

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

Monday, May 18, 2020, at 6:00 p.m.

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

2. **Roll Call by Clerk for Board of Review**

Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Sparks, Wally	YES
Xiong, Yee	YES (by phone)
White, Loren	YES
Ziegler, Jon	YES

3. **Adjourn Board of Review until 6/16/2020 @ 5:00 p.m.**

Motion by Fiene second by Ermeling to adjourn the Board of Review to June 16, 2020 at 5:00 p.m.

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

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

4. **Board of Trustees Meeting called to order by President Sparks**
Sparks called the meeting to order at 6:02 p.m.

5. **Pledge Allegiance to the Flag**

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

Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Sparks, Wally	YES
Xiong, Yee	YES (by phone)

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White, Loren	YES
Ziegler, Jon	YES

PUBLIC COMMENTS

- **Oliver Burrows, 5008 Sunset, re: Sidewalks on Cul-de-sacs (item 41, a under NEW BUSINESS).**

Oliver Burrows, 5008 Sunset St., said he understands that no new cul-de-sacs will be allowed unless there is some way to expand them in the future. The cul-de-sac on Sunset is approximately 350 feet. The amount of use that sidewalks would get is very minimal. He does not feel this issue would require a public hearing to propose a variance. The ordinance does state that sidewalks will be put in with all new construction. The difficulties these sidewalks propose is that there is no path to Ross Ave. There is only 14 houses and no expansions. He believes it is possible for the Board to amend the ordinance, without requiring a public hearing, and eliminate sidewalk for both Sunset and Arrow Streets north of Kennedy Ave. He also feels this will save the Village some money.

Steve Cronin, 5402 Hewitt Ave., said he is the Aquatic Center concession stand owner. He feels the Aquatic Center can open with restrictions. He said other similar facilities are open or opening. He reviewed some of the guidelines that could be followed. He would like to see the Aquatic Center open by mid-June with restrictions.

MINUTES FROM PREVIOUS MEETINGS.

7. 5/4/2020 Board of Trustees

Motion by Maloney second by Ziegler to approve the minutes.

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

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

REPORTS/MINUTES FROM BOARDS, COMMITTEES, COMMISSIONS

8. **Community Development Authority**
9. **Everest Metro Police Commission**
10. **Extraterritorial Zoning**
11. **Finance**
12. **Human Resources**
13. **Joint Review Board**

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- 14. Parks & Recreation
- 15. Plan Commission
- 16. Public Works
- 17. SAFER
- 18. Tourism
- 19. Zoning Board of Appeals

Motion by White second by Fiene to acknowledge item #15.

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

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

Sparks said he attended the last SAFER board meeting. The meeting was frustrating to him. There was a lengthy discussion regarding the appointment of fire commissioners and that has been put off to the next meeting. There was also a discussion regarding fire and ems contracts. He said he is concerned with the Town of Weston being charged \$10,000 more than the Town of Marathon. The townships are about the same size. Maloney said it does not feel like a partnership. He also said he was frustrated with the meeting. Sparks said there are some concerns with the budget as well.

REPORTS FROM DEPARTMENTS

20. Administrator

• Update on Governor’s Emergency Order

Donner said any questions regarding the order are being referred to the Marathon County Health Department. He said he would like to extend the closure to the Municipal Center through Memorial weekend. He would like to limit the walk-in traffic to the Municipal Center. Donner said staff is assessing the needs for the employees here and for the employees who will return. He said we may need to order more hand sanitizer and PPE. White said we should remain cautious with opening. Fiene said his employer has extended the time employees work from home to September 1st. Ermeling said as more people go out there will be more people carrying the virus. Ziegler does not feel we can open and keep the 6-foot distancing. Maloney feels it’s time for staff to come back and have available the proper PPE for them. Maloney also feels the Parks, along with the skate park should open. Sparks agrees to have staff come back after the holiday unless there are underlying conditions that would prevent them from coming back. We should be open for business. We live in a free

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country people should be able to make their own decisions. We should not be dictating what people should or should not do. The consensus of the Board members was to keep the Municipal Center closed through Memorial Day. Maloney also suggested moving some staff members around for social distancing purposes. If some staff members are concerned about safety, we need to listen to them. Donner said he feels the Village should also open the playgrounds but not open bathrooms. Xiong said the decision to open back up should be based on the recommendations from staff. He said staff knows best. Donner also reported the Municipal Center carpet will get cleaned the last weekend in May.

21. Clerks

Weinkauf said she included a report in the packet.

22. Finance

There was a short discussion on the SAFER budget.

23. Fire/EMS

No comments.

