DENMARK VILLAGE BOARD
MONDAY, APRIL 7, 2025
4:30 P.M., DENMARK VILLAGE HALL, 100 NORTH WALL STREET

CALL TO ORDER

President Selner called the meeting to order at 4:31 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Jim Steffek, Leah Goral, Michael Johnson, Vince Wertel, Brandon Ackley, Mary Jo Bielinski, Susan Selner

Officials Present: Clerk/Treasurer Sherri Konkol, Deputy Clerk/Treasurer Charlie Wanish, Director of Public Works Erika Thronson, Deputy Jeremiah Rusk

Approval of Agenda

Wertel/Bielinski moved to approve the agenda as presented. Motion carried.

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

Willie Mae Barbier, 130 Wisconsin Avenue concerned about a Village official making derogatory comments about her

Jim Bomski, 310 Highridge Avenue, feels sidewalks are needed in Daybreak Estates and shared specific areas where he feels sidewalks should be installed. Bomski also has a concern regarding a pool without a fence in Daybreak Estates

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

Johnson/Steffek moved to approve as presented.

a. Approval of Village Board minutes and other committee minutes for preceding meetings

i. Village Board Meeting March 10, 2025

b. **Approve miscellaneous licenses and permits Motion carried.**

BOARD APPROVAL OF MONTHLY DISBURSEMENTS

Goral/Johnson moved to approve the monthly disbursements as presented. Motion carried.

REPORT OF VILLAGE OFFICIALS

Selner stated the Building Inspector, Electrical Inspector, and Plumbing Inspector submitted written reports

Rusk

- March was a busy month there was 120 calls
- The new squad car should be in any day and once in has to go the county to be switched over – most equipment that is in the current squad should be able to be used except the new squad may need a different center counsel
- Fraud complaint originated at the bank – opened account under the county involving a significant amount of money
- Disturbance in Memorial Park near the basketball court - a 21 year old started fighting with a 16 year old, the call resulted in an arrest of one suspect for numerous charges. The new Verkada cameras were used to establish Probable Cause for the arrest
- There were a couple of OWI's
- There is currently 1 sex offender pending Appeal Process for Residency within the Village
- The new radio is in for Deputy Pigeon
- Got a quote from 1 Crossing Guard company which would include recruitment, background investigations, training, equipment, insurance, supervision and management of the Village Crossing Guard Program – Pricing based upon 3 crossing guards including local supervision and substitute guards included in the rate not to exceed $40,986 per year which would be split with the school. Deputy Rusk feels this would be a benefit to the Village as now the officers are covering for the 1 crossing guard we have and getting their hourly wage

Thronson

- Ethan Bergelin will be returning this summer to work as the pool attendant
- Public Works Employee Mike Adams passed his Wastewater Operator exam and is now a Wisconsin State certified Operator in Training
- Tertiary Treatment Project start up has been rescheduled and is now planned for the end of this week, Thursday or Friday

Sanders

Sanders stated there are several matters requiring Plan Commission action and some of them Village Board action including:

- One Denmark site plan
- Pro-Fab site plan
- Winnekens extraterritorial CSM (requires PC and VB action)
- VD-138 comp plan amendment and zoning change (requires PC and VB action)
- VD-138 conditional use permit (requires PC and VB action)
- Pro-Fab lot line adjustment (Village Board action)
- Shared there was not much regarding code enforcement and to refer to the Enforcement Tracking Document
- Also included in the Board packet was a case regarding zoning related legislation/court rulings

Wanish

- Went over the quarterly budget to actual comparison

Konkol

- Shared with the Board the Central Business District Parking Lot Agreement is complete and recorded with the County and all affected parties were mailed the final document
- DYBS applied for a beer license for the upcoming youth tournaments in May at the Memorial Park and all upcoming Legion games at the Highridge diamond

Selner

- Thanked Mary Jo Bielinski for her service to the Village Board – and stated she will be missed
- Welcomed newly elected trustee Tim Schroeder to the Village Board
- Developer that has property on the east side of the Village wants Mahlik Road to be rebuilt before development starts – Selner stated she will bring this to the Economic Development Committee

BOARD DISCUSSION/ACTION ON THE SALE OF THE OLD VILLAGE HALL

Selner stated the Village received an offer to purchase the old Village Hall. The offer was sent to Attorney Bartels, and he responded, stating we should add comments to the offer regarding keeping the façade of the building. Selner shared the cash offer of $195,000.00 as is. The buyer will have an inspection done prior to closing. Asking price is $199,900.00 and Selner feels like this is a fair offer. Selner stated the person that put in the offer is involved in the arts and will be opening an art studio.

