

**LUXEMBURG VILLAGE BOARD MEETING MINUTES**  
**WEDNESDAY, JANUARY 10, 2024**  
**MUNICIPAL OFFICE BUILDING**  
**206 MAPLE STREET, LUXEMBURG, WI**  
**(This meeting was moved to January 10, 2024, due to weather)**

Members present: Dan Porath, Dan Olson, Dan Rueckl, Bob Seidl, Mike Faltynski, Lori Hurley, and Ron Tlachac. Others present: Clerk/Treasurer MiLissa Stipe, Public Works Rick Simonar, Engineer Gayle Lindenberg via Zoom, Mark Fort.

Public Hearing: Resolution 1-2024 Resolution modifying the Wastewater Service Charges in Accordance with Chapter 7.33 Luxemburg Municipal Code, Entitled Sewerage System Regulations  
Clerk Stipe gave the background to the slight increase in the sewer rates due to adjustments made by NEW Water. Overall, the increase will be \$.13 per monthly charge based on a 4,000-usage charge.

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, Mike Faltynski, Bob Seidl, Lori Hurley, and Ron Tlachac.

3. ADOPT AGENDA

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

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

None

5. APPROVE MINUTES FROM THE DECEMBER 12, 2023, BOARD MEETING

Motion (Rueckl/Olson) to approve the minutes from the December 12, 2023, Board meeting. All ayes.  
Motion carried.

6. MOTION/ACTION FINAL PLAT FOR THE MICOLEY DEVELOPMENT ON CHURCH ROAD

Engineer Lindenberg gave the background on the development of the property on Church Road, formerly Norman & Jean Zellner land (northern parcel). The final plat was amended to include (2) stormwater ponds instead of one. This is due to the land (all 70 acres) drains to the north of the two parcels. To accommodate stormwater issues for the development, an additional stormwater pond was inserted into the plat. Due to this new adjustment in the plat, the site for the second stormwater pond has now excluded an area for a small park. This was a discussion point with the Board as to where Wade Micoley would insert an area for a park. Engineer Lindenberg presented a park that would use the current street access for parking for parkgoers. This would allow Wade Micoley to dedicate a portion of land to a park and not worry about space for parking. This development also utilizing TIF funds and discussion regarding the requirements for (3 homes per acre) and a park. The development will be completed in phases. Phase 1 will be homes on the extension of Frontier Road and apartments/townhouses. Phase 2 will be the remainder of the northern parcel for single family homes. Phase 3 will be the development of the southern parcel for single family homes, including a park. Motion (Tlachac/Rueckl) to approve of the final plat provided in Phase 3 of the development, a park is dedicated for the development.

7. MOTION/ACTION ON RESOLUTION 1-2024: RESOLUTION MODIFYING THE WASTEWATER SERVICE CHARGES IN ACCORDANCE WITH CHAPTER 7.33 LUXEMBURG MUNICIPAL CODE, ENTITLED SEWERAGE SYSTEM REGULATIONS

Motion (Olson/Hurley) to approve of Resolution 1-2024. All ayes. Motion carried.

8. ENGINEER UPDATES, GAYLE LINDENBERG, ROBERT E. LEE & ASSOCIATES (REL)

\*Final plat for Micoley approval tonight, design to be completed for bidding in January, possible start utility/street construction in February.

\*WPS electric/Gas installation in Industrial Park: Estimate update Justin Veerer/WPS with open cutting at \$223,519, WPS is waiting for an updated railroad permit to allow us to open cut. The estimated cost does not include remove/installing the rails. The Village would be responsible for the costs of removal/installation of the railroad rails. Waiting on a street lighting estimate as well.

9. DISCUSSION/ACTION ON EXPANSION FOR D & S MACHINE

President Porath presented discussions he had with Russ Nowak, owner of D & S Machine Services on Fourth Street. He presented a plan of expansion on the northern end of parcel 31-146-NE-21-4-8M. The plan includes a 10,000 square foot building that would house new machines and storage for other metal products. The concern is that the new expansion would encroach on the setback from the street-right-way. Discussion was presented from a variance that was approved in October of 2017 regarding the same concern with setback from street-right-way. The variance was approved for an expansion on the south end of the parcel. This proposal would encroach less on the right-of-way than the previous variance approval of 2017. Concerns were raised from the Zoning Administrator, Scott Walczyk for the requirement of percentage of buildings on a parcel. With the 2017 variance it was estimated at 52% building coverage, with the new expansion it would raise it to estimated 58%. The Board was in agreement that this expansion is in the best interests of the business and the village in regard to industrial development. Motion (Tlachac/Seidl) to approve of the expansion of D & S Machine Services for the north end of the parcel pending State plan approval and to allow the 2017 variance to stand for the 2024 expansion. All ayes. Motion carried. It would be up to D & S Machine Services to combine the adjacent lots to the parcel 31-146-NE-21-4-8M, this would decrease the building square footage per parcel.

10. REVIEW/APPROVE VOUCHERS

Motion (Hurley/Faltynski) to approve the January 2024 vouchers. All ayes. Motion carried.

11. REVIEW/TAKE ACTION ON: PICNIC LICENSES:

Picnic: Kewaunee/Dyckesville Lions, Roar off the Shore on March 23, 2024; Luxemburg Casco Basketball Booster Club Fundraiser on January 27, 2024; Luxemburg Racing Car Show 2024 on February 3, 2024; all events will be held at Kewaunee County Fairgrounds. Motion (Tlachac/Hurley) to approve the above listed picnic licenses. All ayes. Motion carried.

12. COMMITTEE REPORTS

Rick Simonar:

\*Is working on the sewer plant upgrade regarding the SCADA system.

\*Heater at the sewer plant will need to be replaced, estimated cost \$4,000 to \$5,000.

\*Christmas lights will be coming down this week.

President Porath

\*Presented an email communication with Fermented Nutrition's attorney, Jodi Laabs. We have become aware that FNC is in the process of shut down. She is unaware of any attempt to file bankruptcy. The

Village Attorney advised that the Village sit tight and not exercise a 24-hour notice of shut off for nonpayment of services. He stated that processing a shut off could likely interfere with their efforts to shut things down in an orderly manner, potentially dragging things out. FNC indicated their intent to pay both NEW Water and the Village.

20. ANY OTHER ISSUES:

Concerns were raised when President Porath stated that a property owner in the Village was considering purchasing steel containers/railroad cars/PODS and installing them as his site. The Board has discussed this issue in the past, but no amendment or creation of an ordinance was created. Trustee Tlachac and Trustee Rueckl would like to move this item forward. It would need to go to committee to discuss in length, create an ordinance or amend an ordinance. More news to follow after the committee meets.

Discussion regarding the concerns of the financial records of the Fire & Rescue were discussed in length. Many issues were raised to the calculation of the portion that each municipality is required to pay, budget numbers that are not accurate (negative balance in savings accounts?), mortgage payments identified as a budget item, but the Village has already paid. All the Board members are concerned since the hiring of Erika Balza is starting as the new accountant for Fire & rescue and she has stated that the financial records have not been kept up to date. She stated that she had concerns with a starting point for her records. An audit has been proposed to each municipality with some reservations from each municipality. The Fire & Rescue will be conducting a meeting on January 22, 2024, at 7:00 p.m.; it was advised that Trustee Tlachac, MiLissa Stipe, Clerk/Treasurer attend to see if we can get any answers to our concerns, identify a time when an audit would work for Fire & Rescue?

21. ADJOURN

Motion (Olson/Tlachac) to adjourn at 8:58 p.m. All ayes. Motion carried.

MiLissa Stipe, Clerk/Treasurer