

LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, MARCH 14, 2023
MUNICIPAL OFFICE BUILDING
206 MAPLE STREET, LUXEMBURG, WI

Members present: Jack Seidl, Dan Porath, Dan Olson, Brian Barbiaux, Dan Rueckl. Absent: Ron Tlachac, Lori Hurley. Others present: Clerk/Treasurer MiLissa Stipe, Public Works Supervisor Rick Simonar, Police Chief Gulbrand, Engineer Gayle Lindenberg, Mike Faltynski, Paul Abts, Michelle Lach; Midwest Expansions.

1. CALL MEETING TO ORDER

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

2. ROLL CALL

Members Jack Seidl, Dan Porath, Dan Olson, Dan Rueckl and Brian Barbiaux. Absent: Lori Hurley, Ron Tlachac.

3. ADOPT AGENDA

Motion (Olson/Rueckl) to approve the agenda. All ayes. Motion carried.

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

No comments.

5. APPROVE MINUTES FROM THE FEBRUARY 14, 2023, BOARD MEETING

Motion (Porath/Barbiaux) to approve the minutes from the February 14, 2023, Board meeting. All ayes. Motion carried.

6. REVIEW/APPROVE ORDINANCE 3-2023; AN ORDINANCE TO ADOPT A COMPREHENSIVE PLAN PURSUANT TO WISCONSIN STATUTES SECTION 66.1001

Motion (Barbiaux/Rueckl) to approve the ordinance 3-2023, adopt a comprehensive plan. All ayes. Motion carried.

7. DISCUSSION/REVIEW & APPROVE LOADING LIMITS FOR FERMENTED NUTRITION; UPDATE ON PACKERLAND WHEY/FERMENTED NUTRITION ISSUES

An updated load limit document via the sewer service ordinance was presented to Fermented Nutrition (FNC) for future use towards a more equitable load limit for their waste. The load limits give new guidance for loads that may impede NEW Water and the Village's wastewater treatment plant. This document outlines the new delineation based on a 7-day average to determine if the Village may need recourse to close the sewer line to avoid any future contamination of the Village's wastewater treatment plant. After review, a motion (Barbiaux/Olson) to approve the new load limits for Fermented Nutrition through the sewer use ordinance. All ayes. Motion carried.

Fermented Nutrition has been working on their treatment and has been working on their payments for their outstanding sewer invoices. Overall, the process was worked out via attorneys for each party, to make sure all legal proceedings were followed. There were multiple meetings with staff from FNC; it was agreed to communicate on a weekly basis to keep up on what is happening in the plant; Tuesday mornings at 8:30 a.m. It was never the direct intent to shut off the line to the sewer line but to promote FNC to get their treatment under control and a more consistent payment process for outstanding invoices. Overall, the goals are being met, treatment is going in the right direction and payments are getting more regular.

8. REVIEW/DISCUSSION ON PARKING CODE AMENDMENT RELATING TO PARKING OF VEHICLES, TRAILERS, MOTOR HOMES, CAMPERS....., SECTION 9.42 (7) (A)

Review of the current code was presented. There have been complaints made by residents and Board members that the code is too restrictive for residents. Options were presented to allow residents to store their vehicles, trailers at another site instead of their own property if there were issues with homes that do not have the space to store on site. Possibly, our industrial park, but that posed a problem since the land is not truly level. Possibly Weidner lumber/Advantage Auto (both Hwy. 54) may have space available, but that would leave it up to the trailer owner to secure space to park during the winter/summer months. It was agreed to clearly state in the amended code to identify the coverage on the ground for the base width (entire undercarriage) of the trailer, UTV, Motor homes, etc. An amended code will be sent to the Board members to review prior to the Board meeting. A public hearing is expected to be presented prior to the April 11, 2023, Board meeting.

9. REVIEW/APPROVE-DENY THE TAX INCREMENTAL DISTRICT DEVELOPMENT AGREEMENT BY WADE MICOLEY (ZELLNER PROPERTY) WITH A 60/40 TIF FUNDING; ZONING OF PARCEL FOR R-1 AND R-3; USE OF PART FOR GREEN SPACE PARK

The Village attorneys reviewed the development agreement and have made changes to the agreement. The agreement changes are more reflective of a fair and balanced agreement. The discussion regarding the developer incentive percentage for 60/40 was not favorable with the Board. More discussion was presented, and it was decided that the 55/45 developer incentive would be more appropriate. Motion (Barbiaux/Rueckl) to amend the developer incentive to 55/45 for the Micoley TIF development Agreement. All ayes. Motion carried.

