



**VILLAGE BOARD MEETING
MONDAY, AUGUST 21, 2023 AT 7:00 P.M.**

Lake Hallie Municipal Building
13136 30th Avenue
Lake Hallie, WI 54729

MINUTES

1. Meeting called to order according to Chapter 19.84 of the Wisconsin State Statutes at 7:05 p.m. by President Gary Spilde.

2. Roll Call: Mr. Greenwood, Mr. Johnson, Mr. Spilde, Mr. Berg, and Mr. Lehmann all present. Attorney David Raihle was also in attendance.

3. Pledge of Allegiance.

4. Approval of the August 21, 2023 Village Board Meeting Agenda as presented

Mr. Berg made a motion to approve the August 21, 2023 Village Board Meeting Agenda as presented, seconded by Mr. Johnson. Motion carried on unanimous voice vote by members present.

5. Public Comments: Public comments are limited to two (2) minutes and will be limited to issues that have an impact on the Village of Lake Hallie. An exception to the two (2) minute limit may be made at the discretion of the Village President.
No comments from the public in attendance.

6. Committee/Department Reports:

A. Board Member Update

Mr. Spilde stated the Village is still in non-compliance with the DNR with their stormwater management, working with Chippewa County to get back into compliance as well as the recreation of the Floodplain Ordinance is available for the boards review and will be discussed at the September 5, 2023 Village Board meeting.

B. Police Chief/Police Commission Update

Chief Orgon updated the board with his July activity report as follows:

Complaints and Activities

13 Vehicle Crashes 24 Alarms and 911 Calls/Misdials 29 Animal Complaints 29 Assist Citizen/Motorist 14 Assist other Agencies 11 Battery/Disorderly/Harassment 5 Property Located 12 Burglary/Theft/Robbery 4 Child Custody/Domestic Disturbances 6 Missing Persons/Property 6 Crisis Interventions/Suicide Attempts 3 Civil Disputes & Building Checks 6 Damage to Property/Vandalism 7 Drug Related Complaints 12 Traffic Hazards 18 EMS/Fire Calls/Death 3 Fraud/Identity Theft/Fraudulent Activities 6 Juvenile Related Complaints 6 Noise/Music Complaints 3 Probation/Court Order/ Complaint 4 Sexual Assaults/Abuse of Vulnerable 50 Suspicious Circumstances 26 Traffic Complaints 6 Crimes – Other 11 Recreational Related/Trespassing 28 Municipal Code & Parking **Total – 342**

Arrests/Citations

11 Driver License (Susp/Revoke/None) Viol. 3 Operate while Intoxicated. 4 Vehicle Registration 0 Child/Seatbelt Violations 2 Insurance Related Violations 15 Speeding 1 Hit and Run/ Failure to Notify 1 Too Fast/Inattentive/Too Close 1 Miscellaneous Traffic Citations 2 Failure to Obey Sign/Signal 1 Underage Drinking/Tavern Related Offenses 17 Warrant/Probation/Parole Arrest 0 Damage to Property 4 Other Ordinance Violations 14 Battery/Disorderly Cond/Resisting/Obstruct 7 Theft of Property/Vehicle 0 Burglary/Robbery/Trespass to Dwelling 6 Financial Crimes 6 Drug Related Arrests 10 Sexual Assault/Child Crimes 0 Reckless/Disorderly Driving 4 Other Criminal/Weapons **Total – 106**

Total Traffic Stops: 129

Written Traffic Warnings: 13

Issued Parking Citations: 22

Amount of Property Damaged/Stolen: \$30,593

Property Recovered: \$100

C. Public Works Department Update

Mr. Sam Bautch, Working Foreman for the Village provided his monthly update to the board as follows: Monarch Paving is scheduled to put the 1st lift of pavement on 120th tomorrow (August 22, 2023) and the 1st lift for 122nd is scheduled for Thursday, August 24, 2023. Monarch intends to take Wednesday off due to the anticipated weather conditions/heat index. Mr. Bautch along with Mr. Calkins and Mr. Malecki continue to work on spray patching Hughes Addition to salvage whatever is left to the roads, Mr. Malecki is learning how to use the shouldering machine, brushing of 21st Avenue was completed. The new leak detector was received on Friday, August 18th; valve turning is nearly complete, Total Control Solutions will replace the VFD in Well #3 on August 22nd. Mr. Bautch along with Mr. Nussbaum of SEH met with DNR for a pre-startup on Well #5 today, August 21, 2023 with items that need to be taken care of before DNR will give authorization to start the well and run in to the village system. Necessary items to complete is SEH will provide the DNR a copy of the final well construction report from Traut Well Drilling; send a list to contractors for items of their responsibility to accomplish; Wellhead Protection Plan needs review and approved by the DNR; anticipated startup will be third week of September due to sampling requirements of the new well. SEH will inspect and prepare punch list for the project; and Haas will finish site grading of topsoil at the project location.

