

LUXEMBURG VILLAGE BOARD MEETING MINUTES
TUESDAY, JANUARY 10, 2023
MUNICIPAL OFFICE BUILDING
206 MAPLE STREET, LUXEMBURG, WI

Members present: Jack Seidl, Dan Porath, Dan Olson, Lori Hurley, Dan Rueckl, Brian Barbiaux, Ron Tlachac. Others present: Clerk/Treasurer MiLissa Stipe, Public Works Supervisor Rick Simonar, Police Chief Gulbrand. Engineer Gayle Lindenberg via Zoom, Mike Faltynski, Paul Abts, Mark Fort, Zoning Administrator Scott Walczyk, Scott Feldt, Town of Luxemburg Chairman Linda Jonet, Fire Chief Lew DuChateau, LC School Superintendent Jo Ellen Fairbanks-Schutz, Algoma Administrator Matt Murphy, Algoma Mayor Virginia Haske

1. CALL MEETING TO ORDER

Meeting was called to order at 7:00 p.m.

2. ROLL CALL

Members Jack Seidl, Dan Porath, Dan Olson, Dan Rueckl, Lori Hurley, and Brian Barbiaux, Ron Tlachac.

3. ADOPT AGENDA

Motion (Rueckl/Olson) to approve the agenda. All ayes. Motion carried.

4. COMMENTS FROM CITIZENS (SIGN-UP SHEET/3 MINUTES MAXIMUM)

None

NOTE: Agenda items were changed due to the delay in agenda item #5 State Senator Andre Jacque

11. DISCUSSION ON CLARIFICATION ON ORDINANCE 8.09 REGULATION OF OUTDOOR SOLID FUEL FIRED HEATING DEVICES, REQUEST FOR AN OUTDOOR WOOD HEATING DEVICE FOR POOL

Trustee Tlachac gave a brief analysis for the background of the ordinance, the main reason the ordinance was created was when the installation of the outside wood burning units were being constructed/completed in the Village, the neighbors were experiencing major issues with the smoke of the units. If the stack towers were not high enough, the air movement would cause the smoke to be drawn into the neighboring homes and cause a smoke pollutant. There are a few burning units in the Village, but those were grandfathered in when the ordinance was created. The current ordinance prohibits all outdoor solid fuel fired heating devices, but the definition in the code lists “that usable heat is derived for the interior of a building”. The person who has interest in the wood burning device is planning on using the device for heating of his in ground pool, not the inside of his home. Concerns were raised on changing the code to accommodate this resident since it would mark a precedent for any other future devices. Motion (Tlachac/Barbiaux) to eliminate the wording in the definition to exclude heating of an interior of a home. All ayes. Motion carried.

7. APPROVE MINUTES FROM THE DECEMBER 13, 2022, BOARD MEETING

Motion (Barbiaux/Hurley) to approve the minutes from the December 13, 2022, Board meeting. All ayes. Motion carried.

10. DISCUSSION ON ORDINANCE 9.42 (7) (a) AMENDMENT; AMEND ORDINANCE TO DEFINE HARD SURFACE UNDER VEHICLE, TRAILER, MOTOR HOME, TRAVEL TRAILER, UTC, ATV, OR ANOTHER MOTORIZED VEHICLE

Zoning Administrator Scott Walczyk was available to answer questions from the Board as to the definition of the current ordinance. After discussion regarding costs to residents for a cement/paved area that the travel trailers/campers can be placed on resident's parcels, Scott offered to process research with neighboring communities to see where they are at with travel trailers/campers on resident's properties. There was some discussion to find a secured parking area for travel trailers/campers in the village, possibly Kewaunee County fairgrounds during the winter months?? Scott will get back to the Board with his findings.

8. RESOLUTION 1-2023 MODIFYING THE WASTEWATER SERVICE CHARGES IN ACCORDANCE WITH CHAPTER 7.33 LUXEMBURG MUNICIPAL CODE, ENTITLED SEWERAGE SYSTEM REGULATIONS

Clerk/Treasurer Stipe explained the rate increase due to the increases at the Green Bay Metropolitan Sewerage District, the Village needs to match those increases as well. The impact on residents is very minimal. The increase will affect users of the levels that are being monitored (Fermented Nutrition). Motion (Barbiaux/Tlachac) to approve Resolution 1-2023. All ayes. Motion carried.

12. REVIEW/APPROVE VOUCHERS

Motion (Tlachac/Porath) to approve January 2023 vouchers. All ayes. Motion carried.

9. ENGINEER UPDATES

Engineer Gayle Lindenberg gave a brief overview on the progress of projects via Zoom:

*The Dan Rank development is no longer moving forward. The Village will not move forward with the sewer reconstruction work on County AB, nor will the TIF amendment will be processed as well. The Sewer Service Amendment process to continue and will update with the annexation of the Dan Rank property.

*Division and Seidl Streets final surface will be completed in Spring of 2023.

*No changes in the FEMA Flood Plain mapping.

*Radue-Northbrook Meadows, no updates.

*Discussion on three phase electrical for Luxemburg-Ellisville Coop. Gayle will research with WPS to determine the efficient path to process.

