



Village Board Meeting
Monday, April 3, 2023
6:30 pm

LOCATION OF MEETING: 96 RUSSELL DRIVE

Meeting Minutes

1. Call to Order, Roll Call. President San Felippo called the meeting to order at 6:30pm. Trustees present included Eric Stowell, Blaine Werner, Elizabeth Manian, Mike San Felippo, and Barbara Ruege. Keri Wallenkamp attended virtually. Village staff present included Deputy Clerk/Treasurer Carissa Jaycox and DPW Director Peter Lederer. For additional attendees see attached sign-in sheet.
2. Pledge of Allegiance. Those present stood to recite the Pledge of Allegiance
3. Public Comments.

Staci Schluechtermann, 243 Christine's Way, informed the public about the Village Board's ability to spend more than what was budgeted for. She expressed concern that the board needs to be respectful to the residents' paying taxes to the Village. They should not increase just to be able to spend more. They need to decipher the difference between what is a need and a want.

Brian Bear, 19 Hickory Drive, made the board aware of speeding on Hickory Drive. There are young people, people on bikes, and people that walk their dogs that all utilize that road. He expressed that there is lots of excessive speed on the road and encouraged the board to be aware of that and discuss it. President San Felippo stated that during public comment there is no back and forth dialogue, residents can make statements, but the board cannot respond. Brian Bear responded that he did not need that back-and-forth dialogue.

Ron Depies, 113 Mueller Lane, questioned the board regarding the money that's been transferred over to our water bill, specifically regarding fire hydrants. He questioned will it come off their taxes or are they paying double now? President San Felippo stated that during public comment residents are able to make statements, but the board cannot respond.

4. New Business:
 - a. Discussion and Possible Action on the Recommendation of the Architectural Review Board on the construction of a new home at 520 Lake Breeze Ln.

President San Felippo informed the recommendation to approve the home as submitted.

Trustee Wallenkamp asked for clarification on the home address.

President SanFelippo confirmed that the address had been changed from 550 to 520 and that the plat has been changed as well to reflect the new address.

Trustee Manian made a motion to accept the Architectural Review Board's recommendation on the construction of a new home at 520 Lake Breeze Ln. Motion was seconded by Trustee Stowell. Motion carried unanimously.

- b. Discussion and Possible Action on the request of Troy Kane, 633 Lake Dr, for a utility bill reduction.

President San Felippo communicated to the board there was a letter in their packet explaining the circumstances.

Resident Troy Kane was present and spoke alluding to their circumstances.

Mr. Kane agrees that they used water, but visits to their home were infrequent. They did come up to find out they had a toilet broken. Mr. Kane is demolishing the cottage on their property and has donated it to the Random Lake & Silver Creek Fire Department to utilize for training.

Discussion began between the trustees involving past circumstances and how the Village Board has handled it.

Trustee Wallenkamp confirmed the board is still handling these issues on a case-by-case basis and in the past, they've taken the average of last year's water usage & that's what was charged to the resident.

Trustee Werner believed that to be acceptable and asked Mr. Kane if he felt that would be acceptable. Mr. Kane agreed.

Trustee Werner made a motion to take the average of the sewer bill for the last 12 months & charge the resident for the water used. Motion seconded by Trustee Stowell. Motion carried unanimously.

- c. Discussion and Possible Action on the request of Warren Silbernagel, for a citation fee reduction.

President San Felippo read letter sent from Mr. Silbernagel requesting leniency. Mr. Silbernagel was not present.

Trustee Werner asked how late the resident was in paying citation.

President San Felippo confirmed he was past the ten days deadline.

Deputy Clerk Jaycox explains to the board the date of the citation 3/4/23, as well as the date of the nonpayment letter being sent 3/24/23.

Discussion continued between President SanFelippo and the trustees regarding past requests, and how they should not be choosing what is justifiable and what is not. They further communicated the citation process and with nonpayment it would go to Sheboygan County Sheriff's Department for a state citation.

Trustee Werner inquired if Mr. Silbernagel could pay his citation in two payments due to his financial reasons.

President SanFelippo stated that it was never done that way.

Trustee Wallenkamp commented that every municipality in the State of Wisconsin has winter parking rules. There are signs posted throughout the Village and does not believe the board should act on this. Trustee Stowell agreed.

President San Felippo called for a motion. Trustee Manian maked a motion for Mr. Silbernagel to pay what he owes us. No 2nd to motion, motion dies.

