

LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, MARCH 12, 2024
MUNICIPAL OFFICE BUILDING
206 MAPLE STREET, LUXEMBURG, WI

Members present: Dan Porath, Dan Olson, Bob Seidl, Mike Faltynski, Lori Hurley, Ron Tlachac, and Dan Rueckl. Others present: Clerk/Treasurer MiLissa Stipe, Public Works Rick Simonar, Engineer Gayle Lindenberg via Zoom, Police Chief Chris Gulbrand, Mark Fort, Peter Klein, Paul Abts, Zoning Administrator Scott Walczyk, and Dan Routhieaux.

APPEAL HEARING: 6:15 P.M.

A hearing to appeal the Order of the Chief of Police dated February 23, 2024,
to remove a certain dog from the Village of Luxemburg, under
Village Ordinance 11.05(3) RESTRICTIONS ON KEEPING DOGS

Procedurally each participant was sworn in, received all materials for the appeal process for the Board members and the appellant. Chief Gulbrand gave a brief background of the three instances that the dog in question (Ace) had received a bite complaint against him. On July 29, 2023, Melissa Buckmaster, owner of Ace, was in WI Dells, and a neighbor was letting her dog out. Her neighbor brought in her cousin when she was in the home to let the dog out and Ace bit the cousin two times. Once in the right arm and the left hand. The cousin did have to go to Bellin ER for stiches in each area the dog had bitten. Melissa Buckmaster did state that Ace was up to date on all of his vaccinations. Vaccine updates accurate.

On August 26, 2023, the second time the dog had bitten someone in the right buttock. There is no mention of how it happened, but that the child was brought in for medical attention. Owner was aware of the issue and received the necessary paperwork to file. Vaccine updates accurate.

On February 21, 2024, the third issue came about when a woman was walking past the Buckmaster's home and noticed Emily Buckmaster (daughter) had Ace outside to get ready for a walk. The woman asked to pet the dog since she loved German Shepherds and Emily told the woman that the dog was very protective of his property, and it wouldn't be wise. They proceeded to walk together and the woman tried to introduce herself to the dog, reached out to have the dog smell her and the dog bit the woman. The bite ended up more of a scratch since the dog did not bite through her jacket. The woman did go to seek medical attention.

The dog is licensed in the Village. There were a few questions for Chief Gulbrand. The age of the dog is two years old. Were there any stiches for any of the bites?

Melissa Buckmaster was sworn in for the proceedings: Stated that Ace went through the normal puppy classes for training and that they do not have any problems with Ace while walking him throughout the Village. It is only when he is protecting his property. Melissa went through each incident with the Board. They have an electric fence, completely all around the home and he abides by the fence religiously.

Trustee Tlachac had expressed concerns with the decision that is made by the Board and the ramifications legally for the Village if we allow the dog to remain in the Village. The "what if?" issue would come into play if the dog would bite again. Other options such as chaining the dog when it is outside? Chain link fence, additional training, to protect the residents of the Village.

Trustee Seidl/Trustee Rueckl were not in agreement to keep the dog in the Village, they would like the dog removed since he has bitten three individuals. Appeal hearing closed at 6:45 p.m.

1. CALL MEETING TO ORDER

The meeting was called to order at 6:57 p.m.

1A. SWEARING IN OF PART-TIME POLICE OFFICER, CHRIS VANEREM

Chief Gulbrand gave a brief background of Lt. Chris VanErem. He is currently the Jail Lieutenant of the Kewaunee County Jail. He has a military background and Chief Gulbrand stated that he is working on training and doing well. He will be a great asset to the Village. Welcome Chris!

2. ROLL CALL

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

3. ADOPT AGENDA

Motion (Tlachac/Seidl) to approve the agenda with an additional 1A agenda item: Swearing in of Chris VanErem, Part-time police officer. All ayes. Motion carried.

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

Dan Routhieaux (N6627 Hillside Road, Casco, WI) presented the Village a request for hunting on the land that is the Village's landfill just off Hwy. 54. He presented a proposal for a three-year lease. He stated that there would be no tree cutting or food plots. He and his sons would be using ground blinds. This item would need to be put on the agenda for April 2024 for a motion.

5. APPROVE MINUTES FROM THE FEBRUARY 13, 2024, BOARD MEETING

Motion (Seidl/Hurley) to approve the minutes from the February 13, 2024, Board meeting. All ayes. Motion carried.

6. MOTION/ACTION FOR APPEAL HEARING THE ORDER OF THE CHIEF OF POLICE TO REMOVE A CERTAIN DOG FROM THE VILLAGE OF LUXEMBURG)

There was brief discussion on a decision and the implications of the decision. Motion (Tlachac/Faltynski) to approve a waiver of removal of the dog with the approval of the Village's attorney. Motion carried.

