

Village Board Meeting Minutes
Monday, June 10, 2024

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

Present:

Bob Benz
Amy Brandt
Tony Genisot
Tom Herrmann
Joyce Laux
Kathy Salo
Tyler Moore

Absent:

None

Others Present:

Diane Wessel, Interim-Administrator
Sadie Slotke, Clerk/Treasurer
Devin Plate, MCO
Mike Kaster, Cedar Corp.

2) Pledge of Allegiance.—*Recited.*

3) Approval of the Agenda.

Benz moved to approve the agenda. Salo seconded. Motion carried without dissent.

- 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: *May 28 and June 5 (both were special meetings).*
 - c. Accept Report of Committees and Commissions: *Plan Commission.*
 - d. Treasurer's Report.
 - e. Operator's Licenses.
 - f. Appointments: *None.*
 - g. Correspondence:
 - *Calumet County Sherriff's Report (May)*
 - h. Other Routine, Non-Controversial Items.
 - *MCO Summary*

Benz moved to approve the consent agenda. Salo seconded. Herrmann requested item 4c and 4e. be removed from consent agenda for discussion. Benz amended the motion to approve a, b, d, and f-h of the consent agenda. Motion carried without dissent.

Herrmann clarified that regarding item 4c, the Plan Commission would like to invite Jason Pausma to the July Plan Commission meeting to discuss the Brownfield Grant. Wessel stated that she has already talked to Pausma, and thinks the August PC meeting would be preferable so the new administrator would be present.

Regarding item 4e, Herrmann wanted to know if all operator's licenses are renewals. Slotke clarified some are renewals, some are new applicants. Benz voiced concern regarding the applicant who was charged with furnishing alcohol to a minor in 2023. Slotke explained that the owner of 114

Bar had the Sheriff's Dept. come and do a staff training after this incident. Salo stated that in the past, after a different establishment had served alcohol to a minor, they did training with the Sheriff's Dept, and have not had a recurrence. Salo feels comfortable approving the operator's license knowing they had additional training after the incident.

Herrmann moved to approve c and e of the consent agenda. Benz seconded. Motion carried without dissent.

5) Registered Citizen Comments on Agenda Items.—*None.*

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

7) Report of Village Officers (No Action).

a. Village President.—*Laux welcomed Slotke as the new Clerk/Treasurer, which will be made official under new business.*

b. Clerk/Treasurer.—*Slotke gave a reminder of the Board of Review meeting on June 20 from 5pm-7pm, and she has completed the annual training requirement.*

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

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

Kaster was present and explained that the paving on State Park Road and Natures Way Drive were completed today. Spring court will be paved later this week. Shouldering will be completed in the next couple weeks.

The bids for the WWTP came in \$1.5 million higher than expected, so they are reviewing the bids and may consider re-bidding the project. This determination will be presented at the next VB meeting. Cedar Corp. will dig into the variance and their staff report will explain where it stems from. Herrmann requested a subcommittee meeting prior to the info being presented to the Village Board.

9) Staff Reports (No Action)

a. Administrator Report.—*Nothing additional beyond the staff reports included in the packet. Herrmann questioned whether the attorney has been getting back to her, specifically regarding the issue where residents are encroaching on Village-owned property with extensive landscaping. Wessel explained that she wanted to discuss with the Plan Commission because the land is designated for a trail, but it is too wet to be used as a trail. Herrmann thinks it should be reviewed at the VB level because the encroachment is a violation and there have been several resident complaints. This item will be placed on the next VB agenda. Wessel then explained that she has been having a hard time getting a response from the attorney on several items. Herrmann would like to discuss the lack of attorney response after the new administrator is in place.*

10) Old Business (Action):

a. Building Inspection Services.

This RFP was re-issued at the direction of the board. Current building inspector provided a written request to continue providing residential building inspection services to Sherwood at the current split of inspection fees of 80% to him and 20% staying with the Village.

McMahon didn't respond to a request to provide a fee schedule. MSA withdrew their proposal. Safebuilt provided a proposal for residential and commercial inspection with a minimum of 4 hours per week at a rate of \$105/hour, with set office hours each week. Wessel advised the current fee schedule should be reviewed to ensure the Village isn't missing out on revenue. Wessel also mentioned that the current building inspector only does permitted work, while the proposal from Safebuilt includes availability to assist with non-permitted work. Genisot would like to ask current inspector if he is willing to provide non-permitted work at a set rate so the proposals would be more comparable.

Answering a question from Genisot, Wessel explained that typically, a building inspector would verify setback requirements are met for permitted work rather than the Village/Zoning Administrator.

Benz expressed concerns with the cost for the inspection services, plus potentially add on of additional zoning duties. He would like a deeper look at the cost and how it would fit in the budget. Wessel said the 4 hours per week could be used for "add-on" services such as zoning. Salo stated that Paul Hermes was appointed as building inspector for 2024, and asked if MSA would be willing to provide a proposal comparable to the Safebuilt proposal. Laux stated there can be additional discussion during the budget process.

Herrmann would like further discussion with Paul Hermes to find out if he could provide additional services, and at what cost. He would also like the new administrator involved in this conversation/decision.

b. Transfer of Property from CDA to Village of Sherwood.

