

VILLAGE OF LANNON
MINUTES OF THE VILLAGE BOARD MEETING FROM 12/14/20

1. Call to order by presiding officer. President Gudex called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance was recited.
3. Roll Call: Village Board: Barbieri, Gizelbach, Gudex, Martin, Nellis, Reek and Yates were present.
4. Statement of Public Notice was confirmed.
5. Discussion and possible action on the reading, correction and approval of the minutes from the Village Board meeting from 11/9/2020. Yates/Martin motioned to approve with correction that Barbieri was not present. Motion carried unanimously.
6. Committee Reports:
 - a. Finance/Personnel – item later on the agenda
 - b. Legislative - none
 - c. Parks and Recreation/Beautification – Sled Bugs sent a Christmas Card and a Thank You for letting them use Park. Jake Jensen got a great Santa and Elvis did a great job too.
 - d. Public Safety – 38 new cases of Covid, 7 new cases in December.
 - e. Public Works/Recycling/Sewer – Dennis Wolf at Sussex contacted us about pump at Lynwood from 1997. We will be having that rebuilt.
 - f. Quarry – received a complaint from the Sweedes Quarry from December 4th. It is an ongoing thing that they are looking at.
7. Department Reports:
 - a. Clerk’s Office – Nomination Papers are due January 5, 2021 by 5:00 p.m. for the Spring Election. Tax Bills were approved and mailed last week. Working on the Preliminary Audit next week. Garbage and Recycling services will be changing at the end of the year.
 - b. Police Department – Report was distributed.
8. Citizens Comments:

(This is meant for Public Comments on any subject, without any discussion by Board of Trustee members or action, except for possible referral to a governmental body or Village agent). Jan Schmidt – November meeting there was \$300 worth of lights to go on the tree yet, where are the other lights and could we get those on to make the tree look better. Citizen comments are not on the next meeting agenda as items for the agenda. She told Trustee Martin that she has correspondence from 2016 when Kevin tried to get signs for the bugline trail to see if Waukesha could follow through because those are very dangerous areas. Jan also felt that the board members that showed up showed at the water meter meant a lot to the residents and shows that you are concerned.

James Williard – grinder pump, item number 14 then attorney reports it addresses them again. It seems his comments would be relevant to the agenda item.

Don Sommers – Thank Board members who showed up to the water meeting and brought an informative handout. He felt they were treated unfairly and it seems people are feeling frustrated. He addressed the Masks required signs on the doors for the water meeting but only one Board member wore a mask. He felt that was very Disrespectful.
9. Discussion and possible action to approve the assignment of the Developer’s Agreement between ECT International Inc., a Wisconsin-based Sub S corporation, with offices at N63 W23217 Main St #200, Sussex, WI 53089 concerning property owned by Mammoth Springs LLC and now or in the future by its subsidiaries Rock Pointe Village LLC Rock Pointe Village 2 LLC and Rock Pointe Village 3 LLC, all Wisconsin-based limited liability corporations and the Village from ECT International Inc to ECT II International Inc , a Wisconsin-based Sub S corporation. Attorney de la Mora stated the developer created another entity for state tax purposes and recommends what we should obtain. Paperwork was delivered to his office earlier today but has not been back to his office today. It can be approved contingent upon review by legal counsel. Trustee Yates stated that additional information was provided by the Clerk tonight. Sawall’s responses are in red. They have provided proof of the establishment of the entity, etc. They are just shell entities in the end anyway. We have received a substantial letter of credit. Yates/Nellis motioned to approve the assignment of the Developers agreement from ECT to ECT II conditioned upon review by Village Counsel. Motion carried by majority vote. Gudex abstained.
10. Discussion and possible action regarding USDA-RD Form 442-7 Operating Budget and Projected Cash Flow. President Gudex stated that they amended the operating budget to better align with the USDA and the PSC requirements. Ryan Wood from Strand was available via phone to summarize the budgets. Income increases annually. Operating budget, cash flow based on interim financing and construction costs and the USDA loan and grant and special assessment and impact fees are covered. Baker Tilly had inputted the financial information. Cash balances on page 2 shows the net operating loss and going forward budgets are looking better to begin paying off the loans early. Reek/Barbieri motioned to approve the operating budget. Motion carried unanimously.
11. Discussion and Possible Action for a Certified Survey Map (CSM) for Mary and Michael Grennier regarding tax key LANV0072055 and LANV0072054 located at 7249 Lake Street. President Gudex explained that they have 2 parcels they would like to combine them so they don’t have two hook up fees. Yates/Barbieri motioned to approve the CSM contingent upon the Village Engineer’s review. Motion carried unanimously.
12. Discussion and Possible Action for a Certified Survey Map (CSM) for Asset Development Group, LLC. Per Village Ordinance 62.102 regarding the creation of a new parcel that encompasses the Lannon Estates Well Facility. Attorney Hector de la Mora stated that Strand has prepared a CSM for the approval of the Lannon Estates well. Approve contingent upon a signed easement and the owners provide written consent for the creation of the CSM. Hector recommends that the language remove any obligation for roadway purposes. Reek/Nellis motioned to accept the CSM for the Lannon Estates Well facility. Motion carried unanimously.
13. Discussion and possible action on approval of Application for Mobile Home Park for Lannon Development Group, LLC. Nellis/Reek motioned to approve the application for the 2021 license. Motion carried unanimously.
14. Discussion and possible action on amendment for the Intergovernmental Agreement with Menomonee Falls Sewer Utility regarding servicing private grinder pump. President Gudex explained that this is regarding the private grinder pumps that have been maintained all these years. These are not in a public area. Mr. and Mrs. Williard questioned the accuracy of the opinion and retained an opinion from the attorney back then that stated it was the Villages responsibility to cover the electric service. Mr. Blum did not find anything that would shed light on this situation. He did not remember this matter in particular. There is no obligation on the part of the Village to be responsible for the replacement or maintenance of the grinder pumps on private property. No new information to report. Mr. Willard stated that the Village had obtained an easement on neighboring property, Mr. Blum stated it is the villages responsibility to maintain the grinder pumps. Attorney de la Mora read the letters from Mr. Blum to the Willards from March 1996. President Gudex proposed replacing all the grinder pumps and provide for a few months and then make private homeowners responsible. Public Works committee

