

LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, SEPTEMBER 15, 2020
MUNICIPAL OFFICE BUILDING
206 MAPLE STREET, LUXEMBURG, WI

Members present: Jack Seidl, Dan Porath, Sue Raduenz, Dan Olson, Brian Barbiaux, Germaine Burkart and Lori Hurley. Others present: Clerk/Treasurer MiLissa Stipe, Rick Simonar, Zoning Administrator Todd Delebreaux, Village Attorney Dennis Abts, Chief Gulbrand, Paul Shefchik, Portside Builders Inc., Mary and Kaye Christofferson, Tom & Nikki Rueckl Jr., Troy Mleziva Kwik Trip and multiple residents.

1. CALL MEETING TO ORDER

Meeting was called to order at 7:00 p.m.

2. ROLL CALL

Members Jack Seidl, Dan Porath, Sue Raduenz, Dan Olson, Germaine Burkart, Brian Barbiaux and Lori Hurley.

3. ADOPT AGENDA

Motion (Barbiaux/Burkart) to approve the agenda. All ayes. Motion carried.

4. COMMENTS FROM CITIZENS (SIGN-UP SHEET/3 MINUTES MAXIMUM)

Jennifer/Jim Hart; 418 Maria Street voiced their concerns regarding the roadway/driveway for the condo's. We have lived in the Village for their entire life and never thought it would change from R1 to R2; disheartened that the adjusted plan went back to the original plan since their concerns are the safety of the children.

Ron Tlachac; 224 Division Street made a public apology regarding his past comments and didn't want to hurt anyone. The Village tax revenue from this development is such a small portion of the overall tax revenue and we are losing our neighborhood.

Bruce Seidl; 707 Elm Street concerns with backyard to backyard, the driveway is too close to his backyard, he wanted more of a buffer.

Jamie Vandenhouten; 820 Mary's Court concerned that the Village is only concerned with the tax revenue and that is why they are trying to push this through, residents put their faith in our Board members and they are ignoring our voices.

Kurt Boulanger, 412 Center Drive stated that he had concerns regarding Kwik Trip's conditional use permits request. There is a lot of traffic at the intersection of Hwy. 54/Center Drive and this increase in business will also increase the traffic flow, safety concerns, restated concerns on signage for the planned unit development and that Kwik Trip would need to adhere to the restrictions, would like to see restricted access off of County AB.

Don Webb; 1325 Main Street traffic concerns since he is an employee of the Main Stop and this business would cause a major increase in the traffic flow and he stated he had concerns for safety of vehicles/pedestrians, traffic will be a nightmare with semitrailer traffic and the joint sign with Rose's Restaurant can't be done, it needs to be all businesses of the Planned Unit Development.

Paul & Ann Ravet; 821 Mary's Court stated that this has been an emotional process since the development was brought up to the Village Board, they had concerns for the safety of their children and grandchildren, they have a handicap child and expressed serious concern since she takes her powered wheelchair down the street, everyone watches out for her. Board members were elected to represent us.

Dennis Thiry; 324 Seidl Street agreed with everything Paul Ravet stated and wanted R1 only, can't see condo's selling in Luxemburg.

Casi Hafeman; 212 First Street spoke about the concerns with the Kwik Trip driveways and concerns with traffic issues and safety of patrons. Sometimes during the day the street is backed up non-stop and would like to know what the best interest is for Luxemburg.

Dale Simonar; Simonar Shell stated that the access point onto County AB is too busy to incorporate another access point for another business, he maintained that 90% of traffic flow will use County AB to access the Main Stop or Kwik Trip. Someone said that it is only 15 minutes of high traffic at this intersection but it only takes 2 seconds for someone to die due to a traffic accident.

Tammy Hallet; 442 Brookview Drive wanted the Board to know that she welcomes Kwik Trip to our community and this opportunity for growth/diversity in our businesses is what the Village needs.

5. APPROVE MINUTES FROM THE AUGUST 18, 2020 BOARD MEETING

Motion (Porath/Barbiaux) to approve the minutes from August 18, 2020 Board meeting. All ayes. Motion carried.

6. REVIEW-APPROVE/DENY REQUEST FROM RUECKL DEVELOPMENT, CONDITIONAL USE PERMIT (PLANNED UNIT DEVELOPMENT)

Tom Rueckl Jr. presented his site plan for the Planned Unit Development on Northbrook Road. The plan displays single family homes and condo style homes. His builder is Black Diamond Builders from Green Bay, WI Robert E. Lee & Associates is the engineer on the project. The development will be managed by a homeowner's association. The approximate size of the homes will range from 1400-1700 square feet. The planning commission made a favorable recommendation for the conditional use permit to a planned unit development. Motion (Porath/Barbiaux) to approve the conditional use permit for the planned unit development for the Rueckl development on Northbrook road. All ayes. Motion carried.

