

VILLAGE OF LANNON
MINUTES OF THE VILLAGE BOARD MEETING FROM 8/9/21

1. Call to order by presiding officer. President Sommers called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance was recited.
3. Roll Call: Village Board: Barbieri, Jensen, Martin, Nellis, Reek, Sommers and Yates. Barbieri absent.
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 7/12/21. Yates/Nellis Motioned to approve the meeting minutes from 7/12/21. Motion carried unanimously.
6. Committee Reports:
 - a. Finance/Personnel – item later on the agenda. Guests for presentation and payment of bills. Postcards will go out next week.
 - b. Legislative - none
 - c. Parks and Recreation/Beautification – Item later on the agenda for replacement of lights at parks.
 - d. Public Safety – multiple instances of people following officers and taking pictures. It is a safety issue and a distraction to them.
 - e. Public Works/Recycling/Sewer – Roofing contract. Fire station roof is the roof being replaced. Junction joint between buildings is leaking and that is covered in bid.
 - f. Quarry – item later on agenda.
7. Department Reports:
 - a. Clerk's Office – simplified rate application is being submitted this week, notices were sent out last week.
 - b. Police Department – crime report from July was submitted. National night out in Village Park on Wednesday night at 5:00 p.m.
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). (Except as otherwise allowed by motion of the Board, citizen comments will be limited to 3 minutes per person although written comments of any length may be submitted prior to the meeting to the Village Clerk.)

Bob Meyer – 19526 W. Main St. Have lived here for 9 years. Wants to address item 17. We are opposed to this. He was duly elected to do his job and he should be let to do his job. It is transparent. It was illegal to post the video. Don and Kelly are the only one who seems to care about this village or it's people. The Apartments that are being built was pushed through, nobody has asked us how we feel about the project. You all work for the Village, if you are here for your personal agenda you should resign.

Rich Berkenheim – 21829 W. Birchwood Dr What does 2 beans mean? I will not stand for threatening people in this community.

Jessie Schmidt – personal attacks on my family has to stop. Trustee Martin and her husband need to stop with the threats on social media. Highschool lies. Police need to be more active in the community. Who is sponsoring the 91st, where are donations going? Hate between the people in the village is nonsense. People are trying to raise their children here.

Jan Schmidt – Thank Reek and Sommers for approaching her at car show and also Yates for collecting money for 50/50 raffle. I am ashamed of this board. I was on the board for 6 years and have never had these problems. Acting like high schoolers. You represent all the residents. Why is this being allowed? Fabricating lies is not freedom of speech. It is shameful and embarrassing to this Village. Immature lies being spread. I was told I would never walk again but I am stronger than that. Don't mess with my family. The attacks need to stop.

Jane Tawya lot 207 – the lying about village employees drinking on the job has got to stop. This board is showing disrespect. People will not call the police thinking it will be used against them. Everyone has said inappropriate things when angry and upset. It is a common theme. There have been threatening comments causing more drama with false accusations. Accuse employees of drinking and using municipal vehicles.

Mary Madel – 7373 N Vine St. The people of the Village elected Don Sommers to vote for the people. Singling him out and saying something under duress, he was angry and upset and frustrated and said some things. If anyone doesn't have things in their closet that they can be chastised for they are lying. We have gotten way off base and it has turned into personal attacks. It needs to stop and work like adults. As far as the water, the people don't want mandatory connections or to abandon our wells. Costs should be more reasonable. Garrett from Gun Sho needs safety members so cars can't crash building. I have not seen them yet, is he still planning on that?

Dan Martin – w. Birchwood Dr. My statement is for Don. Racism does not start with a half hour conversation with the Lannon police officer. Put your big boy pants on and step down with some dignity.

Jake Jensen – Childishness going on is out of control. It is affecting the community, people don't want to be involved because of the idiocy. Put your big girl and big boy panties on and do your jobs. It is all affecting the decisions you make for this community. All your hate is affecting our community. Solve the problems and do your job.

Jeremy Johnson – Has been a resident for a couple years. I don't agree with the things said in the video but that is your choice and it is a freedom to say them. It is a direction of one's character. Anyone can obtain these things. I don't think that I need to be told to close my garage. It is my choice. You were elected to do a job for the people of the community with the Police Department we have. Nobody believes in the name calling of other ethnicities.

Shirley Ravnik – 7358 Lannon Rd. She saw the video. Pam Singh built this gas station and they helped the residents and they were good people. A resignation is not in order. There are other ways to go about it. It is not appropriate to post the Lannon Village Police sessions. People will think twice about calling the Police because it will end up on the internet. She had someone tell her about it. Recall is appropriate, not a resignation.

