

**LUXEMBURG VILLAGE BOARD MEETING MINUTES**  
**TUESDAY, JANUARY 11, 2022**  
**MUNICIPAL OFFICE BUILDING**  
**206 MAPLE STREET, LUXEMBURG, WI**

Members present: Jack Seidl, Dan Porath, Dan Olson, Brian Barbiaux, Dan Rueckl, Ron Tlachac with Lori Hurley/absent. Others present: Clerk/Treasurer MiLissa Stipe, Rick Simonar, Police Chief Gulbrand. Engineer Gayle Lindenberg, Residents Abe Babler, Chad Holewinski, Dan Olson, Lew DuChateau, and candidate Jeff Wisnicky for County Judge.

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, Brian Barbiaux, Dan Rueckl, Ron Tlachac. Lori Hurley/absent.

3. ADOPT AGENDA

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

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

Candidate Jeff Wisnicky announced that he is running for Kewaunee County Circuit Court Judge and would like to give the Village Board/audience insight to his background. He has been working as the corporation counsel and assistant district attorney for Kewaunee County since 2007. He was born/raised in Kewaunee County and is thankful for being part of the community. He is fluent in all essential legal matters. He encourages all voting residents to vote on February 15, 2022.

Resident Chad Holewinski/251 Fairway Drive was upset with the property tax raise. He felt that the communication (green sheet) was not sufficient for residents, it was a slap in the face. He asked why the Village went over on their budget, wants clear explanation. He did state that he wants the community to grow, but not with property taxes. He also stated that the snow removal for the past few storms was terrible.

Resident Abe Babler/462 Brookview Drive reiterated the same concerns that Chad Holwinski stated. He stated that the Village Board is not managing the funds well, need better planning for the Village budget. He feels mistakes were made for the fiber installation, why are residents paying for the fiber installation? He indicated the average median annual income for a village resident is \$63,000.00 and how can you expect people to pay such a high tax increase. He felt that the tax increase is fundamentally unsound. He said that the Village should have had a consulting firm assisting with the financial activity of the Village. Asked why did the Village not secure grants for any activity (roads/fiber installation) for the village? He acknowledged that the Village is growing, but the Village residents are not looking at more trailer parks. "He said that if the Village is looking at the prison to be relocated here or a motel, this is just going to reduce land values and bring prostitutes/drug users to the Village."

Resident Dan Olson/104 Woodview Lane stated as the Kewaunee County chair, the structure to the Village government is not working. He felt that comparing to the mill rates for the City of Kewaunee/Algoma is not a fair comparison since the land values in Luxemburg are higher. A constructive forward movement would to be an administrator to oversee financial activity of the Village. Stability of a business plan would benefit the Village in a long way. He stated that county is going through the

broadband process for town residents and increase capacity/speed for town residents and that the county will be making money on the agreement with Bug Tussel. He did state that the county had to borrow one million dollars for the agreement, which will be paid back by Bug Tussel.

President Seidl responded that the Village has investigated possibly hiring an administrator, but costs/benefits are quite high for that type of position. He agreed that the work required for administrating activities in the Village is a full-time job. The Village has tried to secure grants, but since are median annual income for the Village locks us out of contention on grant opportunities. He stated that Frontier Road project has been on the docket for the past twenty years and the Village is growing. With the fiber installation to all residents/businesses it will draw people to this community. The longevity of fiber (60 years) will allow the Village to be able to compete for businesses relocating here.

Trustee Brian Barbiaux referred to a statement made that the Village did not go out to bid for the fiber installation, which is not true. The Village hired a consultant, secured bids and the only companies that wanted to complete the project was Nsight and Spectrum. The issue with the Spectrum bid was they only wanted to install fiber to part of the Village, the northern section of the Village (Northbrook subdivision) would not be part of the equation. Village residents came to Board meetings and requested assistance in securing a faster venue for internet. Centurylink is not keeping up with upgrades and was not interested in applying for the bid.