24. Parks & Recreation

• **Aquatic Center Season Planning**

Sparks said most churches are starting to open with 25% capacity. He agrees with Steve Cronin regarding the opening of the Aquatic Center and putting safety measures in place. It was indicated that 400 people would be allowed in with a 50% capacity. Fiene asked about the number of staff members for cleaning. Osterbrink said the lifeguards will do that but will not do that while in the lifeguard role. He also said the health experts say there will be second wave. The next wave will be deadlier. He does not feel it should be decided tonight. Sparks said none of the models have been correct. Ermeling has concerns about the cost to the Village with opening. She also said the hotel occupancy is down and we will lose room tax monies. Those funds are used toward the operation of the Aquatic Center. White asked about counting and keeping track of people. Osterbrink said they have had to track the number of people entering in the past. They do random head counts. Xiong is in favor of opening the Aquatic Center but would like to see a written plan put in place. He would also like the Village to continue discussions with Schofield and Rothschild. Osterbrink said they just voted to close their pool this evening. Wausau has deferred their decision to June 1st. They may focus on opening one of their pools instead of all of them. He said there are still a lot of unknowns. Maloney would like to see the pool open. We should begin the preparation of the pool now, so we can open in one month. Ziegler said it's disappointing that some of the other area pools are closing. Maloney said the Village will not make money, but it is the right thing to do for the taxpayers. He also suggested using wristbands to allow people in during

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certain time periods. Osterbrink said if we start preparations we could be open by mid-June. Maloney and Sparks said we need to move forward with preparations. Maloney said if something changes in the next two weeks then we just don't open. Fiene said he does not have enough information to decide if the Village should open or close but is ok with starting the process. Osterbrink said the Health Department recommends we not open the pool. Social distancing will be hard to enforce. If the Health Department receives any complaints, they will be forced to investigate and could possibly close it. Donner said if there are less rules put in place; we can't be criticized for not following them. It may be hard to enforce the social distancing at the Aquatic Center. He questions how a public health officer can make a case that the only risk is Covid-19. We have had other unsafe incidents happen at the pool.

Motion by White second by Fiene to prepare for the opening of the Aquatic Center on June 13, which leaves it open for the Board to decide to close if they so choose.

Xiong asked for an amendment to the motion to include the Board review a policy or plan prior to opening. It was indicated the motion is only for preparation of the pool at this time. Xiong withdrew the amendment.

Trautman has concerns with where the extra funds will come from.

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

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

25. Plan/Dev

No comments.

26. Police

Schulz commented on the Department's stats. They are seeing a reduction in calls for service. He also gave a staffing update. The Department's audit is now completed. The community has been very supportive with donations. He has been in communications with some bar owners who want to open but want to make sure they do it right.

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27. Public Works

Wodalski recognized the Public Works staff for continuing to work through all this. He also reported the Department is coming in at budget or just under budget.

28. Technology

No comments.

WORK PRODUCT TRANSMITTALS

29. April 2020 Building Permits

30. April Budget Status Report

Motion by White second by Fiene to acknowledge items 29 and 30.

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

Trustee	Voting
Sparks, Wally	YES
White, Loren	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. Vouchers – 52426-52495

33. 2020 Crack Sealing Project

34. 2020 GSB-88 Pavement Sealing Project

35. 2020 Chip Sealing Project

36. 2020 Asphalt Overlay Project

37. 2020 Schofield Avenue Concrete Repair Project

38. Ross Avenue Paving Project (Birch St to CR-X)

39. Replacement Skid Steer Purchase

40. Action on consent agenda items

Motion by Ziegler second by Fiene to approve items 32 - 39.

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

Trustee	Voting
Sparks, Wally	YES
White, Loren	YES
Ermeling, Barb	YES
Ziegler, Jon	YES

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

ORDINANCES

There were no ordinances to consider.

RESOLUTIONS

41. Resolution No. 2020-007 Encouraging Voting By Mail

Fiene said he and Xiong felt this resolution was important. We don't know how things will be in August and November. Many elderly citizens don't have internet access. This is a prudent public safety measure. Maloney said he is not in support of the resolution. Fiene said this is for an absentee application and not the ballot. Ermeling has concerns with the extra expense. She said voters need to provide a photo ID and it will be hard for some people to make copies of that to submit. She also said some people do not trust absentee voting. She is not in favor. Ziegler received a letter from David Nyseth, who is a Village resident. Ziegler read the letter. Mr. Nyseth is not in support of the resolution. Fiene said there are other states that have been doing for a long time. Sparks is also not in support of this because this tells people how they should vote. White has concerns with postage costs.

Motion by Fiene second by Xiong to approve Resolution No. 2020-007.

Q/Sparks said the number of people who went out to vote increased between the April and May elections. Xiong asked if it would cost the Village \$16,000 to mail the applications. Fiene said yes for both the August and November elections. Ziegler said he is also concerned with the expense. We should not get into the Village politics with this. ***Motion by Maloney second by White to call the question.*** Q/Xiong supports the concept of the resolution but thought this would cost a lot less to do. He is not in favor of this because of the costs involved. Fiene said this was simply for public health and safety. This is not an effort at partisan hackery.

