

VILLAGE OF LANNON
MINUTES OF VILLAGE BOARD MEETING FROM 8/8/22

1. Call to order by presiding officer. Trustee Nellis called the meeting to order at 7:00 p.m. in President Sommer's absence.
2. Pledge of Allegiance was recited.
3. Roll Call: Jensen, Martin, Nellis, Piquette, Reek, and Yates were present. Sommers was absent.
4. Statement of Public Notice was recited.
5. Discussion and possible action on the reading, correction, and approval of the minutes from the Village Board meeting from 7/11/22. Yates/Piquette motioned to approve the meeting minutes from 7/11/22. Motion carried unanimously.
6. Committee Reports:
 - a. Finance/Personnel-items later in agenda. ARPA update, award amounts for two applications received. Awaiting auditor advice for remaining money and distribution.
 - b. Legislative-none
 - c. Parks and Recreation/Beautification-none
 - d. Public Safety-none
 - e. Public Works/Recycling/Sewer-one bid to remove two trees on Barnes property for \$11,000. They are looking for more quotes.
 - f. Quarry – number of blasts has gone down 44% since the hole limit was increased.
7. Department Reports:
 - a. Clerk's Office – Election is tomorrow. Polls open at 7:00 a.m. and close at 8:00 p.m.
 - b. Police Department – National Night out from 5 to 8 by the Lions Club, flight for life, dunk tank, Menomonee Falls Fire Department, and lots of things for the kids.
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.)

Corey Evinrude – Speaking on behalf of the Whispering Ridge Association. Background on requesting to be on Village Contract for Garbage/Recycling. Waste Management raised their rates and won't do up the drive service, so they are stuck with the big carts anyway.

Jan Schmidt – Car Show update. Record breaking year approximately 800+ cars. Hard to know the exact amount but it was a good day for everyone. Sales were up and everyone should have done well. More cars equal more costs. Cost \$7,000 to run this year.
9. Consideration and possible action on a "Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 1." Phil Cossen was available to summarize project plan and boundary amendments. Gave an overview of the TIF districts. We are meeting a threshold and won't be able to amend the boundaries anymore and add more land in the future. We started conversations a few months ago knowing we had a window and we are in that window but we need to follow the procedure and rules of the WI Department of Revenue. Amending the boundaries. Adding properties and removing properties. It has to be contiguous; we have to make sure we don't exceed the 12% threshold. To add parcels, we had to remove parcels. This is a mixed use and can't have more than 35% be for new residential. When you add up these areas we are under the 35%. To make it eligible for amending. Jack Moss, Whitt diversified, removing because they are fully developed parcels and adding parcels north of Custer for the Gross property because they would like to develop that property but would need funds for infrastructure. That is the primary reason for the amendment. Doesn't mean anything will happen with any of the properties in the TID, nothing can happen without Village Board approval. Add additional costs to the project plan for these projects to be covered under TID funds and not taxpayer dollars or Sewer /Water funds, etc. Water main extensions, or future sources or well or tower costs have been added to the project plan. Need for development in TID districts. Pathways and beautification. Amendments will add 3.8 million in project costs but including them gives you flexibility. \$112 million plus the 6 million for senior housing in this TID. These projects are still draft numbers. The Village TID 1 is at 50 million in TID 1 so far. Cash flows are important to make sure that the TID districts work from a tax increment district. Amend the boundaries and amend the project costs in the Resolution presented tonight. Motion needs to be contingent upon receipt of a letter of opinion from the Attorney this week. Resolution appears to be in order. Approve the resolution subject to the submission of the Village Attorneys opinion. Yates/Reek motioned to approve the Resolution contingent upon submittal and receipt of opinion letter from Counsel. Motion carried unanimously.
10. Consideration and possible action on a "Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 2." Phil Cossen summarized TID 2 amendments. This TID did not include that property and now is the chance to add that property. Adds Halquist/Cawley farm area and some area on south side of Good Hope and Town Line Rd and picking up some of those areas. Pulled out some properties that will not be developed in near future. John Barnes property was removed for lack of interest in development of that site. Approve updated map and costs. Cawley farm costs won't be out until 2026-2027 but we need to do this now because that window will close. Valuations are smaller in TID 2 because developments are smaller in scale. Reek/Martin motioned to approve the Resolution contingent upon approval opinion from counsel being submitted. Motion carried unanimously.
11. Consideration and possible approval of the issuance of a Conditional Use Permit to Whitt Diversified Interests, LLC as Property owner on behalf of ChemRite CoPac, Inc. as its tenant of property located at 19725 West Edgewood Drive, Lannon, Wisconsin which has been connected into the Lannon municipal water system for domestic use. This Conditional Use Permit is pursuant to amended Village of Lannon Ordinance section 74-157 to allow utilization of an existing well and a new deep well solely for the production of product to be shipped off-premises. Attorney de la Mora summarized the conditional use permit for Whitt Diversified. They have a well whose capacity may not be sufficient for their purposes and want to establish a deep well. The Plan Commission had a public hearing and questions were raised regarding impact on other water sources in the Village. DNR monitors the drawing of water from wells. Changed the Conditional Use Permit and Resolution to incorporate the DNR for their regulatory agency to establish water withdrawal. 2d modified for a successor to operate under the conditional use provisions are satisfied. Protects the

