

**LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, OCTOBER 11, 2016
MUNICIPAL OFFICE BUILDING
206 MAPLE STREET, LUXEMBURG, WI**

Members present: President Ken Tebon, Dan Olson, Jack Seidl, Michelle Seidl, Suzie Leist, Dan Porath and Wade Sicklinger. Others present: Clerk/Treasurer: MiLissa Stipe, Village Engineer: Lee Novak, Public Works Supervisor: Rick Simonar, Police Officer Larry Hurley, Zoning Administrator Todd Delebreau.

1. ROLL CALL

All Board members present.

2. ADOPT AGENDA

Motion (Jack Seidl/Michelle Seidl) to adopt the agenda. All ayes. Motion carried.

3. APPROVE MINUTES FROM THE SEPTEMBER 13, 2016 BOARD MEETING

Motion (Porath/Sicklinger) to approve the minutes. All ayes. Motion carried.

4. APPROVE VOUCHERS FOR PAYMENT

The board reviewed the listing of unpaid vouchers and payroll totaling \$683,665.96 with the addition of Cellcom bill \$339.16 and Green Bay Met Bill for \$11,747.62. A separate listing of vouchers and payroll which were paid since the previous board meeting totaling \$9,259.95 were reviewed. Motion (Michelle Seidl/Leist) to approve the payment of the unpaid vouchers and payroll. All ayes. Motion carried.

5. ENGINEER UPDATE: LEE NOVAK

Village Engineer Lee Novak updated the Board on the following projects:

- Main Street Enhancement Project: The standard sidewalk is completed except for by the BP Gas station. The colored concrete will be completed this week. The bituminous pavement will be milled next week and placement as well. The pavement work should be done by the end of October and WPS has begun placing the light poles on the south end which should be completed by the end of October.

- Replacement of sanitary sewer/water main in alley between First/Second Street from St. John's to Maple Street: Dorner has completed all construction and restoration on the alley.

- Fermented Nutrition Corporation (FNC) Proposed Discharge to Village: NEW Water has drafted an agreement for 2 cfs capacity in the Wequiock Creek Interceptor and the buy in cost is \$355,699.90. The Village Board needs to approve the agreement and NEW Water will approve at their meeting on October 25th. The WDNR has approved the engineering report prepared by Robert E. Lee & Associates (REL). Plans have been prepared for the connection to the Wequiock Creek Interceptor at STH 54 and Craanen in the Town of Scott. REL has requested a price from Dorner to perform the connection which will be added to the Main Street contract by change order. We anticipate the WDNR approval in early November and the construction to be completed by the end of November.
REL met with Scott Sanitary District concerning the removal of Luxemburg's flow from their pipe. Scott Sanitary District would like to televise the sewer to determine its condition and have

Luxemburg pay half of the cost. Estimated cost to televise is about \$2,000 with Luxemburg's portion at \$1,000. Motion (Porath/Jack Seidl) to agree to televise the line. All ayes. Motion carried. If the pipe is in good condition, Scott Sanitary District will release Luxemburg from all future liabilities with the pipe.

An agreement with FNC is in the process of being drafted. FNC has completed the permit application with NEW Water.

There was discussion regarding the Christmas decorations guidelines/requirements from WPS for attachment to the new light poles. The new poles are 30' fiberglass and 14' fiberglass.

6. DISCUSSION/DECISION ON RENTAL OF INDUSTRIAL LAND FOR FARMING USE (JASON ROLLINS-FRONTIER ROAD/ENTERPRISE ROAD)

Street Supervisor Rick Simonar confirmed that Jason Rollins is interested in renting the land (approx. 12 acres) and that he will use the land fill (recycling leaf/yard waste) product as fertilizer. An agreement would need to be drawn up with the understanding that there would be no rental fee due to spreading of the land fill product. The Village is responsible for disposal of the land fill product and this land spreading by Jason Rollins will complete the DNR's requirements. No rental fee would be imposed. Rick Simonar will report to the WDNR on the land fill spreading process that the Village is taking. Motion (Sicklinger/Porath) to process a simple agreement with Jason Rollins for a 5 year term with no rental fee due to the land spreading of the land fill recycling product. All ayes. Motion carried.

7. DISCUSSION/ACTION BUILDING PERMIT VARIANCES AND OTHER BUILDING ISSUES; INCLUDING REQUEST (DENNIS MASSART) TO COMBINE LOTS OF (601;603; 605 MARCKS COURT) (TODD DELEBREAU)

Discussion regarding the combination of Dennis Massart lots were reviewed. Engineer Novak would be checking into any sewer/water lines on those lots for any future building by Dennis Massart. The consensus of the Board was favorable to the combination of the lots. There was discussion with Todd Delebreaux regarding issues that have surfaced with discrepancies in the building height/placement of accessory structures in the Village. In the past, the Board gave the authority to Todd Delebreaux, Zoning Administrator, to approve these types of construction. Currently, the issues have become problematic and he has requested that the Board determine what types of construction he would be approving without Board involvement. The Board discussed scenario's such as a request to construct a garage/accessory structure with a higher height of the structure which would need a variance in the normal procedure based on the Zoning/Building Ordinance code. Based on the discussion, the current Board was uncomfortable to proceed with the old process. The Board agreed that all deviations from the building code would be processed through the variance process. Motion (Jack Seidl/Michelle Seidl) that the Village Board will require the variance process for any building requests that do not adhere to the Zoning/Building Ordinance Code. All ayes. Motion carried. In the future, the Village Board would need to amend the current code to accommodate requests from residents particularly in the area of accessory structures.

