

**Village Board Meeting Minutes**  
Monday, May 13<sup>th</sup>, 2024

- 1) Call to Order and Roll Call.—*President Laux called the meeting to order at 6:32 with roll call:*

**Present:**

*Bob Benz  
Amy Brandt (Virtual)  
Tony Genisot  
Tom Herrmann  
Joyce Laux  
Kathy Salo*

**Absent:**

*Tyler Moore (excused)*

**Others Present:**

*Diane Wessel, Interim-Administrator  
Sadie Slotke, Deputy Clerk (virtual)  
Bruce Genskow, Utility Operator-In-Charge  
Mike Kaster, Cedar Corp.*

- 2) Pledge of Allegiance. – *Recited.*

- 3) Approval of the Agenda.

***Salo moved to approve the agenda. Benz seconded.***

*Laux removed item 11b from the agenda. Herrmann doesn't think item 11a is an actionable item, and would like to see Old Business and New Business each have a separate section for action items and discussion-only items. This will be discussed further with item 10b: Rules of the Village Board.*

***Motion carried 5-1. Herrmann—Nay.***

- 4) Consent Agenda: All items will be approved in one motion. If discussion is desired by members, that item will be removed from the consent agenda and discussed separately immediately after consent agenda approval.
- a. Approval of the Bills
  - b. Approval of Village Board Minutes: *April 22<sup>nd</sup> (Organizational and Regular Meeting), May 6<sup>th</sup> (Special Meeting).*
  - c. Accept Report of Committees and Commissions: *Community Development Authority and Plan Commission.*
  - d. Treasurer's Report
  - e. *Operator's License: None.*
  - f. *Appointments: None.*
  - g. *Correspondence:*
    - *Calumet County Sherriff's Report (April)*
    - *Recycling Grant Award (WI DNR).*
    - *Harrison Fire Rescue 2023 Annual Report.*
    - *Harrison Fire Rescue April Activity Report.*
    - *Harrison Fire Rescue Incident Report (February 2024).*
    - *Harrison Fire Rescue Incident Report (March 2024).*
  - h. *Other Routine, Non-Controversial Items.*
    - *MCO Summary*
    - *Board of Review Notice*

***Benz moved to approve Consent Agenda. Herrmann seconded. Motion carried without dissent.***

5) Registered Citizen Comments on Agenda Items.

Dave Buela                      W4857 Spring Hill Drive.                      Re: Item 11a.

*Buela discussed the outcomes of the September 2022 and April 2024 Direct Legislation Referendums. He supports action to reflect the large margin of residents who don't want Recreation Vehicles on Village roads.*

Roger Kaas                      W4840 Escarpment Terr.                      Re: Item 10a.

*Kaas supports maintaining the CDA until the new Administrator is on board and can evaluate the workload and operations of the role. The CDA screens potential developers, and needs clear direction from the Village Board as to what is desired.*

Jason Terry                      Baraboo, WI                      Re: Item 11f.

*Terry works for MSA, and didn't provide a proposal for Utility Operations because the denial of a tour of the WWTP. If the VB changes their decision, MSA would be interested in submitting a proposal.*

Stephanie Potter                      Baraboo, WI                      Re: Item 11d.

*Potter works for MSA and submitted a proposal for building inspection services. She is available to answer any questions regarding the proposal.*

John Sharer                      W5011 Cherrywood Drive                      Re: Item 11a.

*Wanted to initiate a discussion regarding the need for ordinances to be reviewed/updated to reflect the recent referendum results.*

Todd Mielke                      W5018 Cherrywood Drive                      Re: Item 11a.

*Mielke wanted to clarify that Low-Speed Vehicles (LSV) are licensed and registered with the DOT, and are street legal on roads that are 35mph or less.*

6) Presentations (No Action): *None.*

7) Report of Village Officers (No Action).

a. Village President.—*President Laux noted that she accepted Nick Halbach's resignation as Clerk/Treasurer with last Friday being his last day.*

b. Clerk/Treasurer.—*None.*

c. Fox Cities Area Room Tax Commissioner.—None.