- interest of the Village. Reek/Jensen motioned to approve the Conditional Use permit for Whitt Diversified contingent upon record of wastewater disposal and location and request that annually. Motion carried unanimously. Hector questioned if they had a sewer meter to see what doesn't go into the sewer system.
12. Discussion and possible action on Filtration Concepts Stormwater Maintenance Agreement as referred by Plan Commission. Engineer Ben Wood stated that at the Plan Commission they submitted an amended plan of operation, building addition and stormwater management. Plan of Operation and building addition is the Plan Commission's approval but wanted the Village Board to consider the Stormwater Maintenance agreement to help speed up their approvals. Approve conditionally with Plan of Operation and site plan amendments being approved by Plan Commission. Reek/Yates motioned to approve the Stormwater maintenance agreement with Filtration concepts contingent upon Plan Commission approval. Motion carried unanimously.
 13. Discussion and possible action regarding the Hope and Healing walk. Steve Payleitner stated that things are going well for the first year and will continue to grow in future years. It is not a long walk but along main street. We have speakers from organizations in the beginning. It won't be a difficult event to put on. Once we get the building blocks down, we will be able to build on it for years to come. No registration on day of event. Please pre-register. Steve wanted to clarify the costs. It is turning out to be a \$5 donation not a fee. No set amount but donations will be collected the day of. They have gotten a lot of business donations and feel they don't need to charge to cover expenses. Nellis/Reek motioned to table since it was previously approved. Motion carried unanimously.
 14. Discussion and possible action on adding Whispering Ridge Condominiums to Villages Garbage/Recycling contract. It is an in and out cost for the Village. There are no smaller bins available, and condos would have to haul carts down to roadway. Amend contract with GFL to identify containers, number of containers and expectations for the Condo residents. Protocol for bulk items should be discussed. Establishing a precedent with other developments in the area. Need to establish a basis. Nellis/Martin motioned to approve adding Whispering Ridge Condos to the Village Garbage and Recycling contract. Motion carried unanimously.
 15. Discussion and possible action for approval of Operators License for Henny's Dugout. Yates/Jensen motioned to approve operators' application. Motion carried unanimously.
 16. Discussion and possible action on sale of Village Assets. Police owned items. Given 2 rifles by Jeremy Johnson that were donated that leaves two that need to be disposed of. Selling them to WI Firearms and keep the money for credit at store for ammunition for training. We will receive our new squad tomorrow and need to dispose of Crown Vic and would like to remove markings and put into auction to get most money. Reek/Martin motioned to approve sale of Village Assets by Chief Bell. Motion carried unanimously.
 17. Discussion and possible action regarding Water System Expansion Project restoration. Engineer Ben Wood summarized were things stand. Vinton contract has been expanded to August 26th. Last Friday they reviewed the restoration areas, and they did complete some more work this week. ESI is the subcontractor, and they ask that people mow the area to keep the weeds down. Everyone shares the idea that it needs to be better. It will come to a head unless they ask for an extension. We can issue defective work as a written notification giving them 2 weeks or the Village hires a contractor to do the work and it gets deducted from their contract. That will end up with legal issues. Written notice would have to be issued this week. We are still retaining approximately \$200,000 for restoration work. Issue a verbal warning which led up to a physical meeting noting deficiencies. The written warning is right there. Not all of the restoration work is the responsibility work of Vinton or ESI. Mid-City also has some restoration work that needs to be completed. We are still working on a schedule from them. Payne and Dolan will be back for driveway work as well. Yates/Jensen motioned to Delegate Trustee Yates to continue to work with Strand to evaluate the performance the next few days to see if they are meeting their obligations either by extension of contract or by the issues of a default letter. Motion carried unanimously.
 18. Discussion and possible action on Change order #2 for Mid City Contract 2033 for private property plumbing work. Engineer Ben Wood summarized the change order. They were extended to the end of July but are still willing to work and honor their price. Change the date to August 31st for well abandonments and connections. September 31st for Restoration. They are comfortable with those dates. Ask for authorization time and materials up to a dollar amount and bill on actual amounts after quarry committee reviews. Yates/Reek motioned to approve change order number 2 for Mid-City. Motion carried unanimously.
 19. Discussion and possible action on Pay app for Mid City for well facility project. Yates/Martin motioned to approve pay app 3 for Well facility project. Motion carried unanimously.
 20. Discussion and possible action on Pay application #7 for Mid City Contract 2033 for private property plumbing work. This is related to private plumbing. Reek/Yates motioned to approve payment for Mid-City for private property plumbing work. Motion carried unanimously.
 21. Discussion and possible action on Enforcement items as referred by plan commission for various sites. Inspector Paul Launer was present to summarize the properties. Engineer Ben Wood summarized the Plan Commission comments. Artistic Stone, 60 days given to correct action or issue citation. Marcy Farms, Kochman and Wandschneider property and KKom were to be sent to Village Board for action. Inspector and Attorney work to assemble a case. Our Municipal Court has had little experience with these matters. Impose a penalty or go to circuit court to clean up, etc. Municipal Court will not solve these problems. Hector summarized the process from previous years and Village Board needs to consider cost of that service. Looking for voluntary compliance. The two figure out how to contact the office and issue inspection warrant. Informal mediation should be initiated before legal action is taken. Monetary compensation can be formalized and brought back to the board. Work closely between the Police, Inspectors and Attorneys. Trace Hummel is assigned to Municipal Court and he would be contact person. Yates/Jensen motioned to table enforcement at this time for proposed sites to allow time for legal, inspection and police to confer on compensation and process. Motion carried unanimously.
 22. Discussion and possible action on Parkitecture proposal as referred by Plan Commission. Trustee Yates summarized the proposal by Parkitecture. The ARPA committee was looking at using funds for this and then it was brought up that there are funds in the TID project plans to pay for some of these items. Solidify these items and get a plan whether we implement them or not we need ideas. Parkitecture provided us a broad approach to street scaping some of these Village areas. Engineer Ben Wood stated that the plan amendments apply to \$600,000 for street scape improvements. If you do anything on private property that property has to be in the TID. General direction liked the idea of having a cohesive plan so as funds become available, we know what direction we are looking at. Developing a plan helps the WI Economic Development Corporation and grants that can be made available to businesses, but they have to have something that is defined as a vision for these businesses to get funding from outside agencies.

