

VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

REGULAR MEETING OF THE BOARD OF TRUSTEES

AMENDED PER WI STATE STATUTE 19.84(3)

Monday, March 16, 2020, at 6:00 p.m.

1. **Board of Trustees Meeting called to order by President Sparks**
Sparks called the meeting to order at 6:00 p.m.

2. **Pledge Allegiance to the Flag**

3. **Roll Call by Clerk**

Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Sparks, Wally	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES
Ziegler, Jon	YES

PUBLIC COMMENTS

No comments.

HEARING

4. **Open Hearing and hear Comments**
Opened

- **Operator license for Wesley Collier**

Wesley Collier, 5007 Lee Ave., Schofield, indicated he wanted to appeal the denial of his operator license. He said the charges from October 2019 have been dismissed. He referenced a letter from his employer, which indicates he has been a great employee. Chief Schulz said Wesley has two convictions that are substantially related to the alcohol license within the last five years. This includes an OWI from 10/1/19 and possession of drug paraphernalia from 10/16/18. These two convictions violate the Village's ordinance.

5. **Close Hearing**

Sparks closed the hearing.

6. **Action on Operator license for Wesley Collier**

Motion by Ermeling second by Xiong to stay with the denial of the license.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES

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Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

MINUTES FROM PREVIOUS MEETINGS.

7. 3/02/2020 Board of Trustees
8. 3/10/2020 Joint CDA, Board of Trustees and Plan Commission.

Motion by Maloney second by Zeyghami to approve the minutes.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

REPORTS/MINUTES FROM BOARDS, COMMITTEES, COMMISSIONS

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

Motion by Maloney second by Ziegler to acknowledge item #12, 15, 16, and 17.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES

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Fiene, Nate

YES

REPORTS FROM DEPARTMENTS

21. Administrator

- **COVID-19 Discussion/Implications**
- **Municipal Facilities Open House**

Donner said the Governor will be issuing an emergency order prohibiting mass gathering of 10 people or more. In the meantime, staff has been wiping down countertops and door handles. Plexi glass has been installed in the front office to minimize staff contact with the public. We are encouraging the public to use electronic payments. Intercity State Bank has agreed to take utility payments through their drive-up. The Municipal Facilities open house has been cancelled and staff is working to provide an open house virtual tour. There was a short discussion on holding Board and Committee meetings virtually. Technology Director Crowe will look into this.

22. Clerks

Weinkauf gave a report on how she plans to continue with Election set-up.

23. Finance

- **December Budget Status Report**
- **February Budget Status Report**

Trautman said she provided the Board with a preliminary budget status for all funds but does expect them to change. She will provide final numbers at the next meeting.

24. Fire/EMS

No comments.

25. Parks & Recreation

- **Update on YMCA contract for Aquatic Center**

Osterbrink reported the Village Attorney is still reviewing the YMCA contract for the Aquatic Center.

26. Plan/Dev

Higgins reported that building inspections are still be conducted on site. Staff has been encouraging residents to use online options for permitting.

27. Police

Schulz said the Department is reducing public contact as much as they can.

28. Public Works

Wodalski said staff recently filmed the trucks entering and exiting the Municipal Center for the open house virtual tour.

29. Technology

Crowe said he is preparing for the possibility of employees working remotely and getting things ready for a virtual environment.

WORK PRODUCT TRANSMITTALS

30. January and February 2020 Building Permits

Motion by Zeyghami second by Fiene to acknowledge the January and February 2020 Building Permits.

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Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

CONSENT AGENDA

31. Requests to pull items out of consent consideration.
32. Approve Vouchers – 52108 to 52178
33. Approve Operator Licenses
34. Action on consent agenda items
35. Requests to pull items out of consent consideration.

Motion by Maloney second by Xiong to approve Consent Items 32 and 33.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

ORDINANCES

36. Ordinance No. 20-003: An ordinance amending Article II, Licenses and Fees, Sec. 6.104(2)(1) Issuance of Alcohol Beverage Licenses.

