

Village of Cross Plains Board of Trustee Meeting

Regular Meeting Notice and Agenda

Rosemary Garfoot Public Library Community Room
2107 Julius St
Cross Plains, WI 53528
(608) 798-3241

Monday, January 25, 2021
6:00 pm

I. **Call to Order**

President Lengfeld called the Village Board meeting to order at 6:00 p.m.

II. **Roll Call**

Present: Trustees Bill Brosius, Judy Ketelboeter, Kevin Thusius Michael Pomykalski, Lori Zander, Trustee Sarah Francois (attended virtually), and President Jay Lengfeld.

Also Present: Village Administrator Bill Chang, Village Clerk Bobbi Zauner, Public Facilities Director Jerry Gray, Village Engineer Ben Heidermann, and Chief of Police Tony Ruesga (arrived at 9:22 pm).

Present by teleconference and/or web meeting: Parks and Recreation Director Michael Axon, Chief of Police Tony Ruesga, Fire Chief Dale Lochner, Village Attorney Paul Johnson, Kevin Engellen, Deborah Cutler, Charles Sweeney, Tim Hillebrand, Mike Endres, Jim Nonn, Kevin Murphy, Ed Lawton, Joe Pertzborn, Kyo Ladopoulos, Ron Klaas, Jeff Davis, and Casey FitzRandolph.

III. **Pledge of Allegiance**

Everyone joined in on the Pledge of Allegiance.

IV. **Public Comment –**

Kevin Engellen, 1303 Main Street, spoke to endorse/support the use of non-lethal equipment for the Police Department.

Timothy Henneman, 4861 Brewery Road, provided a written statement indicating that he does not support the jurisdictional transfer of Brewery Rd.

Jeff Mahoney, 1034 Tilda Trail, emailed a letter of opposition regarding the placement of Well #3 in the park on Gil's Way. He encouraged the Village Board to examine other properties or to consider placing the well house near the road at the park instead of in the open space near the rear of the park.

V. **Consent Agenda – Upon request of any Trustee, any item may be removed from the Consent Agenda for separate consideration under General Business.**

1. **Minutes of regular meeting held on December 8, 2020.**
2. **Total Disbursements from 12/03/2020 through 01/13/2021 in the amount of \$2,783,084.49 as follows:**

- 110 – General Fund: \$2,521,920.70
- 120 – Capital Fund: \$48,868.26
- 130 – Library Fund: \$43,694.92
- 140 – Parks/Rec Fund: \$5,147.77
- 150 – Debt Service Fund: \$0.00
- 310 – TID Fund: \$47,120.00
- 660 – Water Fund: \$35,936.92
- 670 – Sewer Fund: \$80,395.92

3. Approval of Municipal Well and Pump Pay Request #2 for \$90,760.00; and Pay Request #3 for \$15,204.00.
4. Approval of Operator License for Amanda R. Kozeniecki and Transfer of Agent for Kwik Trip 833.
5. Appointments to Finance Advisory and Enhancement Committee.
 - a. Deborah Cutler
 - b. Jed Henry
 - c. Amalia Hicks
 - d. Timothy Hillebrand
6. Appointment of Zach Roberts to the Zoning Board of Appeals (Alternate 1).
7. Approval of American Transmission Company Easement Request for Scenic Valley.
8. Approval of Assignment and Amendment of Development Agreement – Milestone Senior Living, LLC to Mark D. Burish.

A motion was made by Trustee Thusius and second by Trustee Brosius to approve the consent agenda as presented. Trustee Pomykalski requested clarification regarding Exhibit B in Item #7, and Trustee Brosius asked for confirmation of residency relating to the appointment in Item #6. Following discussion, the motion was unanimously carried by the Village Board.

VI. Report of Village Officers

1. Village President

- A. President Lengfeld gave an update on the new Finance Advisory and Enhancement Committee. The Committee will serve as an Ad-Hoc committee until after the April election. President Lengfeld will be the temporary board member assigned to the committee and Finance Director Bobbi Zauner will be the staff contact. The first meeting will be held on February 3, 2021, via Zoom.