Tony Povletich – 7343 Lake St. Has been attending meetings for a few years. I would rather be spending my time doing other things but we are compelled to be here. I have an interest in what is going on in this building. You are giving a lot of time to the Village to have everyone best interest at hand. Serve with respect and integrity. The more meetings I attend, it is deeply concerning. One agenda item is asking for resignation, and that is crazy. Its time to play nice, grow up and respect each others differences. We expect and demand that.

Jim Willard – overstone Dr. been residents for a long time. We have an expectation that the Village Board be respectful. It is disturbing that this item is on the Agenda. Work together and work with each other. Who put it on, will you admit it. Do better and be better.

Deanna Sour – Bedrock Ct. I feel that you are all in a tough spot. There is a facebook page out there that has created the tension and she has removed herself from that. Her stress level has gone down, how can you stay objective. It is toxic and disrespectful. Remove yourself from the drama. Mr. Sommers I have watched the video. I grew up all over the country and I don't want my children to see color. I don't know that resignation is the answer.

Renee 7366 N Lannon Rd. Dequardos and Bullies? Have lived in this community. We need to work together, its all personal opinion. Communicate with each other and work together. My son is mixed and he will be better than the rest of us. We need to stand up together today. Be a better person after you make a mistake. We all need to stand up together.

Julie Krief – Lannon Estates – Three years ago, the diversion that was supposed to happen never happened. It needs to be brought up again and the residents are complaining. The runoff needs to be addressed. What happened with the oil spill that happened in the grass. It can't just be covered up. Ruins your clothes and can't enjoy time outside. Finish driveways over there but they are not complete. We built them a boardwalk so they can get from their driveway to their house. Why do they keep driving trucks across the grass, they have a big open area to operate. It should not be our job to fix it. I don't know you but I hear all about it. Do unto others as you would have done to you. You represent the Village of Lannon, it should be a community united. This place is falling apart.

Jayden Manor – Racial accusations, I am mixed. Don has checked in on me since day one. We have all made mistakes but we need to learn from them and move on.

Lisa Canisty – 20179 W. Good Hope Rd. Keep getting flooded from Johnson and Son's Paving. It needs to be looked at. We have debris in our yard every time it rains. It seems they can't be touched, it's not fair. You could take a kayak through our yard when it rains. Something needs to be done. This is our forever home. Please do something.

Mike Gildemeister – I love seeing all the people here, its more than 12 people complaining all the time.

Vince Rustika – 7309 N. Lannon Rd. Don cares about the community. Doing a good job. Everyone has said something we are not proud of.

Katie Streblov – Weather Edge Circle. She doesn't feel that Amy is a bad person either. This meeting is uncomfortable. She doesn't know a lot and doesn't know Don either. She supports everyone on the board and hope we can move forward.

Lisa Piquette – N. Main St. Construction on Main St. Cars going wrong way. Most are residents of Lannon that should know better because its faster than going around. It's a one-way street. We need more coverage there. It is a safety issue.

Chris Barber – 20467 W. Main Street. He has lived here forever. Development has brought money back into the Village. I have been here a long time. I have had everyone's grandma in my house. Began the Lannon Lions club, this is some place I grow up. Low density, rob everyone of water. State water is not allowed. Has to be paid for by State funds. A hidden cost is being charged for all the loans that were taken from 2008. Body camera video. Case regarding body camera and state statute. It's against the law without deleting information.

Christine Swearingen -S. Weather Edge circle – stop with all the craziness and attacking people online. My high schoolers didn't even act like that. Stop it, it is crazy. We are trusting in you to do the best for the people. We shouldn't have to abandon good wells. Chris knows all of this. Someone is telling me to abandon safe water. It is illegal stuff going on and we are supposed to sit back and let it happen. It is dividing this town. It is not a great place to be. Stop acting like this and get it together. Treat people the way we want to be treated.

Colleen Lake – see attached.

Steve Semo – W. Main St. No more tax money for developer's period. If he needs money, he should ask Tom Gudex. People should be held accountable, dirty politics should not be present. Listen and make decisions for the people of the Village. See attached.

Janet Muehlbauer – W. Main St. if the board can't work together the community is getting divided. Maybe we should just be Menomonee Falls. They already run have of the Village.

Jennifer Bartelt – Main St. / Vine St. Lived in Lannon my whole life, lives across the street from her parents. Her whole family stayed here because it is a small town. I am not against the water just don't like how it was done. I have friends and business colleges. I don't come to meetings because I know it is chaos. I own a business and am afraid to get my character questioned. There is a one-track mind and ignores residents wishes. Doesn't like that she is being forced to hook up and abandon her well. I should not be charged as a developer. Come to a compromise but not force people to hook up. It doesn't have to stop.