- d. Discussion and Possible Action on the Recommendation of the Personnel Committee related to the Park Attendant Personnel, Wages, and Hours.

Trustee Wallenkamp gave a recap on recommendation from the Personnel Committee. Agreed to hire 8 parking attendants, starting at 12.00/hr. She further explained the working hours for those employees.

Trustee Werner made a motion to follow the recommendation of the personnel committee. Motion seconded by Trustee Manian.

In discussion President San Felippo , asks why can't the employee stat at 7 instead of 8 on Saturday & Sunday. He further stated that the lake can be overcrowded already because they know the boat launch is not being monitored that early.

Discussion continued between the trustees and was determined the 8am start time came from last year's scheduling.

Trustee Werner inquired if the board wants to set one person in charge of managing the ordering for the concessions.

President San Felippo answered that the office is going to be doing that.

Trustee Wallenkamp went on to state that any employee working at the concession stand will be required to have their food safety certification.

President San Felippo reiterated that there was a motion made and had been seconded. With no other discussion the motion passed unanimously.

- e. Discussion and Possible Action on the Recommendation of the Finance Committee related to contracted village services.

Trustee Wallenkamp explained on behalf of Trustee Urbanski. She explained the list of contracted services that the office is preparing RFPs for.

No action needed.

- f. Discussion and Possible Action on the Recommendation of the Finance Committee related to Ordinance 2023-6, Purchasing.

Trustee Wallenkamp stated the ordinance was not revisited since 1994 regarding emergency purchasing. She explained the definition of emergency as well as explaining what other municipalities and counties are setting between 5-10,000. The committee chose to establish \$10,000 for this ordinance. Any emergency use would require to be shown & explained at the following board meeting. Anything over \$10,000 would require an emergency Village Board meeting to make the purchase.

Trustee Werner stated initially he was in favor of the \$5,000 limit but has stated in recent times there have been necessary purchases made and does not believe there has been an abuse of this. He further clarifies with the Director of Public Works how recent purchases have been categorized and budgeted so far.

President San Felippo pointed out that he had authorized repairs to the treatment plant after the flood where every motor was underwater, there was no time to wait for a meeting. There was an urgency to get crews in to begin work immediately.

Trustee Wallenkamp responded that this instance was the reason for this coming before the Finance Committee. Due to it being a violation in the current ordinance, it stated anything over \$1,000 would be a reason to call an emergency board meeting. She stated that now it would be something to have in case something isn't budgeted for before having to call that emergency meeting.

Trustee Ruege commented that the committee opted for the \$10,000 since the county established the \$10,000 limit. The committee could always approach that again in the future if needed.

Trustee Ruege motioned to accept the changes from the Finance Committee on Ordinance 2023-6, Trustee Wallenkamp seconds the motion.

Trustee Werner further discussed that he understood Staci's concern, but we need this update, and feels this is appropriate.

Trustee Ruege added that she also understood Staci's comment that we still need to plan for the big things and budget accordingly, while being transparent. Ruege stated further that a 2-hour notice for majority would be needed for an emergency meeting, and that President San Felippo still has the authority to authorize purchases under the \$10,000 threshold.

No further discussion. Motion passed unanimously.

- g. Discussion and Possible Action on the Recommendation of the Finance Committee related to Ordinance 2023-7, Duties of Finance Committee.

Trustee Wallenkamp gives a recap on ordinance 2023-7. It is redundant to have it be the responsibility of the Clerk's role as well as the Finance Committee role because Clerk Waala is already putting together investment opportunities & ideas as to where money should go. The committee determined to have Clerk Waala report it straight to the Village Board for their determination and to take the Finance Committee out of it.

President San Felippo commented that there was a recent opportunity to invest in a CD from money market accounts. He suggested doing a 3-month ladder and allowing for rollover. He would be in favor of continuing to do three-year investments so the Village could be making more money when the opportunity arises.

Trustee Werner motioned to approve as written for Ordinance 2023-7. Trustee Stowell seconded the motion.

President San Felippo asked for discussion regarding the recreation of #3. He asked what the levy had to do with investment of funds.

Trustee Wallenkamp stated that she believed that clerk Waala may have taken the wrong item out. Under the finance committee # 3 & 4 were removed, making #5 become #3 for the Finance Committee responsibility. Then # 3&4 are to be put under the Clerk/Treasurer responsibility.