should look at it. There has been an established precedent. There is no need to change something like this. Ben Wood was available via phone. The maintenance is a unique benefit for these properties that the rest of the sewer customers are paying for. Pay a one time replacement cost to those properties and explain the new system. Yates questioned if the homeowners had a choice when they were put on their properties. Martin/Nellis motioned to continue to take care of the grinder pumps contingent upon Public Works Committee to create a new contract between homeowners and the Village pertaining to abuse of pumps. Motion carried unanimously. Ben advised that a clear agreement be drafted between each property owner and the Village so everyone has documentation. Part of the agreement can be the abuse, etc. Attorney de la Mora stated that they need to be treated the same. We don't know the situation as to why these properties have them and others don't. Work with committee and work with Engineer to work with all the people but for future buyers of these properties, etc.

15. Consideration and possible action to approve documentation required by the USDA with respect the Loan Resolution/Grant Agreement and related or similar documents in satisfaction of USDA requirements. No additional documents.
16. Discussion and possible action on payment of the bills. Yates/Reek motioned to pay the bills. Motion carried unanimously.
17. Discussion and possible action to approve impact fee compliance alternative. No action, duplicate item.
18. Discussion and possible action to Approve a Relocation Order pursuant to Wis. Stat. §32.05 (1) to authorize the acquisition of a second source well, its facilities, ground area and easement to timely comply with USDA loan and grant requirement. Attorney de la Mora stated this was approved previously. There was a timeline that was not met and we are asking you approve for technicalities. Reek/Yates motioned to approve relocation order. Motion carried unanimously.
19. Engineer's Report. Engineer Ben Wood provided comments regarding citizens group. The group has raised questions and he attended the meeting. A FAQ was added to the website and a water page will be added and will answer a lot of questions. Construction updates will be added as well. A timeline will be added with all public meetings regarding water project. DNR estimate for well abandonment grant. That will be forwarded to the Clerk. Apply by December 10th according to the letter, they want them one month before work starts. Apply by end of February. Use 2020 numbers if that was a bad year. Previous years income is looked at. Where well is located should apply if it is a shared well.
20. Attorney's Report.
Consider telling everyone about the Village Website regarding the water project so everyone can get the information.
a. Advisory opinion issued regarding the Mid City Contract which residents are being asked to approve and sign. The Village is receiving money to help residents cover the cost of private plumbing and have Mid City contact owners to explain what will be done, etc. Residents should sign the information to consent that the work is being done on behalf of the money available. Nobody is obligated to sign this contract but appreciate that by decline to sign they will not get certain costs covered. If signed under duress, those contracts will be rejected. It will add confusion. Nobody is required, if they don't want to get this subsidy they can turn it down but they still need to satisfy the mandatory hook up and it will be at their cost. Trustee Yates stated that the deadline of the 18th there were still 53 out there. 370,000 of work that will have to be covered by residents.
b. Status of follow up regarding request for records from Atty. Blum's office pertaining to grinder pump maintenance. Discussed in a previous item.
21. President's Report. None.
22. Upon motion duly made and carried, the [Finance/Personnel Committee] [Village Board of Trustees] and staff may be convened in closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the ... conducting other specified public business, whenever competitive or bargaining reasons require a closed session, namely to formulate a position with respect to options available to the village following the announced resignation of the Lannon Municipal Judge and to instruct staff accordingly. Barbieri/Reek motioned to go into closed session. Roll Call Vote: Reek-yes, Nellis-yes, Gudex-yes, Barbieri-yes, Yates- yes, Martin - yes and Gizelbach – yes. Motion carried.
23. Reconvene in open session to discuss, consider and take possible action, if any is required, with respect to the subject matter of the closed session. Nellis/Reek motioned to have the Village Board consider appointing an interim Judge to complete the current term depending on the pool of Candidates at the next meeting. Motion carried unanimously.
24. Adjournment. Nellis/Reek motioned to adjourn the meeting at 8:42 p.m. Motion carried unanimously.

December 10, 2020 Respectfully submitted, Brenda Klemmer Village of Lannon Clerk/Treasurer	
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