7. REVIEW-APPROVE/DENY REQUEST FROM KWIK TRIP, CONDITIONAL USE PERMIT

Troy Mleziva, Real Estate Manager for Kwik Trip presented the site plan for the proposed Kwik Trip site at 113 North Main Street (31-146-SE-16-16.1) with the purchase of another parcel west of 113 North Main Street (31-146-SE-16-16.7) for a total of 4.575 acres. The site plan lays out all the details for entrances/exit for the gas station/car wash facility. Discussions with Kewaunee County (Todd Every) and the Luxemburg-Casco Superintendent Glen Schlender took place regarding access from County AB and the effect on the safety of the children. Multiple concerns were raised regarding the County AB access. Signage for appropriate flow for the facility was deliberated. Overall, the facility will be a multi-million dollar investment into the community with job opportunities for the community as well. Motion (Barbiaux/Porath) to approve the conditional use permits for Kwik Trip for the gas station/car wash at the above listed Commercial zoned parcels. All ayes. Motion carried.

7a. MOTION TO RECUSE

Motion (Porath/Barbiaux) to accept the request from President Seidl to recuse himself from the next two agenda items. Trustee Raduenz will facilitate the meeting in his absence. All ayes. Motion carried.

8. REVIEW-APPROVE/DENY REZONING REQUEST FROM CHRISTOFFERSON R-1 TO R-2 DESIGNATION

Kaye and Mary Christofferson, Portside Construction, Paul Shefchik presented the development on their parcel (31-146-NW-22-11-1.1). The revisions of the site plan were discussed and the plan that is presented tonight is the original plan with a larger setback of the buildings from west side of the parcel. Kaye Christofferson stated that there will be 125 feet from neighboring lot lines to the new buildings/condos. After review of the revisions it was decided to revert back to the original plan due to the switch of the buildings to back yard to back yard create a nine foot retaining wall, no zero clearance entrance and steep driveways. Paul Shefchik reiterated that changing the property to fit the buildings/development is not always the answer. Normally, the type/style of buildings may not allow the adjustments. The Christofferson's were not pleased with the outcome of the adjusted plan, it was not what they envisioned for the development and would make the development not conducive to the retirement age that they are trying to target as possible condo owner's. They will be implementing in their plan a buffer of trees and fencing to eliminate noise, sight traffic or any other disturbance from the development. Motion

(Porath/Hurley) to approve the rezoning from R1 to R2 for the parcel (31-146-NW-22-11-1.1). Trustee Olson voted nay, all others vote aye. 5-1 vote, motion passed.

9. REVIEW-APPROVE/DENY REZONING REQUEST FROM SEIDL R-1 TO R-2 DESIGNATION

Pete Hurth, Engineer for Portside Builders Inc. gave the breakdown of the layout of the properties (31-146-NW-22-9-1 and 31-146-NW-22-10-14), which will have single family homes on the western side of the parcels and the eastern side (Ahnapee Trail) will have condos/duplexes. The same homeowners association that will oversee the Christofferson development will oversee this expansion as well. There will be an access to the Ahnapee Trail. Motion (Porath/Burkart) to approve the rezone of the above listed parcels from R1 to R2 designation with the stipulation that there will be (5) single family homes as per the site plan. All ayes. Motion carried.

9a. MOTION TO UNRECUSE

Motion (Porath/Barbiaux) to have President Seidl unrecuse himself and resume his status as President for the village board. All ayes. Motion carried.

10. DISCUSSION ON WAYS TO OBTAIN PROPERTY TO EXPAND WESTERN ACCESS OF INDUSTRIAL PARK TO RENDEZVOUS ROAD

Discussion on what options the Village has to obtain property, possible discussions with the Zellner's to determine if they are willing to sell and this would allow the Village to expand land available to potential buyers. Discussion on expansion once Frontier Road is put through to Rendezvous Road. More discussion will need to be addressed during the budget cycle.

11. ENGINEERING UPDATE: LEE NOVAK

Engineer Lee Novak was unable to attend, but supplied the Village with a written update.

*Sewer/Water Projects: Dorner began work last week and has Oak Street completed and is working on Maple Street. Construction is projected to be completed in October. Regarding the request to pave the entire alley between Maple Street and Oak Street, the estimated cost to complete the paving is \$4,200. The cost was shared with Mr. Carviou who was going to consult with his neighbors.

*Frontier Road Extension: Design of the street, sewer and water main extension are in the process of being prepared. CN Railroad is preparing the easement to cross Frontier Road over the railroad. We are waiting for the permit from CN Railroad to install the sanitary sewer and water main under the railroad to know what the conditions are prior to bidding. Permit was submitted in June and CN responded last week that they are reviewing but are backlogged. The estimated construction start date is projected be around October/November, 2020, with completion of the bituminous pavement in June 2021.