Levi Foss (Real Estate Agent) is here and stated there were 6 showings. One was today and the people were not planning on putting in an offer, so there was only the one offer.

Selner stated it will be nice to get the property back on the tax roll. **Ackley/Wertel moved to accept the offer for the sale of the old Village Hall located at 118 Main Street for $195,000.00 with the addition to the offer of maintaining the façade of the building. Motion carried.**

BOARD DISCUSSION/ACTION ON THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE THE APPLICATION FOR ZONING CHANGE FOR TAX PARCEL VD-138, C & J COMMERCIAL HOLDINGS, LOCATED ON HAGER ROAD IN THE VILLAGE OF DENMARK, THE REQUESTED ZONING CHANGE IS REQUIRED TO ACCOMMODATE A PROPOSED TRUCKING TERMINAL/STORAGE WAREHOUSE CONTINGENT UPON THE CONDITIONS LISTED IN THE ZONING ADMINISTRATOR'S STAFF REPORT

Don Wood of C & J Commercial Holdings is here and stated he is outgrowing his current location, DSD Trucking located on Kvitek Road and wants to grow and expand his business and needs the property rezoned, in order to relocate his business there. **Steffek/Bielinski moved to accept the Plan Commission's recommendation to approve the application for Zoning change for Tax Parcel VD-138, C&J Commercial Holdings, located on Hager Road in the Village of Denmark, the requested zoning is required to accommodate a proposed trucking terminal/storage warehouse contingent upon the four (4) conditions listed in the Zoning Administrator's staff report. Motion carried.**

BOARD DISCUSSION/ACTION ON THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE THE CONDITIONAL USE PERMIT FOR TAX PARCEL NUMBER VD-97-45-1, FAMILY DOLLAR, LOCATED AT 619 GREEN BAY ROAD IN THE VILLAGE OF DENMARK, PROPOSING TO HOST A MOBILE FOOD ESTABLISHMENT (FOOD TRUCK)

Owner of the Food Truck, Cesilia Ruiz, is here and stated their goal is to build a restaurant in Denmark. **Wertel/Ackley moved to accept the Plan Commission's recommendation to approve the Conditional Use Permit for Tax Parcel number VD-97-45-1, Family Dollar, located at 619 DePere Road in the Village of Denmark, proposing to host a mobile food establishment (food truck), as long as all the contingencies in the Zoning Administrator's report are followed. Motion carried 6-1. Steffek abstained.**

BOARD DISCUSSION/ACTION ON THE PLAN COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 315 BY REVISING SECTION 315-123.E WHICH READS AS FOLLOWS: '*PARKING AREAS FOR LOTS ZONED R4, B-1, I-1 AND I-2 SHALL BE LOCATED IN THE SIDE OR REAR YARD'* TO REMOVE THE I-1 AND I-2 ZONING CLASSIFICATIONS FROM SECTION 315-123.E

Wertel/Johnson moved to accept the Plan Commission's recommendation to amend Chapter 315 by revising Section 315-123.E which reads as follows: *'parking areas for lots zoned R4, B-1, I-1 and I-2 shall be located in the side or rear yard' to remove the I-1 and I-2 Zoning Classification from Section 315-123.E. Motion carried.*

BOARD DISCUSSION/ACTION ON THE PLAN COMMISSION'S RECOMMENDATION TO AMEND CHAPTER 315 SECTION 300.C BY REVISING THE DEFINITIONS OF NONCONFORMING STRUCTURE AND NONCONFORMING USE TO READ AS FOLLOWS:
NONCONFORMING STRUCTURE. A DWELLING, BUILDING, OR STRUCTURE THAT EXISTED LAWFULLY AT THE TIME OF THE EFFECTIVE DATE OF THIS CHAPTER OR AMENDMENTSTHERE TO WHICH DOES NOT CONFORM WITH ONE OR MORE OF THE DEVELOPMENT REGULATIONS OF THIS CHAPTER FOR THE DISTRICT IN WHICH IT IS LOCATED'
NON CONFORMING USE. A USE OF LAND, WATER, OR OF A DWELLING OR OTHER STRUCTURE THAT EXISTED LAWFULLY AT THE TIME OF THE EFFECTIVE DATE OF THIS CHAPTER OR AMENDMENTS THERE TO WHICH DOES NOT CONFORM TO THE USE RESTRICTIONS OF THIS CHAPTER'

Goral/Bielinski moved to accept the Plan Commission's recommendation to amend Chapter 315 Section 300.C by revising the definitions of Nonconforming Structure and Nonconforming Use to read as written above as per the Zoning Administrator changing the wording is easier to defend with the word lawfully included in the amendment. Motion carried.

