

**LUXEMBURG VILLAGE BOARD MEETING MINUTES**  
**TUESDAY, MAY 9, 2023**  
**MUNICIPAL OFFICE BUILDING**  
**206 MAPLE STREET, LUXEMBURG, WI**

Members present: Dan Porath, Lori Hurley, Dan Olson, Dan Rueckl, Ron Tlachac, Bob Seidl. Others present: Clerk/Treasurer MiLissa Stipe, Public Works Supervisor Rick Simonar, Police Chief Gulbrand, Engineer Gayle Lindenberg, Mike Faltynski, Mark Fort, Peter Kline, Patty Seidl, Town residents Linus Treml and Lauren Herlache and many other village residents.

1. CALL MEETING TO ORDER

The meeting was called to order at 7:25 p.m.

2. ROLL CALL

Members Dan Porath, Dan Olson, Dan Rueckl, Lori Hurley, Ron Tlachac and Bob Seidl.

3. ADOPT AGENDA

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

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

Resident Mike Faltynski requested that a four way stop sign be placed on Robin and Woodview Lane. He stated that people blow through that intersection all the time and it is becoming a very dangerous intersection especially in the morning when people are getting their children on/off the bus, etc. He wanted to put in a request for it to be reviewed. This item would be deferred to the June 2023 Board meeting.

Town resident Lauren Herlache presented a petition opposing the rezone for Norman and Jean Zellner. She was visibly upset and expressed her dissatisfaction with the possibility of the parcel adjacent to her parcel being moved to an R-3 designation. She stated the safety of her children and the devaluing of her property will be at risk with the townhouse's development project.

5. APPROVE MINUTES FROM THE APRIL 11, 2023, BOARD MEETING

Motion (Rueckl/Hurley) to approve the minutes from the April 11, 2023, Board meeting. All ayes. Motion carried.

6. REVIEW APPROVE/DENY REZONE FOR NORMAN & JEAN ZELLNER PROPERTY

There was a brief discussion on the rezone. Motion (Tlachac/Hurley) to approve the rezone with the understanding that any restrictions (yet to be determined) would be held up. All ayes except Trustee Seidl voting nay. Motion carried.

7. REVIEW APPROVE/DENY OF DEVELOPMENT AGREEMENT (WADE MICOLEY-TYCORE BUILT LLC)

This agenda item has been requested to be deferred until June 13, 2023, Board Meeting.

8. AUDIT FOR 2022 PRESENTATION (ELIZABETH MCMASTERS-CLA)

Overall, the Village, Water/Sewer and TIF budgets were in good standing. There are new requirements for accounting practices that include leases, the Village really doesn't have many, just lease for the lift rental/leasing for streets. The cash balances in the water/sewer accounts have been solid. The balances in the Water/Sewer accounts are for the remainder of debt payments that are in the future once the TIF #1 closes. The legal debt limit for the Village is 50% legal debt which is \$6.8 million. There was no change

in findings during the audit. Discussion regarding the need to increase water rates due to the potential of connecting to the Green Bay Water Authority. Clerk/Treasurer Stipe will get in contact with Elizabeth McMasters on the procedure for water rate increase.

The TIF #1 audit is complete and the TIF #1 was very productive for the Village as a whole. The base value of the TIF #1 District at inception was \$4.7 million and at close, the value was \$53.4 million. This value shows the growth in the districts over the past 27 years. This includes growth due to projects or sale of lands that growth transpired on. There will be a one-time refund to the taxing jurisdictions due to the increments collected in excess of project costs.

#### 9. BOARD OF REVIEW-NOTICE OF MEETING POSTPONEMENT

Due to the reevaluation of the Village this past fall/spring, our Open Book/Board of Review will be delayed until August/September of 2023. This delay is due to the data collection compilation that still needs to be completed. A document (Notice of meeting to adjourn Board of Review to later date) needed to be completed in order to comply with State Statutes 70.47 (1).

Motion (Rueckl/Tlachac) to approve the meeting notice to adjourn the Board of Review to a later date (yet to be determined). All ayes. Motion carried.

#### 10. ENGINEER UPDATES

\*Open house for public will be held on Tuesday, May 16<sup>th</sup> from 5-7 p.m. at Village Hall

\*WPS electric & gas installation at Industrial Park is waiting on estimate and schedule.

\*Division & Seidl Streets, surface coat in May/June 2023.

\*New FEMA Flood Plain Mapping 90-day appeal process started on April 13, 2023, and ends July 12, 2023, Northbrook subdivision may have a number of properties potentially affected. REL will put together an estimate to survey and verify elevations for submittal to FEMA. It will be up to each property owner if they would like to participate at their expense.

\*Rank property development is on hold at this time.

#### 11. UPDATE ON COMMITTEE APPOINTMENTS

At this time, the committee appointments will not be finalized until the appointment of the replacement trustee for Dan Porath's trustee position. President Porath requested to have Trustee Rueckl appointed as Vice President. Motion (Tlachac/Hurley) to appoint Trustee Dan Rueckl as Vice President. All ayes. Motion carried.

