

Village Board Meeting Minutes
Monday, October 14, 2024

1) Meeting called to order at 6:30pm with roll call:

Present:

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

Absent:

Amy Brandt
Others Present:
Padrick Dunn, Administrator
Sadie Slotke, Clerk/Treasurer
Devin Plate, MCO
Mike Kaster, Cedar Corp.
Bruce Genskow, MCO

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: *Sept. 23.*
- c. Accept Report of Committees and Commissions:
 - *Plan Commission*
- d. Treasurer's Report.
- e. Operator's Licenses.
- f. Appointments.
- g. Correspondence.
- h. Other Routine, Non-Controversial Items.
 - *MCO Report & historical water loss reports.*
 - *September Summary Report; Calumet County Sheriff's Dept.*

Benz moved to approve the consent agenda. Moore seconded. Herrmann requested item h be removed for discussion. Motion to approve consent agenda with the water loss report removed carried without dissent.

Herrmann expressed extreme concern about the water loss, which has exceeded 30% in 2024. Herrmann would like to challenge MCO to find and repair more leaks to reduce water loss. He wants MCO to outline a plan to reduce water loss. Benz expressed the same sentiments, stating that when MCO's contract was renewed, it was noted that the main objective was to identify leaks and reduce water loss.

Dunn will meet with MCO staff to discuss, create a plan, and have as a future agenda item. Herrmann moved to approve item "h." Benz seconded. Motion carried without dissent.

- 5) Registered Citizen Comments on Agenda Items—*Jesse Troestler was present to discuss agenda items but requested to defer comments until the item.*
- 6) Public Hearing—*None.*
- 7) Presentations (No Action)—*None.*
- 8) Report of Village Officers (No Action).
 - a. Village President—*Laux commented that the reduced speed limit signs on HWY 114 heading south are being placed.*
 - b. Clerk/Treasurer—*Slotke noted that in person absentee voting starts next week Tuesday.*
 - c. Fox Cities Area Room Tax Commissioner—*None.*
- 9) Engineer and/or Utility Operator (No Action).

- *WWTP Progress Notes.*

Mike Kaster mentioned a lot of excavation has been complete and concrete is getting poured for the foundations for the tertiary building and final clarifier. Miron didn't have their first pay request in time to be approved at this meeting, so we can expect to see a pay request at the next meeting.

Devin Plate, MCO, expressed concern over the water loss issue. He noted that due to the thick clay soils, it is hard to locate leaks that stay below the surface. MCO staff attended a recent training where they learned some new tips on locating leaks. Other communities have come up with a 5 year budget to replace older water mains as a means of reducing loss. The DNR will start enforcing steps to reduce water loss after the Village exceeds 30% for 3 years. Plate also noted that lead service inventory is almost complete.

- 10) Staff Reports (No Action)

- *Administrator report*

Dunn noted that the LGIP account earned \$11,500 of interest in September, and he transferred another \$1M from the State Bank of Chilton to LGIP last week. Sherwood was approved for the Cyber Security grant, but Dunn is waiting to hear what dollar amount we will receive, approx. \$40k was requested. He has been in discussions with a potential developer who is interested in building a brewery with indoor and outdoor seating at the old Shenanigans location. Dunn has also been in discussions with American Construction regarding downtown redevelopment. American Construction did an amazing job in West Bend while Dunn worked there.

11) Old Business (Action):

- a. *Consider sewer deduct/credit for summer water use that doesn't go to WWTP*

Slotke explained that Workhorse has the ability to deduct sewer usage in summer if the account exceeds their winter usage. If we use this feature, it would apply to every account. There isn't a feature to select 120% of winter usage, which was discussed at a previous meeting. Dunn added that the DNR frowns on offering a sewer credit as it may incentivize households to not conserve water.

Benz moved to not allow the summer sewer credit. Salo seconded.

Salo asked how pool discharge and extra landscape watering affects the MS4 initiative. Genisot doesn't think we should jump to a decision. The sewer rates are very high, and a lot of residents have reached out to him regarding the rate increase.

Motion failed 3-3; Moore-Nay, Herrmann-Nay, Genisot-Nay.

- b. *Calumet County Planning and Zoning Services*

Salo moved to approve the contract with Calumet County Planning and Zoning. Benz seconded. Motion carried without dissent.

- c. *Planning and Zoning Fee Schedule*

Benz moved to approve the new fee schedule for planning and zoning services. Moore seconded. Motion carried without dissent.

12) New Business (Action):

- a. *Rezone/PUD overlay request with private road on Robinhood Drive.*

Salo gave a brief overview of the discussion that took place at the Plan Commission meeting, which resulted in them recommending approval of the PUD. Jesse Troestler, current land owner, was present for questions. He mentioned that after the public hearing at the Plan Commission meeting, he has been having discussions with 7 neighboring residents about selling land behind their property. As long as the engineer can move the road to accommodate the sale of land to the adjacent property owners, Mr. Troestler will be back with a modified CSM at the next Plan Commission meeting.

