

**VILLAGE OF LANNON**  
**MINUTES OF THE JOINT PLAN COMMISSION AND VILLAGE BOARD MEETING FROM 2/8/21**

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.  
Plan Commission: Bembenek, Gizelbach, Gudex, Janas, Payleitner, and Yates were present. Wesell was absent.
4. Statement of Public Notice was confirmed.
5. Village Board conducts Public Hearing regarding rezoning petition which has been published on January 27 and February 3, 2021, then defers to the Plan Commission. Attorney de la Mora stated this is for public comment to rezone 13 acres from agriculture to NRD for the third phase of Overstone Development. Engineer Ben Wood will write down the questions then we will respond to those questions. Engineer Ben Wood summarized what is being rezoned. Marv Berg was present to summarize his development and expansion. Looking for approval for phase III with the developer's agreement. 60 acres with 11 acres of a nature conservancy, 172 total side by side condos. \$300 condo dues prices start at \$399,000. Clubhouse and inground pool as well as a bike path to go into Menomonee Park. 75 of 82 units sold. Phase III will have two phases to cut down on costs. Summarized floor plans and styles of buildings. They have amended the original Developer's agreement because much of it will be the same just expanding on what is there. Don Sommers – W. Main St. Will speed limit be looked at and there have been a number of near crashes from his house. Are the water mains and sewer mains big enough? Zoning for the TID? How long before we actually get the money back from these developments. How are we being protected from losing these tax dollars? Can someone summarize where we are now, how are our taxes not going to go up. Jake Jensen – 7328 Lake St. Going under the conservancy needs to be watched because that could be a big issue. He does this for a living and is willing to watch them. Phil Cossen responded to Mr. Sommers question regarding the TID districts. Ehlers makes sure that the Village's interests are always first and foremost when it comes to development in negotiations. We make sure we have enough security in case things don't materialize as planned. The Village has not borrowed money for that development. If you are successful, a portion of the increment gets reimbursed to the developer. It protects the Village because if he doesn't develop or the value isn't there he doesn't get paid. The Village has a list of capital projects that are always deferred, water and sewer, properties, road works, etc. These projects are identified with the intent that the money can be used to pay for these projects. Money gets allocated to the developer, the village and those funds get paid by those TIF funds so it does not get put on the taxes. The approach is to do a pay go so if it develops everyone wins. Marv Bergs engineer was present to summarize the boring through the wetland. The Contractors are aware of the rock levels and feel it is the better way to go. Too many environmental concerns. The Engineering has to be inspected. Public hearing was closed at 7:46 p.m.
6. Plan Commission discusses public comments submitted to the Village Board during the immediately preceding Public Hearing. Plan Commission discusses and may make recommendations the Village Board regarding the zoning petition and any other aspect of the proposed Development Agreement Amendment for Phase 3 of the Overstone Condominium and its related documents. Trustee Yates asked Phil to clarify the TID districts and how they function. It depends on the pace of development and the projects defined. They could not use the money and just pay out the developers they could close out early after 12 years. If they don't want to use those funds for Village projects. Gudex/Payleitner Motioned to recommend to the Village Board for rezoning for Phase III of Overstone. Motion carried by majority vote. Yates abstained.
7. Plan Commission adjourns. Yates/Gizelbach motioned to adjourn the plan commission at 8:01 p.m. Motion carried unanimously.
8. Village Board discussion and possible action on the rezoning of the area for Phase 3. Reek/Nellis motioned to accept the Plan Commissions recommendation to rezone for Phase III contingent upon the PUD agreement being signed off on and recorded. Motion carried by majority vote. Yates abstained.
9. Village Board discusses and takes possible action including tabling action on the PUD development agreement amendment and exhibits and Condominium Plat for Phase 3. Attorney de la Mora stated they are very close to the completion of the document. They have to substitute new exhibits into the plan. It will be ready for the February meeting as tentatively scheduled. Nellis/Barbieri motioned to table until the next meeting. Motion carried unanimously.
10. Village Board then discusses and takes possible action on the reading, correction and approval of the minutes from the Village Board meeting from 1/11/2021. Yates/Reek motioned to approve the meeting minutes. Motion carried unanimously.
11. Village Board discusses and takes possible action on the reading, correction and approval of the minutes from the Special Village Board meeting from 1/28/21. Reek/Nellis motioned to approve the meeting minutes. Motion carried unanimously.
12. Committee Reports:
  - a. Finance/Personnel – later on the agenda
  - b. Legislative - none
  - c. Parks and Recreation/Beautification – graffiti in the parks and will be addressing that as the weather warms
  - d. Public Safety – Covid update - 5 new cases
  - e. Public Works/Recycling/Sewer – None.
  - f. Quarry – Complaint about Swedes Quarry and is working with Halquist on the hours of operation.
13. Department Reports:
  - a. Clerk's Office – Election next week, polls open at 7:00 a.m. to 8:00 p.m. Audit of the 2020 financials next week as well.
  - b. Police Department-copy of the report was provided.
14. 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 Manor-Schmidt – addressed the social media posts from the village trustees about the residents. It is not their place to do that. They should be looking out for all of us not just some of us. In regards to the Car Show, the Board wants to stop having the Village maintain those lots because it is not a Village event. In 2020, the park maintenance list includes those lots that were approved by the Village Board and Park Committee. So, 15 years later now the Village doesn't want to maintain it. It is the prettiest green space we have and why would we not want to maintain it for the beautification of the Village. Too long of grass and dead grass laying there with the hot exhaust from the cars would be a big liability. She does this for the Village and brings the money back into the Village and she has asked what we should do with this money every year. She has bought equipment for the police department, park department, and makes donations in the Villages name to the food pantry and the humane society. It is a Village event indirectly. Don Sommers – comment on the car show. The Lannon Car show is known in Australian and New Zealand. Jake Jensen – Back to cutting the grass, I don't think it is a big deal. The woodchucks and raccoon and other animals that will make their home in there. The social media posts have been uncalled for. Dave Bartelt – 7282 Vine St. They started the Car Show, they cleaned up