President San Felippo clarified that the board was approving the rules for the Finance Committee but does not address the invest of funds.

Trustee Wallenkamp replied that it did not. It needed to be included in the Clerk Treasurer duties.

President San Felippo restated the motion on the floor, excluding the Clerk Treasurer role.

Motion passed unanimously.

- h. Discussion and Possible Action on Ordinance 2023-5 related to All-Terrain Vehicles.
President San Felippo explains they cleaned up the ordinance to be compliant with state laws.

Trustee Wallenkamp discussed verbiage from the DNR website regarding age restrictions.

President SanFelippo provided additional discussion regarding section 2, confirms that all ATV/UTV drivers must be 16 years old and have a valid driver's license. No one under the age of 16 will be allowed. Section 2 #14 was added requiring all ATV users born after January 1, 1988, to possess a valid safety certificate and possess certification while operating in open areas of the public. The Village created

subsection 15 under section 2 all ATV operators at least 16 years must possess a valid safety certificate and possess certification while operating in open areas of the public. Sanfelippo recommended to hold off on this due to not seeing the drivers license or wearing a helmet under the age of 18.

Trustee Wallenkamp clarified that per the DNR we as the municipality could determine the age of the operator as well as hours of operation.

President San Felippo confirmed that we can make the rules stricter than the state if we choose to do so.

No further action taken.

i. Discussion and Possible Action on the Random Lake Management Plan 2023.

Cinda Werner commented on native & invasive plants discovered in Random Lake. She went on to discuss that the Lake Association received a grant, and they completed a mapping of the lake. Aquatic Biologists completed the mapping and found a lot of non-native plants as well as native plants. She mentioned that the DNR doesn't like to treat native plants. Right now, they are only managing Eurasian watermilfoil, but are not able to eradicate it. The company had recommendations that the DNR had approved. With all options they recommend a digital sonar map that would reflect the accurate water volume prior to April 15th. The first option included a full lake concentration every 3 weeks at \$43,000 cost to maintain the concentration of. Or continue to manage foil seasonally with 2-4D every spring for \$17,000 a year. On average the \$43,000 cost will be less over a period of time vs 2-4D costing annually \$17,000. 2-4D lasts in the water/muck where the sonar doesn't. Concentration is making the plants immune from it. The Lake Association recommendation was to go with the \$43,000 option and use the money from the Random Lake Trust to do so.

Trustee Stowell asked for clarification, said it states eradicate, will option 1 then completely eradicate the milfoil or for how many years will that last?

Cinda Werner replied that they are hopeful that over time it will be eradicated and after the majority is done other measures can be taken to suction and/or remove. Her assumption is that it is a one-year deal that a re-evaluation will be needed to continue to watch it. It did go hand in hand with the invasive species plan.

Trustee Stowell recommended monitoring a wash station if they go with option #1 to prevent it from coming back.

Robert Harry from the Lake Association commented on the difference of harvesting nonstop the debris matter. What/ how is plant life keeping muck in place. The goal is to get a perspective for our aquatic ecosystem.

President San Felippo asked that if there was a cut off for sonar similar to 2-4D being June 25th.

Janet Lynch-Eisenhut (virtually) commented that she does not believe so because 2-4D would impact plants more.

Cinda Werner reported that a fish study was completed a few years ago. The DNR recommended cutting fish lanes through the thick weeds. Her recommendation would be to contact the Rod & Gun Club to see if they have funding available for that.

President San Felippo asked for clarification on height of what can be harvested, and if anything can be cut lower.

Robert Harry clarified with Janet Lynch Eisenhut not more than 2 feet from the substrate needs to be maintained. Discussion continued on with past harvesting experiences and the effects it had on the lake.

Trustee Stowell requested that they look at the rules of the trust. He believed they were only allowed to spend \$15,000 a year. He suggested that we bring in the living board members to show them the data.

Cinda Werner commented that the Garden Club is interested in growing beetles to take care of purple loosestrife.

President San Felippo stated that they would not have to ask the trust for the full amount, because the Village would still contribute their portion that was budgeted for lake treatment.

Discussion continued regarding the amount of money being spent already from the trust.

Janet Lynch Eisenhut confirmed \$1,600 has been spent from the trust. She mentioned that digital sonar mapping is requested by mid-April for accurate readings.

President San Felippo stated that approval from the trust is needed. He is unsure of funds left in account at this time.

Janet Lynch Eisenhut requests to go out for bids for all treatments.

