



VILLAGE BOARD MEETING MINUTES

September 25, 2023 at 6:00 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

1. CALL MEETING TO ORDER

President Chris Voll called the meeting to order at 6:00 PM

A. Pledge of Allegiance

Those in attendance cited the pledge of allegiance.

B. Roll Call

PRESENT

Village President Chris Voll

Trustee Ken Charneski

Trustee Tim Shaw

Trustee Sean Dumais

Trustee Alex Vedvik

Trustee Chris Eiden

Trustee Kelly Coyle

STAFF PRESENT

Director of Public Works; Leonard Ludi

Village Clerk; Bobbi Birk-LaBarge

Interim Administrator; Kim Manley

Village Attorney; Lee Turonie

Finance Director; Lisa Kerstner

Chief of Police; Terry McHugh

2. ANNOUNCEMENT OF CLOSED SESSION

President Chris Voll announced the upcoming closed session.

3. PUBLIC COMMENT

Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this Village that Public Comment will take no longer than 15 minutes with a three-minute time period, per person, with time extension per the Chief Presiding Officer's discretion. Be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.

Bernie Kramer 2150 East State Hwy 153 Peplin - Kramer is concerned the village's TIDs do not have a capital or service budget. Kramer wants a better evaluation of the TIDs before any further actions are taken on them.

4. REPORTS FROM STAFF AND VENDORS

C. Introduction: Director of Public Works and Utilities; Leonard Ludi

Director of Public Works Leonard Ludi introduced himself.

D. Treasurers Report & Check Run

Finance Director Lisa Kerstner explains the 2023 August and July treasures report. The interest from the LGIP account is up to 5.31% and roughly 4% in the remainder accounts.

Trustee Charneski questions page 5 of the general fund/taxes/revenue/expenses report. Charneski mentions he noticed shortfalls but didn't see those shortages listed on the budget amendments. He requests a complete report of the number of shortfalls. Kerstner explains she has not compared the revenues versus expenditures, but she has 35-40 expense lines that she believes requires budget amendments that are not included in the reports submitted with this meeting packet. Kerstner explains we are doing better on the revenues which will make up for some shortfalls. Kerstner states when looking at the report you want to focus on positive (+) numbers and not the numbers on parenthesis. Trustee Charneski states he is referring to more of the individual line items that are falling short of what was budgeted for. Trustee Charneski agrees if the village is doing better on the revenue than that is what will help make up for the shortfalls. Trustee Charneski believes some shortfalls are no one's fault in particular but seem discretionary and should have been monitored. Trustee Charneski wished the board would have been made aware of the shortfall's months prior either before or right after the shortages happened. Trustee Charneski refers Kerstner to page 12. He states there are bank and estimate fees of roughly \$1,500.00 and he assumed the Village was done with those fees. Lisa explains that a year-to-date column would have included Wood Trust. Kerstner explains even though we are still going to have some bank fees, we are still getting money in interest. Trustee Charneski questions page 15-line item labeled as "equipment rental fees" and how that line item appears to be \$14,000 over budget and questions what happened. Kerstner explains she is not certain, but she will research and find out what it was for.

Kerstner explains the check register is a list of the checks that were cut. Trustee Charneski mentions he does like the new format of the check run and reports with the Village's new software program versus the old program.

E. Administrator's Report

Interim Administrator Kim Manley explained her administrator report. Trustee Charneski questions item #6 and asked Manley to explain what she meant by "revaluations". Administrator Manley explained they can do an on the ground evaluation, a market evaluation, and then perform a re-evaluation. The state tries to make sure communities stay between 90-110% of their actual equalized value. The Village of Kronenwetter was at 86% last year and the projected value is 80% or 82% in assessed value. The Village has dropped below where we need to be for an assessed value.

5. NEW BUSINESS

F. Discuss and Consider: Guidance on Electronic Communications

Village attorney Turonie explains he follows DOJ (Department of Justice) guidelines. Attorney Turonie explains he has only represented the village for five months and he has seen some incorrect email correspondence and does not want to see the village get into any type of legal trouble not following the DOJ's (Department of Justice) guidelines. President Voll explains to Charneski this item was brought up for discussion due to his email correspondence to staff asking for items to be placed on the agenda and looking for another Trustee to back him up. Voll explains to Trustee Charneski he was asking for a comment, through email communications from 6 other board members which can lead to discussion and a walking quorum if discussion on that particular item occurs. The emails asking for comment should be sent separately. Trustee Charneski suggests using "BCC" (blind carbon copy) when sending emails to other trustees. President Voll corrects Trustee Charneski and informs Trustee Charneski that would be considered another possible violation. Attorney Turonie cautions against email communication between board members.

