

**VILLAGE OF LANNON**  
**MINUTES OF THE VILLAGE BOARD MEETING FROM 12/11/23**

1. Call to order. President Yates called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance was recited.
3. Roll Call: Calatola-Robe, Grennier, Lake, 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 11/13/23 Village Board Meeting. Nellis/Reek motioned to approve the meeting minutes from 11/13/23 Village Board meeting. Motion carried unanimously.
6. Committee Reports:
  - a. Finance/Personnel – item 17
  - b. Legislative - none
  - c. Parks and Recreation/Beautification - none
  - d. Public Safety -none
  - e. Public Works/Recycling/Sewer -Christmas Tree discussion.
  - f. Quarry - none
7. Department Reports:
  - a. Clerk's Office – Tax bills have been mailed. The accounting system is almost complete. I have three two months to enter and am waiting on November Bank Statements to finish that month. We will be updating some of the new information we are receiving for Utility Bills and will be sending over a test file to Midwest Meter to check for inconsistencies and make sure all the information is in there before the next reading. Holidays at the end of the month, we will be open on the 27<sup>th</sup> and 28<sup>th</sup> only. Nomination papers are due January 2<sup>nd</sup> at 5:00 p.m. Merry Christmas to all.
  - b. Police Department – engaged in a couple community events recently. Books to distribute to kids in need. Two officers did Shop with a Cop in Oconomowoc.
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).

Don Sommers – W Main St. What happened to Speed Limit signs from ARPA Committee.
9. Discussion and possible action regarding the USDA-RD water System Expansion Project contingency spending plan recently approved by USDA-RD. Engineer Ben Wood summarized the contingency plan and went through the strategy for this money. Plan is generators at both facilities they are getting priced and updated cost proposals this week. Vinton would continue water mains and need final designs by May to complete next year. Authorize President to enter into agreement for design. We should be able to get it past the bugline but further in that direction. Table summarized costs. 2000 feet should be able to get done. \$570,000 of water main. Nellis questioned the size of the pad for generator at Whispering Ridge. Switch to Natural Gas from diesel. Needs to be rotated. Ben will look into putting it in the green space on the other side of the building. Discussion regarding future planning for water storage, connection, etc. Generator questions. It is past it's useful life. Reek/Nellis motioned to authorize President Yates to negotiate and enter into engineering agreements not to exceed \$188,000. Motion carried unanimously.
10. Discussion and possible action for Pay Request No. 5 for Mid-City contract 1-2020 for the Lannon Estates Well Facility Project. Engineer Ben Wood summarized the request. This is not a final payment. Reek/Grennier motioned to accept the pay request from Mid-City. Motion carried unanimously.
11. Discussion and possible action regarding Waukesha County's proposed Municipal Separate Storm Sewer System (MS4) public outreach plan. This plan was created in a meeting with the County and the Village. We discussed some outreach ideas and came up with a plan and they are looking for approval to move forward with their side of the plan. Nellis/Calatola-Robe motioned to approve the outreach plan for MS4 application from Waukesha County. Motion carried unanimously.
12. Discussion and possible action to contract with Strand Associates to assist in the MS4 reporting process. Strand authorized \$5,000 but only spent \$3000 for the MS4 reporting process. Reek/Nellis motioned to approve Strand to help us in the reporting process. Motion carried unanimously.
13. Discussion and possible action on approval of Election Inspectors for the 2024-2025 Election Cycle. Reek/Calatola-Robe motioned to approve the Election Inspectors for the 2024-2025 Election Cycle. Motion carried unanimously.
14. Discussion and possible action on approval of Operator's License for Jessica Manor-Schmidt. Nellis/Reek motioned to approve the application for Jessica Manor-Schmidt. Motion carried unanimously.
15. Discussion and possible action on any updates regarding the sale of the Village owned lot on W Good Hope Rd. A letter went out to Kim Jones whose driveway is on the subject lot, so we sent them a letter regarding the Easement to their property. We received a letter from her stating that we have no right to sell the lot and it is unsellable. Do we just draft the easement and have her sign. We don't want to list the lot without that being taken care of. We would grant the easement to them for ingress and egress to the property or court action to relocate their driveway. That would be too expensive and take time. Need a legal description to come up with the location for the easement agreement. \$1500 for the field work for Strand on the low end and up to \$5,000 on the high end for a full easement.