The agreement will be sent to Wade Micoley for his attorneys to review. Discussion on the process for rezoning the front area of the 35 acres from R-1 to R-3 for the apartments. Engineer Lindenberg will contact Wade Micoley to discuss the process for rezoning. The proposed green space park (1.6 acres) will remain in the ownership of Wade Micoley and potentially used as a small park for the residents of the development.

10. ENGINEER UPDATES

*Water Study: Engineer Lindenberg presented the water study that has been compiled for over the past year. It explains every aspect of a water study from geology, current water systems, distribution, future water requirements, standards, design criteria, cost data analysis, water supply alternatives, water storage, system pressure alternatives and funding options. Currently the Village is looking at extending the water supply distribution to Sugarbush to the Green Bay Water Utility. The water study was developed to look at every angle for future water sources for the community. Based on all analysis, the best option is to extend the water distribution to the Green Bay Water Utility. There is also a request to increase the water pressure in the Village, which entails removing the bulb off of the water tower, increasing the height of the tower by 23 feet and reattaching the bulb. It is going to be costly. Other options are to dig more wells, deeper in the Village. That is not an option since there are (4) wells and our water sources do not produce substantial flows. The concerns of contamination from farm runoff and the historical data that the Village resides on rock and it is very difficult to support increased water locally. There will be some form of rate increases for all users, but all that data is unknown as of yet. There are grants available, principal forgiveness opportunities as well. The Village will be working with the Village Engineers to determine the best start for the project. There is discussion on having an open house for the residents/business in the Village to demonstrate the need for the transfer to the Green Bay Water Utility. Watch for more information to follow on the open house.

*Electric/Gas at Industrial Park: An application for electric (3 phase)/gas installation at the industrial park has been submitted to WPS.

11. REVIEW/APPROVE VOUCHERS

Motion (Porath/Rueckl) to approve March 2023 vouchers. All ayes. Motion carried.

13. REVIEW/TAKE ACTION ON BARTENDAR'S LICENSE: KILEY ANN PAGEL, SCOTTY'S BAR; HALIE JO DORNER, AHNAPEE CREAMERY & CAFÉ; JEEVAN BHANDARI, BP GAS STATION. PICNIC LICENSE: ST. MARY PARISH, ST. MARY PARISH & SCHOOL SPRING FLING ON APRIL 22, 2023, TO BE HELD AT KEWAUNEE COUNTY FAIRGROUNDS EXPO CENTER, 625 THIRD STREET

Motion (Barbiaux/Olson) to approve the bartender's licenses. All ayes. Motion carried.

Motion (Barbiaux/Rueckl) to approve the picnic license. All ayes. Motion carried.

14. COMMITTEE REPORTS

*The Police Dept. has the body cameras/server set with our IT person. There is training that will need to be completed before they go live with the system on May 8th, 2023. Chief Gulbrand is working on redaction software as well.

*Clerk/Treasurer Stipe reminded that Board that the Spring General election is April 4, 2023, hours 7:00 a.m. to 8:00 p.m. A grant opportunity via elections for \$1,200 was applied for and we did receive the grant and will be using it to switch the designations for the village to .gov instead of .com, we are in the process of completing the process.

*Public Works/Sewer/Water, Rick Simonar ordered the bacteria booster and sludge removing bacteria totes for repair of the clarifying ponds at the wastewater treatment plant. We will wait until it is a little warmer to install the new bacteria.

*New Plastics has requested crosswalks on 4th street but there are crosswalks on 4th street, Rick will get in touch with the safety manager and discuss what needs to be done.

*Trustee Porath stated he does not like the Village Hall sign. The Village looked into some sign companies last year with a hefty price tag for replacement. It was suggested to approach the high school and see if this could be a student project. Clerk Stipe will seek out their help.

17. ANY OTHER ISSUES

None

18. ADJOURN

Motion (Olson/Barbiaux) to adjourn at 9:24 p.m. All ayes. Motion carried.

MiLissa Stipe
Clerk/Treasurer