No action on this item. Discussion only.

G. Discuss and Consider: Open Records Request Clarification

Village attorney Turonie says the item speaks for itself. Trustee Charneski believes village attorney Turonie prevented the attorney invoices from being shared and doesn't believe the requestor can only come in and look at the invoices without having a copy which is a past practice with the previous village attorney. Village attorney Turonie informed the board Administrator Manley made that rule because the certain client documents that have been requested by Trustee Charneski are not public record. Personnel files and some other items are also not open records that can be given out freely by

placing an open record request. The DOJ (Department of Justice) guide lists what is public record and what is not. Attorney bills are attorney/client privilege per DOJ. The administrator created the system we are currently using at her discretion and is within her realm of duties as Administrator.

H. **Discussion and Possible Action: 2023 Budget Amendment #2**

Trustee Shaw states the items we are truly over at this point are legal fees and office supplies. Trustee Vedvik wants to avoid creating an environment of micromanagement with staff and board members. Trustee Charneski mentions the bills will all be paid regardless but is requesting some sort of plan be put in place to have department heads notify board members when their budgeted line items are getting to the point of exceeding their budget lines.

Trustee Vedvik moved to amend Trustee Dumais motion to exclude attorney billing and send back to Finance Director Kerstner to split it in two separate lists as specified by Trustee Dumais. Motion seconded by Trustee Shaw.

Motion passes 7:0 by voice vote.

The original motion made by Trustee Dumais and seconded by Trustee Vedvik following the villages set policy, to request a budget amendment to the amendment and request Finance Director Kerstner to divide this amendment into two parts minus the attorney expenses. One amendment line should read actual overran departmental budgets and the second amendment line item should read funds that are over and should be moved to the appropriate budget categories due to poor allocation of set funds in the approved 2023 budget.

Motion carries 7:0 by voice vote.

Motion made by Trustee Vedvik, Seconded by Trustee Coyle to amend the budget for attorney expenses and general fees from \$25,000 to \$45,000.00. Trustee Shaw reiterates avoiding the overages in the future and to rearrange items that involve municipal attorney representation to the top of our agenda items list and then release the village attorney to keep the legal fees as lower. Trustee Shaw mentions the same for department heads line items on the agenda to save them time. Attorney Turonie explains there are items he has worked on that he has not charged the village for. Those items include his travel time and mileage. He has made a deal with the administrator for meetings to happen either in the beginning of his workday or at the end of his workday. Attorney Turonie considers that commuting and he does not charge anything for those meetings. Attorney Turonie explained he does not currently charge for meeting prior to and at the end of board meetings. Attorney Turonie explains he documents how long the actual meeting lasted and if he arrived for the meeting early to consult with staff, he does not currently charge the village for those attorney services either. Attorney Turonie explains he only charges the village for the meeting time. Attorney Turonie explains he does not charge the village for sending agendas to him unless he had been asked to review or do something specific for that particular meeting. Attorney Turonie explains if he looks at the agenda and sees something that is problematic, then he would address and charge as appropriate. Attorney Turonie does not charge for explanations of billing items. He offers the board to let them know if they would like to see the bills in a different format that he currently provides. Attorney Turonie explains he has done more than he had anticipated upon hire. He expected to do a lot but needed services have exceeded his expectations due to the gap in attorney coverage the village had causing an increase in attorney services needed. Making it more challenging is new staff not having the back story on items that arise and issues that come up and having to investigate the back story on his own to advise staff on what to do. Attorney Turonie explains he is not a substitute for the village's prior attorney, and he is doing things the previous village attorney was not doing for the village weather those things were the attorney's choice for not doing or the villages choice to not have the attorney do at the time. Attorney Turonie explains eventually the attorney work for the village will catch up and the attorney fees will decrease. For a community the size of Kronenwetter, the original budgeted legal fees would be close to half of what other communities of similar size budget for legal fees. Attorney Turonie suggests to the board legal fees should be divided up and each department should be paying their own legal fees. Trustee Shaw thanks Attorney Turonie for the items he does not charge the village for and agrees the legal budget is on the low side from his own life business experiences. Attorney Turonie

explains to avoid costly legal fees asking in advance is what should be happening. Unfortunately, not having an attorney for a few months has led to current costly legal fees.

Voting Yea: Village President Voll, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Voting Nay: Trustee Charneski

Motion carries 6:1 by roll call vote.

