

**VILLAGE BOARD MINUTES**  
**MONDAY, JUNE 8, 2020**  
**6:30 PM**  
**BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

Call to Order  
Roll Call

Pledge of Allegiance – Trustee Ludtke

Present: Trustees Anson, Dorau, Meyers, Wallschlager, Ludtke, Conner, President Pfannerstill

Others Present: Administrator Rhode, Finance Director Bailey, Clerk Igl, Police Chief Misko, Interim Fire Chief Jambretz, Operations Supervisor Gerszewski, Rec Director Yogerst, Tom Ludtke, Dustin Pfeiffer, Rick Kalscheuer, Tim Sharpee, Utility Operations Supervisor Felkner, Craig Eisenhut, Attorney Hector de la Mora, Captain Kelsey Ryan Thomas, Matt Gaulke, Lori Huntington.

Public Comments: Please be advised the Village Board will receive comments from the public related to any item(s) on the agenda for a three minute time period per person, with time extensions per the Village President's discretion.

Residents Kristine Sadler, 172 Willow Drive and Curtis Momsen, 153 Willow Drive, spoke against the road being connected through Chestnut Ridge to the proposed Lake Country Lutheran development outlining several concerns including traffic congestion at the intersection of Chestnut and North. President Pfannerstill stated that the development is to be discussed at the Plan Commission meeting scheduled for June 15. The residents commented that a petition is being circulated against the road connection.

1. Motion (Meyers/Conner) to approve Village Board minutes of May 26, 2020. Carried (7-0).
2. Motion (Wallschlager/Anson) to approve vouchers for payment in the amount of \$408,223.01. Carried (6-0). Meyers abstained.
3. Consideration of actions related to Licenses and Permits.
  - a. Consideration of an application for an Operator's License recommended for denial

Tom Ludtke, President of H.A.A.A., stated that he is looking for direction as the statute was brought to light that prohibits issuance of a license to an individual that has been convicted of a felony unless pardoned. President Pfannerstill commented that one individual with a bartending license must be on the premises to supervise those bartending without a license.

Attorney de la Mora stated that the statute is very clear and explained that there is a statutory process whereby an application may be submitted to the governor's office to request consideration of a pardon. He stated that he will share that information with

the applicant. Trustee Ludtke commended Mr. Pfeiffer for his hard work and for continuing to serve in the community. Motion (Dorau/Conner) to deny the Operator's License for Dustin Pfeiffer. Carried (6-0). Ludtke abstained.

- b. Consideration of the Annual Renewal of Licenses and Permits expiring June 30, 2020.
  - i. Consideration of motions to approve:
    - 1. Motion (Meyers/Ludtke) to approve Class "B" Beer/"Class B" Liquor licenses. Carried (6-0). Anson abstained.
    - 2. Motion (Dorau/Conner) to approve Reserve Class "B" Beer/"Class B" Liquor licenses. Carried (7-0).
    - 3. Motion (Meyers/Ludtke) to approve "Class A" Liquor licenses. Carried (7-0).
    - 4. Motion (Conner/Ludtke) to approve Class "A" Beer licenses. Carried (7-0).
    - 5. Motion (Meyers/Ludtke) to approve Class "A" Beer/"Class A" Liquor licenses. Carried (6-0). Anson abstained.
    - 6. Motion (Dorau/Conner) to approve Class "B" Beer licenses. Carried (6-0). Ludtke abstained.
    - 7. Motion (Dorau/Wallschlager) to approve "Class C" Wine licenses. Carried (7-0).
  - c. Consideration of motions to approve annual licenses expiring June 30, 2020 not requiring a public hearing:
    - i. Motion (Dorau/Conner) to approve Amusement Device Licenses. Carried (6-0). Anson abstained.
    - ii. Operator's (Bartender) Licenses
      - 1. Motion (Dorau/Ludtke) to approve new applications for Operator's Licenses with a term ending June 30, 2022 as submitted with the exception of Bradley Peterson. Carried (6-0). Anson abstained.
      - 2. Motion (Conner/Wallschlager) to approve renewal Operator's Licenses with a term ending June 30, 2022 as submitted. Carried (6-0). Anson and Ludtke abstained.
    - iii. Motion (Conner/Ludtke) to approve Cabaret Licenses. Carried (6-0). Anson abstained.
    - iv. Motion (Ludtke/Wallschlager) to approve Cigarette Licenses. Carried (7-0).
    - v. Motion (Wallschlager/Conner) to approve Weights and Measures Licenses. Carried (7-0).
  - d. Consideration of an application for a Class "B" Beer/"Class B" Liquor License for the premises located at 600 Hartbrook Drive (Hartbrook Cafe, Steven Nguyen, Agent)

Administrator Rhode stated that two applicants have applied for the one regular Class "B" Beer/"Class B" Liquor license that is available. It was stated that Tabi's Lake Country currently holds a Reserve license but is interested in reorganizing her business. The second applicant, Hartbrook Café, does not currently hold a liquor license.

