

**LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, SEPTEMBER 12, 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 Rick Simonar, Police Chief Gulbrand, Engineer Gayle Lindenberg via Zoom, Zoning Administrator Scott Walczyk, Bernie Leroy, Dennis Thiry, Mark Fort, Brenda & Todd Burdick, Kristen Luedtke, Jacob Kumpfer, Dan Vincent, and Paul Abts.

Public Hearings: 6:30 p.m.
Amendment to Ordinance 12.02 (2) Unreasonable, Excessive and
Unnecessary Noise Prohibited
Amendment to Ordinance 10.03 Garbage and Rubbish

Chief Gulbrand gave a brief presentation to the background of the amended ordinance.

Amendment to Ordinance 12.02 (2) Unreasonable, Excessive and Unnecessary Noise Prohibited

This amendment was adjusted to reflect hours of “quiet time,” penalties for a noise infraction, clearer specifications for each zoning district, the use of a decibel reader, and noise restrictions for the Kewaunee County Fairgrounds.

The decibel level for residential areas will be set at 90 decibels from 6:30 a.m. to 10:00 p.m.: with 55 decibels at 10:00 p.m. to 6:30 a.m.

The ordinance amendment was brought forward for amendment due to complaints about noise in residential areas.

Chief Gulbrand tested the decibel reader at specific sights in the Village and recorded lower than 90 decibels, the racetrack read at 78 decibels during active racing.

Amendment to Ordinance 10.03 Garbage and Rubbish

This amendment was amended to identify the appropriate procedure for large item (abnormal) pickup. The ordinance does allow a resident to place large items such as a couch on the terrace of their property for a maximum of 72 hours within a 30-day span, in an effort to give the item away for free prior to disposal. It also clarifies storage of garbage/refuse containers and roll-off boxes/dumpsters.

No public input was received at the close of the public hearing.

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 (Tlachac/Rueckl) to approve the agenda with the addition of a bartenders license for John Price/Luxemburg BlueJays. All ayes. Motion carried.

6. MELISSA ANNOYE, KEWAUNEE COUNTY HUMAN SERVICES; DISCUSSION ON PLANS FOR 606 SECOND STREET

Melissa presented the plans of Kewaunee County for the property at 606 Second Street in Luxemburg. The concept of a “Wraparound” home for disadvantaged individuals, single mothers, or veterans of Kewaunee County. Each of the candidates are Kewaunee County residents. The average turnaround timeframe for each family is 18-24 months. Each candidate family will need to apply for the opportunity to live in the home. The goal is for the family to integrate into the community and have that as part of their support system. The plan was presented as a proactive approach to serve the needs of the county. The agreement between the tenants is to supply a living space for a family, basic health needs, any needs such as AODA or mental health will be implemented. There will be an oversight committee created to govern the tenants treatment/goals. There will need to be substantial repairs to the property since the home has been vacated for multiple years. There are homes like this in other counties such as Manitowoc and Brown.

Trustee Tlachac wanted clarification on how many families would be in the home at a time? There will be only one family at a time.

Resident Brenda Burdick expressed her concerns for the Wraparound home, she stated that new, younger homeowners, may have issues with a property like this next door to them. She stated that all the property values will be decreased due to this type of housing.

Resident Kristen Luedtke stated that she would like to have consistent neighbors not families moving in and out. Melissa Annoye stated that the 18-24 months is the contract that tenants will be signing up for. She also was unsure what issues these individuals were dealing with. Melissa Annoye stated that being a part of the oversight committee would also help those individuals become involved in this project.

Resident Todd Burdick vehemently expressed his concerns that he was not in favor of this housing project in the village. “It is going to bring our house values down.”

Resident Jacob Kumpfer has been the crisis counselor for Kewaunee County for the past eight years, he stated that there are a lot of hurting people in Kewaunee County. That we are here to help those individuals get back on their feet again, help their children, help the community as a whole.

Resident Dan Vincent thought people were jumping the gun on this project. Not all people are the enemy, everyone needs a second chance.

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

All comments were presented for the Wraparound house at 606 Second Street, agenda item 6.