7. New Business:

A. Discussion and/or Action on the following:

1. 2023-0002 Care Partners – Conditional Use Request – Assisted Living & Memory Care – Industrial District

Mr. Spilde opened the public hearing for Conditional Use Permit #2023-0002 Care Partners Assisted Living & Memory Care at 7:14 p.m. Mr. Ken Koziczowski of Ganther Construction was in attendance to review/answer questions on CUP 2023-0002 for Care Partners – Lake Hallie which is a Senior Living Community for assisted living and memory care residents. The facility will be licensed through the Wisconsin Department of Health Services as a Community Based Residential Facility (CBRF) for the care of the elderly. The facility will house 56 residents in 56 rooms and operate 24 hours a day, 7 days a week and provide support for activities of daily living. The project site is currently vacant land and zoned industrial, identified as parcel number 22809-3623-00020000 and Lots 2, 3 and 4 of Certified Survey Map 421. The proposed use will need to be approved as a conditional use for this zoning district. There will be no room on the proposed parcel for future building expansion. Mr. Berg asked to go on record expressing concerns about the parking lot not providing enough parking spots and Mr. Lehmann questioned the gallons of waste flow as the cluster system has the capacity of handling 12000 gallons per day. Mr. Koziczowski indicated he would need to follow up with the plumber for the project to address Mr. Lehmann's concern. Mr. Spilde closed the public hearing at 7:23 p.m. Mr. Berg made a motion to approve Conditional Use Permit #2023-0002 for Care Partners Assisted Living & Memory care pending approval on the step tank detail not to exceed the cluster system total capacity of 12,000 per day from all users, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present.

2. Update on the repeal and recreation of Chapter 32 Floodplain Ordinance

Mr. Doug Clary provided an update via email to the board on the repeal and recreation of Chapter 32 Floodplain Ordinance. Mr. Clary's email states that FEMA revised two flood insurance rate maps for incorporated areas of Lake Hallie and the Chippewa County Flood Insurance Study. The maps/study are to be utilized by Lake Hallie to manage development in the designated floodplain areas. Prior to October 19, 2023 Lake Hallie is required as a condition of continued eligibility in the National Flood Insurance Program to adopt floodplain regulations that meet the minimum federal and state standards. The repeal and recreation of Chapter 32 Floodplain of the Lake Hallie Code of Ordinance incorporates language reflecting the new FIRM panels and the newly revised FIS. The ordinance is identical to the Chippewa County Floodplain Ordinance, which is also being updated. Mr. Clary is scheduling a public hearing on September 18, 2023 in front of the Village Board on the repeal and recreation of this chapter. The first reading of the Floodplain Ordinance will take place on the September 5, 2023 Village Board agenda with the second reading and approval of the ordinance to take place on September 18, 2023.

B. Discuss/approve Resolution #2023-26 Public Participation Procedures for the update of the Village of Lake Hallie's Comprehensive Plan

Mr. Lehmann made a motion to approve Resolution #2023-26 Public Participation Procedures for the update of the Village of Lake Hallie's Comprehensive Plan, seconded by Mr. Johnson. Motion carried on unanimous voice vote by members present.

C. Discuss/approve resignation of Allison Claussen from the Plan Commission effective September 11, 2023

Mr. Lehmann made a motion to approve the resignation of Allison Claussen from the Plan Commission effective September 11, 2023, seconded by Mr. Berg. Motion carried on unanimous voice vote by members present.