Motion by Ermeling second by Fiene to approve Ordinance No. 20-003.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES

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Xiong, Yee	YES
Fiene, Nate	YES

37. **Ordinance No. 20-004: An Ordinance Adopting the 2020 Official Zoning Map and Official Extraterritorial Zoning Map for the Village of Weston.**

Motion by Ermeling second by Maloney to approve Ordinance No. 20-004.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

38. **Ordinance No. 20-005: An Ordinance to Amend Chapter 94 Zoning, Figure 5.01(1) Rural, Open Space, and Residential District Lot Dimensions and Intensity Standards In Regards to Decreasing the Minimum Lot Area Required Per Dwelling Unit in a MF Multiple Family Residential Zoning District and Figure 5.01(2) Rural, Open Space and Residential District Setback and Height Standards in Regards to Increasing the Maximum Building Height in a MF Multiple Family Residential Zoning District.**

Motion by Maloney second by Fiene to approve Ordinance No. 20-005.

Q/Sparks talked about the missing middle. He said the younger generation is looking for other living arrangements. Ermeling has concerns but understands.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

RESOLUTIONS

No comments.

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NEW BUSINESS

39. Discussion on Capital Improvement Program

Donner said the Capital Improvement Program was discussed at the Finance Committee meeting. In the meeting packet staff has provided two different scenarios. He referred to the packet on the tax impacts. He reviewed the scenarios. Maloney said the Finance Committee chose scenario C.

Motion by Ermeling second by Maloney to approve the Tax Impact Analysis Scenario C.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

40. Strategic use of TIF funds

Trautman said staff recently had discussions with Greg Johnson from Ehlers regarding CIP planning and TIF cash flow analysis. From that discussion staff came up with some ideas for use of TIF funds that would support the purpose of the TIF. In 2019 the Village borrowed \$250,000 for street repairs and curb repairs on Schofield Avenue. The project was complete in 2019. After discussions with Greg it was decided that this project could use TIF Funds. Staff discussed the options and feels this would be a great way to free up funds to repave Ross Avenue between Birch and Camp Phillips, which gained attention due to notable, unexpected, deterioration this winter. Re-paving is the recommended option and the \$250,000 is estimated to be enough for this project. By using funds from TIF #2 for the Schofield Avenue work in 2019, the Village can accomplish the Ross Avenue project without additional borrowing through the General Fund. The Finance Committee said this is good use of the funds. It was also indicated TIF #2 could be closed by doing this. There was a short discussion on the corridor plan. There was also a short discussion on the improvement and condition of Scofield Avenue. Donner said that the Village might be able to use TIF funds for that.

Motion by Maloney second by Fiene to approve using TIF #2 funds for Schofield Avenue maintenance and curb repairs in the amount of \$282,769.71.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

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Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

41. Cancellation of ATC contract

Donner said staff would like to give FDG notice of the Village's intentions regarding cancelling the ATC contract. The Village Attorney also advises the Village to notify FDG of the Village's desires and give FDG a time deadline to respond with any objections or other plans they may have. If FDG wishes to contract with ATC they should do so on their own. Maloney said time is of the essence and the Village needs to recover the costs as soon as possible. Zeyghami asked about poles. Donner said the poles were designed for the Camp Phillips Centre project. Zeyghami said maybe FDG would be interested in purchasing the poles. Sparks said he does not have a problem with giving FDG notification of the Village's intention, but this is a Village decision. The notification could be a courtesy letter to FDG. We should not wait on them. If they want to purchase the poles, the Village can negotiate with them. Both Maloney and Xiong would like to see the ATC contract cancelled as soon as possible.

Motion by Zeyghami second by Ziegler to draft a letter to FDC, offering them to purchase the poles to recoup Village costs and give them 10 days to respond. Q/Maloney asked if the contract would then end in 10 days. Ermeling said if they do not agree to purchase in 10 days the Village will contact ATC to cancel contract.