*CDBG Block Grant: The Wisconsin Department of Administration announced the grant awards in late August. The Village of Luxemburg did not receive a grant. The Village will have to decide whether to proceed with the purchase without grant money.

*Main Street Resurfacing: Kewaunee County Highway Department is committed to resurfacing the southern section of CTH AB in the Village in 2021. We are coordinating the Village's sewer and water main work with the Kewaunee County work. The project will extend from Ash Street to the southern Village limits. We have reviewed the possibility of replacing sanitary sewer and water main in the easement west of Main Street from Hickory to Well Number 2 north of Walnut Street and estimate the cost to replace this section to be approximately \$225,000.

*Connection to Green Bay Water: Preliminary plans and specifications are near completion. Permit applications to the WDNR and Wisconsin PSC would occur in 2020, so construction could begin in 2021.

12. REVIEW/APPROVE-DENY LOT DIVISION FOR 718 AND 734 MAIN STREET/JOHN KLEIMAN

Discussion regarding parking stalls for the apartment building. Motion (Porath/Hurley) to approve the Certified Survey Map for John Kleiman. All ayes. Motion carried.

13. REVIEW/APPROVE-DENY LOT COMBINATION FOR 1801 DEER TRAIL COURT/CHAD DORNER

Zoning Administrator Delebreaux explained the need to combine the lots since Chad Dorner wanted to construct another garage on the property and this is not possible unless the lots are combined. An empty lot can't have a garage constructed unless a primary residence exists first. Motion (Raduenz/Burkart) to approve the combination of the lots at 1801 Deer Trail Court for Chad Dorner. All ayes. Motion carried.

14. DISCUSSION ON PAVING OF ALLEYS

Resident Jason Carviou requested in writing to have the alley between Maple Street/Oak Street paved for the need of issues with snow removal during the winter months. Discussion was presented regarding the obligation of the Village with maintenance of the alley. The Village does not plow the alleys in the winter, it is up to the property owners adjacent to the alley to maintain them. Costs associated with paving the alley was discussed. The Village does not want to engage in paving alleys. The costs of the paving (request from residents) would need to be paid by the residents. Ground rules will need to be established if this issue goes forward.

15. DISCUSSION ON PUBLIC RECORD REQUEST AND RULES FOR QUORUM REQUIREMENTS

Clerk/Treasurer Stipe explained the rules to a quorum status and the requirements for a quorum. Discussion outside the Village Board meetings of 4 or more members is strictly opposed. Discussion on public records request, time, costs associated with requests can burden the office staff. Clerk/Treasurer Stipe will research state statues to determine the basis of what can or can't be done with open records law.

16. UPDATE ON INTERNET DISCUSSION

Discussion on the need to assist residents in obtaining faster internet. Simonar Service has recently purchased fiber internet, but that service is only provided to businesses as this time. What other options are available for residents? Discussion about an individual (Ben Wallander) that has experience with internet options may be the first step for future discussions. President Seidl will get ahold of Ben and see if he can work something out for Ben to come to the Village and explain what services he can provide.

17. TRICK/TREAT DATE/HOURS

Discussion on what is appropriate (COVID) at this time. The Board discussed options for residents; people who want to be involved (outside lights on), prepackaged bags for treats, social distancing, etc. The Board made a recommendation to have trick/treating on November 1st, 2020 from 2-4 p.m. Posting on the website/facebook with following recommendations from the County/CDC.

18. APPROVE VOUCHERS FOR PAYMENT

Review of vouchers was completed. Motion (Hurley/Olson) to approve vouchers. All ayes. Motion carried.

19. REVIEW/TAKE ACTION ON PICNIC AND OPERATORS:

Bartender's: Motion (Raduenz/Barbiaux) to approve Class A liquor/Beer license for his new business (El Mariachi Market LLC) at the old site (Rose's Family Restaurant) 112 Main Street. All ayes. Motion carried.

20. COMMITTEE REPORTS

Chief Gulbrand-Police

-Discussion on the move for the Police Department with the new constructed offices went well, evidence room is still missing some items, but Chris is working on those items; freezer and shelving.

Rick Simonar – Public Works

-Working with Dorner on the Sewer/Water projects, going well.
-Winding down the summer project into fall projects.

President Seidl

-Discussion on Planning Commission membership and diversity/change for the future. Two to three appointments, possible new membership.

-Jack would like to bring a planner in to discuss options and future growth methods for the Village. The need to address the wishes of our population and the needs of future businesses that may want to come to the Village.

20. ANY OTHER ISSUES

None

21. ADJOURN

Motion (Olson/Hurley) to adjourn at 9:40 p.m. All ayes. Motion carried.

MiLissa Stipe
Clerk/Treasurer