Salo moved to approve the PUD overlay. Moore seconded. Herrmann wanted to clarify that while he is against PUDs in general because the Village doesn't own the infrastructure assets, he does support this PUD because it makes sense. Herrmann wants a detailed developer's agreement. Motion carried without dissent.

b. *Request for Red Ribbon Week proclamation.*

Laux expressed confusion on what does this proclamation do, or how does it help the cause. Two municipalities in Calumet County have signed red ribbon week proclamations. No motion was made.

c. *Rocks at Windswept Ln.*

Dunn explained that the rocks near the Harrison boat launch are deteriorating, and require time to maintain with mowing, spraying for weeds, etc. Benz explained that the rocks were placed there as a means of deterring parking. That area used to be a location for loitering, causing problems. Dunn will talk with Public Works about alternatives such as replacing the rocks with something else to keep people from parking in that area.

d. *Disbanding WWTP subcommittee.*

*To streamline decision making process regarding the WWTP upgrade, the subcommittee should be disbanded. **Herrmann moved to disband the WWTP subcommittee. Benz seconded. Motion carried without dissent.***

e. *Newsletter format (hard copy or email)*

*Slotke noted that this topic is being brought back for consideration due to the increasing costs of paper and postage. **Benz moved to continue printing and mailing hard copies to all residents. Herrmann seconded. Motion carried 5-1, Moore-Nay.** Dunn mentioned he is looking into sending out monthly updates to residents.*

f. *Consider updating ordinance regarding discharge of a weapon.*

The Village passed an ordinance banning discharge of a firearm in 1993. When the Village moved their code online via General Code (2015), it was noted that the firearm ordinance was out of compliance with newer state statutes. At that time, village staff directed general code to note the village will follow state statute. Dunn asked the attorney to draft a new ordinance banning discharging a firearm for the board to consider. Herrmann expressed frustration that several ordinances that were previously active had, at some point, been lost, and feels as though residents have been misled about what is allowed, including not allowing parking of boats/campers/trailers in driveways.

Jesse Troestler, High Cliff Golf Course Owner, was present to explain why he has been shooting nuisance geese on the golf course. By state statutes, he is allowed to shoot geese as long as he stays a minimum of 100yds away from structures. He requested that even if the board adopts this ordinance banning discharge of firearms, that he is allowed to continue to shoot geese at the golf course.

Genisot moved to continue to follow state statutes about discharging of firearms. Herrmann seconded. Motion carried 4-2; Salo-Nay, Laux-Nay.

- g. *Public Works staff take over placing flags for holidays from the American Legion.*

Herrmann moved to direct public works staff to put flags up for the holidays as specified by the American Legion. Benz seconded. Motion carried without dissent.

- h. *\$300,000 to 210-Trails fund for grant application.*

Slotke explained that when she was making budgeted money transfers between funds, the \$300k budgeted to move into the 210-Trails special revenue fund, but it wasn't budgeted to come from a different fund. Herrmann explained that the money was supposed to come from the Condon Road (410-Capital Projects) fund. He said it makes sense to keep the money in the trails fund so Stumpf can re-apply for the trails grant in 2025.

Herrmann moved to keep the money in the trails fund in 2025. Salo seconded. Motion carried without dissent.

- i. *First draft of FY2025 budget.*

Dunn began by explaining he is still awaiting feedback from Ehlers regarding a borrowing plan for capital purchases/improvements. He then gave a brief overview of revenues and expenses, pointing out instances where the numbers are varying from year to year. We will be moving the requested \$100k for trails and the cost of a new plow truck and skid steer to capital projects rather than expenses from the general fund. He mentioned we can consider increasing the fees for facility rentals and operator license fees as the current fee is \$27 for a 2-year license. Dunn mentioned our legal fees for current year may exceed budget as we have been working through issues, but expects the legal budget will go down in future years.

Slotke briefly mentioned that the 230-Trees special revenue fund should transfer money to the general fund to cover the labor expense for the time it takes for DPW to plant the trees. Salo questioned a stock of small trees that have been planted on village land over the years with the intent of transplanting as needed. Slotke said for the "street trees" we have been purchasing trees from a wholesaler, but can talk to Public Works staff about the size of the saplings to see if they can be used in lieu of purchasing trees.

Herrmann questioned if the budgeted cost for new computers will be covered by the cyber security grant. Dunn explained the grant covers upgrades to the backend of our system and servers. Herrmann also asked if we don't spend the budgeted \$5k for AV equipment in 2024, does that get added to the 2025 budget? Slotke noted that any unspent funds in 2024 will go back into the general fund balance. They can choose to allocate extra money in 2025 if it wasn't spend in 2024. Dunn said he is still waiting to hear if we are approved for the hometown grant that would provide approx. \$40k to upgrade the AV equipment in the board room and add video.

Discussion moved from costs to repave trails to clearing trails in winter, and that clearing trails is one of the biggest resident requests.

While discussing the negative balance in the 240-Parks & Rec special revenue fund, Dunn explained that he has discussed sponsorship of park events with Brenda, and would like events to make money moving forward.

Slotke discussed the revaluation fund, which currently has \$25k. We will be required to do a full revaluation in 2026, so the amount transferred from general fund to 280-Reappraisal fund will be \$12,500 in 2025 and 2026 so there will be the \$50k needed for a revaluation in 2026.

Herrmann mentioned again we should upgrade the AV equipment in the board room, including adding video feed, so we should bump up the dollar amount in the 2025 budget.

Herrmann expressed concern about the water/sewer budget, and inquired if Bruce Genskow, MCO, put enough in the 2025 budget to repair/replace ageing equipment. Genskow discussed some of the plans for 2025, and expressed that some equipment may be replaced as part of the WWTP upgrade, but he needs confirmation from Cedar Corp. on what was included in the cost of the upgrade.

- 13) Closed Session: *(Staff Performance Review & FY25 Wage/Salary rates) 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 8:19pm. Salo seconded. Motion carried via roll call vote.

Herrmann moved to return to open session at 9:28pm. Salo seconded. Motion carried via roll call vote.

- 14) Matters to be placed on next agenda.

- 15) Adjournment.

Salo moved to adjourn at 9:29pm. Moore seconded. Motion carried without dissent.

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