

VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN
REGULAR MEETING MINUTES OF THE BOARD OF TRUSTEES

Monday, July 20, 2020, at 6:00 p.m.

1. **Board of Trustees Meeting called to order by Senior Trustee**
Trustee Ermeling called the meeting to order at 6:00 p.m.

2. **Pledge Allegiance to the Flag**

3. **Roll Call by Clerk for Board of Trustees**

Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Xiong, Yee	YES
White, Loren	YES
Ziegler, Jon	YES

4. **Board of Trustees Election of Temporary President to Preside over this meeting or until Specified Conditions are met**

Motion by Fiene, second by Ziegler to elect Maloney as temporary President to preside over this meeting or until specified conditions are met.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

5. **Acknowledge resignation of President Wally Sparks effective July 17, 2020, in accordance with the e-mail submitted to Clerk Sherry Weinkauf of July 6, 2020**

Motion by White, second by Fiene to acknowledge resignation of President Wally Sparks effective July 17, 2020, in accordance with the e-mail submitted to Clerk Sherry Weinkauf of July 6, 2020.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

PUBLIC COMMENTS

No comments.

PUBLIC HEARING

Maloney opened the public hearing.

6. Consider amending the future land use map found in Map 3-1 of Volume 2 Vision and Directions of the Village's Comprehensive Plan for the following properties:

- **4707 Camp Phillips Rd – land use designation from Industrial to Institutional. (PIN 192 2808 162 0971)**
- **4106 Ross Avenue - from Multiple Family Residential to Institutional. (PIN 192 2808 162 0970)**
- **4204 Ross Avenue - from Multiple Family Residential to Institutional. (PIN 192 2808 162 0969)**
- **A parcel of land being part of Lot 1 of Certified Survey Map 17438 located in the Southwest ¼ of the Southeast ¼ of Section 23, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin. Said parcel contains 615,585 SF or 14.13 Acres. Subject to all roadways and easements of record. - Land use designation from Park and Recreation to Industrial. (PIN 192 2808 234 0990)**

Fiene asked if the Village owns all this property. Higgins and Maloney said yes. Higgins said the Village purchased the Ross Avenue lots earlier this year for a new Municipal Center. The last lot is the former Mashuda property.

Maloney asked if there was anyone in opposition to the zoning changes. There was no one. Maloney asked if there was anyone to speak in favor of the zoning changes. There was no one.

Maloney closed the hearing at 6:09 p.m.

7. Acknowledge Plan Commission Recommendation - Resolution No. 2020-PC-001: A Resolution Recommending Adoption of Components of The Comprehensive Plan of The Village of Weston, Marathon County, Wisconsin; Consisting of Amendments to Chapter 3: Land Use, Specifically Map 3-1 Future Land Use, of Volume 2: Vision and Directions

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Motion by White, second by Fiene to acknowledge Resolution No. 2020-PC-001, per the recommendation of the Plan Commission.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

8. Discussion and Action on Ordinance No. 20-007: An Ordinance to Adopt Components of the Village's Comprehensive Plan; Consisting of Amendments to the Future Land Use Map Found in Map 3-1 in Volume 2: Vision and Direction

Motion by Fiene, second by Ziegler to approve Ordinance No. 20-007.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

MINUTES FROM PREVIOUS MEETINGS

9. 7/6/2020 Board of Trustees

Motion by Xiong, second by Ziegler to approve the minutes.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

REPORTS/MINUTES FROM BOARDS, COMMITTEES, COMMISSIONS

10. Community Development Authority

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

11. Everest Metro Police Commission
12. Extraterritorial Zoning
13. Finance
14. Human Resources
15. Joint Review Board
16. Parks & Recreation
17. Plan Commission
18. Public Works
19. Joint Plan Commission and Public Works
20. SAFER
21. Tourism
22. Zoning Board of Appeals

Motion by Ziegler, second by Ermeling to acknowledge item numbers 12, 17, 18 and 19.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

REPORTS FROM DEPARTMENTS

23. Administrator

Donner said the Village was recently notified that they can apply for a Community Development Block Grant. We are not equipped to handle the program at this time. Staff will not apply for the funds at this time. White asked if the Department of Administration would stop asking if the Village repeatedly declines to participate. Donner did not think so because we were asked last year. Xiong said the Village might want to consider applying for these funds in the future. Donner said there have been discussions with possibly partnering with Wausau for administrating the program. Higgins said this notice gives the Village the ability to apply. Higgins said it is not a lot of money. She does not feel like it is worth it right now, but maybe in the future. Xiong said he would like staff to explore this more for the future. He thinks it may be helpful for members of our community.

Donner said he is also working with ATC on the power lines. They may have found a home for some of them. He will report more on this at the next meeting.

24. Clerks

No comments.