5. APPROVE MINUTES FROM THE AUGUST 8, 2023, BOARD MEETING

Motion (Tlachac/Hurley) to approve the minutes from the August 8, 2023, Board meeting. All ayes. Motion carried.

7. JAMIE FISHER, CLIENT SOLUTIONS EXECUTIVE FOR FIRSTNET; NATIONWIDE COMMUNICATIONS NETWORK CREATED WITH AND FOR PUBLIC SAFETY/POLICE

Jamie Fisher presented the network services that FirstNet can provide to the Luxemburg Police Department. This service was created after 9/11 for first responders and police forces that were having substantial issues with communication. The service allows for all devices (government/personal) to have unlimited data, costs are lower than other phone carriers, no throttling down of service. The City of Algoma is on this system as well. Motion (Tlachac/Seidl) to approve the Police Department to pursue this service for their department. The Public Works Department will migrate at a later time. All ayes. Motion carried.

8. DISCUSSION ON WISCONSIN PUBLIC SERVICE AGREEMENT FOR ASH STREET/FRONTIER ROAD (GAS/ELECTRIC)

Engineer Gayle Lindenberg explained the installation contract, and that WPS received a variance from the CN Railroad for drilling 12-foot depth than the 15-foot depth. The contract will need to be approved and paid for by the October 15th deadline. The cost is \$404,370.17. The higher cost is due to the looping of the electricity and the installation of the gas line underneath the railroad. There is a credit available for 5 years after installation if a business connects during the 5-year prior. The credit is provided to the Village and could be substantial based on the size of the business. Discussion surrounded that if there is no power to the industrial park, it could be a deterrent to a business moving into the industrial park. Motion (Tlachac/Seidl) to approve and go ahead with the electric/gas installation at the industrial park. All ayes. Motion carried.

9. ENGINEER UPDATES

*FEMA Flood Plain Mapping is being processed but the changes are so minimal that FEMA will not be updating the map until 2024. The minimal map changes could assist landowners at Northbrook subdivision to assist them in the process of identifying landowners within the FEMA map. The landowners will be working with Robert E. Lee to assist them in the process to finalize if their property lies in the flood plain or is now out of the flood plain with the new mapping.

*Certified Survey Map for the industrial park will be signed off by the Village.

*Subdivision plat map for the new residential development with Wade Micoley will be presented to the Board at the October 2023 Board meeting.

10. APPROVE/DENY AMENDED ORDINANCE 12.02 (2) UNREASONABLE, EXCESSIVE, AND UNNECESSARY NOISE PROHIBITED; PUBLIC HEARING ON SEPTEMBER 12, 2023

After review, Motion (Rueckl/Faltynski) to approve the amended ordinance 12.02 (2) Unreasonable, Excessive and Unnecessary noise prohibited. All ayes. Motion carried.

11. APPROVE/DENY AMENDED ORDINANCE 10.05 GARBAGE AND RUBBISH

After review, Motion (Hurley/Faltynski) to approve the amended ordinance 10.05 Garbage and Rubbish. All ayes. Motion carried.

12. DISCUSSION ON PICKLEBALL COURTS CREATION

Trustee Faltynski had researched the construction of Pickleball courts, he found that the site that is currently at Legion Park will fit (2) Pickleball courts, fencing will need to be installed, surface of the court will also need to be completed. Trustee Faltynski presented a plan that the village employees could create/maintain. The balance of the Trustees spoke up and thought that the Village employees may not have the time to create the courts. The remainder of the Trustees were interested in getting the fence installed this fall and working on getting a firm to install the acrylic/rubber sealant for the courts. A fencing quote was listed at \$5,708.00 for 164 feet at 6 feet high. Motion (Rueckl/Seidl) to go ahead with the fencing and work on the logistics of the court creation this winter for spring opening. All ayes. Motion carried.

13. DISCUSSION ON FERMENTED NUTRITION; UPDATE ON DNR INVOLVEMENT/FINANCES

Discussion focused on financial obligations that are owed to the Village. Currently, FNC has outstanding sewer billing. The obligation is due on September 13, 2023. Payments seem to be paid when the village pursues shut off of water and sewer. Concerns regarding the spill that was forwarded to the DNR since we have had little contact from the DNR on any outcome of the spill either in recommendations for updating the plant of violations.