Julianne Wurst – N. Lannon Rd. Thank Lannon Police who are superb and do their job well. It has been that way forever; she is proud of that. She has gotten letters from you, I don't mean to be an eyesore. Doing what she can to get out but she is suffering from cancer. She is doing the best I can. Amy, does not know of anything else but she is proud of Amy, she is a good mom. She does not want the water.

9. Discussion and Possible action on presentation by WEDC, Wisconsin Economic Development Corporation. Information handed out by the The WEDC. Development investment grants. New Construction on a commercial corridor. Redevelopment would qualify and get some support and money for those projects. Different types of grants that are available. Historic value resources for updating historic buildings. Support towns of any size throughout WI. Focus on rural development. School districts can get matching grants to train workforce of the future. Connect Communities, Main St. Program for large community main streets. Connect communities – downtown development to work with street scaping to bring tourism, quality of life, etc. There is a small cost, \$200 annual fee. Anyone can sign up to receive promotional things. T Mobil grants, etc. Smaller than \$5,000 to connect to other communities to bring people downtown. Marketing initiatives, signage grants, business support, downtown plan and redevelopment plans. \$10,000 to go into vacant store front. Small businesses to pay for water projects. Is there something to keep me in business on Main St. Small zero percent interest loans. Provide resources and would look to the County and business development centers. Utilities can be an expense. Good fit and maybe some that would be a good fit for Lannon. It's a \$200 annual fee, so you get a built in group of peers to see what is out there. It is a resource. Can reach out to other communities and not have to reinvent the wheel, they can ask others what worked and what didn't. Take applications twice a year. Application deadline in October. Nellis/Yates motioned to put it on a future agenda item after we can look at the materials. Motion carried unanimously. WEDC.org. is the website to look at.
10. Discussion and possible action regarding recommendation from the Quarry Committee on a proposal from Lannon Stone Products about reducing the blasting frequency. Reduce blasting limits and frequency of blasts. Reduce neighbor impacts. Started with the complaints in Lannon. Reduced complaints by 90%. The more we blast the more annoying it is for our neighbors. They monitor vibration waves, how much they move, etc. and they comply with all laws. Propose to eliminate blast hole limit and maintain all other blasting restrictions. Nellis stated he complained about a blast a couple weeks ago. Air density has a lot to do with it. He was in his basement and felt it through the walls. It will reduce the amount of blasts they do in a year. If they blast 45 holes or 80 holes, it has to do with the design of the blast. Waterproof emulsion that contains the explosion. Quarry committee approved the plan. Nellis/Yates motioned to accept the quarry committee recommendation for blasting frequency that they come to Plan Commission with a revised Plan of Operation with a trial period. Motion carried unanimously. Hector stated it is part of the plan of operation. Make a presentation to the Plan Commission to change the Plan of Operations. Frequency of disturbances and level of disturbances. Hans agreed that a Probationary period is a good idea. They had that in Sussex and have some of that data. Wrapped up in the PUD and chat about the next steps to get that right. Yates questioned if we can simplify the process. Grant trial and then change Plan of Operation
11. Discussion and possible action regarding the creation of a Water Softener Ordinance, currently proposed to be added to Chapter 74-193. Lannon sends its wastewater to Sussex. The discharge permit is held by Sussex. The DNR requires that they take certain measures to reduce chlorides getting into the environment. Other communities have agreed to the changes. Do not use softened water for outside bibs and outdoor use. Ben summarized the changes. Paul stated that there is no enforcement measures that go along with the "not required" portion. Where should be adopt this language. 74 section 193, utilities ordinances. You can proceed with direction to direct me to put in final form without any enforcement sanctions. Not imposing any burdens on installations previously. For new connections. Reek / Martin motioned to approve the proposed water softener language. Motion carried unanimously.