I. **Renewal of Municipal Property Insurance for 2023**

Trustee Vedvik questions the assessment of the two bridges being assessed low at \$661,000.00.

Trustee Charneski explains Marathon County pays half of the replacement or repairs of the bridges if need arises. Trustee Vedvik just wants to assure the village is properly insured on all the bridges the village owns.

Motion made by Trustee Dumais, Seconded by Trustee Shaw to renew the villages property insurance for 2024 as presented.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle.

Motion carries 7:0 by roll call vote.

J. **Discussion and Possible Action: 2024 Police Squad Car Order Approval**

Police Chief Terry McHugh states the window is open to order new squads and comes up prior to the budget every year. Chief McHugh is seeking preapproval from the board to place an order. Chief McHugh explains the odds of the window for ordering a police squad being open in November when the budget is being set are not good and time is of the essence. Police squads are in demand and if not ordered during the open period time, the department may not get one.

Motion made by Trustee Eiden, Seconded by Trustee Coyle to approve the ordering of a 2024 police squad.

Trustee Dumais requested an amendment to the motion and requested approval for Police Chief Terry McHugh to order two police squads not to exceed \$41,000.00 per squad car. Finance Director Kerstner explains the monies will come out of the 2024 budget and advises the board to remember that when developing the 2024 budget. Police Chief McHugh reminds the board they are looking at an average of around \$15,000.00 extra to outfit the squads so a reasonable amount the board would need to look at would be a total of \$55,000.00 per police squad. However, they have a damaged squad that occurred tonight, and insurance will help offset those costs. President Voll suggests the outfitting of the squad cars can come later. Motion carries 7:0 by voice vote.

Voting Yea on the agenda item and the amendment made: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle.

Motion carries 7:0 by roll call vote.

K. **Discussion and Possible Approval: TID #2 Cash Flow Contract- EHLERS**

APC committee directed to break the contract down into two different pieces.

(Trustee Shaw leaves at 8:34 PM and returned at 8:39 PM.)

Finance Director Kerstner explains to Trustee Charneski RDA recommended getting an outside firm to look at the TID's due to the turnaround of the finance directors in our village to assure everything is where it needs to be and help project where we are going and what the village can spend. Ehlers knows a lot about TIDS and will be able to tell the village if TID 3 can borrow to TID 2 and if anything can happen amongst these two TIDs. Ehlers would be able to answer any questions the village might have by reviewing the information we currently have. Trustee Vedvik explains Ehler's analysis would tell the village of any financial complications in which we decide to do. Trustee Charneski states as he understands it, the study would not be just analyzing cash flow, it would offer more than financial advice to the village.

Motion made by Trustee Dumais, Seconded by Trustee Shaw to approve the contract with Ehlers to review TID2.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Voting Abstaining: Trustee Shaw

Motion carries 6:1 (abstention) by roll call vote.

L. Discussion and Possible Approval: TID #3 & TID #4 Cash Flow Contract- EHLERS

Motion made by Trustee Dumais, Seconded by Trustee Eiden to approve the contract with Ehlers to review the cash flow of TID 3 and TID 4. Finance Director Kerstner explains a budget amendment would be necessary to cover the cost of the study. Trustee Dumais amends his motion to say a budget amendment for this study must be brought forth and approved by the board prior to the study being conducted.

Voting Yea: Village President Chris Voll, Trustee Charneski, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Voting Abstaining: Trustee Shaw

Motion carries 6:1 (abstention) by roll call vote.

M. Discussion and Possible Action: Amendment to Ordinance Section 200-14 (A) Animals; Fees

President Voll states a discussion was asked during a previous planning commission meeting why the village charges dog licensing fees to service animals. Administrator Kim Manley drafted up an amendment to the village's current ordinance to remove the fee for licensing of service dogs. Trustee Dumais states there is an ADA definition of service dogs and recommends staff be educated on the questions they can ask owners about service dogs applying for an exemption. Trustee Dumais explains the ADA's definition of a service dog is any dog that provides a specific task for a person's specific disability. Staff can only ask (2) questions. #1- Is the dog required for a specific disability? #2 - What task does that dog perform? Trustee Charneski mentions the language that was drafted for the revised ordinance does not specifically state the word "Service" dogs. Trustee Dumais advises the wording revised and more specific to clarify by adding the language in the revised ordinance for owners of service dogs not be required to pay licensing fees for any service dog meeting the ADA standards.

Tony Stange located at 1844 Judy Drive speaks on record with his service dog named Harley. Stange mentions it is not a burden to pay the licensing fee to him but to others it might be.