Motion by Zeyghami to amend the original motion and offer FDG to purchase the poles from ATC, and if they do not purchase the poles, the Village will cancel the contract with ATC. Q/Sparks said we need to be specific on the date of cancellation for the ATC contract. If they have a desire to purchase the poles before we sell them through ATC or any other vendor then they can contact us. This is a courtesy letter to them letting them know they can negotiate with ATC to purchase the poles and make it clear with them when the ATC contract will be cancelled by the Village. Maloney said he will vote no to this because he wants the contract denied tonight. Fiene said he will do the same. Zeyghami said if we cancel the contract the poles belong to the Village.

All opposed to amended motion.

Yes Vote: 7 No Votes:7 Abstain:0 Not Voting: 0 Result: Denied

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Trustee	Voting
Sparks, Wally	NO
Zeyghami, Hooshang	NO
Ermeling, Barb	NO
Ziegler, Jon	NO
Maloney, Mark	NO
Xiong, Yee	NO
Fiene, Nate	NO

All opposed to original motion.

Yes Vote: 7 No Votes:7 Abstain:0 Not Voting: 0 Result: Denied

Trustee	Voting
Sparks, Wally	NO
Zeyghami, Hooshang	NO
Ermeling, Barb	NO
Ziegler, Jon	NO
Maloney, Mark	NO
Xiong, Yee	NO
Fiene, Nate	NO

Motion by Maloney second by Zeyghami to cancel the ATC contract.

Q/Ermeling asked if the Village will own the poles once the contract is cancelled. Donner said yes. He said if ATC sells the poles the Village will get that money back. Sparks clarified that if the Village cancels the contract the Village owns the poles. Xiong suggested directing staff to look for ways to recoup the costs of the poles.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

42. Request to release right of reversion at 5107 Westfair Avenue

Higgins received a request to release right of reversion at 5107 Westfair Avenue. In 1997 the Town of Weston put conditions on the deed. Higgins does not feel comfortable giving the release.

Motion by Maloney second by Fiene to approve the release right of reversion at 5107 Westfair Avenue.

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Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

43. Weston School East neighborhood Reconstruction Services Agreement with Clark Dietz.

Motion by Xiong second by Maloney to approve the Weston School East neighborhood Reconstruction Services Agreement with Clark Dietz in the amount \$229,000.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

44. Deny Operator license for Heather Gardner

Motion by Xiong second by Fiene to deny the Operator license for Heather Gardner.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

45. Hotel-Motel permit application for Airbnb, Inc.

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Motion by Fiene second by Xiong to approve the Hotel-Motel permit for Airbnb, Inc., contingent of receiving the \$150 license fee.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES

REMARKS FROM TRUSTEES

Zeyghami suggested limiting the number of people coming into the Municipal Center. He also suggested putting in a drive-up.

Fiene suggested the Village encourage the voters to vote by mail.

REMARKS FROM THE PRESIDENT

Sparks said we do need to put steps in place to keep staff safe. Donner will work on this and communicate with the Board on any changes.

FUTURE ITEMS

Next meeting date(s):

- March 19, 2020 Municipal Facilities Informational Meeting and Open House 5:00 p.m. – *CANCELLED*
- April 6, 2020, Board of Trustees Regular Meeting at 6:00 p.m.
- April 20, 2020, Board of Trustees Regular Meeting at 6:00 p.m.

ADJOURN

Motion by Fiene second by Xiong to adjourn the meeting at 7:29 p.m.

Yes Vote: 7 No Votes:0 Abstain:0 Not Voting: 0 Result: Pass

Trustee	Voting
Sparks, Wally	YES
Zeyghami, Hooshang	YES
Ermeling, Barb	YES
Ziegler, Jon	YES
Maloney, Mark	YES
Xiong, Yee	YES
Fiene, Nate	YES