- Blake was present and summarized the design projects, downtown beautification, park and recreation plans, etc. Thiensville is doing something very similar also. They are facilitators, they are not telling you what to do, we are trying to get opinions from the public to see what they want. Recent projects of similar size that are completed. Mercer WI, very small and dense downtown was completed a few years ago. Secured grants for businesses to complete project. Burlington, Edgerton have also been completed. Working with Menomonee Falls to complete their vision. Shawno project is just wrapping up soon as well. Can we pick and choose a portion of the proposal. Can we a la carte this proposal. As we get into the task we can see other items may evolve or are not necessary. Design guidelines to set the tone as to what you want. Yates stated he would approach it in totality to get it done. Plans to be ready in Spring after public input over the winter. Visioning design process. Implementation gets put into play when you decide what areas to tackle. Should we look into other companies? There is no timeline right now. Blake is happy to share names and contacts with Trustee Yates. These costs are funded through TID Revenue. Joecks Park would not be a TID eligible project, but the others fall into that. Jensen would like to be involved in the process. Work with big picture concepts so people can see. Reek/Jensen motioned to table to seek additional bids for Village Beautification plans. Motion carried unanimously.
23. Discussion and possible action on payment of the bills. Yates/Reek motioned to pay the bills as presented. Motion carried unanimously.
 24. Discussion and possible action updating Mid City plumbing list of non-hookups to water system. Engineer Ben Wood confirmed the 5 residential and the 4 commercial properties on the list presented by Mid-City.
 25. Engineer's Report. None.
 26. Attorney's Report. None.
 27. President's Report. None.
 28. May convene into a closed session pursuant to Wis. Stat. § 19.85 (1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved in enforcing water connection sanctions with respect to properties in the Village of Lannon who have failed to connect to municipal water as required by Village of Lannon Ordinance § 74-157 generally, and specifically the penalties provided in § 74-157 (d) and §1-14. Yates/Jensen motioned to go into closed session. Reek -aye, Nellis – aye, Jensen-aye, Piquette -aye, Yates-aye, and Martin – aye. Motion carried.
 29. Pursuant to Wis. Stat. sec. 19.85 (e) upon a motion duly made may go into closed session to deliberate or negotiate 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 consider information regarding the possible value of a village owned lot which is the subject of a possible sale. Yates/Reek motioned for closed session. Reek-yes, Nellis-yes, Jensen-yes, Piquette-yes, Yates-yes and Martin-yes. Motion carried.
 30. May reconvene in open session to take action, if any, if required as a result of the above indicated closed sessions. Reek/Nellis motioned to pursue statute section D regarding forfeiture of noncompliance of water hookup effective June 1st with re-eval in December and give counsel to pursue the second action of the findings. Motion carried unanimously.
 31. Adjournment. Reek/Yates motioned to adjourn at 10:35 p.m. motion carried unanimously.

August 30, 2022
Respectfully submitted,
Brenda Klemmer
Village of Lannon Clerk/Treasurer

*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.