2. Village Vice President – No Report.

3. Other Trustee Reports

- A. Trustee Zander reported that the Public Safety Committee has been meeting regarding the less than lethal program being proposed tonight and hopes that the Village Board supports and approves this program.
- B. Trustee Brosius reported that the Library and the Parks and Rec Department were partnering to present a “Storywalk” in Zander Park.
- C. Trustee Ketelboeter reported that the Parks & Rec department is partnering with Middleton to offer the “Love Your Neighbor” event on February 6.

4. Village Administrator/Economic & Tourism Director

- A. Administrator Chang reported that a Spring Primary Election will be held on February 16, 2021 for the DPI Superintendent position, as well as a seat on the MCPASD school board.
- B. Chang also let everyone know that the new Text My Gov app went live and was put on the Village website. The app is a tool to increase public engagement and allow residents and business owners to text in to report items.
- C. Chang informed the Board about a vacancy in the Public Works department. Recruitment is underway.
- D. Chang reported that for the Spring Election in April, the office of Village President and three (3) Village Board seats are on the ballot. President Lengfeld is running uncontested for Village President. Trustees Zander and Francois did not submit paperwork for candidacy. Trustee Ketelboeter, Doug Brunner, Deb Cutler, and Andy Hartmann have all filled out paperwork to appear on the ballot for Village Trustee.

5. Other Reports – None.

VII. General Business

1. Discussion and Possible Action to Name the Large Diamond Field in Baer Park to “Gorst Field”.

A motion was made by Trustee Ketelboeter and second by Trustee Brosius to approve the request to Name the Large Diamond Field in Baer Park to “Gorst Field.”

Following discussion, a secondary motion was made by Trustee Pomykalski, second by Trustee Francois, amending the original motion to include that the signage/memorial plans come back to the Village Board for approval. A voice vote was requested. Motion carries, 6-1, with Trustee Thusius dissenting.

A roll call vote was requested on the original motion with the amended language. YES – Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Francois, Zander, and President Lengfeld. NO – None. Motion carries, 7-0.

2. Discussion and Possible Approval of the Site Plan for 1805 Bourbon Rd.

A motion was made by Trustee Ketelboeter and second by Trustee Zander to approve the site plan for 1805 Bourbon Road. A roll call vote was requested. YES – Trustees Thusius, Francois, Zander, Ketelboeter, Brosius, Pomykalski, and President Lengfeld. NO – None. Motion carries, 7-0.

3. Discussion and Possible Action to Award the Library Roof Replacement Request for Bids.

Following the presentation of bids by Ben Heidemann of Town & Country Engineering, a motion was made by Trustee Brosius, second by Trustee Ketelboeter, and unanimously

carried by the Village Board, to award the Library Roof Replacement Bid to C&C Services Group LLC with a base bid of \$119,750.00 and Supplement bid total of \$11,830.00.

4. Discussion and Possible Action on Capital Improvements Study – Water System Supply and Storage Alternatives and Capital Cost Estimates.

Following a presentation by Ben Heidemann of Town & Country Engineering and lengthy discussion, a motion was made by Trustee Ketelboeter, second by Trustee Brosius, and unanimously carried by the Village Board, to move forward with plans for an increased capacity Well #3, upgrades to Well #2, and maintain Well #1 as needed.

A motion was made by President Lengfeld and second by Trustee Thusius to apply for the Safe Drinking Water Program by combining Well #3 construction and Well #2 upgrades as one project. A roll call vote was requested. YES – Trustees Zander, Francois, Thusius, Pomykalski, Brosius, Ketelboeter, and President Lengfeld. NO – None. Motion carries, 7-0.

5. Discussion and Possible Action on Impact Fee Calculations.

Following a presentation by Ben Heidemann of Town & Country Engineering and discussion by the Village Board, no action was taken. More specific Impact Fee Calculations will be presented at a future Village Board Meeting.

6. Discussion of Well #3 Layouts.

Following a presentation by Ben Heidemann of Town & Country Engineering and discussion by the Village Board, no action was taken. Staff will work with Town & Country Engineering to bring layout options to a public meeting.

7. Discussion of Test Well Results and Recommendations.

Following a presentation by Ben Heidemann of Town & Country Engineering and discussion, a motion was made by Trustee Brosius, second by Trustee Ketelboeter, and unanimously carried by the Village Board, to drill the Well #3 depth into the Upper Interval, with provisions to extend into the Lower Interval in the future, only if needed.

8. Update Regarding the Village's Wisconsin Pollutant Discharge Elimination System Permit.

Following a presentation by Ben Heidemann of Town & Country Engineering, no action was taken.

