

**DENMARK VILLAGE BOARD
MONDAY, OCTOBER 9, 2023
4:30 P.M., DENMARK VILLAGE HALL, 100 NORTH WALL STREET**

CALL TO ORDER

President Selner called the meeting to order at 4:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mary Jo Bielinski, Deb Kralovetz Jim Steffek, Josh Leiterman, Vince Wertel, Susan Selner

Excused: Leah Goral

Officials Present: Clerk/Treasurer Sherri Konkol, Deputy Clerk/Treasurer Charlie Wanish, Director of Public Works Erika Thronson, Zoning Administrator Jeffrey Sanders via Zoom, Attorney Mark Bartels, Financial Consultant Mike Konecny, DEO JJ Rusk, DEO JR Pigeon

REMARKS/COMMENTS FROM THE VILLAGE PRESIDENT

President Selner welcomed all present. She recapped the rules of an open meeting and explained the only opportunity for the public to speak at the meeting is if they are a preregistered citizen or to discuss an agenda topic. Unless the rules of the meeting are suspended, the public cannot speak during the meeting.

PREREGISTERED CITIZENS TO BE HEARD

Mark Babiash, 213 West Pine Street, here to make the Village aware of a swing set in the alley behind his house and water in his garage resulting from stormwater drainage after a neighbor built a garage -would like to discuss storm water drainage and laterals

APPROVE CONSENT AGENDA, ALL ITEMS UNDER THE CONSENT AGENDA ARE CONSIDERED ROUTINE AND WILL BE ENACTED UPON BY ONE (1) MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A TRUSTEE SO REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED AND PUT ON THE REGULAR AGENDA BY THE VILLAGE PRESIDENT

- Wertel/Leiterman moved to approve as presented.**
- a. Approval of Village Board minutes and other committee minutes for preceding meetings**
 - i. Village Board Meeting September 11, 2023**
 - b. Approve miscellaneous licenses and permits**
- Motion carried.**

BOARD APPROVAL OF MONTHLY DISBURSEMENTS

Kralovetz/Bielinski moved to approve the monthly disbursements as presented. Motion carried.

REPORT OF VILLAGE OFFICIALS

Sanders

- Began presenting the Subdivision ordinance at the September Plan Commission meeting, will finish in October
- Awaiting submittal of CSM for Denmark School District
- Site Plan received for Vercon multifamily development
- Updated site plan submitted for O'Reilly's Auto Parts for review and decision at the October Plan Commission meeting
- Responses received from United Cooperative just before 4:30 prior to this meeting

President Selner shared there are written reports from the Building Inspector, Plumbing Inspector and Electrical Inspector

Thronson

- The Hager Road, S Wall Street, Grand Avenue, North Schultz Way project contractor asked for a week and a half extension due to utility conflicts that included gas main conflict on Hager Road, extra storm sewer at Grand and S Wall and extended time with the bore and jack on S Wall under the 48" water main (The extension was granted)
- Northeast Asphalt began fine grading on Friday and will finish in 3-4 days. They are scheduled to pave on October 16th. There will be 2 days of paving on N Schultz Way and 5 days for Hager, S Wall, and Grand, this will be followed by pavement marking, and sign placement. Landscaping is planned to be completed by October 25th
- The demolition work at 601 DePere is planned to start Wednesday this week
- The control panels for the SCADA system in the booster station building are not planned to arrive until the end of February, we are submitting a change order to DNR for the Safe drinking Water loan for a time extension, the substantial completion date will be April 1, 2024 and the final completion date will be May 1, 2024, with the pump station going into service hopefully prior to that date
- Deyo Disposal asked that we continue to inform the residents not to put yard waste in their carts. Wisconsin law 278.07(2) states: Beginning on January 3 1993, no person may dispose of yard waste in a solid waste disposal facility
- Hutchinson Property Services is scheduled to rehabilitate the Highridge ball diamond beginning the week of October 23rd or October 30th
- Working on another grant application for the North Avenue project through the LRIP, a resolution will need to be passed to support installation of sidewalks on North Avenue east of North Wall Street
- There will be an electronics recycling event held at Memorial Park on Saturday, October 14th

Rusk

- September was a fairly busy month
- Finished up Frogger events for the year
- Had several significant calls, one being a weapons call which ended up being nothing

- Lights fixed on DEO Rusk's car
- There have been several car break ins around the Village with minor thefts

Selner

- All board members were provided with a tablet this evening, and that means no more paper copies
- Wants the board to be aware of DEO Rusk bringing up the idea of possibly putting flock cameras (which are license plate readers) in the Village – every police officer has access to the information from the cameras – Cost is a \$3,500 annual fee

BOARD CONSIDERATION OF DEFERRAL OF DECISION ON PROPOSED ZONING CHANGE FOR VD-138

Sanders explained the rezoning went through a Public Hearing prior to the September 19, 2023 Plan Commission meeting, then was on the agenda for the Plan Commission meeting and due to lack of a vote the item failed and is now in the hands of the Village Board for a decision. Sanders provided the board with 3 options: Approve the deferral of the decision on proposed zoning change for VD-138, table this item, or rule on a zoning change.

Larry Hager, here representing the parcel owners stated he would advise going with the deferral because it would be illegal to vote on the rezoning prior to the Comprehensive Plan being amended. The parcel has been marketed over the last couple of years and there has been no interest in commercial development.

