

**Village Board Meeting Minutes**  
January 8<sup>th</sup>, 2024

- 1) Call to Order and Roll Call. – *President Laux called the meeting to order at 6:30 pm with roll call:*

***Present:***

*Bob Benz  
Amy Brandt  
Tony Genisot  
Tom Herrmann  
Joyce Laux  
Kathy Salo  
Jesee Troestler*

***Absent:***

*None  
**Others Present:**  
Nick Halbach, Clerk-Treasurer  
Bruce Genskow, Utility Operator-In-Charge  
Sadie Slotke, Deputy Clerk (virtual)  
Mike Kaster, Cedar Corp.  
Devin Plate, MCO*

- 2) Pledge of Allegiance. – *Recited.*
- 3) Approval of the Agenda. – ***Benz moved to approve the agenda. Salo seconded. Laux requested to move item 11 a. to after citizen comments. Benz and Salo agreed. Motion carried without dissent with the changed as requested by Laux.***
- 4) Approval of Minutes: Dec. 11. – ***Benz moved to approve the 12-11-23 Minutes. Salo seconded. Motion carried without dissent.***
- 5) Registered Citizen Comments on Agenda Items.

*Susan Beula*

*W4857 Spring Hill Drive*

*Re item 11 a.*

*Beula commended the people who wrote letters to the board, and advised the Village Board to not gloss over their concerns as she expressed her desire for the direct legislation petition to go to a referendum.*

*Trustee Troestler noted for the audience the Village Board has consistently noted they will be voting for the petition to go to referendum. He expressed frustration at the article published in the Times Villager as he felt it disparaged the board and led people to believe the board would circumvent the process. Trustee Genisot added it would be foolish to go above the previous referendum's results without going to another referendum.*

*In responding to a question from Trustee Herrmann, resident John Sharer noted that a four-person majority of the board has the authority to approve the petition if they so desire. Sharer noted he understands Troestler's previous comments regarding the board's desire, but noted how could the board know what would formally be in the petition as it was only presented to them on January 5<sup>th</sup>. Troestler noted he only brought the idea of the board creating their own ordinance to the board in October as an idea to have the board be in control of the rules and regulations instead of being at the liberty of the legislation proposed by the petitioners.*

Brian Hale

W5288 Arbor Vitae Court

Re item 11 a.

Hale noted he reached out to a contact at Sentry Insurance in Stevens Point as they host a large golf tournament every year, while also being actively involved in the insurance industry. He noted their golf carts utilize GPS technology to allow the course managers to mandate where someone can drive any of their golf carts. Hale added the goal of insurance is to eliminate risk, while protecting property and people. He continued to question what the benefit would be to residents who do not own a golf cart, as well as questioning some of the unaddressed items in the petition. Hale noted the language proposed did not address liability or open alcohol, while also questioning who would be responsible for inspecting each golf cart as noted in the petition.

Lisa Ott

N7897 Mustang Drive

Re items 11 a, c.

Ott commented she loves the monthly billing for her family as most of her bills are monthly. She noted with more automation, she believes more residents will prefer monthly. Ott also noted she would like to see the golf cart decision be made by a referendum, and advocated for Trustee Troestler to abstain in the official vote.

Tom Doughman

W4816 Spring Hill Drive

Re item 11 a.

Doughman noted he appreciated the conversation the board is having with residents regarding their desire to go to referendum. He added he understands that the board has their hands tied with the direct legislation, and commented they have a thankless job in this scenario.

6) Report of the Plan Commission (Jan. 2)

A. *Comprehensive Plan Update.*

*Clerk-Treasurer Halbach explained the Plan Commission will be holding a public hearing at their January 16<sup>th</sup> special meeting before coming to the Village Board at their next meeting.*

B. CSM #2024-01; Combine 10ft from neighbor parcel to accommodate driveway setback as well as combine small rear parcel to primary parcel (Tax ID #13931).

***Benz moved to approve CSM #2024-01. Troestler seconded. Motion carried without dissent.***

C. *Shed Request:* Request to place shed on vacant lot zoned C1.

*Halbach noted the request for a shed to be placed on a commercially zoned property was denied as there currently is no primary structure on the property.*

D. *Proposal for Power and Equipment Retail Store.* Request approval for reduction in required parking spaces.

*Halbach noted the business owner had initially requested having fewer than the minimum parking spaces as mandated by the zoning code, but had amended their plans to include four more parking spaces on their drawings. Trustee Herrmann added the Village Board has nothing to approve for this project as it would have typically been handled by the zoning administrator, but the topic is part of the report as staff had requested the Plan Commission to hear the discussion about reducing the number of parking spaces.*