9. Discussion and Possible Approval of an Ordinance to Repeal and Recreate Sections 62.07(f)(1) and (g) of the Village of Cross Plains Code of Ordinances Regarding Sewer Connection Fees.

A motion was made by Trustee Ketelboeter, second by Trustee Francois, and unanimously carried by the Village Board to adopt the Ordinance to Repeal and Recreate Sections 62.07(f)(1) and (g) of the Village of Cross Plains Code of Ordinances Regarding Sewer Connection Fees.

10. Discussion and Possible Action Regarding the Road Jurisdictional Transfer Agreements with the Town of Berry.

a. Brewery Road

A motion was made by Trustee Ketelboeter, second by Trustee Brosius to approve the Agreement for Jurisdictional Transfer of a portion of Brewery Road from the Town of Berry to the Village of Cross Plains as proposed. A roll call vote was requested. YES - Trustees Brosius, Ketelboeter, Zander, and President Lengfeld. NO – Trustees Pomykalski, Francois, and Thusius. Motion carries, 4-3.

b. North Hill Point Road

A motion was made by Trustee Brosius, second by Trustee Zander to approve the Road Jurisdictional Transfer Agreement with the Town of Berry for North Hill Point Road as proposed. A roll call vote was requested. YES – Trustees Brosius, Thusius, Zander, Ketelboeter, and President Lengfeld. NO – Trustees Pomykalski and Francois. Motion carries, 5-2.

11. Discussion and Possible Action Regarding Scenic Valley Agreements

a. Haul Road Agreement

A motion was made by Trustee Pomykalski, second by Trustee Zander, and unanimously carried by the Village Board to approve the Haul Road Agreement.

b. Verizon Easement Agreement

A motion was made by Trustee Thusius, second by Trustee Brosius, and unanimously carried by the Village Board to approve the Scenic Valley Verizon Easement Agreement.

12. Discussion and Possible Action Regarding Tasers.

Following a presentation by Chief of Police Tony Ruesga and lengthy discussion, a motion was made by Trustee Ketelboeter and second by Trustee Brosius to accept the electronic control weapons program at an initial cost not to exceed \$15,000 and \$1,000 annual and to approve the Electronic Control Weapons policy with revisions discussed. A roll call vote was requested. YES – Trustees Brosius, Pomykalski, Thusius, Francois, Zander, Ketelboeter, and President Lengfeld. Motion carries, 7-0.

13. Discussion and Possible Action Regarding Non-Lethal Shotgun Program.

Following a presentation by Chief of Police Tony Ruesga and discussion by the Village Board, a motion was made by Trustee Brosius and second by Trustee Pomykalski to approve the Non-Lethal Shotgun Program as outlined. A roll call vote was requested. YES – Trustees Francois, Thusius, Pomykalski, Brosius, Ketelboeter, Zander, and President Lengfeld. NO – None. Motion carries, 7-0.

14. Discussion and Possible Action to Adopt Resolution 2021-01; Budget Amendment 2020-3.

A motion was made by Trustee Pomykalski, second by Trustee Brosius, and unanimously carried by the Village Board to adopt Resolution 2021-01; Budget Amendment 2020-3.

15. Discussion and Possible Action to Adopt Resolution 2021-02; Establishing the Village of Cross Plains Fee Schedule for 2021.

A motion was made by Trustee Brosius and second by Trustee Thusius to approve Resolution 2021-02; Establishing the Village of Cross Plains Fee Schedule for 2021.

Following discussion, a motion was made by Trustee Pomykalski to remove the Landscaping Right of Way Permit and fee. A roll call vote was requested. YES – Trustees Ketelboeter, Brosius, Pomykalski. NO – Trustees Thusius, Francois, Zander, and President Lengfeld. Motion failed, 3-4.

A motion was made by President Lengfeld and second by Trustee Thusius to remove the fee for the Landscaping Right of Way permit. A roll call vote was requested. YES – Trustees Pomykalski, Thusius, Francois, Zander, Ketelboeter, Brosius, and President Lengfeld. NO – None. Motion carries, 7-0.

A voice vote was requested on the original motion with removal of the Landscaping Right of Way Permit fee. Motion carries, 7-0.

