

Village of Cross Plains Board of Trustee Meeting

Regular Meeting Minutes

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

Monday, March 22, 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, and President Jay Lengfeld.

Absent: Trustee Sarah Francois.

Also Present: Village Administrator Bill Chang, Village Clerk Bobbi Zauner, and Chief of Police Tony Ruesga.

Present by teleconference and/or web meeting: Public Facilities Director Jerry Gray, Park and Recreation Director Mike Axon, Village Engineer Brian Berquist, Vern Jesse, Kyo Ladopoulos, Ron Klaas, Jeff Lee, Deb Cutler, Kevin Murphy, Tim Hillebrand, and Joe Pertzborn.

III. Pledge of Allegiance

Everyone joined in on the Pledge of Allegiance.

IV. Public Comment – None.

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 Village Board Meeting Held on February 22, 2021.
2. Total Disbursements from 02/11/2021 through 03/11/2021 in the amount of \$496,721.05 as follows:
 - 110 – General Fund: \$159,480.20
 - 120 – Capital Fund: \$5,627.90
 - 130 – Library Fund: \$9,085.76
 - 140 – Parks/Rec Fund: \$0.00
 - 150 – Debt Service Fund: \$191,625.00
 - 310 – TID Fund: \$1,500.00
 - 660 – Water Fund: \$27,626.58
 - 670 – Sewer Fund: \$101,775.61
3. Approval of Operator's (Bartender's) License for Mary J. Nonn.

4. Receive the 4th Quarter - 2020 Financial Report.
5. Receive the Semi-Annual Financial Investment Report.
6. Receive the Annual Report for the Rosemary Garfoot Public Library.
7. Approval of the Eugene Maier Extraterritorial Jurisdiction Certified Survey Map.
8. Approval of a Special Event Permit for the Easter Sunrise Service at H.M. Zander Park – April 4, 2021.
9. Approval of a Special Event Permit for the Middleton High School Cross Country Meet at Baer Park – April 4-7, 2021.
10. Approval of Policy 2021-01: Street Light Policy.
11. Approval of the Municipal Well and Pump Pay Request #5 in the Amount of \$4,000.
12. Approve the Letter of Support for Ice Age Trail Alliance Application for the Department of Tourism Joint Effort Marketing Grant.
13. Approve the \$2,500 from the Pool Improvement Fund for Bathhouse Repainting.
14. Adopt an Ordinance to Repeal and Recreate Chapter 31 Regarding Building Regulations.

A request was made by Trustee Brosius to remove Consent Agenda Items #10 and #14 to the General Business section of the Agenda.

A motion was made by Trustee Brosius, second by Trustee Ketelboeter, and unanimously carried by the Village Board, to approve the consent agenda as amended.

VI. Report of Village Officers

1. Village President

- A. President Lengfeld thanked Lori Zander and Sarah Francois for their service as outgoing trustees on the Village Board.

2. Village Vice President

- A. Trustee Ketelboeter reported that the Lions Club will be planning activities for Trout Days.

3. Other Trustee Reports

- A. Administrator Chang read an email from Trustee Francois regarding her time as a Village Board Trustee and Parks & Recreation Committee Chairperson.
- B. Trustee Brosius reported that the Library will be looking to replace their telephone system. Estimated cost of \$10,000 - \$15,000 to be paid from Library Fund Balance. Brosius also questioned if the Village Hall phone system should be replaced at the same time.

4. Village Administrator/Economic & Tourism Director

- A. Administrator Chang reported that the Maier Litigation Claim is still in the litigation process.
- B. Chang also reported that the Village was not chosen as a recipient for the Economic Development Administration Disaster Assistant Grant.

5. Other Reports

- A. Public Facilities Director Jerry Gray reported that the skid steer that was approved in the Capital Plan has been ordered.
- B. Chief of Police Tony Ruesga presented an annual report for the Cross Plains Police Department.

VII. General Business

1. Discussion and Possible Action Regarding the Concept Plan for 2100 American Legion Drive.

Following a presentation by Thomas and Robin Kourakis and discussion by the Village Board, a motion was made by Trustee Ketelboeter, second by Trustee Thusius, and unanimously carried by the Village Board to approve the Concept Plan.

2. Discussion and Possible Action Regarding the North Hill Point Road Jurisdictional Transfer Agreement.

A motion was made by Trustee Ketelboeter and second by Trustee Brosius to approve the North Hill Point Road Jurisdictional Transfer Agreement. Following discussion, motion was unanimously carried by the Village Board.

3. Discussion and Possible Action Regarding Waivers from Chapter 83 of the Village Code of Ordinances.

A. From section 83.19(b) of the Municipal Code; to allow for the Erosion and Stormwater Drainage Control Plan to achieve 90% infiltration.

A motion was made by Trustee Thusius and second by Trustee Pomykalski to approve the waiver from section 83.19(b) of the Municipal Code to allow for the Erosion and Stormwater Drainage Control Plan to achieve 90% infiltration. Following discussion, a roll call vote was requested. YES – Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Zander, and President Lengfeld. NO – none. Motion carries, 6-0.

B. From section 83.83(c) of the Municipal Code; to allow the minimum lot width and minimum lot area to meet the requirements specified in Chapter 84 for the

specific zoning districts.

A motion was made by President Lengfeld and second by Trustee Thusius to approve a waiver from section 83.83(c) of the Municipal Code to allow the minimum lot width and minimum lot area to meet the requirements specified in Chapter 84 for the specific zoning districts. Following discussion, a roll call vote was requested. YES – Trustees Thusius, Zander, Ketelboeter, Brosius, and President Lengfeld. NO – Trustee Pomykalski. Motion fails, 5-1 (Motion required a $\frac{3}{4}$ affirmative vote of entire membership of the Village Board).