12. Discussion and possible action regarding Application for Payment by Vinton Construction Company for Contract 1-2021 Water Main System Extension. Engineer Ben Wood stated that Vinton submitted a request for payment with progress, schedule, etc. Emily Roundtree has approved. USDA is the last entity to approve and sign. Nellis/Reek motioned to approve as submitted. Hector asked about the project progress on performance and schedule. Ben has identified that the substantial project will be done, road restoration was to be done by June however Vinton wants it all to be done by year end. Their schedule is on the website to see what work areas they are. Good Hope Rd. is complete and the private drive behind the school is complete. All the road restoration is being done as they go along. Motion carried unanimously.
13. Discussion only regarding update from the Waukesha County Community Foundation Village of Lannon Quarry Fund. Nellis stated that the grant committee met on July 30th. Three voting members, Mike Janas, Sarah Johnson and Ron Nellis. Ben Wood is an advisory member and Shelly Marquardt, Nate Swinton and Meg Wartman, the County Clerk are on the committee as well. The project is underway. There were some specific things they want to do because the billing will start to come through. 4 + million has been deposited and they will pay the disbursements from the contractors for the residents. We will have excess funds, we will see how much they will assign for well abandonment. That is later on the agenda. The water mains came in under budget so we will have some extra money. Contingencies have allowed us extra money 637,000. Quarry handling all acquisition of the well, and private property connections. Well abandonment for commercial is capped at 10,000 no matter who does it. This fund pays contractor not property owner. The contractor must register with committee. Minimize out of pocket expenses. Conforming wells can be kept as a recommendation of the committee, that is later on the agenda. Extra expense to the property owner, criteria later on. Under advisement, assistance for property owners who paid for private lateral installation. Laterals were put in for \$100 in 1996. No reward for people who did that, there may be some refund or credit to those properties. We don't know what it will be yet. Fund 100% of well abandonment by the committee.
14. Consideration and possible Amendment regarding Village Ordinance 74-157(b) Disconnection from Private Water Supply, and 74-158 Abandonment of Wells and 74-159 Well Operation Permit. Engineer Ben Wood stated these ordinances work together regarding keeping wells. The board wanted revisions to these ordinances to keep private well for outdoor use after connecting to municipal water. Research neighboring communities, etc. Attorney de la Mora stated these ordinances were not brought to Legislative because the Board has looked at this previously and is familiar with discussion. Ideas the village may consider from the commenting since previous consideration of this matter. He read the changes. Criteria for well testing. Trustee Jensen questioned the testing criteria according to the DNR. It seems that the people are against these ordinances to keep their wells. These ordinances were patterned against the surrounding communities to keep it similar. Keeping wells for \$35 per year plus building permit fees if applicable, five-year term. One time permit fee for \$35 or \$50. \$75 for a five-year fee to cover costs with limited resources. Any permit fees if applicable. Discussion regarding plumbing to separate outdoor and indoor plumbing. If well abandonment, a permit is required. It is to make people aware under certain circumstances they may need a permit. Reek/Nellis motioned to table for more information. Motion carried unanimously.
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. Yates/Marting motioned to table. Motion carried unanimously.
16. Discussion and possible action on quote to repair lighting at the Park. Yates stated it falls within the range. Yates/Reek motioned to accept the quote from Scott Balsinger to fix the lighting up to the 715 or 1000 as recommended by committee to account for unexpected cost. Motion carried unanimously.
17. Discussion and possible action on asking President Sommers to resign. Nellis stated that he put the agenda item on the agenda. Mr. Sommers asked Ron if he should resign, that is up to Mr. Sommers. He has had people ask him what the Village is going to do about him and his actions. The general feeling without doing nothing we approve of the actions of the Village President. He wants it known that the Board inquired about it. Nellis read a statement from Trustee Eric Barbieri into the record. An apology should follow. Vote to ask him to resign, that's all. There is no teeth in it. It is just to let the public know how we feel about it. Nellis/Martin motioned to request the resignation of Don Sommers. Each trustee should have an opportunity to make their position known. Yates stated this has been a very challenging issue and very polarizing issue that has come to light. He doesn't agree with everything but he doesn't oppose Mr. Sommers. They don't have to agree. People should have differing views. He feels the video was disappointing. He doesn't feel it was an isolated incident however he was not a village official at that time. Personally he doesn't agree with that type of talk at any time. He has not personally been witness to other talks so he cannot talk to that. He does not agree with the people who are condoning those actions. Martin stated it is not a one-time incident, others have heard him use sexist or racist language. It is widespread. Excusing it is condoning it. We have many business owners who are not white and the Village President won't go to those businesses because of race. Reek stated he received that video early on and contacted the attorney who had already seen it. He did not know at that time who saw it or had it. What do we do? Attorney suggested to talk to Don, and he did. He does not like the content of the video. He also referred to business owners here in Lannon. He understands Mr. Sommers was frustrated at the time. Why did you refer to them as you do when it had nothing to do with the situation he was calling the police about. That's where the problem comes in. Trustee Jensen will not ask him to resign. She does not agree with what was said and the terminology used. It was obtained and posted illegally. That is her whole view. She has spent a lot of time with him and had never heard that before. It is here say. It should not have been released. The DA has looked at it and the Attorney has looked at it and everything was done legally. Hector stated that this is something for the Board to resolve. It is just unfortunate that given the number of challenges that the village has that this matter has been reduced to judgements about individuals. That is not an inappropriate way to proceed it is something for them to resolve, you serve in a representative function and he was not in the roll at the time the comments were made. He has not been exposed to that part of his character. He is open and available to everyone on the Board. He is as much of a neutral person as possible to maintain his credibility to do the best for the Village. Yates stated Mr. Sommers is doing his best to do his job since he has taken office. Anything we vote on does not have any teeth. Abstain Yates, Sommers and Jensen. Nellis, Reek and Martin – aye.
18. Discussion and possible action on payment of the bills. Yates/Reek motioned to pay the bills. Motion carried unanimously.
19. Engineer's Report. Engineer Ben Wood reminded people to contact Isak at Strand with daily issues about the construction project. Traffic Control issues on Main St., when that lane closure was planned it was Waukesha County's plan to keep that lane open. Signage/barricades were not set up wrong, drivers are just driving wrong. Waukesha County did point out that if the Village or Contractor had more problems it could be closed. The Village does own a lot and it can be sold now that municipal water is available to the lot. If the board feels it wants to sell that lot, it can proceed. As far as the gas line that was hit, We Energies owns the gas line, they need to mark the line and did not mark it because they thought it was abandoned. They followed the protocols to rectify the situation. Lack of marking and traffic down there is a bad situation. People are still ignoring and driving around the signs. We don't need something to happen. Chief Bell needs to do what he thinks is necessary to keep people safe.
20. Attorney's Report. Parcel owned by the Village. If the Village Board feels that it is the appropriate time to sell that lot, they should engage the services of an appraiser to find the range of value and see how to advertise this for purchase proposals. Maximize returns on this property.
21. President's Report. It has not been an enjoyable couple of weeks. The attacks need to stop, it does not make our village look good. Why is there so much hate to attack each other?