Discussion

- Who brought forward the request for zoning? ***The property owner***
- Have reservations about bringing another multifamily development in now, especially not knowing if Lexington's Stradale apartments will have full occupancy

Kralovetz/Wertel moved to defer the decision on proposed zoning change for VD-138 until a decision is made on the Comprehensive Plan Amendment. Motion carried.

BOARD DISCUSSION/ACTION ON AMENDING A PROPOSED ZONING CHANGE FOR TAX PARCEL NUMBER VD-138, LOCATED ON HAGER ROAD IN THE VILLAGE OF DENMARK, FROM RD-1 RURAL DEVELOPMENT DISTRICT TO R-4 MULTI-FAMILY DISTRICT TO ACCOMMODATE A PROPOSED MULTI-FAMILY DEVELOPMENT – FAILED AT THE PLAN COMMISSION MEETING FOR LACK OF A MOTION

No discussion needed as a request for an amendment to the Comprehensive Plan will go to the Plan Commission meeting on October 17, 2023.

BOARD DISCUSSION/ACTION ON AMENDING THE SPECIAL ASSESSMENT POLICY CLARIFYING THE INTERPRETATION OF OVERLAPPING CREDITS

Thronson explained there are two interpretations of "Overlapping Credits" in the Special Assessment Policy, and each are valid, but one is suited for small parcels, and one is suited for large parcels. Thronson suggested clarifying this by changing the language in (5) and adding: *"In the judgement of the Village, if the property (subject to the special assessment) is divisible and if such division allows for credits to be independent from one another, multiple credits would not be considered to overlap. This could result in multiple credits to be applied to a divisible parcel"*. **Leiterman/Wertel moved to approve amending the special assessment policy,**

clarifying the interpretation of overlapping credits by adding the recommended language to number 5. Motion carried.

BOARD DISCUSSION/ACTION ON TRICK OR TREATING TIMES FOR THE VILLAGE

Kralovetz/Bielinski moved to set the Trick or Treating hours from 4 p.m. to 6 p.m. on Halloween. Motion carried.

BOARD DISCUSSION/ACTION ON HIRING AN ARBORIST FOR TREE MANAGEMENT AT MEMORIAL PARK

President Selner stated she knows of a person in the Brussels area that will go through and identify all the trees. Selner would like to get the trail back in the park and feels the trees should be identified as to what should be removed and what should be kept. **Wertel/Bielinski moved to approve the hiring of an arborist for tree management at Memorial Park. Motion carried.**

BOARD DISCUSSION/ACTION ON PERMITTING PROCESS AND FEES FOR PLUMBING AND ELECTRICAL PERMITS

Selner stated she received a call from an electrician asking her to look at our fees for electrical and plumbing, as the Village was high compared to other municipalities.

Kralovetz/Leiterman moved to adjust the electrical permit and plumbing permit fees to fifteen cents per square foot for commercial industrial development. Motion carried.

BOARD DISCUSSION/ACTION ON APPOINTING JAMES BISSON TO THE ZONING BOARD OF APPEALS

Selner stated she had an inquiry from James Bisson about getting more involved in the Village and possibly joining a board. Selner would like to appoint Bisson to the Zoning Board of Appeals. **Leiterman/Wertel moved to approve the appointment of James Bisson to the Zoning Board of Appeals. Motion carried.**

BOARD DISCUSSION/ACTION ON APPOINTING A VILLAGE BOARD TRUSTEE DUE TO A VACANCY WITH THE RESIGNATION OF JOSH LEITERMAN

President Selner stated the board accepted Josh Leiterman's resignation starting immediately after this board meeting, and she would like to appoint Michael Johnson as Village Trustee to fill the vacancy due to Leiterman's resignation. **Wertel/Steffek moved to approve the appointment of Michael Johnson as Village Board Trustee to fill the vacancy due to Leiterman's resignation. Motion carried.**

BOARD DISCUSSION/ACTION ON RESOLUTION 14-2023, A RESOLUTION SUPPORTING THE INCLUSION OF PEDSTRIAN FACILITIES AS PART OF THE NORTH AVENUE STREET RECONSTRUCTION PROJECT

Steffek/Bielinski moved to approve Resolution 14-2023, a Resolution Supporting the Inclusion of Pedestrian Facilities as part of the North Avenue Street Reconstruction Project. Motion carried.

CLOSED SESSION

Wertel/Kralovetz moved to convene into closed session pursuant to: Wis. Statute 19.85(1)(e), deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, as it relates to economic development whenever competitive bargaining reasons require a closed session

and

Wis. Statute 19.85(1)(c), considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility

Kralovetz – aye, Bielinski – aye, Wertel – aye, Steffek – aye, Leiterman – aye, Selner – aye, Johnson - aye. Motion carried.

RECONVENE INTO OPEN SESSION UNDER WIS. STATUTE 19.85(2) TO TAKE POSSIBLE ACTION ON ITEM(S) IN CLOSED SESSION

Wertel/Bielinski moved to return to reconvene into open session under Wis. Statute 19.85(2) to take possible action on item(s) in closed session. Motion carried.

No action taken.

ADJOURN

Steffek/Kralovetz moved to adjourn at 6:14 p.m. Motion carried.

Minutes submitted by Sherri Konkol, Village Clerk/Treasurer