Motion made by Trustee Vedvik, Seconded by Trustee Coyle to educate staff on the questions they can ask owners of service dogs when they request to waive the fee and amend the change in language to the ordinance.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle.

Motion carried 7:0 by roll call vote.

N. Discussion and Possible Action: Update Fee Schedule - Dogs

Administrator Manley explains she amended the fee schedule by increasing the fees slightly and to show an exemption for service dogs and adding a fee for a duplicate dog tag license to recoup the small fee for the replacement tags the county charges the village for the tags. Manley mentions she did not include puppies in the ordinance because the majority of puppies cannot get a rabies vaccination until they reach a certain age. To get a dog license from the village you have to provide proof of rabies vaccination. The village's current fee schedule does not have a reference to puppies. Trustee Dumais suggests identifying the age of puppies on the village's fee schedule to read "puppies 6 months and one day of age or greater will need a license." If a dog cannot have a rabies shot, the owner must provide an exemption form their veterinarian and provide it to the village to license the dog.

Motion by Trustee Shaw, Seconded by Trustee Coyle to increase the licensing fees for dogs 6 months and one day of age or greater. Trustee Coyle suggests updating the language for the dog fees on the village's website. There is no definition of "puppy" online. Make sure our website matches our fee schedule. Trustee Shaw amends his motion to add what Trustee Coyle suggests in reference to language and consistency on the village's website.

Motion carries 7:0 by voice vote.

Motion amended by Trustee Vedvik, Seconded by Trustee Dumais to not increase the fees for spayed and neutered dogs' versus intact dogs but to increase the fees for duplicate tags.

Motion carries 7:0 by voice vote.

O. Discussion and Possible Action: Duane Gau Municipal Services Contract

Administrator Manley explains there is no termination language written in the current contract.

Motion made by Trustee Charneski, Seconded by Trustee Dumais to cancel the Village's current contract with D&G Municipal Services.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle.

Motion carries 7:0 by roll call vote.

6. OLD BUSINESS

P. Update: Well #2 Water Treatment Facility Construction

Director of Public Works Leonard Ludi gave an update on the water treatment facility. Ludi has reviewed contract language and drawings. Ludi has meetings set up with those involved to keep the project moving forward.

7. CONSENT AGENDA

Q. Transfer of Liquor License

R. Application for Cigarette and Tobacco Products Retail License: Village Crossing APG NWI, LLC.

S. August 14, 2023, Village Board Meeting Minutes

T. August 28, 2023, Village Board Meeting Minutes

U. WisVote/Election Services Agreement with Marathon County

V. Renewal Operator (Bartender) License Application for Jackie Kasten

Motion made by Trustee Charneski, Seconded by Trustee Shaw to approve the consent agenda as presented.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carries 7:0 by roll call vote.

8. CLOSED SESSION

W. Consideration of motion to convene into closed session pursuant to Wis. Stat. 19.85 (1) (c) for consideration of employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – to wit Union negotiations 2024.

Motion by Trustee Eiden, Seconded by Trustee Vedvik to move into closed session.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Coyle

Motion carries 7:0 by roll call vote.

President Voll invites Administrator Manley and Finance Director Lisa Kerstner to stay for closed session. Closed session begins at 9:14 PM.

9. RECONVENE OPEN SESSION

Consideration of motion to reconvene into open session.

Open session reconvenes at 9:42 PM.

10. ACTION AFTER CLOSED SESSION

Motion made by President Voll, Seconded by Trustee Charneski to continue negotiations.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Dumais, Trustee Vedvik, Trustee Eiden, Trustee Shaw, Trustee Coyle

Motion carries 7:0 by voice vote.

11. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

Trustee Dumais - Reviewing agenda setting policy and ordinance and making them congruent.

Trustee Dumais - Policy ordinance that gives direction to staff for financial budget overages.

Trustee Dumais - Discussion about plan for future growth of the village.

Trustee Dumais - Trustee Shaw's agenda item on Committees.

12. ADJOURNMENT

Motion made by President Voll, Seconded by Trustee Vedvik to adjourn.

Voting Yea: Village President Voll, Trustee Charneski, Trustee Shaw, Trustee Dumais, Trustee Vedvik,

Trustee Eiden, Trustee Coyle

Motion carries 7:0 by voice vote.

Meeting adjourned at 9:47 PM.

Minutes prepared by: Clerk Bobbi Birk-LaBarge

Minutes approved by the Village Board on November 27, 2023.