8) Engineer and/or Utility Operator (No Action).

*Kaster gave update on road projects, noting construction on State Park Road will begin later this week, followed by Natures Way Drive and Spring Court. All road construction is scheduled to be finished by middle of June. Herrmann questioned progress on updated ordinance regarding concrete aprons in ROW. Kaster understood that the current project was approved to allow concrete aprons as discussed at the previous VB meeting. Wessel clarified that an updated ordinance will be written and provided at an upcoming Village Board meeting. Kaster mentioned the WWTP project is out for bids, with bid opening on May 30.*

9) Staff Reports (No Action)

a. Administrator Report.

10) Old Business (Action):

a. *Ordinance #2024-02: An ordinance repealing Chapter 1 Article V of the Municipal Code of Ordinances for the Village of Sherwood, thereby dissolving the Community Development Authority.*

*Wessel provided background on this topic which is currently up for re-consideration after voting to defer until a new administrator is hired. She talked to three other municipalities regarding their CDAs, with one having formally disbanded their CDA, one hasn't disbanded but CDA isn't active, and one that has an active CDA. Genisot explained that the Village lost three developers last year due to the slow progress of moving through the CDA, and then they would still have to go through the VB. The two trustees who are on the CDA both agree that in order to streamline the development process, the CDA should be disbanded. Genisot said we can't keep the same process and expect different results. Salo re-iterated that this decision shouldn't be made until a new administrator is hired. Herrmann agreed that it would be bold to disband the CDA with the current staffing issues. Brandt favors disbanding now, and creating a sub-committee as needed in the future.*

***Herrmann moved to defer action until a new administrator is in place. Salo seconded. Roll call vote: Benz—nay; Brandt—nay; Genisot—nay; Herrmann—aye; Laux—aye; Salo—aye; Moore—absent. Motion failed.***

***Genisot moved to approve Ordinance #2024-02 repealing Chapter 1 Article V of the Municipal Code of Ordinances for the Village of Sherwood, thereby dissolving the Community Development Authority. Brandt seconded.***

***Roll call vote: Benz—nay; Brandt—aye; Genisot—aye; Herrmann—nay; Laux—aye; Salo—nay; Moore—absent. Motion failed.***

- b. *Rules of the Village Board: Consider Approval.*

***Benz moved to approve. Salo seconded.***

*Herrmann would like to have Old Business and New Business each have a section for “actionable” items and “discussion-only” items. Wessel explained that the board already approved the update of the ordinance for the order of business and staff can indicate in the staff report whether each item is for action or discussion.*

***Benz amended his original motion to include the differentiation of action and discussion items under old and new business. Salo seconded. Motion carried without dissent.***

11) New Business (Action):

- a. *Village Code and Prohibition of Recreational Vehicles on Village Streets (Sharer).*

*Salo clarified that this topic is intended for discussion. Herrmann reminded everyone that the Village attorney provided a legal opinion in 2023 that the current village code disallows recreation vehicles on village streets. He doesn’t believe the village should spend tax dollars for additional legal fees to review this topic again. Benz requested Sharer share his opinion on why he requested this be discussed again. Sharer would like golf carts/ATVs/UTVs/snowmobiles specifically mentioned in the ordinance as not allowed on village streets to clarify this topic.*

***Benz moved to instruct staff to research/review the need for updated language regarding the use of recreational vehicles and to bring for future agenda item. Salo seconded.***

***Motion failed 3-3. Nay: Brandt, Herrmann, and Genisot.***

- b. *Ordinance #2024-06: An ordinance amending the Village of Sherwood sign ordinance to allow temporary governmental signs. **This agenda item was removed at the approval of agenda.***
- c. *Enforcement of Ordinances.*