*Halbach added, Commissioner Brad Schmidt reviewed the entirety of the plans submitted, as well as Engineer Kaster from Cedar Corp to help staff move the process along. Architect Jeremy Wessner noted he would suggest the Village update their commercial codes as there was very little to go off when trying to read through the Village's existing code.*

E. *Spring Hill Drive Trail Creation.*

*Trustee Troestler noted he brought this topic to the Plan Commission to gauge interest as it would be impossible to build a trail along the current road and ditch on Spring Hill Drive without cooperation of the golf course. He noted there will be lots of digging to be completed at the golf course with the condos being built, and indicated the dirt could be used to build a berm to protect a potential trail. Troestler commented he is trying to be part of the solution if boards are interesting in making a trail in that location a high priority.*

F. *Phosphorous Reduction (Troestler). Potential to use HCGC pond system.*

*Troestler noted due to EPA requirements, the Village will need to be adding stormwater ponds to their system in the near future. He noted the potential re-addition of the butterfly pond was turned down by the DNR, but suggested having future ponds that he would like to construct on the golf course to be certified as stormwater ponds. Halbach noted he will send a formal email to Nick Vande Hey of McMahan to get Troestler in contact with the Village's stormwater engineer to determine the feasibility of Troestler's idea.*

G. *Rezoning Petition #2024-01; Consider request to rezone Sherwood Forest Clubhouse from IR-2 to C1 (Genisot).*

*Halbach noted the Plan Commission recommended approval of the rezoning petition for the former Sherwood Forest Clubhouse, but the public hearing is scheduled for the January 22<sup>nd</sup> Village Board meeting. After the public hearing, the board will have the opportunity to approve the rezoning petition.*

7) Report of Village Officers.

A. Village President.

B. Fox Cities Area Room Tax Commissioner.

C. Clerk/Treasurer.

- i. *Consent Agenda (Financials).*

***Benz moved to approve the financials as presented. Salo seconded. Motion carried without dissent.***

*Clerk-Treasurer Halbach noted there will be no primary election for any race on the April ballot, which means there is no election on February 20<sup>th</sup>. He noted there are five candidates on the ballot for Village Trustee, incumbents Kathy Salo and Tony Genisot, and challengers Tyler Moore, Michelle Micelli, and Steve Ransbottom.*

- 8) Engineer and/or Utility Operator.

- A. *MCO Summary.*

*Utility Operator-in-Charge Genskow noted page 23 of the packet is a new form MCO will be providing at Village Board meetings to present a more detailed summary of what they are working on. He noted the Village is currently losing 10,000 to 15,000 gallons per day as they have been religiously listening to hydrants and valves to see if the leak is within the above ground infrastructure. Genskow noted it is highly likely the leaks are in the pipping in the upper section.*

*Genskow noted monthly billing has helped determining water loss reading on a consistent basis as each home is now being read monthly instead of once per quarter. He added the current rate of loss is at 16.6%, but with this latest leak he previously described, that could be on the rise. When asked by Trustee Herrmann if there was a difference in monthly versus quarterly billing from a MCO logistical standpoint, Genskow noted it takes about four hours to read all the meters in the Village. He also noted MCO could still read the meters each month even if the billing went back to quarterly.*

*Genskow noted he had compiled all the local businesses MSDS sheets in regards to the toxicity report from the September toxic flow at the treatment plant. He added a letter has been sent to each business as a reminder, and a statement will be included in the newsletter to prevent another toxic flow. Genskow also mentioned the MCO crew built a shelf for the treatment plant as they need to better organize the space they have available to them.*

*Genskow noted televising has started for mains and laterals along County M in the event they are needed to the upcoming road project. He also mentioned the windswept lift station pump was installed, and he will be getting bids for the other pump. Herrmann noted he had no preference if Genskow worked with him or Crane for the pump, but reminded Genskow and the board his desire to have all of the pumps compatible with the incoming technology at the treatment plant. Genskow noted he put new siding on the Robinhood lift station as none of his vendors wanted to submit a quote to do the work. He noted the structure needs to survive five more years until it is formally upgraded as part of phase two of the wastewater treatment facility project.*

B. *Midwest Meter Memo.*

*Genskow noted the Village started taking out brass meters due to lead concerns ten years ago, and all meters taken out are tested for their quality. He noted the meters that have been installed for the last ten years have a plastic base with a disc meter. This year, the rate of failure of the meters removed from homes was way too high compared to normal due to low water flow. Genskow noted the solution proposed by MCO and Midwest Meter is to take out the disc meter and replace them with mag meters with cell heads, similar to what the City of Appleton has in their system to eliminate the failure rate. He added the meters proposed were already in the budget, but Midwest Meter would be replacing the existing meter stock that would cost an extra \$3,000 in 2024.*