25. Finance

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Trautman reported staff is working with Rib Mountain to submit a proposal to do the financials for SAFER. White asked if this included payroll. Trautman said they will continue to outsource that. There was a short discussion regarding investments.

26. Fire/EMS

No comments.

27. Parks & Recreation

Osterbrink said over the past 14 days 1,779 people have been to the Aquatic Center. Total revenue to date is \$12,318. Staff opened the slides today. We have not met attendance expectations. Almost everything they are hearing is positive. This year there a lot more family with kids and less teenagers. The Health Department has not heard anything positive or negative.

Osterbrink also reported the village had some wind damage over the weekend. There was power outage at the Aquatic Center, some chairs were damaged, and the outfield fence on the large diamond at Kennedy Park was tipped over.

28. Plan/Dev

- **Refuse & Recycling Program Update**

No comments.

29. Police

Schulz said the Department is now at full staff. There are two officers currently in field training. He also has one officer working to become a federal task force agent.

30. Public Works

Wodalski reported Ross Avenue will be paved by the end of the week. Concrete repairs for Schofield Avenue will begin next week.

31. Technology

No comments.

WORK PRODUCT TRANSMITTALS

32. June Building Permits

33. June Budget Status Report

Motion by White, second by Fiene to acknowledge item numbers 32 and 33.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

CONSENT AGENDA

- 34. Requests to pull items out of consent consideration
- 35. Vouchers – 52782-52877
- 36. Action on consent agenda items

Motion by Ermeling, second by Fiene to approve consent item 35.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

ORDINANCES

- 37. Ordinance No. 20-008: An ordinance to approve the rezoning of 4707 Camp Phillips Rd from GI General Industrial to INT Institutional & 4106 Ross Ave & 4204 Ross Ave from MF Multiple-family Residential to INT Institutional

Motion by Ziegler, second by White to approve Ordinance No. 20-008.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

- 38. Ordinance No. 20-009: An ordinance to approve the rezoning of a 5.38 acre and 14.13 acre lots along Weston Avenue between Zinser St and Progress Way from AR Agriculture and Residential to LI Limited Industrial

Motion by Fiene, second by Ermeling to approve Ordinance No. 20-009.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

RESOLUTIONS

39. Resolution No. 2020-009: A Resolution to change the Polling Place for all Wards in the Village of Weston to Dale's Weston Lanes, 5902 Schofield Ave., Weston, WI

Motion by Ziegler, second by Ermeling to approve Ordinance No. 20-009.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

NEW BUSINESS

40. Discussion and possible action on the appointment of a new President:
- appoint a new President for the residue of the unexpired term
 - appoint a new President for the residue of the unexpired term or until a special election is held
 - leave the position vacant until a new President is elected in a special election
 - leave the position vacant for the remainder of the unexpired term

White said three of the options are viable. A special election would involve more voting. If the Village left the position vacant for the remainder of the unexpired term that would be April of next year. White said when Ermeling was elected President her Trustee position became vacant and he was appointed to fill the position by resolution. Ermeling said when Vilas Machmueller passed away the Board elected one of the Trustees to finish the President term. Attorney Yde said the bottom line is that for the Board to appoint a new President there needs to be a majority vote of the six Trustees which means four need to vote favorably for the President. Fiene asked if Trustees need to refrain from voting for themselves. Yde said no. Ermeling would like to appoint a new President for the residue of the unexpired term. Ziegler agrees.

Motion by Ziegler, second by Fiene to appoint Trustee Maloney for the residue of the unexpired term.

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Ermeling made a motion to nominate Trustee White. Yde said the first motion should be carried through. Ermeling added that White has the knowledge of ordinances and how meetings are run.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	NO
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	NO
Xiong, Yee	YES
Ziegler, Jon	YES

Maloney said he was glad the voting was in open session. He also said he is fine with everyone's opinions. White is here to help with the protocol.

41. If the Board appoints a new President, discussion and possible action on process to fill the recently vacated Trustee seat

Maloney feels we should vote on this at the next meeting. Ermeling knows some residents that are interested. She would like to have the vacancy posted and have residents apply for it and be interviewed. White said we have a program that can be used for residents to submit applications which requires them to put in their education and employment history. Maloney said the current board members did not have to provide that information because they are elected. Xiong said there should be a process in place. He is in favor of White's suggestion and this is also done that way at the county level. White said the process the county uses is a good process. Ziegler said some questions should be asked on the application to narrow it down. White suggested doing background checks on applicants. Ermeling said we just need to find out who is interested and what their qualifications are. White said and their ability to attend meetings. Maloney asked if this should be done in closed session. Ermeling said no. Maloney asked staff to come up with a job posting and add some additional questions and then send to the Board members to review. Yde said this process is the same as the President in that four members need to agree on the appointment. Maloney said this will fill his Trustee term to 2021.