Benz moved to transfer the CDA titled property to the Village and refer the quitclaim deed to the CDA for signature. Herrmann seconded. Motion carried without dissent.

11) New Business (Action):

a. Appointment of Clerk/Treasurer.

Benz moved to appoint Sadie Slotke as Clerk/Treasurer. Salo seconded. Motion carried without dissent.

b. Driveway Request (Genisot).

Wessel explained that village ordinance 5-7 B allow the Village Board to approve a second driveway when considering safety, convenience and utility of the street. Genisot left his position at the board table to discuss this item as a resident. He explained the culvert under the old golf cart path failed, causing flooding. He applied for a culvert permit at the village office and replaced the culvert. Herrmann clarified that the work was complete prior to permit approval. Herrmann also discussed that the cart path was allowed to remain during his home construction until his new driveway was constructed, at which time the cart path was to be removed. There was further discussion on the layout of his property, the definition of a driveway, examples of other parcels in Sherwood with 2 driveways, and the reasons Genisot would like the second driveway to be officially approved including ease of backing trailers and the uniqueness of the property with 10+ acres with the house setback being farther than normal from the road. Genisot doesn't plan to pave the cart path.

Herrmann and Laux voiced concerned with setting a precedent, and Herrmann reiterated that the cart path was intended to be removed after new driveway to the new house was complete. Wessel also explained that the golf cart path was the first "driveway" on the property, and the new driveway would be considered a second driveway and was permitted/approved with the new construction permit.

Salo moved to allow Wessel to sign the culvert permit as requested. Moore seconded.

Herrmann expressed frustration that Genisot replaced the culvert prior to permit approval to which Genisot explained the collapsed culvert was causing flooding, necessitating replacement.

Motion carried 6-1. Herrmann-Nay.

c. Kessler Road Double Chip Seal.

This project has been discussed in the past. While this isn't currently budgeted, Harrison reached out to ask if Sherwood will share the cost, with Sherwood's portion being \$11,875. There was further discussion on the flooding issues in this area, and potential fixes. Kaster said that chip sealing this road will be a 5-7 year bandaid. Discussion ensued regarding possibly raising the road to avoid washout during flooding, which can be discussed in the future, but it may raise the floodplain and would require approval from impacted property owners.

To cover the anticipated \$11,875 cost, Wessel said there is \$7k remaining in the snow & ice control-operating supplies, as no more salt will be purchased in 2024. Kaster said the 2024 road construction project may come in under budget, which could possibly allow funds to be spent on this project.

Salo motioned to approve the low bid with Scott construction for \$23,750 to double chip seal Kessler Road, with \$11,875 being the Village of Sherwood's cost share. Benz seconded. Motion carried without dissent.

d. Planning and Zoning Services.

Wessel explained the Village Board may want to consider contracting out planning/zoning services to assist current staff until the new administrator is in place and can evaluate. She also mentioned she has concerns about the language in the current code, and needs to be updated. Genisot expressed that cost of these services is a concern as it isn't budgeted in 2024. Cedar Corp, MSA, and Calumet County were discussed as options. Kaster said he can put together an agreement to provide services on an hourly basis. Moore said his previous experience with Calumet County Planning/Zoning hasn't been positive, and he would not be in favor of contracting with them. Wessel would like the current permit process evaluated.

Further discussion regarding zoning issues concluded with Wessel explaining that she will be providing information to the Plan Commission on a zoning code audit for 2024, and would recommend budgeting for an update in 2025.

Kaster said he would provide a proposal for interim planning and zoning service at the next Village Board meeting.

e. Request to Purchase Post Office (*Postal Realty*).

Wessel explained that Postal Realty reached out to her to express interest in purchasing the Post Office property in Sherwood, which is owned by the village. Discussion concluded that there is no interest in selling the property as it is prime real estate owned by village, which could be developed in the future, at which time the post office could be relocated to a different village-owned property.

Discussion ensued regarding the request for renewal of the Post Office lease, which hasn't been finalized yet.

Wessel will let Postal Realty know there is no interest in selling.

12) Matters to be placed on next agenda.

- a. Consider change to PTO structure.
- b. Health insurance opt out.
- c. State and local cybersecurity grant program
- d. Consider implementing second step of suggested sewer rate increase.

Herrmann asked if the proposed community sign can be placed on next agenda. Slotke explained that the sign easement is recorded, and the sign has been ordered. Genisot requested that the concrete planter barrels and downtown plan signs be removed from lot near post office. Herrmann said this was discussed at Plan Commission as well. Wessel will talk to public works to see what they can do to improve that lot.

13) Closed Session: (*Administrator Contract 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 8:46pm. Salo seconded. Motion carried via roll call vote 7-0.

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

Herrmann moved to return to open session. Benz seconded. Motion carried via roll call vote 7-0.

Salo moved to direct staff to offer the candidate the revised contract as discussed in closed session. Benz seconded. Motion carried without dissent.

15) Adjournment.

Brandt moved to adjourn at 9:20pm. Salo seconded. Motion carried without dissent.

Respectfully submitted for review and approval by Sadie Slotke, Clerk/Treasurer.