- Locate buried property irons and stake those. If they were removed, we can set new ones. Nellis/Martin motioned to have Strand survey the property and have Von Briesen draft the easement based on the survey for no more than \$5,000. Motion carried unanimously.
16. Consideration and approval of Waukesha County Circuit lawsuit against all property owners whose parcels have been eligible for connection to the Lannon Municipal Water System but have not complied with the mandatory requirement to connect and to seek court orders obligating those owners to connect in addition to seeking against those owners the imposition of per diem forfeitures going back to the date of their first eligibility to connect. President Yates stated that there have been ongoing efforts to close out the Water Main expansion project and billing issues and meter issues. Who is connected, how was the calculation supposed to be done, why are they not connected, etc. Von Briesen has drafted a complaint to consider as a Board which was summarized by Attorney de la Mora. He wanted to bring the number of those not connected to a minimum so we can take further action. We have a reliable list of holdouts but believe it to be less than 7. This complaint will go to circuit court and explain what we have done to get them to connect, etc. Looking for a court order to get them to connect. Impose a fine on these people going back to last date giving them to connect (July 2022). It will be slow and costly. We could have up to 7 lawsuits and motions, etc. He is looking for direction from the Board if it should be filed and how to handle the Barber property. The Friess property should not be on the list as it is a garage. They requested a lateral however they do not have a habitable property on that lot. Hector summarized the ordinance for penalty provision. That calculation is not easy. The number of occupants in each house varies. Consider the amount being billed a lesser issue than the point that they have not connected. Estimate how much water per quarter on average. The language in the ordinance prohibits us from just calculating that. It is another step in the billing process. Ordinance amendment to calculate average. He recommends putting off amendment until the lawsuit is completed. It will confuse the record. We can show our deadline extensions, how we could have charged them more but have not, etc. We are naming everyone in one lawsuit instead of separate lawsuits. It will take time before we get a resolution, probably up to a year. They won't do anything to hook up on their own without the lawsuit. Lannon could perform the connection and charge defendants for the cost. Nellis/Reek motioned to continue with the recommendation to file a lawsuit in Circuit Court naming the defendants listed and any others we find and giving the attorney one last time to contact Barber one last time to get the information for exemption. Motion carried unanimously. Inspection warrants will be sought before a lawsuit is filed.
17. Discussion and possible action on the payment of bills. Grennier/Martin motioned to approve payment of bills. Motion carried unanimously.
18. Engineer's Report. None.
19. Attorney's Report. Hector summarized the Ordinance for the fee increases that were approved. He put them into form. Reek /Grennier motioned to approve documentation of prior action for fee increases. Motion carried unanimously.
20. President's Report. None.
21. Upon a duly made motion to enter into a closed session, pursuant to Wis. Stat. Sec. 19.85(1)(e) and 19.85(1)(g) may enter into a closed session to deliberate or negotiate the purchase of public properties, the investing of public funds, or to conduct other specified public business, whenever competitive or bargaining reasons require a closed session and to confer 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 or is likely to become involved regarding the Custer Lane Lift Station and Force Main Project (Contract 1-2021). Reek/Martin to go into closed session. Roll Call Vote: Reek-aye, Nellis-aye, Calatola-Robe – aye, Yates – aye, Lake – aye, Grennier – aye and Martin – aye.
22. May reconvene in open session to take action, if necessary, with respect to the above indicated closed session. None.
23. Adjournment. Reek/ Nellis motioned to adjourn at 9:33 p.m. Motion carried unanimously.

December 11 , 2023  
 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.