Yes Vote: 1 No Votes: 6 Abstain:0 Not Voting: 0 Result: Denied

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

NEW BUSINESS

42. 2020 Fire Hydrant Painting

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Motion by Maloney second by Ziegler to approve the 2020 fire hydrant painting.

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

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

- 43. Weston School East Neighborhood Reconstruction Project:**
a. Sidewalk on Arrow and Sunset St North of Kennedy Ave
b. Replacement Trees and Street Tree Planting

Motion by Ermeling second by Xiong to approve. Q/White said the Village should assess each residents desire to have sidewalks and look at changing the code to provide for a study of future cul-de-sacs length, number of residents and location, with the goal being pedestrian safety. The Village has a connectivity plan. Donner said we used to. The Village should replace trees removed with the same kind of trees, and allow a replacement with another species provided that there is no cost difference and the species desired by the homeowner is not listed as prohibited.

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

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

Motion by Ermeling second by Xiong to withdraw the motion.

There was a short discussion on the roads that will be reconstructed. It was indicted the only item to be assessed is the driveway approaches. Maloney does not feel the two cul-de-sacs should get the sidewalk.

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Donner said since the process is being questioned, this should go to a public hearing process. An amendment would need to be made to the municipal code.

Sparks said this item will be sent back to the Plan Commission for a public hearing and have staff work on revising the ordinance.

44. Consideration of Creating a Veteran’s Memorial Park (Patriot Park) on the Proposed Patriot Auto Site at the Corner of Mount View Avenue and Schofield Avenue (3702 Schofield Avenue).

Jim Pinsonneault, with Patriot Auto, referred to a proposed site plan for the corner of Mount View Ave and Schofield Avenue. This is an undeveloped vacant parcel. He would like to work with the Village to put an attraction to draw up more traffic in the area. There was a short discussion on the maintenance of the memorial. He feels this would bring a lot of people to the area. White said a Veteran’s park is a good idea but feels an aircraft is too costly. Something similar to what is in Kennedy Park would be more appropriate than an aircraft. Maloney sees this site as retail and high traffic. A Veteran’s park should be in a quiet place. This is not the right spot.

Motion by Maloney second by Fiene to deny creating a Veteran’s Park and send to the Parks and Recreation Committee and Plan Commission for further review. Q/Sparks said the issue is the location and cost to the taxpayers.

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

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

45. Discussion and Possible Action on Protocol for Referring Work Requests to the Village Attorney

Sparks said requests for using the Village Attorney should be funneled through the Administrator, President or the entire Board of Trustees. Donner said requests from Directors always go before the Administrator. Xiong agrees with Sparks. White said this should be included in a guidebook or ordinance. He would be willing to work on it. He made a guidebook before he was voted out of office. Maloney does not want any kind of manual to follow.

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Motion by Maloney second by Fiene to approve the Administrator, the President and the entire Board of Trustees be allowed to ask for help or service from the Attorney. Q/ Ermeling has concerns with just one board member contacting the attorney. Maloney said it is the entire board that would make the decision to contact the attorney. He also said the attorney needs to know this as well. Ermeling said it should be approved with a majority vote. Maloney agrees.

Motion by Maloney second by Fiene to amend the original motion to include a majority vote of the Board of Trustees.

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

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

All in favor of the original motion as amended.

46. Consideration to Sell 0.248-acre Lot at 7500 Compass Circle (Fieldcrest Lot 25)

Ermeling said in the past this was used to store snow. Donner also gave some history on the parcel.

Motion by Ermeling second by Maloney to return the property to the original owner.

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

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

47. Appoint Dan Higginbotham to the Extra-Territorial Zoning Committee to replace Randy Christiansen for the 2018-2021 term.

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No action needed on this item. The Town of Weston will make the appointment tomorrow.

CLOSED SESSION

Consideration of motion to adjourn into closed session pursuant to Section 19.85(1)(c), Wis. Stats. for the purpose employment status and performance evaluation data of a public employee over which the Village Board exercises jurisdiction including discussion to allow a Village official to carry a weapon or firearm in all village owned buildings.

Motion by Xiong second by Maloney to convene to closed session at 8:50 p.m.

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

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

RECONVENE FROM CLOSED SESSION

Motion by Ziegler second by Maloney to reconvene from closed session at 9:10 p.m.

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

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

POSSIBLE ACTION ON CLOSED SESSION ITEM

Closed Session minutes on file in the Clerk's office.

REMARKS FROM TRUSTEES

No comments.

REMARKS FROM THE PRESIDENT

No comments.

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FUTURE ITEMS

Next meeting date(s):

- June 1, 2020, Board of Trustees Regular Meeting at 6:00 p.m.
- June 15, 2020, Board of Trustees Regular Meeting at 6:00 p.m.
- June 16, 2020, Board of Review – 5:00 p.m. to 7:00 p.m.

ADJOURN

Motion by Fiene second by Ermeling to adjourn the meeting.

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

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