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FREDONIA VILLAGE BOARD MEETING MINUTES

Thursday, September 7th, 2023 at 7:00PM

Fredonia Government Center - Board Room
242 Fredonia Avenue, Fredonia, Wisconsin

1. President Gehrke called the meeting to order at 7:00PM, followed by the Pledge of Allegiance.
2. Trustees Present: President Gehrke, Trustee Meyle, Trustee Bartz, Trustee Dohrwardt, Trustee Abegglen, Trustee Haas, Trustee Paape.
Staff Present: Administrator Jenkins, Attorney Woodward, Clerk Johnson
Residents Present: Jill Bertram
3. **Motion to Approve Minutes of August 17th, 2023 Village Board Meeting, General Fund, Water and Sewer Invoices and Village Trick or Treating on Saturday, October 28th, 2023 from 4:00PM to 7:00PM** made by Trustee Abegglen.
Seconded by Trustee Haas.
Passed by unanimous vote.
4. **Public Comments:** Trustee Haas reported on the County Board vote approving funds for the EMS program. He stated that the result was \$648,000 allocated to the Village, with the first payment to be disbursed by October 1, 2023, and the second to be sent in 2024 after the paramedic hiring process is completed. He requested that board members reach out to Supervisor Goddard to thank her for her work.
5. Presentations:
 - a) **2024 Budget Preview:** Administrator Jenkins gave an overview of the budget process to date, stating that he was on schedule. He highlighted the increase in the Village's total assessed value and that the Village's net new construction was the highest increase in Ozaukee County. He mentioned high inflation rate and an 8.7% increase to the cost of living. He outlined the following goals: to fund the CIP, implement merit based raises to full-time staff, dedicate Fire and EMS expenses to appropriate funds, that the lab fund would end in a net profit, continue to balance water and sewer funds, establish an enterprise fund for recreation, and a final goal to keep the tax rate at or below 2023 rate. He will create and implement a splash pad fundraising campaign and complete a road and utility plan for

Highland Ave. and Innovation Drive. Administrator Jenkins highlighted increases to shared revenue and transportation aid and acknowledged a rise in health insurance costs to both the village and staff. A water rate increase was previously approved, and Administrator Jenkins recommended a 3% increase to sewer rates. He will push to increase the road and utility maintenance line item. Staff completed the municipal levy worksheet and there is a .2% tax rate decrease. The budget will go through the review process and go before the Board for approval at future meeting.

Trustee Haas asked when the Village would see shared revenue dollars. Administrator Jenkins responded that the first check comes early in the year and the second check comes in July. Trustee Paape questioned merit based raises to full time staff. Administrator Jenkins stated that merit based raises, instead of cost of living increases, was one of the last recommendations the Personnel Committee made, and that there would be a range based on performance. Trustee Paape said that the sidewalks on Fillmore are in terrible shape, that there should be review of all sidewalks in the Village, and the Village needs prioritize spending. Trustee Dohrwardt asked if the mill rate captures improvement in the TID, and if the taxpayers are subsidizing the TID. Administrator Jenkins responded that the debt and risk remain in the TID and that if the has a negative balance at the end of its life, then the burden would fall to tax payers. Trustee Dohrwardt stated that the TID is contributing to the mill rate but not to the taxes paid against it. Administrator Jenkins stated that the TID is contributing at the same tax rate as everyone else based on its value prior to improvement. He stated that if the development didn't exist, the Village's mill rate would be higher and the taxpayers would have to pay more, so it's a good thing the TID is continuing to grow.

6. Report on Village Committees by:

- a) **Zoning Board of Appeals:** Attorney Woodward stated that the ZBA had heard an application and granted a variance.

7. Items for Discussion and/or Action:

- a) **Discussion and Possible Recommendation on Joint Review Board Appointments.**

President Gehrke stated that the JRB meets annually to review activity in the TID. In preparation for that meeting, he and Village staff reviewed the current members. He explained that because the current Citizen Representative, Sandi Tretow, was also an employee of Ozaukee County, and therefor representing two interested parties, it makes sense that the Board make a recommendation to the JRB to appoint a Citizen Representative whose only interest lies with the Village. He stated that there were no interested candidates at this point, but the Board can make a recommendation to seek out appropriate candidates. Trustee Dohrwardt clarified that one taxing entity could have two votes with the current Citizen Representative. He went on to say that currently, Trustee Haas is the County Representative, and suggested that instead of Trustee Haas, the County appoint Treasurer Tretow as the County Representative.

