No measurements were taken or staked out prior to beginning the project. The Village will review driveway approaches in the spring. Total requested for payment is \$192,724.23, which is a little less than the original quote due to items which were not needed. Completion date was October 10, 2014 and should have been September 26, 2014. Village Board stopped project for the 5 days over Harvest Fest. Project was a net 5 days late which results in a \$3,750.00 penalty. Recommended payment is \$188,974.23.

Motion by D. Hall, seconded by D. Samuels, to approve the N. Oakridge Drive Road Program payment of \$188, 974.23 to Payne & Dolan, Inc. which is determined by taking the original invoice amount of \$192,724.23 less the late penalty of \$3,750.00. Motioned carried.

Village Clerk may issue check to Payne & Dolan, Inc. on Friday, December 12, 2014 if accepted and all information is provided, as requested.

Harrison Street – D. Hall stated that the total invoice request for Harrison Street was \$85,185.35. The planned completion date for Harrison Street was September 5, 2014 but actual completion date was October 10, 2014. The original quote was for \$138,105.00 so the request is \$52,919.65 less from the original contract amount due to credits for the pavedrain blocks and other work which was not completed. It was determined at the meeting with the contractor and Village Engineers that the drainage will not change along Harrison Street due to the height of the street. Drainage was not addressed in the bid specs to change anything on the east side of Harrison Street. Trustee J. Moravec recalled that Payne & Dolan was going to address the flares on several of the driveways which were not flared properly to accommodate a turn into the driveway. Payne & Dolan was going to provide a quote to repair the driveway approaches. D. Hall suggested that a contingency fund be withheld and established until the project is fully completed.

The Finance & Personnel Committee is recommending the following payment:

\$85,185.35	Invoice from Payne & Dolan, Inc. for Harrison Street
\$(7,500.00)	Net 20 days late but only charged penalty for 10 days @ \$750/day.
\$(8,500.00)	10% reduction for not completing project to specs by grade and flares.
\$(1,451.62)	S. Christenson claim regarding vehicle damage.
<u>\$(609.00)</u>	Engineering survey work which had to be redone.
\$67,124.73	Balance to pay Payne & Dolan, Inc.

(Trustee J. Moravec left at 9:05 p.m.)

Motion by D. Hall seconded by D. Samuels, to approve payment of \$67,124.73 to Payne & Dolan, Inc. for the reconstruction of Harrison Street which is broken out as follows:

\$85,185.35	Invoice from Payne & Dolan, Inc. for Harrison Street
\$(7,500.00)	Net 20 days late but only charged penalty for 10 days @ \$750/day.
\$(8,500.00)	10% reduction for not completing project to specs.
\$(1,451.62)	S. Christenson claim regarding vehicle damage.
<u>\$(609.00)</u>	Engineering survey work which had to be redone.
\$67,124.73	Balance to pay Payne & Dolan, Inc.

This is the final amount with no further expectations from Payne & Dolan, Inc. to modify Harrison Street.
Motion carried.

D. Hall will contact Payne & Dolan, Inc. on Friday to get a final sign-off from them before either check is provided by the Village for the 2014 Road Program.

Procedure relating to Village fuel usage – D. Samuels has contacted Waukesha County to determine if they would consider selling fuel to the Police Dept., Fire Dept. and Department of Public Works at their substation in North Prairie. The pumps are available 24 hours each day and have a generator back-up in the case of electrical failure. Cards would be based by department for each vehicle.

Motion by D. Samuels, seconded by A. Pellegrino, to authorize the purchase of fuel from Waukesha County beginning January 15, 2015. No contract is required. Motion carried.

REPORTS: Building Inspector, Fire, Police and Public Works Department reports were filed for the record.

Motion by A. Pellegrino, seconded by D. Hall, to adjourn at 9:20 p.m. Motion carried unanimously.

Respectfully submitted,

Rhoda Bagley
Village Clerk/Treasurer