

LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, JUNE 13, 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 Bob Romuald, Police Chief Gulbrand, Engineer Gayle Lindenberg, Mark Fort, Jack Seidl, Dennis Thiry, Attorneys Rich Carlson and Jim Kalny, Town of Luxemburg resident Linus Tremel.

1. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m.

2. ROLL CALL

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

3. ADOPT AGENDA

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

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

None

5. 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 (Tlachac/Rueckl) to move into closed session. All ayes. Motion carried.

6. MOTION TO OPEN SESSION

Motion (Tlachac/Olson) to move into open session. All ayes. Motion carried.

7. MOTION/ACTIONS FROM CLOSED SESSION

No action taken.

8. APPROVE MINUTES FROM THE MAY 9, 2023, BOARD MEETING

Motion (Hurley/Tlachac) to approve the minutes from the May 9th, 2023, Board meeting. All ayes. Motion carried.

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

Wade Micoley presented a discrepancy on the development agreement with the estimated value of \$28,500,000.00. The amount should be \$25,000,000.00, with a developer incentive from Tax Increment Financing #2 of \$5,636,660.00. It was agreed to change the dollar amount to reflect the correct estimated value to \$25,000,000.00.

Motion (Seidl/Faltynski) to approve of the development agreement with the adjusted estimated value at \$25,000,000.00. All ayes. Motion carried.

10. MOTION/ACTION ON CONNECTION TO GREEN BAY WATER UTILITY

Discussion regarding the water study and presented the best decision is to connect to the Green Bay Water Utility in Sugarbush. The action would be to (dig the ditch) to the Green Bay Water Utility in Sugarbush and heighten the water tower by 23 feet for increased water pressure.

Motion (Seidl/Faltynski) to approve of the connection to the Green Bay Water Utility in Sugarbush and heighten the tower by 23 feet at the same time. All ayes. Motion carried.

Discussion on the next steps in the process, Engineer Gayle Lindenberg stated that there will be discussion with the Green Bay Water Utility, signing off on intent to go forward with the project. Discussion on what possible grants/principal forgiveness that the Village may be eligible for. The Green Bay Water Utility would grant the Village a grant for connection to their system. There is also the Bipartisan Infrastructure Law (BIL) that the Village would apply for that may be either in a grant/principal forgiveness for projects that are funded by the Clean Water Fund and Safe Drinking Water programs.

11. REVIEW/APPROVE/DENY RESOLUTION 6-2023 COMPLIANCE MAINTENANCE ANNUAL REPORT FOR 2022

Clerk/Treasurer Stipe gave a brief background of the annual report for the Wastewater Treatment plant. Motion (Rueckl/Seidl) to approve of resolution 6-2023. All ayes. Motion carried.

12. REVIEW/APPROVE/DENY RESOLUTION 6-2023A DESIGNATING THE GREEN BAY PRESS TIMES/KEWAUNEE COUNTY STAR NEWS AS OUR LOCAL PAPER FOR LEGAL PURPOSES

Clerk/Treasurer Stipe gave the rationale to adopt the resolution since the Green Bay Press is costly and a local paper would be in the best interests for the Village residents. Motion (Tlachac/Olson) to approve of Resolution 6-2023A to designate the Green Bay Press Times/Kewaunee County Star News as our local paper. All ayes. Motion carried.

13. REVIEW/APPROVE/DENY 2023-2024 COMMITTEE ASSIGNMENTS

After review, Motion (Tlachac/Hurley) to approve the 2023-2024 committee assignments. All ayes. Motion carried.

14. DISCUSSION REGARDING VERIZON REQUEST/LEASE PAYMENTS FOR WATER TOWER ACCESS

In August 2021, Verizon approached the Village to renegotiate their contract for the use of the water tower as a site for their antennas. At that time, the Village determined not to negotiate the remaining years of the contract but to revisit it in Year 2026 to determine if the Village would at that time. Another representative from Verizon presented another renegotiation approach to reduce the payment (lease fee plus interest). It was discussed by the board members, but it was agreed to reevaluate the contract on Year 2026. The Board determined that they would stand by their Year 2026 reevaluation decision. Motion (Tlachac/Rueckl) to stand as is with no change in their decision. All ayes. Motion carried.

15. DISCUSSION REGARDING KERRY DEGRAVE PROPOSAL FOR PURCHASE OF PARCEL IN INDUSTRIAL PARK

President Porath clarified the proposal with Kerry DeGrave, the Village and Bob Christoff. Kerry DeGrave would like to purchase a lot in the industrial park but is unable to build his business immediately. He would like three years after he purchases the lot to build his new building. There is a lot at the end of Enterprise Road which is owned by Kerry DeGrave which would be sold to Bob Christoff for the installation of grain bins/drying building. Currently Bob Christoff houses his bins/drying facilities in the Town of Luxemburg, but he would get it in the Village/closer to the Milling Company on Cedar Street. There was a brief discussion on the three-year delay on construction. Motion (Tlachac/Rueckl) to approve the sale of a lot in the industrial park, conditionally on the sale of Kerry DeGrave's lot on Enterprise Road to Bob Christoff, first right of refusal on the property if Kerry DeGrave does not build, he cannot purchase

the land and then sell the land for a profit, and that Kerry DeGrave would have three years to build his new building after he purchases the lot. All ayes. Motion carried.