BOARD DISCUSSION/ACTION ON THE PLAN COMMISSION'S RECOMMENDATION TO CORRECT A SCRIVENERS ERROR BY AMENDING SECTION 315-52.C(3) REMOVING THE FOLLOWING USES AS CONDITIONAL USES IN THE INSTITUTIONAL DISTRICT
'SALES, SERVICE, AND REPAIR/ CATEGORY N HEAVY DUTY VEHICLES (TRUCKS, BUSES, COACHES, TRACTOR TRAILER UNITS AND THE LIKE
'SALES, SERVICE AND REPAIR: 'CATEGORY T' IMPLEMENTS OF HUSBANDRY
'SALES, SERVICE AND REPAIR:
CONSTRUCTION EQUIPMENT AND SIMILAR HEAVY EQUIPMENT'

Sanders stated this is just correcting a functional error. **Bielinski/Ackley moved to accept the Plan commission's recommendation to correct a scriveners error by amending Section 315-52.C(3) removing the stated above in italics uses as conditional uses in the Institutional District. Motion carried.**

BOARD DISCUSSION/ACTION ON SCHEDULING A SPECIAL VILLAGE BOARD MEETING ON TUESDAY, APRIL 15, IMMEDIATELY FOLLOWING THE PLAN COMMISSION MEETING

Ackley/Wertel moved to schedule a Special Village Board meeting on Tuesday, April 15, immediately following the Plan Commission Meeting. Motion carried.

BOARD DISCUSSION/ACTION ON THE SALE OF PARCEL NUMBER VD-135-6

Selner stated this is the property of the Lexington Saw-Sam development, the closing date will be May 1, 2026.

- Still unsure of how many acres they would like – will buy at least 30 acres
- Need CSM for property lines

Steffek/Ackley moved to continue with the sale of Parcel Number VD-135-6 but do not accept an offer until everything is worked out with property lines and acreage. Motion carried.

BOARD DISCUSSION /ACTION ON THE PARK DESIGN AT BROADWAY AND PINE STREETS

Selner stated she wanted to share the three designs that Parkitecture came up with for a park on the corner of Broadway and Pine Streets.

No action is needed on this item, as it is informational only.

BOARD DISCUSSION/ACTION ON THE EASEMENT AT THE PARK ENTRANCE

Selner stated she reached out to Attorney Bartels about the easement, and he stated he could draft an agreement for an extension on the easement for entry to the park by the batting cages. **Ackley/Goral moved to have Attorney Bartels draft an agreement for an extension on the easement we already have to allow access into the park. Motion carried.**

BOARD DISCUSSION/ACTION ON THE PURCHASE OF A NEW COPIER FOR THE VILLAGE HALL

Wanish shared he contacted 3 different companies for a new copier and was able to get a copier at half of the price we would have paid with our current vendor. Due to the copier being zapped by a power outage, insurance is paying for the new copier.

BOARD DISCUSSION/ACTION ON A DRAFT DEVELOPMENT AGREEMENT FOR C&J COMMERCIAL HOLDINGS PROPOSED CONSTRUCTION PROJECT. THE BOARD WILL PROVIDE INPUT ON THE TERMS. IF NO CHANGES ARE MADE THE DEVELOPMENT AGREEMENT WILL BE APPROVED IN OPEN SESSION IF THERE ARE CHANGES, THEY WILL BE FORWARDED TO OUR ATTORNEY FOR RE-DRAFTING. THE BOARD WILL DETERMINE HOW/WHEN THE REVISED DEVELOPMENT AGREEMENT WILL BE APPROVED

Selner/Wertel moved to go into closed session. Johnson – aye, Goral – aye, Steffek – aye, Bielinski – aye, Ackely – aye, Wertel – aye, Selner – aye. Motion carried.

CLOSED SESSION

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 the review and board input of the Attorney's Development Agreement for C&J Commercial Holdings for 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 to discuss employee job performance over which the governmental body has jurisdiction or exercises responsibility

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

Ackley/Johnson moved to go into open session. Motion carried.

Steffek/Ackley moved to direct our attorney to make some changes to the development agreement and bring it back to the board for review. Motion carried.

ADJOURN

Bielinski/Wertel moved to adjourn at 6:53 p.m. Motion carried.

Minutes submitted by Sherri Konkol, Village Clerk/Treasurer