President Gehrke felt it might not be appropriate to recommend to another taxing entity who the Village thought their representative should be. Trustee Dohrwardt said that the Village should wait to make a decision on this. Administrator Jenkins reminded the Board that the JRB usually meets at the end of summer and recommended that the Board take this agenda item in order.

1. Village Representative

Trustee Abegglen stated that he was the current Village Representative and had no problem continuing that role for this year, but that there was an election next year. Trustee Haas stated that Trustee Abegglen does a good job as the Village Representative. No action was taken.

2. Citizen Representative

Trustee Meyle asked if the conflict was that the County had two votes. Trustee Abegglen stated that the real conflict is that the Citizen Representative is directly employed by the County, which could possibly influence decisions. Administrator Jenkins clarified the make-up of the JRB. Attorney Woodward mentioned that state law provides appropriate candidates at the County level, including the County Treasurer. Trustee Bartz stated that the Village should recommend a different candidate. Attorney Woodward responded that the legislature anticipated that the public member would not already be serving in a governmental capacity. President Gehrke pointed out that Trustee Haas could also have a conflict as the County Representative, but the County, not the Village, appointed him. He went on to state that he had no problem with Treasurer Tretow on the JRB, just not as the Citizen Representative. Trustee Dohrwardt stated that the Board should ask the County to appoint Treasurer Tretow. Trustee Haas said the Board should look for a different candidate due to previous concerns addressed in closed session.

Motion to Table Citizen Representative Discussion made by Trustee Dohrwardt.

Seconded by Trustee Paape.

Administrator Jenkins asked the Board if they would like President Gehrke to look for interested candidates. Trustee Dohrwardt stated that Administration should do what they think is necessary, and that tabling the motion puts an end to this discussion. The Board would need to vote to discuss this item again if tabled. Trustee Haas asked if there was a Citizen Representative in mind. Attorney Woodward clarified options for motions. Trustee Dohrwardt stated that things are moving too fast, that items are placed on the agenda without consideration for future impact. President Gehrke stated that this discussion has been happening at the staff level for quite some time. President Gehrke called for a vote. Trustee Dohrwardt requested a roll call vote. Trustee Paape objected to Trustee Haas's previous comment. Trustee Haas made a point of order: the vote had been called.

Motion failed by a 4-3 roll call vote.

President Gehrke: Nay

Trustee Paape: Aye

Trustee Haas: Nay

Trustee Abegglen: Nay

Trustee Dohrwardt: Aye

Trustee Bartz: Nay
Trustee Meyle: Aye

**Motion to Postpone Action and Have Administration Present
Candidates at the Next Meeting** made by Trustee Haas.

Seconded by Trustee Bartz.

Passed by unanimous roll call vote.

President Gehrke: Aye
Trustee Paape: Aye
Trustee Haas: Aye
Trustee Abegglen: Aye
Trustee Dohrwardt: Aye
Trustee Bartz: Aye
Trustee Meyle: Aye

b) **Motion to Approve 2024 Capital Improvement Projects List** made by Trustee Bartz.

Seconded by Trustee Abegglen.

Administrator Jenkins explained this was a five year outlook, and is asking the Board to approve the 2024 projects. He asked the Finance Committee for a two year borrowing window because rates are better if borrowing for projects is roped together. So borrowing will encompass projects for 2024 and 2025, but not lock the Board into the 2025 projects.

Motion passed by a 6-1 vote.

President Gehrke: Aye
Trustee Paape: Aye
Trustee Haas: Aye
Trustee Abegglen: Aye
Trustee Dohrwardt: Nay
Trustee Bartz: Aye
Trustee Meyle: Aye

c) Discussion and Possible Action on Ordinance 2023-8: Pertaining to the Permitting of Food Trucks

1. **Motion to Approve Ordinance 2023-8: Pertaining to the Permitting of Food Trucks** made by Trustee Dohrwardt.

Seconded by Trustee Meyle

Administrator explained that, at the request of the Board, this ordinance was drafted to separate food trucks from transient merchants and give them a more flexible permitting process. Trustee Abegglen state this ordinance aligns with the Village's strategic priorities and encourage food trucks to come to the Village. Trustee Paape asked where trucks would be allowed to park, concerned that they could clog streets. Attorney Woodward stated that the framework of the ordinance restricts food trucks from residential streets, excepting ice cream trucks, and is drafted in a way that is easy to amend.

Motion passed by unanimous vote.