16. ENGINEER UPDATES

*WPS Electric/gas installation at Industrial Park, WPS has applied for a variance from the railroad to allow less required depth on the gas installation. Without the variance the cost will be over \$300,000.00

*Surface course paving has been completed for Division/Seidl & Condos at the Brooks.

*FEMA Flood Plain Mapping, 90-day appeal process end on 7/19/2023. Nine property owners were notified in Northbrook Meadows who are potentially affected. Awaiting their responses. Surveys estimated at \$700-\$1,000 depending on participation. It is up to each property owner if they would like to participate. REL will then produce the documentation of the survey and submit it to FEMA for approval/denial.

*Rank Property is still on hold.

17. REVIEW/APPROVE VOUCHERS

Motion (Tlachac/Hurley) to approve June 2023 vouchers. All ayes. Motion carried.

18. REVIEW/TAKE ACTION ON:

BARTENDAR'S LICENSES:

Daniel Stangel, Samantha Ann Kay, Matthew Wojta, Alicia Kleiman, Brianne Victorey, James Walecka; Holy Rosary Kewaunee County Fair stand, Desarie Jean Hagenow, The Farmhouse & Grill; Motion (Tlachac/Olson) to approve the bartender's license. All ayes. Motion carried.

LIQUOR LICENSES:

Class A Combination (Beer & Liquor): Motion (Hurley/Faltynski) to approve of the Class Combination liquor licenses for 2023-2024 year. All ayes. Motion carried.

Class A (Liquor) Only: Motion (Hurley/Faltynski) to approve of the Class A Liquor only license. All ayes. Motion carried.

Class B Combination (Beer & Liquor): Motion (Tlachac/Faltynski) to approve of the Class B Combination liquor licenses, with the exclusion of The Ahnapee Creamery & Café, LLC, since they recently announced their closing. All ayes. Motion carried.

CIGARETTE LICENSES:

Cigarette Licenses: Motion (Hurley/Seidl) to approve of the cigarette licenses. All ayes. Motion carried.

PICNIC LICENSES:

Kewaunee County Farm Bureau fair stand and Algoma FFA Alumni Fair stand for 7/10-7/16/23 at Kewaunee County Fair at 625 Third Street. Motion (Rueckl/Seidl) to approve of the picnic licenses. All ayes. Motion carried.

19. COMMITTEE REPORTS

Bob Romuald:

*The Sewer Plant will be getting some repairs soon, the blower for the aeration of the clarifying ponds needs to be replaced. The cost is estimated at \$30,000.00; the funds will come from the sewer equipment replacement account.

*Chip sealing of \$60,000.00; is in the process of determining the streets that will be worked on. The highest road surface issues are Maria Street, Pine Street, and Ash Street.

*Painting the curbs prior to the fair will be completed.

*Custom Fence will be coming out to quote fencing for the proposed pickle ball courts.

*The Village will need to drain/clean the reservoir at Well #1, no quote has been identified as of yet.

MiLissa Stipe:

*There will be a Planning Commission meeting prior to Julys Board meeting for a rezone at 201 West Haven Court.

*There is a simplified rate increase for water that will be initiated for 8/15/2023 start. This increase is for an 8% rate increase. The last water rate increase was in 2014.

*Working on the website redesign with firms at this time.

*The Village Hall office will be closed on Monday, July 3, 2023.

Chief Gulbrand:

*Chief discussed issues that were brought up at the last Board meeting; 4-way stop at Robin/Woodview Lanes and speed zone on Church Road. There have been no crashes on Church Road in the last seven years, if we lower the speed limit (suggested) that a speed study would need to be completed via through DOT and substantial evidence would need to be presented to prove your case that a lower speed limit is needed. Church Road is a wider road as well, that allows for parking. The chief did not think that Church Road would qualify/justified.

*Bodycam cameras are working well. Redaction software is coming down the line for future implementation.

*There have been several noise complaints for a specific address on Maria Street and there is a glitch in the official code that has not identified the “quiet time” for the Village, either for start or end of day. Chief Gulbrand will be working with the Fire & Police Committee to develop the code to identify start/end times, so that when a noise complaint is called in, the Police can enforce the code.

*The Kwik Trip would like to place a stop sign on their property exit onto second street. The Chief will get in contact with Rick Simonar to work out arrangements for the placement of the stop sign.

*New part time officer, Courtney Dorner will be sworn in at the July 11, 2023, Board meeting.

22. ANY OTHER ISSUES

Trustee Rueckl raised concerns on the shipping container that is at the Salmon’s Meats site. Trustee Rueckl confirmed with Salmon’s that this will be temporary during the construction of their building expansion. There will need to be a review of the current code to determine an update of the code to make sure that shipping containers are not used as storage facilities.

Trustee Tlachac is working on getting quotes for possible construction of pickle ball courts at Legion Field area, the area that once was a tennis court area.

23. ADJOURN

Motion (Olson/Seidl) to adjourn at 9:18 p.m. All ayes. Motion carried.

MiLissa Stipe,
Clerk/Treasurer