D. Discuss/approve Resolution #2023-27 Change of hours for the Police Clerks.

Mr. Berg made a motion to approve Resolution #2023-27 change of hours for the Police Clerks, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present. The hours of the Police Clerk's effective August 27, 2023 will be as follows: Monday – Thursday 7 a.m. – 4:30 p.m. and Fridays from 8 a.m. – 12 noon. **The Lake Hallie Municipal building will be closed at 12 noon on Fridays effective September 1, 2023.**

- E. Discuss/approve the purchase of a skid steer attachment (grader 96”) from Bobcat at a cost not to exceed \$19,900.00

The Village Board reviewed the quote for a grader attachment for the Village skid steer from Bobcat. Mr. Bautch indicated this attachment is something that former Public Works Supervisor Derek Schad had interest in purchasing. After review of the quote, the Village board asked Mr. Bautch to consider renting the attachment to try it out prior to consideration for purchase.

- F. Discuss/approve quote from Total Control Systems, Inc. to replace VFD in Well #3 at a cost not to exceed \$4,870.00

Mr. Lehmann made a motion to approve a quote from Total Control Systems, Inc. to replace VFD in Well #3 at a cost not to exceed \$4,870.00, seconded by Mr. Greenwood. Motion carried on unanimous voice vote by members present. Mr. Berg stated that the Village should retain the old VFD and check the price for repairs as it may be used in the future as a back up if needed.

- G. Update from Attorney David Raihle on ClearPath Energy Option to Lease Draft

Attorney Raihle drafted an email to ClearPath Energy to express the Village Boards requested changes. Attorney Raihle wanted to make ClearPath Energy aware the site being investigated for the solar panels was previously a site for groundwater contamination and as a result, the village had to establish a water district. The board has heightened sensitivity to groundwater contamination and other problems that can arise from disturbing a sealed landfill site. Mr. Brown, Managing Director Terra Focus indicated that ClearPath teams shared the following options: *ClearPath can meet in the middle of a 4-year term vs the original 6. The reason being the legislation is still being defined which could take up to two years alone. A traditional process for markets that have an existing pathway is 2 years (studies, permitting, etc.) before hitting construction, so 4 years is acceptable for us as there will be thousands of dollars spent during the option process at risk due to the legislation process. *ClearPath agrees that any extensions of the option will need board approval. *Regarding insurance policies, the Villagewill named as additional insured. The general liability policy is \$1M and the excess policy is \$10M. *ClearPath can eliminate the arbitration clause and lastly, we ask that the Village propose language regarding any damages caused by ClearPath for acceptance. The Village Board requested Attorney Raihle advise ClearPath Energy the Village is in favor of a 4-year term and will provide terms of a liability component acceptable to the Village. Attorney Raihle will forward it to Mr. Spilde for review/approval.

8. Old Business:

- A. None

9. Approval of Minutes: Minutes are unapproved & changes could be made when it is addressed during the meeting.

- A. August 7, 2023 Village Board Meeting Minutes

Mr. Berg made a motion to approve the August 7, 2023 Village Board Meeting Minutes as presented, seconded by Mr. Johnson. Motion carried on unanimous voice vote by members present.

10. Finance:

- A. **Treasurer's Report: (Usually 2nd Meeting of each Month)**

1. July, 2023

- a. Treasurer's Report
- b. Profit & Loss Statement
- c. Ehlers Investment Summary

Mr. Lehmann made a motion to approve the Treasurer's Report as presented, seconded by Mr. Berg. Motion carried on unanimous voice vote by members present.

B. Claims & Disbursements.

1. August 21, 2023 Check Register in the amount of \$111,523.31 (General Fund check range #39736-39776)

Mr. Lehmann made a motion to approve the August 21, 2023 claims and disbursements in the amount of \$111,523.31 (General Fund check range #39736-39776), seconded by Mr. Johnson. On roll call vote, Mr. Lehmann, Mr. Johnson, Mr. Greenwood, Mr. Spilde, and Mr. Berg voting aye. Motion carried.

11. Licensing:

- A. **Operator(s):**

1. See attached List

- B. **Social Use Permit** (Village Hall Rental/Park Rental):

1. None

Mr. Berg made a motion to approve the Operators List as presented, seconded by Mr. Johnson. Motion carried on unanimous

voice vote by members present.

12. Adjournment.

Mr. Greenwood made a motion to adjourn at 7:45 p.m., seconded by Mr. Johnson. Motion carried on unanimous voice vote by members present.

Respectfully submitted;

Kris Fitzsimmons
Clerk-Treasurer