- i. **Public Hearing** to receive comment on the liquor retailer's license application
- ii. Consideration of an action related to issuance of a Class "B" Beer/"Class B" Liquor License for Hartbrook Cafe.

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Motion (Dorau/Ludtke) to postpone the Public Hearing until the June 22 meeting and to request that the applicant be present at that meeting. Carried (7-0).

- e. Consideration of an application for a Class "B" Beer/"Class B" Liquor License for the premises located at 111 E. Capitol Drive (Tabi's Lake Country, Tabitha McBride, Agent)
  - i. **Public Hearing** to receive comment on the liquor retailer's license application
  - ii. Consideration of an action related to issuance of a Class "B" Beer/"Class B" Liquor License for Tabi's Lake Country.

Motion (Conner/Ludtke) to postpone the Public Hearing until the June 22 meeting and to request that the applicant be present at that meeting. Carried (7-0).

- f. Items related to the Chamber of Commerce annual street dance, Saturday, July 19, 2020
  - i. Temporary Class "B" Beer/Wine Permit
  - ii. Public Dance License
  - iii. Temporary Operator's (Bartender) Licenses

It was stated that there has been a change of venue as the event will be held in Nixon Park. Motion (Meyers/Ludtke) to approve the licenses related to the event. Carried (6-0). Dorau abstained.

- 4. Discussion and consideration of financial support of the Chamber of Commerce.

Matt Gaulke, representing the Chamber, stated that revenues were eliminated due to COVID and requested consideration of a \$25,000 grant from the Village to be disbursed only if/when needed. There was discussion regarding other opportunities for fundraising by the Chamber including the dance which is scheduled to take place this summer as well as other funding opportunities which the Chamber may not be eligible for. It was stated that profits from the event could be helpful to the Chamber but there are many associated expenses and the event is weather dependent.

- 5. Discussion and re-approval of a revised PUD Agreement for the upgrading of the Sendik's store located at 600 Hartbrook Drive and substitution of same for the PUD Agreement previously approved by the Village Board on October 28, 2019 to reflect cost sharing by the developer of improvements required for appropriate water drainage and landscape changes.

Attorney de la Mora stated that an amended agreement was necessary as Sendik's is enlarging the capacity of the store and this was the most efficient way to accommodate that request. He stated that there were some water drainage issues and landscape issues that needed to be addressed after the first agreement was in place. He stated that after discussion a resolution was reached that included substantial cost sharing as well as replacement of landscaping as necessary. Those changes were included in the draft of the PUD amendment. Motion (Meyers/Ludtke) to approve a revised PUD Agreement with Sendik's, 600 Hartbrook Drive. Carried (7-0).

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6. Consideration of a motion to approve payment for the 2020 Crack Sealing Program to Wolverine Sealcoating LLC in the amount of \$50,504.

Operations Supervisor Gerszewski stated that work was satisfactorily completed for less than the contracted amount as we pay for actual pounds of material used. Motion (Anson/Dorau) to approve payment for the 2020 Crack Sealing Program to Wolverine Sealcoating LLC in the amount of \$50,504. Carried (7-0).

7. Discussion and consideration of curbside pickup signs in the downtown.

Administrator Rhode provided maps noting proposed locations for the pickup signs. He suggested that the topic be revisited in 90-120 days to determine whether businesses still want them in place. He stated that the signs will read "Reserved parking curbside pickup" and the hours of 4:00 – 9:00 p.m. with the exception of the sign for Hometown Pharmacy which will have different hours. Motion (Ludtke/Anson) to approve installation of curbside pickup signs in the downtown as proposed. Carried (6-0). Conner abstained.

8. Discussion and consideration of a request for the installation of signage at 145 North Avenue.

Operations Supervisor Gerszewski stated that this item had previously been tabled pending more information. Owner of Wild Petals, Lori Huntington, requested one parking spot be designated as loading/unloading. The owner was asked whether the landlord would designate a space for her business in the lot, however, it was stated that there is no access to the business from the entrance in the back of the building. It was stated that other businesses would be able to use that spot for loading/unloading as well if approved.

Administrator Rhode commented that he believes consistency is important and that 15 minute parking allows for some flexibility. It was stated that it should be clear that the designated loading/unloading space will not be just for the Wild Petals business but rather anyone could park in the space for 15 minutes for that purpose. Motion (Conner/Meyers) to approve installation of signage at 145 North Avenue as proposed. Carried (7-0).

9. Consideration of a motion to approve Contractor's Application for Payment No. 3 for the Sunnyslope Drive Utility Improvements in the amount of \$201,160.08.

