

Village Board Meeting Minutes
Monday, August 26, 2024

1) Meeting called to order at 6:30 p.m. with roll call:

Present:

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

Absent:

Bob Benz

Others Present:

Padrick Dunn, Administrator
Sadie Slotke, Clerk/Treasurer
Brenda Stumpf, Park & Rec. Coord.
Thad Majkowski, Cedar Corp.
Devin Plate, MCO
Brian Roemer, Ehlers
Chris Meuerr, Calumet County Planning/Zoning

2) Pledge of Allegiance—*Recited.*

3) Approval of the Agenda.

Salo moved to approve the agenda with moving item 11g to after 11a. Moore 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: *August 12.*
 - c. Accept Report of Committees and Commissions:
 - *PRUT Report*
 - d. Treasurer's Report.
 - e. Operator's Licenses.
 - f. Appointments.
 - *Padrick Dunn as Emergency Manager.*
 - g. Correspondence.
 - h. Other Routine, Non-Controversial Items.
 - *Liquor License Transfer; Granary Supper Club*
 - *MCO Report.*

Salo moved to approve the consent agenda. Moore seconded. Herrmann requested item 4.c. (PRUT Report) be removed for discussion. Motion carried without dissent.

Herrmann asked some questions of Stumpf regarding the annual splash pad inspection. Stumpf explained there are new requirements as of 2024, so there are some violations due to the new requirements. Stumpf explained the inspector told her she has until the 2025 inspection to fix the violations. Herrmann expressed concern that the report had due dates in 2024 to have the violations fixed, and is worried about potential fines for not having them fixed in 2024. Stumpf said

she can get an email from the inspector explaining the expectation of having the violations fixed by next summer.

Salo moved to approve item 4.c. Brandt seconded. Motion carried without dissent.

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

6) Public Hearing:

a. *Ordinance #2024-07 Amending the Definition of a Subdivision in Chapter 24.*

Laux read the ordinance three times and opened the public hearing. No public comments. Salo moved to close the public hearing. Moore seconded. Motion carried without dissent.

b. *Ordinance #2024-08 Repealing Chapter 22-74 Noise.*

Laux read the ordinance three times and opened the public hearing. No public comments. Salo moved to close the public hearing. Laux seconded. Motion carried without dissent.

c. *Second Step Rate Increase for Sewer Utility.*

Laux read three times and opened the public hearing. No public comments. Salo moved to close the public hearing. Moore seconded. Motion carried without dissent.

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

8) Report of Village Officers (No Action).

a. Village President—*None.*

b. Clerk/Treasurer—*Slotke mentioned the new digital community sign was installed last week. We are just waiting on WE Energies to install the new electric service at the site.*

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

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

Devin Plate, MCO, provided a quick update regarding the WWTP construction progress. They drained the lagoons to reduce pressure. They installed a temporary driveway/parking lot to allow employees to park without getting in the way of the construction equipment. The gate was removed and made wider to accommodate large trucks. It is still being locked up at night. The south wall of the clarifier was removed.

10) Staff Reports (No Action)

- *Administrator report*

Dunn explained he is working on ARIP (Ag. Road improvement) grant. He also mentioned the two new staff who started in the last couple weeks, so the administrative team is fully staffed.

11) Old Business (Action):

a. *Interim Financing for Waste Water Treatment Facility Project.*

Brian Roemer was present to discuss the results of the interim financing proposals. The RFP was distributed August 12 and allowed bids to be received through 10am today. The State Bank of Chilton had the low bid with 3.5% interest, has a draw feature, and can remain open as long as October 1, 2025. There are no payments due prior to payoff when the clean water loan closes. The first draw has to exceed \$50k, and weekly draws are allowed. Staff will have to talk to the bank to establish the process for drawing funds.

Salo moved to approve resolution 2024-09 authorizing the sale and issuance of up to \$4,035,000 bond anticipation note. Laux seconded. Herrmann wanted to know what changed from the draft resolution included in the packet to the official resolution. Slotke pulled up the redlined copy showing all changes that were made once all bids were received. Motion carried without dissent.

b. *Incremental Increase for Sewer Utility Rate.*

Moore moved to implement the second incremental sewer rate increase of 62% effective September 1, 2024. Salo seconded. Motion carried 5-1 (Herrmann-Nay).

c. *Consider Timing of Utility Reconstruction on HWY M and Authorize Design and Bidding Engineering Services for 2025 Utility Construction.*

Thad Majkowski was present to discuss the option of completing the HWY M reconstruction in one year (2026) or doing part in 2025 and finishing in 2026. Discussion ensued on the pros and cons of each option, including one or two construction periods disrupting residents, potential water loss improvements after aging water mains are replaced, allowing the road to settle longer, and potential price/inflation implications.

