

**Village Board Meeting Minutes**  
Oct. 14, 2019

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

***Present***

*Bob Benz*  
*Roger Kaas*  
*Joyce Laux*  
*Ned Marks*  
*David Miller*  
*Lisa Ott*  
*Kathy Salo*

***Absent***

*None*  
***Others Present***  
*Randy Friday, Administrator*  
*Kathy Mader, Acting Clerk*  
*Steve Summers, Planning Chair*  
*Josh Gerrits, Cedar Corp*

- 2) Pledge of Allegiance – *Recited.*
- 3) Approval of the Agenda – ***Benz moved to approve the agenda. Salo seconded. Motion carried unanimously.***
- 4) Approval of Minutes: Sept. 23 (Regular Meeting) – ***Benz moved to approve the September 23, 2019 minutes with revision. Salo seconded. Motion carried unanimously.***  
*Marks stated the wording of item 9, Palisades Pond implies Michelle Hase (DNR) was at the meeting and made the comment; reword to indicate Friday was quoting Ms. Hase.*
- 5) Registered Citizen Comments on Agenda Items –
- *Jack Kruse, W4873 Mustang Drive, Sherwood Re item 14)e*
  - *Bob Anderson, N7429 Niagara Ct, Sherwood Re item 14)c*
  - *Nicole Smith (Silvertree Homes), N8147 Stommel Rd, Re item 12)b*
- 6) Report of the Community Development Authority (Oct. 4)
- a) Contract for Services – Approved: Remove contaminated soil at former-Shenanigan’s site (\$5,840; DKS Construction Services) – *Friday stated the work is scheduled for October 28-29, 2019.*
- 7) Report of the Plan Commission (Oct. 7).
- a) Fire Station #60: Consider third driveway for drive-thru bay – *Friday informed the board he had emailed McMahon regarding the Village Harrison proposal on October 8, 2019 per recommendation that he work them on the plan submittal.*
- b) Zoning Code: Updates (Ad Hoc Committee input) – *In addition to the suggestions noted on the report by Ned Marks for lighting, Summers requests he be allowed to research for alternatives to the proposed fire ban. It is understood Village Board policy states an issue cannot be brought back for six months. Kaas and Benz reinforced the option shall not be the same as the previous proposition and include Harrison boundaries and fire codes.*

8) Report of Village Officers.

a) Village President – *Nothing to report.*

b) Fox Cities Area Room Tax Commissioner – *Benz reported the Community First Champion Center is 96.6% complete. The ribbon cutting is scheduled for November 20, 2019 and the grand opening is scheduled for November 21, 2019.*

c) Clerk/Treasurer

i. Financial Report.

ii. Operator's License.

- Melanie Rohloff

***Kaas moved to approve as present. Benz seconded. Motion carried unanimously.***

9) Village Engineer and/or Utility Operator: Updates.

a) *Review prior years' road projects (A-17; A-18): Punch-List items – Gerrits stated MCC had requested a walk-thru and were allowed until the end of September to complete punch list items. The punch-list items were not complete by the end of September. Gerrits conceded September weather was rainy. Gerrits would like it noted MCC has been difficult to get to follow through on the punch list items.*

b) *Contract B-19 – Meehl-Stumpf subdivision construction – Gerrits stated the restoration has been difficult due to the amount of rain received in September.*

c) *Contract C-19 – State Park Road and Kesler Road projects – Gerrits reported that the first layer of asphalt was placed on State Park Road during the week of October 7. The second layer is scheduled to be placed tentatively October 16-18, 2019 after the Meehl-Stumpf subdivision paving is complete. Shoulder work will take place the week of October 21-25, 2019.*

*Gerrits stated the Kesler Road portion of the project will be rescheduled until 2020 due to the current water levels on the road and wet road base.*

*After hearing concerns, Gerrits assured the Board he will ensure better signage for future paving projects on busier village streets.*

d) *Pond View Estates: Subdivision development – Gerrits reported the utilities placement are behind schedule due to the September rains.*

e) *Palisades Pond Lake District: Dam Reconstruction – Gerrits explained Wis DNR required a Dam Failure Analysis be completed and property owners downstream must be notified, which they have been, to be awarded DNR grant. An annual meeting is to be scheduled.*

10) Village Administrator:

a) *Consider notebook/tablet purchase for inclusion and change-over in FY20 (Budget) – Salo moved to go forward with the tablet purchase in FY2020 budget in the amount \$11,360,*

*which includes purchase, cases, and training costs. Benz seconded. Motion carried unanimously.*

*Kaas explained the need for a separate server and email addresses for officials, separate from the office server and staff emails. Appleton Information Technologies, LLC, recommends tablets be used.*

11) Old Business: *None.*

12) New Business:

- a) Contract B-19 (Meehl-Stumpf subdivision): Consider approvals.
  - i. Change Order #2: Work Change Directives (WCD) #s 5, 6 and 7.
    - #5 (\$3,500; Replace rings, castings of storm sewer manholes on CTH 'M').
    - #6 (\$5,579.20; Remove existing culverts – Sundown Court).
    - #7 (\$1,682.70; Lower manholes – State Park Rd; Lakeshore Lane) –  
***Benz moved to approve Change Order #2. Miller seconded. Motion carried unanimously.***
  - ii. Pay Request #3 (\$302,396.82; MCC, Inc.) for work completed through Sept. 27 – ***Kaas moved to approve Pay Request #3. Benz seconded. Motion carried unanimously.***
- b) Request for Building Permit Fee refund due to non-building of permitted structure (N503 Nottingham Court; Silvertree Homes) – ***Salo moved to approve refund, less \$35 for state seal and \$50 for plan review, in the amount \$6,369. Miller seconded. Motion carried unanimously.***  
*Smith of Silvertree Homes stated they will not be building on the lot even though a permit was pulled. She further stated a custom home will be built by another contractor.*
- c) Contract for Services (Calumet County Sheriff's Dept.): Consider annual contract for additional services in FY20 (\$20,187.44). (Budget). – ***Kaas moved to approve the annual Calumet County Sheriff's services contract. Marks seconded. Motion carried unanimously.***
- d) Contract for Services (Appraisal Associates): Consider FY20 agreement(s) for Assessment and Market Update services. (Budget)
  - i. Annual Maintenance (\$10,600).
  - ii. Market Update (\$24,000).  
*Marks moved to approve FY20 agreement for Assessment and Market Update services. Benz seconded.*  
***Kaas moved to amend the motion and strike "auto renewal" wording from the agreement. Salo seconded. Motion carried unanimously.***
- e) *Clerk-Treasurer position.*
  - i. Consider interim Clerk-Treasurer duties: Conveyance of interim responsibilities and authority during transition – ***Kaas moved to name Friday interim Clerk-Treasurer and Mader Deputy Clerk-Treasurer until permanent hire. Laux seconded. Motion carried unanimously.***

- ii. Consider position hiring: Job advertisement, schedule, related materials, Ad hoc committee membership, etc. – ***Salo moved to approve Ad hoc committee (Laux, Miller, Kaas) authority to hire an individual on a short-term basis for daily duties and continue search for long-term replacement of Clerk-Treasurer. Marks seconded. Motion carried unanimously.***

*Friday noted the search will undoubtedly run into FY20.*

- f) TID #1 closure: Consider closure of Tax Increment District #1.

- i. Resolution #2019-08: A Resolution Approving Tax Increment District Termination. ***Benz moved to approve Resolution #2019-08. Miller seconded. Motion carried Unanimously.***

*Kaas questioned the wording “distribute any excess increment...” and requested it be reworded as appropriate.*

- ii. Terminated Tax Incremental District (TID) – Final Accounting Submission Date Agreement - *Direct* Staff to complete and submit WisDOR Form PE-223 – *Friday and Mader were directed to review, complete and submit.*

- g) Palisades Pond Lake District: Consider ‘Schneider Dam’ re-construction and financial support by the Village – ***Salo moved to approve an allowance not to \$10,000 for Dam Failure Analysis engineering by Cedar Corp. Miller seconded. Motion carried. Marks – Nay, Kaas – Abstain.***

- h) Annual Appreciation Dinner: Consider date/time of annual event – Thursday, November 14, 2019 date was acceptable to all present.

13) Complaints & Compliments: *None.*

14) Correspondences:

- a) Monthly Activity Report (Calumet County Sheriff’s Dept; Aug.) – *Reviewed.*
- b) National Litigation on behalf of Water Suppliers Impacted by Perfluorinated Compounds (PFAS) (Napoli Shkolnik, PLLC; Sept. 1) - *Friday stated he has instructed Utility Operator to inquire with Appleton Utilities if any have been found in Appleton water.*
- c) Unsolicited Letter to Village of Sherwood Residents (Corey Feller – Drive Fore Success Shareholder; Sept. 21) – *Anderson stated he is not in support of Mr. Fellers letter. Mr. Anderson does not agree with Feller’s assertion the Village should “bail-out” the golf course, again, for their failures and choices. Benz commented his displeasure that Feller does not note support the High Cliff Golf Course has received from the village through the years.*
- d) Exercise of Renewal Option [5-years] (U.S. Postal Service; Sept. 26)

- e) Possible (future) Letter of Support for Sherwood becoming a ‘Golf Cart Community (Jack Kruse; Oct. 1) – *Kruse is proposing a Golf Cart Community. Kruse said he discussed this with Friday five years ago and would like to bring forward again. Kruse requests the Board consider: More local communities are adopting golf cart ordinances, golf carts are to be driven only on streets not on trails, golf carts will be permitted which would be a revenue to the village, and ninety-percent of the village streets are within the surrounding highway and the High Cliff Park. Kruse, also, requested the Board consider snowmobiles, as well.*
  - f) *Election Poll Workers communication (Village Staff; Oct. 10).*
- 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 over which the governmental body has jurisdiction or exercises responsibility (Clerk/Treasurer; Village Administrator) - *Did not go into closed session.*
- 16) Open Session: The Board may act on any item discussed in Closed Session.
- 17) Adjournment – ***Benz moved to adjourn at 9:01 p.m. Laux seconded. Motion carried unanimously.***

Respectfully submitted for approval by Kathy Mader, Finance/Utility Clerk