the tree line of that property and they received money from the Village Board for metros when they ran it. Jan Manor-Schmidt stated that the Village did pay \$600 for the metros but once she started charging the cars she recommended taking that money out of the budget because the car show could cover that. She has nothing to lose if the Village does not want the car show anymore, she will get a lot of her time back. That is all it is, her time to set everything up. Social media posts about Village equipment, you should find out the facts first. Christine Pawlak – W. Main St. Our board is disgusting, you try to shut us up and don't care about us. Jake Jensen – feels the people who are disrespecting residents should be removed from the board. Jan also stated that the posts about her swearing at the car show but never saw them apologizing to each other later. Jan then read a post from social media. This is making the Village look bad because these are board members. Chris Barber – this whole thing has been a mess, he is not for the water. He is questioning the bad wells that were tested and his son has an allergy. A UV filter would take care of a lot of things instead of making all the residents do something they don't want to. Kelly Jensen – if you don't want residents angry then think of us. Jake Jensen – if someone wants to hook up then they should have that choice, it should not be mandatory hook up. Jan questioned why isn't the village paying for the Mains and the residents paying for the laterals. Construction workers don't understand why that is working that way. She is not against the water but is against closing the well. Kelly Jensen – she is very passionate about the water issue. She is up for election and if that makes her lose that is fine but she loves this village and wants to stay here. Dave Bartelt – there is not bad water in the village, there is bad casings in the wells not bad water. He is not against the water either just feels it was gone about the wrong way.

15. Discussion and possible action to acknowledge Judge Dutcher for her years of service. President Gudex read the resolution into the record. Yates/Reek motioned to adopt resolution and will donate a plaque for Judge Dutcher for her years of service. Motion carried unanimously.
16. Discussion and possible action on Car Show. Ron Nellis stated that he recommends that the Village Board support the Car Show and maintain those areas. Nellis/Reek motioned to approve the Lannon Car show and maintain those areas. Motion carried unanimously.
17. Discussion and possible action on the Sawall Development Complaints. Engineer Ben Wood stated that there have been complaints about the Sawall development. We asked that it was in writing and establish a record for those complaints. Issues have been addressed as they have come up. Ben read the complaint into the record. He also explained what was being done to address those issues including storm water management issues and the approvals that were put into place for erosion control, etc. Ben shared these comments and Strands response to the developer and he replied with an email addressing those issues. The direction Ben is seeking from the Board is what action should be taken. Most times this is worked out between the developer and the Village. Yates questioned if we have a fine schedule that we would follow. There is a letter of credit but no fines posted in the developer's agreement. Early morning noise, a disorderly conduct could be looked into by the police and municipal court prosecution. Yates questioned if we could assess them for the cost if the Village has to sweep on their behalf. Can we ask that it be done at least once a day, it should be a common sense thing. Have police keep track of this as they are driving by and have Strand watch that when they are on site. Ben agreed that they can contact Strand and emails sent to the developer will copy Clerk on communication. Strand will continue to monitor this.
18. Discussion and possible action on approving pay application for Mid-City for Contract 2033. Engineer Ben Wood stated that Mid-City submitted another pay draw for the private lateral work. They have done \$300,000+ of more work for the next payment. Approve to recommend the County pay the invoice subject to Building Inspector review and comments. Yates/Barbieri motioned to approve contingent upon Building Inspector review. Motion carried unanimously.
19. Discussion and possible action regarding payment of the Reserve Judge and interim Judge. This was addressed earlier in Finance & Personnel. Yates/Reek motioned to approve the payment of the Reserve Judge and Interim judge based on Clerk's recommendation. Motion carried unanimously.
20. 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. None.
21. Discussion and possible action on payment of the bills. Reek/Barbieri motioned to pay bills. Motion carried unanimously.
22. Engineer's Report. None.
23. Attorney's Report. None.
24. President's Report. Any questions on water project, don't look toward social media but look toward the website water page and call Ben and Tom to clear up any miscommunications.
25. Upon motion duly made and carried, the Village Board of Trustees and consultants/staff may be convened in closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, namely to discuss elements of the Development Agreement ("DA") being negotiated and to formulate a position with respect to the DA and the terms of a Municipal Revenue Obligation ("MRO") being sought by the developers of the proposed expansion of an existing project to be known as Overstone Condominiums Phase 3 and to instruct staff accordingly. Yates/Reek motioned to go into closed session. Reek-yes, Nellis-Yes, Gizelbach – yes, Gudex-yes, Barbieri-yes, Yates – yes and Martin – yes.
26. Upon motion duly made and carried, the Village Board of Trustees and consultants/staff may be convened in closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, namely to discuss elements of the Development Agreement ("DA") being negotiated and to formulate a position with respect to the DA and the terms of a Municipal Revenue Obligation ("MRO") being sought by the developers of the proposed development known as Stonewood Trail LLC and to instruct staff accordingly. Yates/Reek motioned to go into closed session. Reek-yes, Nellis-Yes, Gizelbach – yes, Gudex-yes, Barbieri-yes, Yates – yes and Martin – yes.
27. 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. None.
28. Adjournment. Reek/Nellis motioned to adjourn the meeting at 10:27 p.m. Motion carried unanimously.