C. *WWTP Internet Memo.*

*Genskow reported one of the current items he is working on is upgrading the internet at the treatment plant as TDS has gone out on them multiple times recently. He added Starlink would cost \$140 per month with an upfront cost of \$600 while Verizon would be \$99 per month with an upfront cost of \$349.*

***Salo moved to approve Verizon as recommended. Herrmann seconded. Motion carried without dissent.***

D. *Monthly Report (MCO; Nov. 2023).*

E. *Phragmites Survey (McMahon; Dec. 2023)*

F. *Clean Water Fund Ranking List.*

*Engineer Kaster noted the Village did not receive any principal forgiveness for their Clean Water Fund loan, but added the interest rate will be 55% below the market rate at time of issuance, which is currently 2.2%. Herrmann noted the WWTP sub-committee should get together before Cedar sends the project out to bid. Kaster agreed, noting the timeline currently projects the project to go out to bid in late February. He added the sub-committee meeting will likely take place two weeks before the project goes out to bid.*

9) Administrator.

A. *Request attendance at public hearing to oppose “Urban Town” self-designations (League of Municipalities; Dec. 2023).*

*Clerk-Treasurer Halbach explained the league of Wisconsin municipalities put out a memo to all municipalities in regards to a public hearing being held on January 10<sup>th</sup>, discussing the classifications and rules behind a new “urban town” designation. President Laux added it will be important to keep an eye on the potential legislation, but it would not be imperative for a board member to travel to Madison to attend the public hearing. Halbach noted none of the municipalities that could identify as an “urban town” were in Calumet County, but the Town*

*of Buchanan and Town of Grand Chute are regional examples of communities the proposed legislature would apply to.*

B. *CTY B Road Project:* Virtual Local Officials Meeting January 30<sup>th</sup> (Calumet County, Jan 4).

*Laux noted she had previously asked Engineer Majkowski about the regulations for parking close to an intersection on a county road as she frequently sees vehicles parked practically on the corner of County B and WIS 55/114. Engineer Kaster noted he will reach out to Majkowski and have a response at the next meeting. Trustee Herrmann questioned if the 300 feet of County B that are in the Village also need the upgrade as the proposed project stops at the Village limits. Kaster noted he will reach out to the county to see if they have any interest as the Village could pair that project with County M as both projects are scheduled to take place in 2026.*

10) Old Business:

A. *Community Sign:* Need to finalize location.

*Trustee Herrmann noted there would likely need to be an easement letter drafted of some form to properly spell out the location of the sign as agreed upon with the bank. Clerk-Treasurer Halbach noted he has meeting scheduled with the bank to discuss this topic as well as ACH for utility billing where he can determine exactly what the bank wants, and the Village Board can move forward from there.*

*Halbach noted the end goal for the ACH process is to allow residents to set up their banking information with the Village and the State Bank of Chilton to allow for automatic withdrawals each month for utility payments with no transaction fee, while also providing the PSN service for credit cards and customers who desire to pay online, but not have automatic withdrawals from their bank accounts.*

B. *High Cliff State Park Culvert Replacement:* Update from Trustee Herrmann.

*Herrmann noted he met with Jay Vosters of the DNR to discuss the upcoming culvert replacement project in the marina at High Cliff State Park. He mentioned they discussed the DNR's responsibilities for removing existing boulders and replacing them after the project. Herrmann added the DNR is responsible for detour signage, and any damages to the roadway throughout the project's duration. He also noted the Lower Cliff Road and Pigeon Road intersection would be receiving stop signs during the project.*

*Trustee Benz noted he has been reaching out to residents of the Lower Cliff neighborhood to gauge their opinions on the upcoming project, and he noted they were hoping for a better alternative than what was proposed. He added the residents closer to the project's location obviously have some concerns with the increased traffic that will be taking place in that area. Benz noted when the state park initially closed off the lower park road entrance, the homeowners voted 7-6 to allow the state park to close the entrance.*

*Herrmann noted the DNR plans on having signage to direct all non-marina traffic to the main entrance of the park. He also noted he would be willing to draft a letter to the DNR to get answers to some of Benz's specific questions regarding the construction traffic and garbage trucks. Herrmann also mentioned he would be willing to meet with residents as well to keep the line of communication open with the DNR. Benz added the residents are happy the project was pushed back to after labor day, but he would like to see some of the resident's concerns addressed in advance of the project.*

11) New Business:

- A. *Direct Legislation Petition:* Chapter 20 Article 5 amendment of the Sherwood Municipal Code to allow the operation of golf carts on Village streets.