Utility Operations Supervisor Felkner stated that the project is moving along and staff is satisfied with the work being done. Motion (Meyers/Pfannerstill) to approve Contractor's Application for Payment No. 3 for the Sunnyslope Drive Utility Improvements in the amount of \$201,160.08. Carried (7-0).

10. Consideration of a motion to award the E. Industrial Drive & Progress Drive Bioretention contract to Soper Grading & Excavating, LLC in the amount of 316,250.

Utility Operations Supervisor Felkner stated that the project had been budgeted for \$465,000 but the contractor came in significantly under budget. Additionally, he stated that the Village received a \$150,000 grant from the DNR for the project. Motion (Meyers/Wallschlager) to

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award the E. Industrial Drive & Progress Drive Bioretention contract to Soper Grading & Excavating, LLC in the amount of 316,250. Carried (7-0).

11. Consideration of the cemetery plat creating Section G in the Village cemetery.

Operations Supervisor Gerszewski stated that the Village had purchased property west of Section F located off of Hill Street and budgeted to have it platted this year. Once the plat is approved and registered with the County, the Village will be able to sell graves in the new section. Motion (Conner/Anson) to approve the cemetery plat creating Section G in the Village cemetery. Carried (7-0).

12. Discussion and consideration of a motion to approve entering into an agreement for services with Tactical Athlete Health & Performance Institute.

Rick Kalsheuer, R & R Insurance, stated that the League of WI Municipalities insurance has entered into an agreement with TAHPI which provides concierge medicine and navigation to employees resulting in a reduction of overtime and workers compensation costs. Tim Sharpee, TAHPI, stated that the service provided expedites care through a very extensive network in the Milwaukee area. The goal of TAHPI is to provide ease and immediate access to top quality health care. He stated that the service is provided to immediate family members as well as staff. It was stated that the Village would enter into a contract with TAHPI and the League would reimburse 100% of the cost because it believes the service will significantly reduce workers comp costs.

Trustee Ludtke asked for Finance Director Bailey's thoughts on the program. He stated that he wouldn't have brought it forward to the Village Board if he didn't feel it was beneficial to the Village as the program gets staff back to work faster. Trustee Conner commented that the time of injury to time of treatment is crucial.

Motion (Conner/Anson) to approve entering into an agreement for services with Tactical Athlete Health & Performance Institute. Carried (7-0). Trustee Ludtke commented that the Village could use this program as a recruitment/retention tool and include in our offerings.

13. Discussion and consideration related to opening of Village facilities.

Rec Director Yogerst updated the Board on splash pad use stating that it could be open during camp hours as long as shelters 2 and 3 are available for camp use. She stated this will allow staff to manage the camp participants better and will provide the public an area to utilize away from the camp. She stated that signage will be posted of hours/days for camp use. Motion (Anson/Meyers) to open the splash pad on June 9. Carried (7-0). Trustee Dorau recommended removing some of the picnic tables from the shelters and posting that the shelters are "use at your own risk" as they are not being cleaned.

Motion (Ludtke/Conner) to authorize the use of shelters 2 and 3 for the recreation department camp program. Carried (7-0). Trustee Ludtke asked that the Village widely communicate that these shelters will be unavailable at those times.

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14. Consideration of Board, Commission and Committee appointments as presented by Village President Pfannerstill.

None at this time.

15. Announcements: The following individuals will be given an opportunity to make announcements at the meeting in regards to (1) activities taken since the previous meeting on behalf of the community, (2) future municipal activities, and (3) communications received from citizens. It is not contemplated that these matters will be discussed or acted upon. The following individuals may provide announcements: Village President or individual Village Board members or Village Administrator or other Village Staff members.

Trustee Dorau commended Fire and Police Department staff in handling a missing person call and in particular, commended Officer Mueller for his compassion toward the individual.

Administrator Rhode stated that the apartments initially proposed as a part of the Lake Country Lutheran development have been dropped and the Village was notified formally in writing.

President Pfannerstill stated that a very peaceful protest had been held in front of the Police Department recently and thanked the PD staff for their service.

Interim Chief Jambretz stated that the billing company has informed the department that they are among the top collectors of ambulance fees. He provided an update on recent training activities.

Chief Misko stated that the Village currently had 5 active COVID cases. He stated that the civil disturbance unit has been very busy in surrounding communities. He stated that staff member Cindy Gardner has moved on to a full-time position with her last day on June 5.

Chief Misko stated that an individual with special needs had recently walked away from a group home. He stated that Trustee Dorau located the individual near North Shore Middle School. He thanked Trustee Dorau for going above and beyond and presented her with a challenge coin for her efforts.

16. Adjournment.

Motion (Conner/Ludtke) to adjourn at 8:52 p.m.

Respectfully submitted,

Darlene Igl  
Village Clerk