14. DISCUSSION ON 2024 BUDGET; SET DATE FOR COMMITTEE MEETINGS

Clerk/Treasurer Stipe gave a brief synopsis of the budgeting process. A date for budget committee meetings will need to be set. A date of Wednesday, September 27th was presented and decided to commit to the date. An agenda will be sent out to discuss all the needs of each committee.

15. SET DATE FOR TRICK AND TREATING; SUNDAY, OCTOBER 29TH??

The board agreed that Sunday, October 29th from 2-4 p.m. will be our Trick and Treating hours/date.

16. REVIEW/APPROVE VOUCHERS

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

17. REVIEW/TAKE ACTION ON: BARTENDAR'S/OPERATOR'S LICENSES:

Bartender's: (Temporary) Donna Mahlik; St. Mary's Church, Benjamin Ryan Bailey; Stodola's IGA, John Price; Luxemburg BlueJays. Motion (Tlachac/Olson) to approve listed bartenders licenses. All ayes. Motion carried. Discussion on application for Twylite Destiny Beach; BP Gas Station, this application was denied during initial background check. Motion (Seidl/Tlachac) to approve denial of application from Twylite Destiny Beach. All ayes. Motion carried.

Picnic: (3) events to be held at 625 3rd Street (Kewaunee County Fairgrounds); St. Mary's Parish Fall Dinner & Raffle, October 18, 2023, Luxemburg Fire & Rescue Burger Brat Fry on October 6th, 2023, and Algoma FFA Alumni, Ag Heritage Days on September 23 & 24, 2023.

Luxemburg Blue Jays, Scotty's Kickball Tournament to be held on September 16th, 2023, at 307 Elm Street Motion (Olson/Hurley) to approve listed picnic licenses. All ayes. Motion carried.

18. COMMITTEE REPORTS

MiLissa Stipe:

*Board of Review on October 11, 2023 (application/appt. only).

*Discussion was presented regarding a letter that was received from a resident requesting the Village Board review and make considerations for golf carts on village streets. It was agreed by the board that this should be discussed at committee level first (Fire & Police) and then brought back to the Board for discussion.

*Update on pending lawsuit from Town of Luxemburg resident, Village attorney has submitted a request for summary judgement from the Kewaunee County court.

*John Schlies/Luxemburg-Casco United Softball Organization requested the go ahead to install batting cages at Legion Park, this project was approved during 2020; but was delayed. The Board was in favor of the go ahead to start the project.

Rick Simonar:

*Has talked to the DNR regarding the landfill on Valley Road; the site is in the process to be evaluated to determine if the site can go to an annual review. The process is lengthy/costly with the DNR to become an annual review of the site.

*The reservoir is back in service.

*At Legion Park, one of the slides (playground equipment) has broken, Rick will work to get a replacement part.

*The school district will be building new picnic tables for the parks over the winter months, application to Hooray for Hollywood for a grant to assist in the lumber/hardware purchase.

*Rick expressed his concerns that there will be many ash trees that will most likely need to be cut down due to the emerald ash borer issue.

*Inlets on Highway 54 will be evaluated to determine which inlets are in need of major repair (Dorner Inc.)

*The GIS Mapping project that was discussed previously for water/sewer/public works installations will be started. The mapping project will be worked through the Village engineers and Bay-Lake Regional Planning. Rick will start working on the project.

Chief Gulbrand:

*Chief Gulbrand presented the 2022 Annual Report. This document breaks down all activities that the department was involved in. From incidents by hour, location, type, arrests, and comparisons from previous years.

*Discussion on the speeding tickets that were issued on Frontier Road during the fair week. The street is posted at 35 mph.

Trustee Ron Tlachac:

*Updated the Board that he had attended the Kewaunee County Board meeting to approach them on the clean-up for the Bug Tussel's sites in the Village. There was a representative from Bug Tussel present and they were not aware of the issues. Since the board meeting, Bug Tussel has come back into the Village to correct the yard/street issues.

22. ANY OTHER ISSUES:

None

23. ADJOURN

Motion (Olson/Tlachac) to adjourn at 9:39 p.m. All ayes. Motion carried.

MiLissa Stipe, Clerk/Treasurer