Trustee Porath/Trustee Tlachac respectively stated that to have transparency in the government, the residents of the Village need to take an active role in their community government. It was noted that all minutes/agendas are posted. The Village website houses the agendas/minutes for the past two years. There is also the need for the residents to take upon themselves and call the Village Hall or their Trustees to inquire on issues or ask questions. Accusations were made and a comment that the Village should call residents. It is not feasible financially or time wise to contact all residents regarding activity in the Village.

Trustee Tlachac requested if residents were not happy with the administration of the Village that an election is coming up and residents should run for office.

#### 5. APPROVE MINUTES FROM THE DECEMBER 14, 2021, BOARD MEETING

Motion (Barbaiux/Porath) to approve the December 14, 2021, Board minutes. All ayes. Motion carried.

#### 6. DISCUSSION ON ADOPTING WHOLE OR PART OF ALGOMA'S PERMIT SCHEDULE

After discussion regarding the Zoning Administrator position and the need to make a replacement since Todd Delebreaux has requested to leave the position, the Board decided that working as a subgroup may be the insight to the new fee rates and any other issues that may arise in replacement of Todd Delebreaux. Discussion with the City of Algoma may lead to a cooperative program that would allow the zoning Administrator/Building Inspector to be a shared position. The fee schedule type for Algoma is like the fees charged in the Village. A future meeting will be scheduled for the subgroup to discuss new a rate schedule and a combined/shared zoning administrator/building inspector position.

#### 7. DISCUSSION ON ELECTRICAL/GAS EXTENSION ON FRONTIER/ASH TO INDUSTRIAL PARK FOR POTENTIAL INTEREST IN COMPANY WISHING TO RELOCATE HERE

Discussion on potential businesses that have expressed interest in a lot in the industrial park, there is concerns as to development & recovery costs for a sale of a lot in the park. Currently, there is no need for 3-phase electrical/gas for a lot. There will need to be a development agreement drawn up, agreed upon and signed off before the Village initiates any incentives or work to be completed.

## 8. DISCUSSION ON ASPHALT ISSUES

There have been some issues with the first coat on Heritage Road and Tom's Way with cracking/asphalt coming apart. There needs to be investigative work to be completed to see if it is the asphalt or a deeper issue with the subsurface of the road itself. The Village will work the engineers and the construction company to work out the issues prior to final coat being installed.

## 9. ENGINEER'S UPDATE: GAYLE LINDENBERG

\*Heritage Road final pavement coat will be installed in spring 2022.

\*Spartan Way pavement will be revisited in spring of 2022 with removal of the road surface, repair areas and then repave. Kwik Trip will be paying their portion of the roadway work.

\*Frontier/Ash electrical and gas work has been installed for existing customers with standard electric connection. No demand for 3-phase currently. Place 3-phase electric into new 2022 TIF plan.

\*Christofferson property development utility/gravel work is completed. Curb/gutter and binder asphalt will be placed in spring 2022 with final surface to be installed in spring of 2023.

\*Radue-Northbrook Meadows Fairway Drive extension is underway. Topo survey work to be completed in January/February 2022. Construction to begin in spring of 2022. Agreements have been reached with the existing property owners adjacent to the new development.

\*New TIF District next planning meeting is set for January 19, 2022, to continue to discuss parcels to be included and potential projects. TIF creation process will start in May 2022, Board approval anticipated at June 2022 Board meeting. TIF creation paperwork will be completed by October 31, 2022, deadline. All property valuations will be reviewed/adjusted per the August release of new values for 2022.

## 10. DISCUSSION ON PLANNING COMMISSION AND BOARD OF APPEALS MEMBERS FOR 2022

Review of Planning Commission (7 board members) membership due to obligatory review. An updated membership roster was presented to the board to review. Change out of membership is a practical decision to keep membership new and give opportunities to individuals a chance for serving their community. The Planning Commission is on a 3-year term.

Review of the Board of Appeals for (5 members with 1 alternate) allows residents to request a waiver/permission to an ordinance that may cause adverse effect on the property owner such as a variance request. There is a fee involved for the service and once the decision is made, it is final. No review/approval is required by the Village Board.

Presentation of the proposed membership to the board with the understanding that the changes will take affect in May of 2022; start of the new cycle. The Board of Appeals is on a 3-year term.