- 22. Possible motion to enter into closed session pursuant to Wis. Stat. § 19.85 (1) (e) for the purpose of deliberating or negotiating, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session with respect to Stonewood Trail LLC PUD Municipal Revenue Obligations [ECT II Inc./Sawall Development] to be located at approximately 20920 W. Main Street and involving the following property with tax key: LANV0073481002. Reek/Yates motioned to go into closed session. Reek- yes, Jensen-yes, Nellis-yes, Sommers-yes, Yates – yes, and Martin – yes. Motion carried by unanimous roll call vote.
- 23. Reconvene in open session to take any action, if necessary, with respect to the closed session referenced in item 22 above including the approval and scheduling of a joint session with the Plan Commission on August 26, 2021 at 6:00 p.m. for a public hearing to approve the rezoning, if necessary, and Planned Unit Development Agreement regarding the same. Nellis/Yates motioned for Hector and Ben to formalize a PUD agreement and set public hearing for August 26, 2021 at 6:00 p.m. Motion carried unanimously.
- 24. Upon a motion duly made, may convene in closed session pursuant to Wis. Stat. §19.85 (1) (f) to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. 19.85 (1) (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, namely internet postings. Yates/Martin motioned to go into closed session. Reek -yes, Jensen-yes, Nellis-yes, Sommers-yes, Yates – yes and Martin – yes. Motion carried by unanimous voice vote.
- 25. Reconvene in open session to take any action, if necessary, with respect to the Closed Session referenced in item 24 above. Nellis stated all we can do is accept the apology. Clerk should post the apology and put it on record. Yates stated that it is less important what we think of your apology than it is about the residents accepting it. Yates stated, he has felt the affects himself. He has nothing against Don and what he is trying to do for the Village. A lot of people hold trustees to different standards based on their political beliefs. It lessens the integrity of this position. I will work with you if you stay to get things done for the Village. Nellis stated he feels the same way. Whether it was the video or not, it was still said. Nellis/Reek motioned to accept his apology. Motion carried unanimously.
- 26. Adjournment. Yates/Jensen motioned to adjourn the meeting at 11:14 p.m. Motion carried unanimously.

<p>August 23, 2021 Respectfully submitted, Brenda Klemmer Village of Lannon Clerk/Treasurer</p>	<p>*Notice is hereby given that the Municipal Building is accessible to elderly and disabled persons.**Notice is also hereby given that members of other governmental bodies from the Village of Lannon may be present at this meeting to gather information about a subject on which they may have decision making responsibility and may constitute a quorum of that governmental body. No action by any of those governmental bodies, except the Village Board of Lannon, will be taken at this meeting.</p>
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