Vote: 4-2 (president no vote) Motion carried. Deferring the decision pending attorney's approval to April 9th, 2024.

7. DISCUSSION ON PROPOSED FINAL DRAFT OF ORDINANCE 9.185 TEMPORARY PORTABLE STORAGE CONTAINERS

Clerk Stipe informed the Board that this would be the creation of an ordinance not amending. There was discussion relating the categorizing the temporary storage facilities and enforcing the ordinance. There are areas in the Village that have temporary storage facilities and how this ordinance would affect them. The Village does not want to impede anyone's business. They do want to monitor the use/time of the storage containers. Further research will be reviewed by Zoning Administrator, Scott Walczyk to clean up the language in the ordinance. Trustee Tlachac will call a committee meeting to work out the details of the ordinance.

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

*Micoley Development-anticipating beginning work in the next month or two, REL is working on the detailed multi-family design. There will be blasting at this site and the firm that will be proceeding with the blasting will be informing all the neighboring properties in the 300-foot radius.

*WPS electric & gas installation in Industrial Park-Request to WPS to only loop electric by boring, cost \$249,000. Gas will be extended from Mill/Ash to the west along Ash Street. Lighting request has been submitted as well.

*FEMA Ordinance Update-REL to work with DNR to get new ordinance drafted/approved. New ordinance will need to be reviewed/passed by Village Board by 8/28, 2024.

*Anna/GIS-Working on with Rick/Bob on the GIS layer creation for the GPS data collection. Rick will purchase iPad, service and case. First training session for collection purposes will be in April.

9. REVIEW/APPROVE VOUCHERS

Motion (Tlachac/Hurley) to approve the March 2024 vouchers. All ayes. Motion carried.

10. REVIEW/TAKE ACTION ON: PICNIC LICENSES:

St. Mary's Parish & School Spring Fling on April 20th, 2024, and St. Therese Parish 23rd Annual Time & Talent Event on April 28th, 2024, both events to be held at Kewaunee County Fairgrounds. Motion (Olson/Tlachac) to approve the above-listed picnic licenses. All ayes. Motion carried.

11. COMMITTEE REPORTS

Rick Simonar:

*Jesse Schley, Kewaunee County Hwy. informed the Village that resurfacing Main Street/County AB from Highway 54 to Northbrook Road is slated for 2028. At this time, Spartan Way will be resurfaced as well.

*Inventory for Small Structures via the State will be processed. Culverts will be analyzed for structural integrity. Ayres Associates will be doing the evaluation for the State. There are (3) in the Village; Glen Rueckl's land, Northbrook and Haven Lane.

*The storm sewer inlets on Hwy. 54 that are deteriorating will be replaced (worst ones first) by the State.

*There was a tree issue on Paul Lane, it was agreed that the tree in not in the Village's right of way and therefore will not be removed.

*Rick presented aerial images of the clarifying ponds and expressed his pleasure that the ponds are looking so great. The reduction of Fermented Nutrition's (FNC) waste has had a positive effect on the ponds. The aerators that have been buried by the sludge that was created by FNC waste have been releasing air back into the pond that is visibly noticeable.

*Yard waste is scheduled for April 15, 2024.

*New truck for the Public Works has been ordered and plow as well.

*New pond fountain/pump has been ordered.

*Potholes in the Village have been filled and sweeping of the Village will happen in spring.

Chief Gulbrand:

*Body cameras have been received and paid 50% by a grant.

*A new bullet proof vest for Officer Neil Dorner will be purchased via the vest grant program.

MiLissa Stipe:

*The de-annexation for Dan Rank will be finalized within the week.

*Another de-annexation has been requested for a parcel owned by Glen/Karen Rueckl.

12. ANY OTHER ISSUES:

The wrap around house on 606 2nd Street is in the process of being cleaned out. There was a substantial amount of furniture and personal items that were being removed before any reconstruction could be completed. The house is in a real mess, very dirty and needs serious attention. The home has been vacated for approximately 10 years. The County will be working on restoring the property.

Update on Kerry DeGrave's proposed purchase of a parcel in the industrial park will be moving forward for this year, per K. DeGrave conversation with President Porath.

Donation for banners have been requested from the Chamber of Commerce and will be approved/denied at their next Board meeting.

13. ADJOURN

Motion (Olson/Tlachac) to adjourn at 8:52 p.m. All ayes. Motion carried.

MiLissa Stipe, Clerk/Treasurer