***Herrmann moved to not approve the ordinance via direct legislation, and to go to a referendum. Salo seconded.***

*Clerk-Treasurer Halbach noted if the motion carried, the direct legislation would go to a referendum.*

***Motion carried 6-0-1. Troestler – Abstain.***

- B. *Delinquent Utility Accounts.*

*President Laux noted she investigated on the PSC's website in regards to the parameters of shutting off resident's water service if they are over 90 day delinquent in their payments. She noted the PSC suspended shut offs in 2020 due to COVID-19, but the Village never reinstated the notices and shut offs to those over 90 days delinquent. She advised staff to prepare 45 day notices as required to have residents with delinquencies pay by April.*

- C. *Consider Returning to Quarterly Utility Billing.*

*Vice President Salo suggested giving the monthly billing cycles time as the Village only switch over in July of 2023. Trustee Troestler opined the added expense to prepare all of the bills once a month instead of once every three months is detrimental as postage alone costs an extra \$2500 per year with monthly billing instead of quarterly.*

*Trustee Herrmann noted the Board decided to switch to monthly billing for a few different reasons, including reducing the amount of significantly large bills placed on homeowners with leaks, as well as alleviating the burden of paying a higher rate for the wastewater treatment plant expansion project. He added it doesn't make a difference to him personally whether or not its monthly or quarterly, but noted he would rather not pull the plug on monthly just for the sake of doing it.*

*Operator Plate noted the meters retain the history for each property, however MCO won't know until they read each meter whether or not there is an issue with high usage. He added that until each meter has a cellular head, MCO would have to read the meter in order to get*

*the data. Plate and Genskow added there are only four cellular meters in the system currently.*

*Laux and Salo suggested revisiting after ACH is implemented to see if there is still interest in moving back to quarterly. Trustee Genisot reminded the audience that the Board is mandated by the DNR to upgrade the Wastewater Treatment Plant, which is the reason behind the increase in utility costs for homeowners.*

D. *Designate Emergency Manager (Sorenson; Dec. 29).*

***Salo nominated Laux to be the emergency contact. Benz seconded. Motion carried without dissent. Laux – Abstain.***

E. *Request for “Sherwood Business” section in Village Newsletter (Troestler; Dec. 2023).*

*Salo noted she had previously talked about reinstating a brochure for local businesses as the Village previously had advertised to residents. She added typically the Village does not include for profit businesses in the newsletter. Troestler noted he was looking for a way to inform more resident about events put on by local businesses and figured the newsletter would be a logical place. Trustee Benz added the Fox Cities Convention Bureau is looking for information to give out regarding Sherwood. Benz also suggested having some guidelines for local businesses to be included in the newsletter would helpful. Herrmann noted the church has entered a separate page into a newsletter before at their cost. Salo mentioned the Village did have a small business committee at one time, and suggested reaching out to Bob Gillespie for his advice. Troestler noted the main goal for the Village should be to help promote their businesses.*

12) **Complaints & Compliments:**

*Vice President Salo noted she had both a compliment and a complaint from her experience driving on Stommel Road this past week as the new speed sign works well, but she was passed on her way southbound going home. She inquired if the Village needed to stripe the road to better indicate that drivers cannot pass other vehicles on Stommel Road in the Village. Engineer Kaster noted the determination to stripe a road is usually determined on traffic count.*

13) **Correspondences:**

A. *Monthly Activity Report (Harrison Fire/Rescue; Nov.).*

B. *Monthly Activity Report (Calumet County Sheriff; Nov.).*

C. *Comprehensive Plan Amendment—Public Hearing (Village of Harrison; Dec. 19).*

D. *Golf Carts on City Streets (Podlecki, Buck, Farrell, Paradiso, Weber, Hoppe, Solberg, Hauser, Zenisek, Deprez, McKay, Moburg, Peter, Adler, Paradiso, Hargarten, Ashenbrenner, Kirschling, Niland).*



14) Action Items.

15) *Closed Session: (Personnel discussion)* Per Wis. Stats. §19.85(1)(c), the Village Board may move to a Closed Session when considering employment, promotion, compensation, or performance evaluation data of any public employee(s) over which the governmental body has jurisdiction or exercises responsibility.

***Salo moved to enter closed session at 9:34 pm. Troestler seconded. Motion carried without dissent.***

16) *Open Session:* The Board may take action on any item listed in Closed Session.

***Herrmann moved to enter open session at 10:36 pm. Salo seconded. Motion carried without dissent.***

17) Adjournment.

***Brandt moved to adjourn at 10:37 pm. Herrmann seconded. Motion carried without dissent.***

*Respectfully submitted for review and approval by Nick Halbach, Clerk-Treasurer.*