2. Food Truck Permit Fee

Trustee Haas questioned where the proposed \$300 fee came from. Clerk Johnson responded that it was at Attorney Woodward's suggestion, and that a monthly permitting fee of \$25.00 had been discussed. Trustee Abegglen and Trustee Haas liked the option of a monthly option. Trustee Bartz pointed out that Village hosted events and private events are excluded from permitting fees. Trustee Haas felt that \$300 was too expensive. Clerk Johnson gave an overview of the Transient Merchant permit fees. Trustee Abegglen felt that the Village should give an incentive for applying for an annual license and suggested \$250.

Motion to Approve Food Truck Permit Fee of \$25.00 per Month or \$250.00 per year made by Trustee Abegglen.

Seconded by Trustee Haas.

Passed by unanimous vote.

- d) **Motion to Approve Ordinance 2023-7: Eliminating the Architectural Control Board and Providing Its Authority to the Planning Commission and Altering the Fence Permitting Process By** Trustee Abegglen.

Seconded by Trustee Meyle.

Trustee Haas gave background on the request, emphasizing the duplicative responsibilities of the Planning Commission and the ARC Board, and a desire to streamline processes to support growth. Attorney Woodward stated that the proposed ordinance doesn't substantially change an applicant's process or lessen standards that must be followed. It states anything that used to be in the scope of the ARC Board is now under the purview of the Planning Commission. Trustee Dohrwardt stated that this ordinance would drastically alter the workload of the Planning Commission. He stated the Planning Commission deals with macro level projects, and members' expertise lies in road construction, TID development, plats and developers agreements. He felt concern that Planning Commission members might not wish to handle the smaller scope projects that the ARC Board considers. He said that ARC Board members are very interested in making sure that neighborhood aesthetics are pleasing, and this is a completely different set of responsibilities. He pointed to other communities that have an ARC Board that allows the Planning Commission to do their work. Trustee Dohrwardt stated this was the worst idea, and it was very important to have a very active ARC Board to keep the character of Fredonia. Trustee Paape agreed. Administrator Jenkins clarified that the proposed ordinance includes language from the existing ordinance that already requires the Planning Commission to consider cosmetic features. President Gehrke asked how other municipalities handle this. Attorney Woodward stated that the City of Cedarburg only has a Planning Commission. Trustee Dohrwardt stated that the Cedarburg Planning Commission probably has an entire staff to support their work. President Gehrke wondered how current Planning Commission members felt. Trustee Haas said builders put up a house a year in the Village, that it's been a challenge to get members to attend, and with this change a three-four month process could take only a month.

Trustee Paape asked if current ARC Board members were aware that this was being discussed.

Motion passed 4-3

President Gehrke: Nay

Trustee Paape: Nay

Trustee Haas: Aye

Trustee Abegglen: Aye

Trustee Dohrwardt: Nay

Trustee Bartz: Aye

Trustee Meyle: Aye

e) Motion to Approve Ordinance 2023-10: Amending 132-4 Standing Committees and Assign Cable TV Responsibilities to Administration

made by Trustee Dohrwardt.

Seconded by Trustee Haas.

Trustee Abegglen stated that he started the Tech Committee, and highlighted major upgrades as a result of their work. He said now that the Village has full time staff, the work of the Tech Committee can be done by staff more quickly, and that the committee has run its course. He requests that the Tech Committee be removed from the standing committee list.

Motion passed by unanimous vote.

f) Motion to Approve ECS, LLC, Geotechnical Contract for Industrial Park TID #3 made by Trustee Haas.

Seconded by Trustee Meyle.

Administrator Jenkins explained that this was for testing soil in the TID and the Hillcrest Development. The Village would like to use soil from the Hillcrest development for grading within the TID, but they cannot do that until the soil is tested for contaminants. He solicited bids and recommends ECS, LLC. They are the most cost effective with the most samplings.

Trustee Paape asked who would pay for the trucking of the fill.

Administrator Jenkins explained that this contract was just for the testing, and paying for the movement of fill would be a later discussion. Trustee Meyle asked what would happen if the Village did not approve this.

Administrator Jenkins responded that work in the TID would stall.

Motion passed by unanimous vote.

8. Correspondence

- a) President Gehrke asked Trustees to RSVP by September 16th to the Mid-Moraine Municipal Association Dinner Meeting on September 27, 2023.

9. Items for future consideration by Village Board. Trustee Paape

10. Motion to Adjourn made by Trustee Haas.

Seconded By Trustee Abegglen.

Passed by unanimous vote.

Motion adjourned at 8:20PM.