*Wessel gave background, explaining she couldn’t find a process for ordinance enforcement. After discussion at Plan Commission, they recommend having the Sheriff’s department issue citations after village staff do the background work and contact residents to notify about violations. Wessel explained that Herrmann and Kaas voted no at the plan commission because they wanted a documented escalation process. She has received several complaints regarding public nuisances, will do investigation to confirm violations and then will send violation notices. Wessel reiterated that her concern is if there is a written policy, it can tie staff’s hands if an issue needs to be addressed in a quicker manner. Wessel is recommending a zoning code audit to identify areas that need updates. This will be discussed further at the Plan Commission.*

***Salo moved to approve Calumet County Sheriff's Department to issue citations. Benz seconded. Motion carried 4-2. Nay: Herrmann and Genisot.***

d. *Building Inspection Proposals.*

*Received one complete proposal and one without a fee schedule. Current inspector didn't submit bid. Wessel said current inspector doesn't have commercial inspection license, but he seemed interested in submitting proposal in conjunction with a local commercial inspector, but ultimately didn't submit a proposal.*

***Herrmann moved to direct staff to reissue the RFP, talk to current provider to gauge his interest, and request fee schedule from bidder who omitted it. Genisot seconded. Motion carried without dissent.***

e. *Assessment Services Proposals.*

*Wessel said only one proposal was received, and nothing from current provider. RFP was posted on League of WI Municipalities, but wasn't sent directly to current provider.*

***Genisot moved to direct staff to re-issue the request for proposals for assessment services and talk with current provider. Benz seconded. Motion carried without dissent.***

f. *Utility Operation Proposals.*

*Wessel said we received proposal from MCO, which is current provider. Two other providers declined to submit a bid due to the boards denial of a site visit at the WWTP.*

***Salo moved to reissue RFP and arrange for the opportunity for site visits. Laux seconded. Roll call vote: Benz—aye; Brandt—aye; Genisot—nay; Herrmann—nay; Laux—nay; Salo—aye; Moore—absent. Motion failed 3-3.***

***Benz moved to select proposal from MCO and authorize staff to enter into contract. Herrmann seconded.***

***Roll call vote: Benz—aye; Brandt—aye; Genisot—aye; Herrmann—aye; Laux—aye; Salo—aye; Moore—absent. Motion carried without dissent.***

12) Matters to be placed on next agenda.

a. *Presentation by Manny Vasquez, VP Business Development at Pfefferle (Business Recruitment/Site Selectors).*

*Genisot would like this presentation to go to CDA, and invite VB trustees to attend the presentation.*

b. *Fox Cities MPO redesignation – Resolution of Support (Redesignation required to continue as MPO and direct local transportation funds).*

- c. *Authorizing Resolution – Urban Forestry/Catastrophic Storm grant programs (Authorizes the Village to apply for forestry grants from DNR).*
- d. *Ordinance #2024-07: An ordinance to allow for concrete driveways in rural settings with adding verbiage that indicated if the Village constructs or tears out a resident’s apron, they are responsible for the replacement at the current asphalt rate, and the homeowner would be responsible for replacing the concrete at their expense.*
- e. *Consider change to PTO Structure.*
- f. *Carryover of Vacation Days.*
- g. *Health Insurance Opt-Out.*
- h. *State and Local Cybersecurity Grant Program.*
- i. *Mailbox Replacement Policy*

- 13) Closed Session: *(Administrator and Clerk-Treasurer Candidates Review)* 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.

***Benz moved to go into closed session at 8:16pm. Salo seconded. Motion carried without dissent.***

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

***Herrman moved to return to open session at 9:34pm. Benz seconded. Motion carried without dissent.***

***Benz moved to authorize staff to seek temporary administrative office staff to cover the office while we look to fill positions. Herrmann seconded. Motion carried without dissent.***

- 15) Adjournment.

***Herrman moved to adjourn at 9:37pm. Benz seconded. Motion carried without dissent.***

*Respectfully submitted for review and approval by Sadie Slotke, Deputy Clerk.*