

LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, AUGUST 16, 2022
MUNICIPAL OFFICE BUILDING
206 MAPLE STREET, LUXEMBURG, WI

Members present: Jack Seidl, Dan Porath, Dan Olson, Lori Hurley, Dan Rueckl, Ron Tlachac, Brian Barbiaux. Others present: Clerk/Treasurer MiLissa Stipe, Public Works Supervisor Rick Simonar, Police Chief Gulbrand. Engineer Gayle Lindenberg, Peter Kline, Paul Abts, Mark Fort, Mike Faltynski.

Discussion meeting with Dan Rank for possible future development on property at W1342 Northbrook Road, parcel 31-012-10.111. The acreage is 37.766.

Dan and his Engineer, Shane Kelliher, from McMahan Engineering gave a brief background site plan for the 37+ acres. The initial plan is to develop the land through the Town of Luxemburg's processes. The issue that arises in order to develop the parcels in approximate (2) acre parcels in order to accommodate a septic system (mound) and a well for each parcel. The initial makeup of the development is to have (17) parcels/residences which would also be 17 mound systems and 17 wells.

Discussion on how this development could benefit Dan Rank and the Village in relation to the need for a controlled water/sewer system for the development. This would allow the development to have smaller lot sizes which could accommodate more residential homes in the development. The need for a lift station may be necessary dependent on the evaluation of land to determine if a gravity flow can be achieved or not. More discussion on a lift station, grinder pumps and an updated layout of the site plan was reviewed. If Tax Increment Financing is used for any part of the funding for infrastructure, there are requirements that are set forth by the TIF regulations for lot size and residential home counts.

Further discussions and evaluations will need to take place on the topographic land (maps that show 2-dimensional surface contours). Wetland area would not be an issue on this parcel of land.

A development agreement would need to be processed if Dan Rank seeks assistance from the Village for his development.

If Dan Rank would like to annex into the Village, he was advised to contact the clerk to start the paperwork process with the Village and the State of WI.

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 Lori Hurley, and Ron Tlachac, Brian Barbiaux.

3. ADOPT AGENDA

Motion (Tlachac/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 JULY 12, 2022, BOARD MEETING

Motion (Hurley/Olson) to approve the minutes from the July 12, 2022, Board meeting. All ayes. Motion carried.

6. DISCUSSION/APPROVAL OF RESOLUTION 8-2022 CREATING, DESCRIBING AND MAKING CERTAIN FINDINGS CONCERNING TAX INCREMENT FINANCE DISTRICT NO. 2; DISCUSSION OF HOW TO USE THE NEW TIF FUNDS TO PROMOTE PROJECTS FOR NEW DEVELOPMENTS

The TIF committee group has been working hard to get the completion of the TIF paperwork processed by the deadline of 10/31/2022. This resolution is one part of the process of creating TIF district #2 for the Village. Motion (Barbaiux/Porath) to approve resolution 8-2022 Creating, Describing, and making Certain Findings concerning Tax Increment Finance District No. 2. All ayes. Motion carried. The preliminary Tax Increment District No. 2 Project Plan is available at Village Hall for those that are interested in reviewing it.

7. DISCUSSION “CONDOS @ THE BROOK” DEVELOPERS INCENTIVE CLAUSE

Tom Rueckl has approached the Village for his first developer’s incentive payment to be released to his lender based off the development agreement. Based on his agreement, \$80,000 payment will be released to the lender’s bank after (6) of the building units are completed with occupancy certifications completed. The Village Office has received all necessary certifications for the release of the first incentive payment. Motion (Barbaiux/Rueckl) to approve the release of the first incentive payment for “Condo’s @ the Brook.” All ayes. Motion carried.

8. DISCUSSION FOR CHRISTOFFERSON DEVELOPMENT INCENTIVE CLAUSE CLARIFICATION DUE TO TIMELINES SET THAT ARE DUE TO CONDITIONS NOT UNDER THEIR CONTROL

The developer’s builder was concerned about the wording in the Developer’s Agreement regarding the years for the payout of the incentives. Based on the agreement, (Attachment C) Developer Assessed Valuation schedule is presented with specific years for completion of each phase of the project. Based on the economy and general building growth has decreased either due to the economic factors or product unavailability. The builder was concerned that not meeting the year specific would hinder payout of the incentive package. Based on the following clause: *If the Developer does not meet the dates listed in this Attachment C, **there will be no penalty**, however, the developer will not receive the cash payouts from the Village until the construction goals are met as enumerated in Section 2.2 of this agreement.*

9. ENGINEER UPDATES

Engineer Gayle Lindenberg gave a brief overview the progress on projects:

- *New TIF District resolution has been approved and will move forward to the Joint Review Board on Monday night 8/22/22. Completion of all the new TIF District #2 will be finalized and processed with the State by the deadline of 10/31/22.
- *Heritage Road resurface work will start tomorrow with final coat laid down next week. Once final coat is set, final special assessments will be determined,
- *Frontier/Ash Street final completion paperwork is being concluded.
- *Division/Seidl Street will have surface coat in spring of 2023.
- *Radue-Northbrook Meadows extension of the development on Fairway Drive is on track with some issues that need to be dealt with on wetland and FEMA issues. Construction will be coming.
- *Spartan Way was questioned if the Village would be replacing the patch work that was completed in late 2021. At his time, the patch job has held up amazingly. Gayle will contact Kwik Trip and the roadway will be reevaluated in 2023.