*Wade Micoley from Micoley.com LLC is still moving forward with the residential development on the south side of the Village at the Jean/Norman Zellner's property.

6. DISCUSSION WITH BOB CHRISTOFF REGARDING LAND PURCHASE/KERRY DEGRAVE LOT

Bob Christoff wanted to confirm some items before he purchases the lot from owner: Kerry DeGrave, Enterprise Road. His plans were to install grain bins on the property with grain drying facilities. His and the Village thoughts were to keep the majority of grain bins in the same general area. With Rio Creek right across the street, this lot would benefit Bob and the Village. He was concerned that he will begin installation of the grain bins over time, and this may take a couple of years to get all grain bins installed and he was aware that the Village would want a faster turnaround on the development of the lot. The Board assured him that any productive movement would be positive. He wanted to confirm that he would cut the curbing at the site since he will need to have it more of a rolling curb for delivery of his grain. He questioned the setbacks on the retention pond and was advised to talk to Scott Walczyk, the Zoning Administrator for those requirements. No fencing would need to be installed. He was questioned to the dust level during his drying activities, and he stated that there is not really a lot of dust during the drying phase.

13. REVIEW/TAKE ACTION ON PICNIC LICENSE: LUXEMBURG CASCO BASKETBALL BOOSTER CLUB FUNDRAISER ON JANUARY 28, 2023, AND ALGOMA FFA ALUMNI, LUXEMBURG CAR SHOW ON FEBRUARY 4, 2023; BOTH EVENTS WILL BE HELD AT KEWAUNEE COUNTY FAIRGROUNDS, 625 THIRD STREET

Motion (Barbiaux/Tlachac) to approve the two above mentioned picnic licenses. All ayes. Motion carried.

14. COMMITTEE REPORTS

*Chief Gulbrand is finalizing his grants paperwork. His body worn cameras grant is in process and Chief Gulbrand working with the Village's IT Tech to install the server to hold the data that is secured from the body worn camera.

*Interview room camera is being replaced with a purchased used camera from Dodge County Sheriff's Office. The camera was purchased and temporarily installed and seems to be working well. IT Tech will be working on the finalizing the installation in the near future.

*Chief Gulbrand is working on finalizing another grant opportunity through the League of WI Municipalities for partial funding of ordinance updates/amendments.

*Public Works/Sewer/Water, Rick Simonar stated that there may be a delay due to the Kewaunee County is down on grater drivers due to injuries in the department.

*Christmas lights are down.

*End of the year paperwork is underway.

5. INTRODUCTION OF STATE SENATOR ANDRÉ JACQUE

State Senator Jacque introduced himself to the audience and gave a brief synopsis of his work with the senate. He has been working on unfunded mandates that the State of WI has instituted. He is presenting a bill to fund those mandates.

He stated that the \$6.6 billion surplus is tentatively earmarked Local and Municipal governments, school aids, Department of Corrections, UW System, Tax Relief, Milwaukee County Pension issues, local road improvements versus mega projects.

There were questions that were presented to State Senator Jacque dealing with issues such as water quality, runoff from salting during the winter months, the impact on plants and animals.

The majority of issues presented had to deal with the control that the State places on municipalities; tax growth, the need to have referendums for any tax relief, the shared revenue discrepancies between similar sized communities. State Senator Jacque has discussed with the Senate to give more flexibility for local governments to determine growth. This control from the State has changed in the past 20 years.

Concerns regarding inflation factors such as labor, worker shortages. Why should I work as a prison guard when I can get the same pay at Kwik Trip?

Kewaunee County Administrator presented questions to the shared revenue inequalities. Shared revenue was at 46% in 1987; 26% in 2019. The drastic decrease has caused budget nightmares for local municipalities. Increase of user fees have increased so that municipalities can balance their budgets. Protection to specific area such as Milwaukee/suburbs than all the other areas in Wisconsin, help the local municipalities.

15. ANY OTHER ISSUES

Discussion on what the Village plans on doing with Fermented Nutrition?? Our treatment ponds have been destroyed, bills that haven't been paid on time, owes back property/personal taxes? How long do we wait to disconnect Fermented Nutrition sewer line? The Board members were very agitated with the whole predicament that Fermented Nutrition has put the Village in. The Village needs to be concerned about our future wastewater services to their residents, not one company. Especially, a company that has

abused the loads that were agreed upon, specifically the destroying of our treatment ponds and what the Village will have to do to bring them back to a healthy wastewater system.

A meeting is scheduled with NEW Water to discuss further issues with their permit, what other options the Village has. Tom Sigmund, Executive Director of NEW Water is actively involved with the discussions. Concerns with air quality was addressed again. There has been calls made to Trustees regarding the smell. President Seidl will keep the Trustees up to date on what has been discussed.

The trailer that housed the foam for the Village Fire Department is now able to come back to the Village. The Village has yet to decide what they will need the trailer for (use as a generator trailer since the Village's is not in the best condition) or sell it?

22. ADJOURN

Motion (Olson/Tlachac) to adjourn at 9:02 p.m. All ayes. Motion carried.

MiLissa Stipe
Clerk/Treasurer