C. From section 83.79(a) of the Municipal Code; to allow the minimum right of way width of Angelus Way to 60 ft.

A motion was made by Trustee Ketelboeter, second by Trustee Brosius to approve a waiver from section 83.79(a) of the Municipal Code to allow the minimum right of way width of Angelus Way to 60 ft. Following discussion, a roll call vote was requested. YES – Trustees Zander, Thusius, Pomykalski, Brosius, Ketelboeter, and President Lengfeld. NO – None. Motion carries, 6-0.

D. From Section 83.79(d)(1)c of the Municipal Code; to allow the Minimum radius of curvature on the Conrad Drive to 100 feet.

A motion was made by Trustee Brosius, second by Trustee Thusius to approve a waiver from section 83.79(d)(1)(c) of the Municipal Code to allow the Minimum radius of curvature on the Conrad Drive to 100 feet. Following discussion, a roll call vote was requested. YES – Trustees Pomykalski, Brosius, Ketelboeter, Zander, Thusius, and President Lengfeld. NO – None. Motion carries, 6-0.

4. Discussion and Possible Action Regarding the Revised Preliminary Plat for Creek Crossing at St. Francis.

A motion was made by Trustee Brosius, second by Trustee Zander, and unanimously denied to table the Revised Preliminary Plat for Creek Crossing at St. Francis.

A motion was made by Trustee Pomykalski, second by Trustee Thusius to reconsider Agenda Item #3.B. A roll call vote was requested. YES – Trustees Brosius, Thusius, Pomykalski, Zander, Ketelboeter, and President Lengfeld. NO – None. Motion carries, 6-0.

A motion was made by Trustee Brosius, second by Trustee Zander to approve the Revised Preliminary Plat for Creek Crossing at St. Francis. A roll call was requested. YES – Ketelboeter, Brosius, Pomykalski, Thusius, Zander, and President Lengfeld. NO – None. Motion carries, 6-0.

5. Discussion and Possible Action Regarding the Development Agreement for Creek Crossing at St. Francis.

A motion was made by Trustee Thusius and second by Trustee Zander to approve the Development Agreement for Creek Crossing at St. Francis.

Following discussion, a motion was made by Trustee Pomykalski, second by Trustee Thusius to remove parking restrictions on Angelus Way from the Development Agreement. A voice vote was requested. Motion carries, 5-1, with Trustee Brosius dissenting.

Following discussion, a roll call vote was requested on the original motion with the amended language. YES – Trustees Brosius, Pomykalski, Thusius, Zander, Ketelboeter, and President Lengfeld. NO – None. Motion carries, 6-0.

6. Discussion and Possible Action Regarding an Ordinance to Annex Land to the Village of Cross Plains – Creek Crossing at St. Francis.

A motion was made by Trustee Brosius and second by Trustee Ketelboeter to approve an Ordinance to Annex Land to the Village of Cross Plains – Creek Crossing at St. Francis. Following discussion, a roll call vote was requested. YES – Trustees Thusius, Pomykalski, Brosius, Ketelboeter, Zander, and President Lengfeld. Motion carries, 6-0.

7. Discussion and Possible Action Regarding the Final Plat Map for Creek Crossing at St. Francis.

A motion was made by Trustee Thusius and second by Trustee Zander to approve the Final Plat Map for Creek Crossing at St. Francis. Following discussion, a motion was made by Trustee Thusius, second by Trustee Pomykalski, and unanimously approved by the Village Board to condition approval of the Final Plat on Village Approval of street and utility plans, the Impact Fee Agreement, and the Cost Recovery Agreement.

A roll call vote was requested on the original motion with the amended language. YES – Trustees Zander, Thusius, Pomykalski, Brosius, Ketelboeter, and President Lengfeld.

8. Discussion and Possible Action Regarding the Village’s Municipal Stormwater (MS4) Permit.

Following presentation by Village Engineer Brian Berquist, a motion was made by Trustee Pomykalski, second by Trustee Zander, and unanimously approved by the Village Board to approve the Village’s Municipal Stormwater (MS4) Permit.

9. Discussion and Possible Action Regarding Chapter 2 of the Village Code of Ordinances.

Following discussion, no action was taken.

10. Approval of Policy 2021-01: Street Light Policy.

Following discussion, a motion was made by Trustee Brosius, second by Trustee Thusius, and unanimously approved by the Village Board to approve Policy 2021-01: Street Light Policy.

11. Adopt an Ordinance to Repeal and Recreate Chapter 31 Regarding Building Regulations.

Following discussion, a motion was made by Trustee Brosius, second by Trustee Zander, and unanimously approved by the Village Board to move this item to a future agenda.

VIII. Future Agenda Items

- Trustee Brosius reiterated that he would like to see planning for a new police department be placed on a future agenda.
- Trustee Ketelboeter requested a discussion on parking.

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." – Deliberating certain properties for development.

A motion was made by Trustee Thusius and second by Trustee Pomykalski, 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 deliberating certain properties for development. A roll call vote was requested. YES – Trustees Ketelboeter, Brosius, Pomykalski, Thusius, Zander, and President Lengfeld. No – None. Motion carries, 6-0.

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

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

B. **Possible Action Regarding Items Deliberated in Closed Session.**

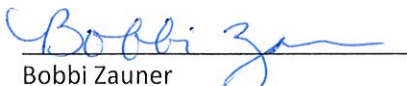
No action was taken.

X. Adjournment

A motion was made by Trustee Thusius, second by Trustee Zander, and unanimously carried by the Village Board, to adjourn. Meeting ended at 8:26 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