10. DISCUSSION ON HIRING SCOTT BEINING AS THE BUILDING INSPECTOR/ZONING ADMINISTRATOR

At this time, President Seidl has approached Algoma/Kewaunee for a combined position for the building inspector/zoning administrator but there is not sufficient interest from the other two communities to move forward with the combined position. Moreover, the Village needs to secure a zoning administrator. Scott Beining has been approached by President Seidl as the combined position of building inspector/zoning administrator for the Village. Scott has expressed interest in the position. President Seidl will update the Board at the September Board meeting.

11. DISCUSS THE POSSIBLE HIRE OF SCOTT FELDT AS A PART-TIME VILLAGE ADMINISTRATOR

Scott Feldt had expressed interest to President Seidl in a part-time administrator for the Village. Mr. Feldt is currently the Kewaunee County Administrator. Mr. Feldt presented the Board a consulting agreement that lists scope of work, compensation, general provisions in relation to term of contract, confidentiality. A letter from Kewaunee County was presented to the Board on their consent for Scott Feldt to pursue the part-time Village Administrator position.

Discussion started with questions as: How are you going to serve the County and the Village at the same time? Ethically, how can you make a decision if it affects both Kewaunee County and the Village of Luxemburg? Mr. Feldt stated that he would be able to assure both entities that he would be able to work ethically and perform his duties.

Trustee Porath was not confident that the work accomplished would benefit the Village and that he had expressed concerns with negative conversations with County employees as to his micromanaging of employees. He expressed his concerns that the employees that are currently employed do not need anyone overseeing them, telling them what to do or interfering with their activities in completing their jobs. The Village has not had an administrator in the past and the employees the Village has had are very good employees and he did not need anyone interfering with that productivity.

Trustee Hurley wanted to know “really, what can he do in an eight-hour day” that will benefit the Village? The Board asked Mr. Feldt what he could bring the Village? Mr. Feldt answered that he could bring extensive experience in budgeting, strategic planning, data analysis, economic development and help prioritize goals for the Village. He felt his \$3.7 million Broadband grants for Kewaunee County was one of his greatest accomplishments as the Kewaunee County Administrator.

Overall, the Board was at the point that during the budget process will determine if they would be able to fund the position. Trustee Barbiaux felt that the President could use the assistance of an administrator for expertise and experience.

12. CHANGE NOVEMBER 8, 2022, BOARD MEETING DATE DUE TO CONFLICT FOR NOVEMBER GENERAL ELECTION

The Board has moved the November Board meeting to November 15, 2022.

13. DISCUSSION ON BUDGET ITEMS: STREET WORK FOR 2023, NEW PICKUP FOR PUBLIC WORKS, COST OF LIVING WAGE INCREASES, POLICE DEPARTMENT STAFF/EQUIPMENT, FIRE/RESCUE POSSIBLE AUDIT COSTS, ZONING/BUILDING INSPECTION (SCOTT BEINING), PART-TIME VILLAGE ADMINISTRATOR

Discussion for the Board to start thinking about and talk to their respective committee groups and staff regarding the needs of the Village for year 2023. Clerk Stipe reminded the Board that in October, budget meetings will need to be determined to discuss budget items.

14. REVIEW/APPROVE VOUCHERS

Motion (Tlachac/Hurley) to approve August 2022 vouchers. All ayes. Motion carried.

15. REVIEW/TAKE ACTION ON 2022-2024 BARTENDAR'S LICENSES: TABITHA LEAH ZUELKE, KWIK TRIP; ALEX JAMES PLOOF, SCOTTY'S; AND MAMIE ELIZABETH SANDERS, SIMONAR SHELL

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

16. COMMITTEE REPORTS

Chief Gulbrand-Police

*Chief Gulbrand is finalizing the \$7K grant that they were awarded.

*Officer Wagner will be working on the click it-ticket grant opportunity through Kewaunee County in his overtime hours.

*Concerns have been expressed about the traffic flow for the start of school, discussions on optional drop off zones for students has been proposed to alleviate traffic clustering.

*Chief will be working on updating the ATV ordinance, parking ordinance (definition of fines), clarification of curfew in code. Possible chronic nuisance properties ordinances for citing residents for their issues.

*Chief will also be working with the Parks Committee to determine a park ordinance.

Rick Simonar-Public Works:

*Inlets on Main Street and culverts at Northbrook Road are repaired.

*Recently, there was a power outage during the storm and when Rick was completing his rounds in the early morning; he noticed that the sewer plant did not have power, lift stations were without power and he was not notified by the SCADA system. After all power was restored, the SCADA system will be reevaluated to determine why it was not giving phone/text warnings.

*Baseball season is over, and the fields/facilities are being closed down for the winter.

*There were questions to the sale of a lawn tractor, that it would need to be put out to the public for sale such as marketplace, or Facebook with a time limit. This would allow residents to have an opportunity to purchase used equipment.

17. ANY OTHER ISSUES

Gary Arendt has approached the Village regarding the loss of crop on his property due to the sewer line repair which is located behind Harvest Community Church. Public Works Director stated that the Village hired PLC Water Jetting as the subcontractor on the project and that Gary Arendt would need to contact them for any crop damages.

18. ADJOURN

Motion (Olson/Tlachac) to adjourn at 9:30 p.m. All ayes. Motion carried.

MiLissa Stipe
Clerk/Treasurer