## 11. DISCUSSION ON CHARGING RENT TO MASSART'S (IF EQUIPMENT ON OUR LOT ISN'T REMOVED BY MARCH 31, 2022)

There was a land swap with the Village and Massart's/Luxemburg Motor Company in 2021 with the understanding that the equipment that resides on the lot would be moved to their new lot. Unfortunately, the equipment was not moved by year end. Discussion on what could be done to promote removal of the equipment. Motion (Olson/Tlachac) to inform Luxemburg Motor Company that they will have until March 1, 2022, or will be charged \$2,500.00 per month for rent on the property. All ayes. Motion carried. Trustee Tlachac stated he will inform Dennis Massart on the decision of the Board.

## 12. DISCUSSION ON OUTSTANDING OBLIGATIONS FROM FERMENTED NUTRITION

A handout of obligations was presented to the Board in reference to the sewer/water/escrow account for Fermented Nutrition. The obligations are past due. Emails were sent to Fermented Nutrition to promote payment but to no avail. Motion (Barbaiux/Tlachac) to communicate with Fermented Nutrition and mandate payment on the sewer/water/escrow accounts to be paid in full by February 1, 2022. If the

accounts are not paid in full, the Village will close the valve on the sewer discharge line. All ayes. Motion carried.

13. REVISIT ELECTRICAL INSPECTOR FOR VILLAGE, DISCUSSION ON PERMIT COSTS

Discussion on what fees are charged for communities in the area. President Seidl requested to have the fees from the Town of Scott, Village of Bellevue, Clerk Stipe will seek out that information. Trustee Tlachac stated he did some research as to what fees are ranging. At this time, the Board would like to see what the fees are ranging at and determine how to proceed with Trustee Tlachac as the electrical inspector for the Village at the commercial level. Defer to next board meeting.

14. UPDATES ON ZONING ADMINISTRATOR POSITION

President Seidl discussed this topic at agenda item #6; but to recap, the Village is seeking a cooperative/shared zoning administrator/building inspector for the Village of Luxemburg and the City of Algoma. Initial meetings will take part soon to discuss with the administrator from Algoma to start the process to work out details of the position. More updates will be forthcoming.

15. REVIEW/APPROVE VOUCHERS

After review of the vouchers, Motion (Barbiaux/Porath) to approve the vouchers. All ayes. Motion carried.

17. REVIEW/TAKE ACTION ON LIQUOR/PICNIC/BARTENDARS:

**Bartenders:** Allison Jane Naze; Augies

Motion (Barbiaux/Tlachac) to approve bartenders license for Allison Jane Naze. All ayes. Motion carried.

18. COMMITTEE REPORTS

Rick Simonar-Public Works:

\*Due to the chlorine leak at well #4 in mid-December, the water dept. has purchased new regulators for the chlorine tanks, they have been installed.

\*Rick is working on purchasing new PPE equipment for himself and Bob for any issues that may arise such as the chlorine leak.

Chief Gulbrand-Police

\*Radar reading/display units are on the way.

\*New radios for the department are ordered and on the way.

\*There was an issue at the Cellcom site before Christmas and the Village did not have coverage at the time. Chief Gulbrand addressed and explained why coverage is determined and there will be times when Kewaunee County will cover the Village. He did express his concerns that it is getting harder to attract part-time officers.

President Seidl

Brought to the attention of the Board that Bay Lakes Planning is ready to start the process for updating the Sewer Service Amendment and the Comprehensive Plan for the Village. He discussed membership for the groups and dates for upcoming meetings.

The Board also discussed the possibility of auditing the Rescue Squad services. The Rescue Squad performs an internal audit, but the Village would like to perform an outside audit. Discussion on the cost of the audit, and participation from the other funding entities. Trustee Rueckl will discuss with the other entities to see if they have interest.

22. ANY OTHER ISSUES

None

23. ADJOURN

Motion (Tlachac/Olson) to adjourn at 10:28 p.m. All ayes. Motion carried.

MiLissa Stipe  
Clerk/Treasurer