42. Swiderski Development Agreement

Wodalski said Swiderski approached staff with their development on the west end of Callon. As a requirement sewer and water service would need to be extended. By using a development agreement, we can define who is responsible for what costs. He is looking for approval to move forward with drafting a development agreement and then have the attorney review.

Motion by Fiene, second by White to approve moving forward with drafting a development agreement. Q/ Xiong asked if the Board should wait

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

to vote on this until there is a final agreement. Zielger asked Wodalski if he is looking for a motion to approve him negotiating with Swiderski on a development agreement with the Attorney reviewing to make sure it is correct. Wodalski said yes. Donner said the developer is responsible for the water and sewer costs on their site, and if the costs for the Village to loop the watermain exceeds a certain amount it will have to be publicly bid. This could also be done by a special assessment agreement. He recommends no action be taken on this right now.

Fiene and White withdrew their motions.

Motion by Xiong, second by Fiene to postpone the item.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

- 43. Adopt all the provisions of Marathon County Code Section 7.125, ATV's and UTV's, which includes delegating route designation to the County**
Weinkauff said she did inquire with Police Chief Schulz on his thoughts and he was fine with the county ordinance. Schulz said Marathon County Sheriffs Department has hired a special recreational officer who will patrol trails for snowmobile and ATV/UTV's. This will be a fulltime job. This person asked all the townships in the County to adopt the county ordinance, so it is easier for him to enforce.

Motion by Fiene, second by Ermeling to approve Option 1, which is to adopt Marathon County's ordinance.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

- 44. Tanya/Tricia Lift Station Design Contract Tanya/Tricia Lift Station Design Contract**

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Motion by White, second by Fiene to approve the Tanya/Tricia Lift Station Design Contract.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

45. Sealcoating of Water and Sewer Utility Facilities

Motion by Ziegler, second by Ermeling to approve the proposal from Jet-Black to Sealcoat 10 Utility Facilities for a cost of \$5,966.64. Q/ Xiong asked if RFP's were sent out. Wodalski said several companies were contacted and asked to submit proposals. Xiong said he is a big supporter of the RFP process.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

46. Crestwood Acres Neighborhood Reconstruction Engineering Contract

Motion by Ermeling, second by White to award the Crestwood Acres Neighborhood Reconstruction Engineering Services Contract to AECOM in the amount of \$242,457.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

47. Capital Improvement Program Update

- **Bid Results for Public Safety Building Remodel and recommendation**

Jon Wallenkamp gave a presentation on the public safety building remodel. Xiong is concerned with the project being over budget by one million dollars. Donner said the safety building was originally built for something else. He was told there is adequate space, but it is poorly configured. Maloney said the \$800,000 number has been being used since 2016. Wodalski said this is a onetime shot and whatever deficiencies we find we need to make them known now. Earlier this year more deficiencies were found.

Motion by White, second by Ziegler to award the Public Safety Building Remodel Contract to Scherrer construction for the Base Bid and Alternates #1-5 for a total project cost of \$1,746,000

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

- **Recommendation for 2020 borrowing**

Motion by White, second by Fiene to direct staff to utilize a combination of Options 1 and 2 to maintain the tax levy rate as originally identified in Scenario C and not exceed the overall 2020-2024 CIP Expense of \$30.3 Million.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

Motion by White, second by Ermeling to take a 5 minutes recess at 7:33 p.m.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

MOVE TO CLOSED SESSION PER 19.85(1)(e)

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.

- Offer by Tommy Docks to purchase land in Weston Business Park.
- Revisions to TIF Assistance Agreement with Eau Claire River, LLC/PGA, Inc., following review by Village Legal Counsel

Motion by Fiene, second by Ziegler to convene to closed session.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

RECONVENE TO OPEN SESSION

Motion by Ermeling, second by Fiene to reconvene from closed session.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

POSSIBLE ACTION ON CLOSED SESSION ITEMS

- Offer to purchase land in Business Park by Tommy Docks
No action taken.

VILLAGE OF WESTON, WISCONSIN
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

- **Revisions to TIF Assistance Agreement with Eau Claire River, LLC/PGA, Inc., following review by Village Legal Counsel**

Motion by Ziegler, second by Fiene to approve changing the \$1,000 FTE penalty to \$6,000 in the agreement.

Yes Vote: 6 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

REMARKS FROM TRUSTEES

Xiong said as he gets more information on the Wausau/Central Wisconsin Convention & Victors Bureau issue he will share with the Board.

REMARKS FROM THE PRESIDENT

Maloney thanked all the board members and said he wants to hear all critiques and is hoping not to disappoint anyone.

FUTURE ITEMS

Next meeting date(s):

- August 3, 2020, Board of Trustees Regular Meeting at 6:00 p.m.
- August 17, 2020, Board of Trustees Regular Meeting at 6:00 p.m.

ADJOURN

Maloney adjourned the meeting at 8:40 p.m.