16. Discussion and Possible Action Regarding the 2021 Employee Merit Pay Program.

A motion was made by Trustee Brosius and second by Trustee Francois to approve the 2021 Employee Merit Pay Program. A voice vote was requested. Motion carries, 6-0-1 with Trustee Ketelboeter abstaining.

17. Discussion and Possible Action to Adopt Resolution 2021-03 Extending Emergency Paid Sick Leave Related to the COVID-19 Pandemic.

A motion was made by Trustee Pomykalski, second by Trustee Brosius, and unanimously carried by the Village Board to adopt Resolution 2021-03 Extending Emergency Paid Sick Leave Related to the COVID-19 Pandemic.

VIII. Future Agenda Items

- Trustee Brosius requested a review of the sidewalk policy. President Lengfeld remarked that this item is on the list of things to do in the Finance Committee already.
- Trustee Brosius requested a discussion regarding a new police station be put on a future agenda.
- Trustee Francois requested a discussion regarding prioritizing agenda items.
- Trustee Pomykalski requested a review of parking stall requirements within the Village zoning code.

IX. Closed Session

1. The Village Board will meet in Closed Session pursuant to 19.85(1)(e) of Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” – Fire District Agreement

A motion was made by Trustee Zander and second by Trustee Ketelboeter, to meet in Closed Session pursuant to 19.85(1)(e) of Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.”

Regarding the Fire District Agreement. A roll call vote was requested. YES – Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Francois, Zander, and President Lengfeld. No – None. Motion carries, 7-0.

A. Reconvene into Open Session pursuant to 19.85(2) of Wisconsin Statutes.

A motion was made by Trustee Brosius, second by Trustee Thusius, and unanimously carried by the Village Board, to reconvene into Open Session pursuant to 19.85(2) of Wisconsin Statutes.

B. Possible Action Regarding the Fire District Agreement.

No action was taken.

2. The Village Board will meet in Closed Session pursuant to 19.85(1)(e) of Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” - Acquiring Properties for Development.

A motion was made by Trustee Brosius and second by Trustee Zander, to meet in Closed Session pursuant to 19.85(1)(e) of Wisconsin Statutes, “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” Regarding Acquiring Properties for Development. A roll call vote was requested. YES – Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Francois, Zander, and President Lengfeld. No – None. Motion carries.

A. Reconvene into Open Session pursuant to 19.85(2) of Wisconsin Statutes.

A motion was made by Trustee Zander, second by Trustee Thusius, and unanimously carried by the Village Board, to reconvene into Open Session pursuant to 19.85(2) of Wisconsin Statutes.

B. Possible Action Regarding Properties for Development.

A motion was made by Trustee Thusius and second by Trustee Pomykalski to allow Administrator Chang to negotiate with necessary partners to move forward with a solar farm. A roll call vote was requested. YES - Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Francois, Zander, and President Lengfeld. No – None. Motion carries, 7-0.

3. The Village Board will meet in Closed Session pursuant to 19.85(1)(c) of Wisconsin Statutes, “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” – Village Administrator Contract

A motion was made by Trustee Ketelboeter and second by Trustee Pomykalski, to meet in Closed Session pursuant to 19.85(1)(c) of Wisconsin Statutes, “Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.” Regarding Village Administrator Contract. A roll call vote was requested. YES – Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Francois, Zander, and President Lengfeld. No – None. Motion carries.

A. Reconvene into Open Session pursuant to 19.85(2) of Wisconsin Statutes.

A motion was made by Trustee Thusius, second by Trustee Zander, and unanimously carried by the Village Board, to reconvene into Open Session pursuant to 19.85(2) of Wisconsin Statutes.

B. Possible Action Regarding the Village Administrator Contract.

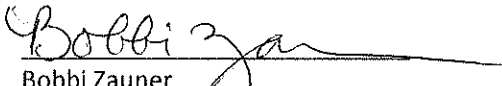
A motion was made by Trustee Thusius, second by Trustee Pomykalski, and unanimously carried by the Village Board to approve the Village Administrator Contract.

X. Adjournment

A motion was made by Trustee Brosius, second by Trustee Pomykalski, and unanimously carried by the Village Board, to adjourn. Meeting ended at 11:45 p.m.

Proper notice of this meeting was given to the public and posted on the public bulletin boards in accordance with the Open Meeting Law.

Respectfully submitted,


Bobbi Zauner
Finance Director/Clerk