#### 12. UPDATE ON KERRY DEGRAVE LOT/ENTERPRISE ROAD

President Porath had a conversation with Kerry DeGrave regarding the lot that he owns on Enterprise Road. Kerry expressed an interest in purchasing a lot in the industrial park. The lot would be larger than his lot on Enterprise and would allow for expansion. Kerry's lot on Enterprise Road already has an individual who would purchase it. After discussing the options for Kerry, he stated that he would need to have time to develop the lot. In his industry (DeGrave Mediablasing & Painting LLC) there have been some downfalls with retaining employees. There has been an increase in employees leaving their positions (welders/painters) for higher paying positions. He stated that he is paying a competitive wage. But in today's economic environment, he is not comfortable with building a large-scale operation until the market comes down with interest rates, and an increase in employee retention. He would be interested in purchasing a lot in the industrial park but not building on the lot for a couple of years. Trustee Tlachac was not interested in making that agreement with Kerry. He felt if an individual purchases the lot, then they would have one year to build. Motion (Tlachac/Rueckl) to approve the purchase of the lot for Kerry DeGrave (with understanding that after gas/electric is installed) Kerry would have one year to build and that the lot on Enterprise Road would be sold to Bob Christoff for his installation of grain bins. All ayes. Motion carried. President Porath will contact Kerry to discuss.

13. APPOINTMENT OF REPLACEMENT TRUSTEE FOR DAN PORATH'S REMAINING YEAR OF TERM OF SERVICE

A request for people interested in the replacement trustee position was placed on the Village's Facebook account. Two individuals: Mike Faltynski and Mark Fort, have submitted a letter of intent. A vote was cast for the replacement position. Mike Faltynski received the majority of the votes. The Board welcomed Mike to the table and encouraged Mark to run for office in the next spring election.

14. APPOINTMENT OF BACK UP SIGNATURE FOR FINANCIAL TRANSACTIONS

The Board was in consensus that Vice President Dan Rueckl should be the backup signature. Motion (Hurley/Seidl) to appoint Trustee Rueckl as the backup signature for financial transactions. All ayes. Motion carried.

15. DISCUSSION ON RICHARD LELOU HOME (606 SECOND STREET) KEWAUNEE COUNTY CONTROLLED

President Porath had a conversation with a Kewaunee County representative regarding 606 Second Street and they had stated that there may be a possibility of the site being transformed to a halfway home. The Board noted that this property is really two lots, and that the property has not been looked after for many years and may be in disrepair. Clerk/Treasurer Stipe will get in contact with the County Treasurer to see if they can shed some light on what the county plans on doing with the property.

16. REVIEW/APPROVE VOUCHERS

Motion (Olson/Tlachac) to approve May 2023 vouchers. All ayes. Motion carried.

17. REVIEW/TAKE ACTION ON:

TEMPORARY BARTENDAR'S LICENSE: Daniel Stangel, Samantha Ann Kay, Matthew Wojta, Alicia Kleiman, Brianne Victorey, James Walecka; Holy Rosary Kewaunee County Fair stand, Motion (Rueckl/Seidl) to approve the temporary bartender's license. All ayes. Motion carried.

LIQUOR: Luxemburg Strikers, Class B Beer, License Agent: Ann Mathu to be held from 5/9/2023 to 11/1/2023 at Community Fields/206 Maple Street and Legion Field/307 Elm Street.

Luxemburg Bluejays, Class B Beer, License Agent: Matt Piesler to be held from 5/9/2023 to 8/31/2023 at Legion Field/307 Elm Street. Motion (Tlachac/Olson) to approve liquor licenses. All ayes. Motion carried.

Picnic: Dyckesville Lions Club, Kewaunee County Fair at 625 third St., on 7/13/2023 -07/16/2023  
Holy Rosary Parish, Kewaunee County Fair at 625 Third St., on 7/13/2023-7/16/2023.

Motion (Tlachac/Seidl) to approve the picnic licenses. All ayes. Motion carried.

18. MOTION INTO CLOSED SESSION. CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED

Motion (Hurley/Olson) to go into closed session.

19. MOTION INTO OPEN SESSION

Motion (Tlachac/Seidl) to move into open session.

20. MOTION/ACTIONS FROM CLOSED SESSION

No action taken.

## 21. COMMITTEE REPORTS

### Rick Simonar:

\*Tree trimming is completed, and street banners are up.

\*Wood chips are coming soon for the parks.

\*The clarifying ponds at the Wastewater Treatment Plant looking good.

\*Rick presented a quote (PJ Kortens) for lift station PLC/VFD upgrade. This is an upgrade for the control panels/SCADA System for all of the monitoring of the sewer system lift stations, alert system etc. The cost is \$50,825.00 which will be paid by funds (Equipment Replacement) that have already been secured.

\*Rick also stated that he would be contacting someone at Bug Tussel to find out who would be doing the restoration work on the installation of the conduit. There are many issues with the installation, and he has received many phone calls regarding the project.

\*Rick wanted to inform the Board that Kathy Garfinkel/Lab Analysis is most likely going to move to east Green Bay, possibly temporarily due to her husband's health concerns. They are seeking a quote from Badgerland Labs for future lab testing needs.

### Chief Gulbrand:

\*Body worn cameras are up and working.

\*Chief wanted to inform the board that a part time officer (Courtney Dorner) will be starting in the near future.

\*Training for rifles and emergency driving is in the process.

## 22. ANY OTHER ISSUES

Water Study Open House May 16<sup>th</sup> from 5:00 to 7:00 p.m. at Village Hall

Recycling Event May 20<sup>th</sup> from Noon to 3:00 p.m. at Kewaunee County Fairgrounds

## 23. ADJOURN

Motion (Olson/Tlachac) to adjourn at 9:35 p.m. All ayes. Motion carried.

MiLissa Stipe

Clerk/Treasurer