President San Felippo stated that due to the timing for submitting permits, they will apply for all applications. He would contact Brian for all permits.

No further action taken.

5. Old Business:

- a. Discussion and Possible Action on the Recommendation of the Finance Committee related to back-billing of the Public Fire Protection Service charges from Jul – Dec 2022.

Trustee Wallenkamp explained that the only fair thing to do was to make this its own separate invoice due to our 6-month delay. They will allow the due date to be out 6 months. The billing date will be May 1, and the due date will be Nov 1.

President San Felippo asked for clarification on whether residents could make installment payments.

Trustee Wallenkamp confirmed that residents can pay as they see fit as long as it's paid in full by November 1st.

Trustee Werner asked whether this fee will be automatically deducted if they are on automatic utility payments now.

Trustee Ruege confirmed this will not be an automatic payment.

Trustee Wallenkamp stated that more information will be included when this invoice is sent out as to why the Village Board voted the way they didx and to better answer the frequently asked questions.

Trustee Wallenkamp motioned to accept the Finance recommendation on Public Fire Protection Service charge as read. Trustee Ruege seconded. Motion carried unanimously.

- b. Discussion and Possible Action on the Amended Development Agreement with Schilling Schu Industries.

President San Felippo explained that Schilling Schu Industries is to repay the land contract for the Tiff eligible support expense plus interest \$145,170.99.

Trustee Wallenkamp motioned to approve the amended development agreement from Schilling Schu Industries. Trustee Stowell seconded the motion. Motion carried unanimously.

6. Consent Agenda – items within the consent agenda can be considered individually if the Village Board chooses to

do so:

- a. Approval of the 03/23/23 payroll: \$23,824.97
- b. Approval of 04/04/23 Pooled Checking: General Fund \$42,474.07; Debt Fund \$77,104.83; TID #4 \$1,455.00; Water Fund \$50,327.62; Sewer Fund \$34,295.11
- c. Approval of 04/04/23 Fire Checking: \$355.35

Trustee Werner requested to take a & c separately.

Trustee Ruege motioned to approve a & c. Trustee Manian seconded motion. Motion carried unanimously.

Trustee Werner asked Director of Public Works Peter Lederer for clarification as to why Bertram & Lakeview Park had water meter readings.

Director Lederer explained that he would have to go back to the reading to determine if there is a potential for an entry issue as there shouldn't be a reading recorded.

President San Felippo motioned to pay all bills except for water bill of Bertram and Lakeview Park. Trustee Manian seconded the motion. Motion passed unanimously.

7. Staff and committee reports:

- a. Clerk/Treasurer: Liquor, Tobacco, and Operator License renewal letters have been sent out for renewal by June 30th. The newsletter is being created and will go out with the April utility billing. Open book for residents to meet the Village Assessor will be Monday, April 10th here at Village Hall from noon until 2pm. President San Felippo asked to have the Board of Review will be discussed at the next meeting.
- b. Public Works: In process of opening bathrooms up in the park. Bertram Park will be open next week. Some new fixtures are being installed at Kircher park along with toilet updates. Road patching will begin hopefully in the next month. Sheboygan County will be making hot asphalt that can be used for patching. The floating pier took damage due to the ice; it will be removed in the future over the winter months. They are in need to find someone to cut grass.
- c. Committees: Trustee Werner commented for Lake & Park Committee that we have the building permit for Lakeview Park. He doesn't see it being done by Memorial Day but has all approvals. Trustee Wallenkamp commented for the Personnel Committee- 5 out of 6 employees are returning for the summer park attendant position, and the job ad will be posted as well. Trustee Wallenkamp also spoke regarding the Finance Committee that they are working on quarter 1 cashflow & financial report to present to the Board.
- d. President: Requested to committee members to do their projects on their own time. They can ask Director Lederer and Clerk Waala if they can help but to be mindful of their own job duties. Ice rink will be coming down for the season.

8. Adjourned at 7:50pm

Items on the Agenda may be taken out of order as listed. Posted to all village posting locations on 03/31/2023.

WI Open Meeting Law (Wis. Stat. 19.83(2) and 19.84(2)) In general, the open meetings law grants citizens the right to attend and observe open session meetings of governmental bodies but does not require a governmental body to allow members of the public to speak or actively participate in the body's meeting. A governmental body is free to determine for itself whether and to what extent it will allow citizen participation at its meetings.