8. REVIEW/ACTION ON INTERGOVERNMENTAL COOPERATION AGREEMENT WITH KEWAUNEE COUNTY (MAIN STREET ENHANCEMENT PROJECT)

After review of the agreement that was presented to the Board, there were some discrepancies that needed to be cleared up in reference to equal payment for the paving of Main Street. It was discussed to present to Kewaunee County that the County would repave for a distance of 3,272 feet from Ash Street to the South which would include driving lanes and parking lanes. There would be a time deadline of no later than October 1, 2022. Since the last time Main Street was

paved in 2007, the 15 year timeframe would be what the Village would be looking for in replacement. Motion (Porath/Jack Seidl) to present the two above mentioned items (3,272 length and deadline for replacement of 10/1/2022) to Kewaunee County for their approval. All ayes. Motion carried.

9. REVIEW/ACTION ON AGREEMENT WITH NEW WATER FOR PURCHASE OF CAPACITY IN WEQUIOCK CREEK INTERCEPTOR FOR SEWER

Engineer Novak presented the agreement noting that there was a discrepancy for the amount of the buy in (page 2 of agreement) which should state \$355,699.90 not \$354,608.48. An amended agreement will be sent for signature. Motion (Jack Seidl/Leist) to approve the Agreement with NEW Water for Purchase of Capacity in Wequiock Creek Interceptor. All ayes. Motion carried.

10. APPOINTMENT CONTACT PERSON FOR KEWAUNEE COUNTY EMERGENCY MANAGEMENT

Trustee Sicklinger stated that he would be the contact person for Kewaunee County Emergency Management. Motion (Porath/Jack Seidl) to appoint Trustee Sicklinger as the contact person for Kewaunee County Emergency Management. All ayes. Motion carried.

11. CHRISTMAS DECORATIONS-LIGHTS/MAIN STREET ENHANCEMENT PROJECT DISCUSSION

After review of the guidelines/requirements for Christmas decorations/banner for the light on Main Street, it was agreed that the Street/Sidewalk Committee should meet to discuss further. The meeting is set for October 20, 2016 at 5:00 p.m.

12. RESCHEDULE VILLAGE BOARD MEETING FOR NOVEMBER 8, 2016 (DUE TO PRESIDENTIAL ELECTION)

Due to the Presidential election, the Board decided to move the monthly November meeting to Monday, November 14, 2016.

13. DISCUSSION ON LAND VALUES/SALE OF INDUSTRIAL LAND

Based on data that was supplied by the assessor for industrial land within the Village, it appears that the acreage rate is at \$12,000 per acre. After further discussion, it was concluded that \$12,000 would be used at a starting point for any land sale negotiations.

14. DISCUSSION ON BUDGET DEVELOPMENT FOR 2017

After budget committee meetings that were held on October 4, 2017; a full Board meeting will be held on October 20, 2017 for review. All items will be presented to the full Board to review and make recommendations for implementation in the 2017 budget. Final review of the Budget will be processed in Late November.

15. REVIEW/ACTION ON OPERATORS/LIQUOR/BEER & PICNIC LICENSES

New operator's: Bailey M. Waechter/Simonar Shell and Ashley L. Loecher/Venture One
Motion (Michelle Seidl/Sicklinger) to approve the two operator's licenses. All ayes. Motion carried.

Picnic license/Temporary licenses: Kewaunee County Fair Association for "Fairest of the Fair Gala" on November 26, 2016 at Kewaunee County Fairgrounds with temporary operator's license for Holly A. LeFevre and Jane M. Theys.

Motion (Porath/Leist) to approve the picnic license and two temporary licenses. All ayes. Motion carried.

16. COMMITTEE REPORTS

Jack Seidl stated that he attended the Transportation County Wide Meeting with a review of the meeting (supplied to trustees) stating the Transportation/Local Roads Improvement Program funds that are distributed to municipalities will increase slightly for the next biennium budget. The document that was supplied to trustees shows budget implications and projects that are on the horizon for the State.

Public Works Supervisor Rick Simonar supplied the Board with the following updates:

- *Flushing hydrants will continue for a few more weeks.
- *Fountains at the pond have been removed for the winter season.
- *95% of the street signs have been replaced.
- *Discussion regarding a generator for the Village Hall will need to take place after Rick confirms with Ron Stahl as to what the Village Hall would need as to generator/electrical requirements.
- *The new generator for the lift station/wells is working well and has been tested.
- *Leaf collection-will continue.
- *Discussion on upgrade of Well #1; electrical, generator, and ventilation. Well #1 was constructed in the 1940's. Rick will be getting quotes for the upgrades.

Dan Porath attended the Firemen/Rescue Meeting with discussion on their budget, purchase of a new tanker/which was voted down. Questions were presented regarding three rescue squads? Do we need them? Can they staff them?

17. CONSIDER TO ADJOURN TO CLOSED SESSION PURSUANT TO SEC. 19.85 (1)(c)
CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE
EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE
GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY

Motion (Porath/Jack Seidl) to move into closed session. All ayes. Motion carried at 9:30 p.m.