Salo moved to approve the letter of authorization for Cedar Corp for engineering in the amount of \$112,250 for the design/bidding for the 2025 utility construction on HWY M. Herrmann seconded. Motion carried without dissent.

d. *Planning and Zoning Services.*

Dunn explained that while the administrative office is finally fully staffed, we don't have the planning and zoning knowledge to answer those questions. His recommendation is to work with the Calumet County Planning and Zoning to assist with these services. They will also help identify areas in the current zoning code that need updates at no additional cost. Chris Meuer, Calumet County, presented an alternate fee schedule, including a non-permitting price per hour to assist the village with items not covered by permit fees. Discussion ensued

about the fee schedule and how much revenue the village would potentially lose if Calumet county receives the full fee.

Herrmann questioned why staff, now that the office is fully staffed, can't provide this service. Meuer and Dunn explained that planning and zoning knowledge is learned through education and experience, and due to the complexities of interpreting the language, it takes years to learn.

Further discussed occurred regarding the contract between Calumet County and the Village of Sherwood, and how quickly it can be implemented. Potential implementation of the contract could occur as quickly as next month, after attorney review on both sides. Further discussion about the potential loss of revenue, and the possibility of implementing an administrative fee on top of Calumet County's fee schedule, which would remain revenue going to Sherwood. The discussion concluded that adding a \$25 administrative fee so Sherwood would continue to receive the same revenue as previous years was the best route.

Staff will look into whether a public hearing would have to occur and/or an approved resolution prior to changing the fee schedule.

Herrmann moved to move forward with the due diligence associated with implementation of this professional service agreement with Calumet County. Moore seconded. Motion carried without dissent.

- e. Ordinance 2024-05: An ordinance amending Chapter 19 Use of Stormwater Pond Areas and Recreation Paths to Allow for the Use of Electric Toys (Second Reading).*

Herrmann moved to adopt ordinance 2024-05. Salo seconded. Motion carried without dissent.

- f. Ordinance #2024-07 Amending the Definition of a Subdivision in Chapter 24.*

Herrmann moved to adopt ordinance 2024-07. Salo seconded. Motion carried without dissent.

- g. Ordinance #2024-08 Repealing Chapter 22-74 Noise.*

Salo moved to approve ordinance 2024-08. Moore seconded. Motion carried without dissent.

12) New Business (Action):

- a. Water & Sewer Impact Fee Study.*

Dunn explained that the Water/Sewer impact fee study was budgeted for \$10k in 2022. The study wasn't complete until 2023. Of the original contract of \$10k, only \$5,317.50 was billed, meaning \$4,692.50 is still available from that contract. Dunn explained that if staff are

authorized to continue working with Trilogy Consulting, they can help identify how best to spend the impact fees that have been collected to date. There are time stipulations that the money has to be spent or returned. All impact fees (water, sewer, & park) have been deposited into a single account, which currently has almost \$1.2 million. Trilogy can assist with the breakdown to know how much of that account is available for water, sewer, and park improvements, and assist with figuring the best use of the funds.

Herrmann moved to approve spending the remainder of the Trilogy Consulting contract. Brandt seconded. Motion carried without dissent.

b. ARPA Fund allocation.

Dunn explained that the ARPA funds were officially allocated to be spent on the Waste Water Treatment Plan upgrade.

13) Matters to be placed on next agenda.

a. Health insurance opt out.

b. Herrmann would like to discuss the consent agenda, and how items are included and approved in the consent agenda.

c. Genisot would like to discuss how to address citizen comments and concerns that are brought up during the citizen comment portion of the meeting.

d. Moore would like to discuss an option for sewer cost deductions for summer water use that is used for watering landscape and/or filling pools and isn't treated at the WWTP.

14) Adjournment.

Herrmann moved to adjourn at 8:09pm. Brandt seconded. Motion carried without dissent.

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