

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

Monday, June 1, 2020, at 6:00 p.m.

- 1. Board of Trustees Meeting called to order by President Sparks**
Sparks called the Board of Trustees 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
Sparks, Wally	YES
Xiong, Yee	YES
White, Loren	YES
Ziegler, Jon	YES

PUBLIC COMMENTS

Steve Cronin, 5402 Hewitt Ave., said he is the Concession Operator for the Aquatic Center. He said the Aquatic Center is a great asset to the Village of Weston. He feels the risk to the Covid-19 virus is low based on the numbers he received from the Marathon County Health Department. He said it is time to get back to work and a new normal. His hope is that the Health Department will review the proposed plans for opening and work with the Village to open in a safe manner. He said others around the state are also opening. The Village should be looking for ways to open and not shut down.

HEARING

- 4. Open hearing and hear comments**
Sparks called the hearing to order at 6:03
 - **Operator license for Heather Gardner**
Heather Gardner, 4303 Alderson, said she was present to talk about the recent denial of her operator license. She has changed life around and would like a second chance. She works at Patron as a bar manager. She is also hoping to become part owner. The current owners may move, and it would be important that she have the license. Fiene asked why she feels she should get a second chance. Gardner said she made a lot of mistakes in the past and it took a long time to get where she is today. She has taken a lot of steps to get there. She also has a child to take care of. She has been clean and sober for four years, as well as crime free. She also lost a child and is slowly rebuilding her life after the tragic event. Maloney asked about being around people from her past. Gardner said she does not hang out with those people, and if they tried to tempt her, she would continue to stand strong. Maloney asked if there is ever anyone working alone. Gardner said no. There was a short discussion on the

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ordinance and state statute language as it relates to loosening up the eligibility for an operator license. Chief Schulz will investigate this a bit more. Sparks asked about probation. Gardner has been off probation for two years and has had no problems since being off probation. Angela Gonzalez, 5915 Shorey Ave, owner of Patron, said Gardner does a great job and has proved herself. To be where she is right now is good. She has received all other required licenses for the job. She is hard working. She knows the material and the job well. She fully supports Gardner having an operator license. Xiong asked about the impact on Patron if license is denied. Gardner would continue to work with someone else licensed and also continue to apply for an operator license until she receives one. Xiong asked about Gardner's lack of cooperation with law enforcement in the past. Gardner said this was for providing false information because there were things, she did not want to tell the police at the time. Xiong asked Gonzalez if she trusted Gardner. She said yes. Ermeling said it looks like Gardner has moved forward with her life.

5. Close Hearing

Sparks closed the hearing.

6. Action on Operator license for Heather Gardner

Motion by Fiene second by Xiong to approve. Q/White suggested staff look into amending the current ordinance as it relates to issuing operator licenses. Ermeling said if someone has turned their life around, they should not be penalized. Schulz will look into a possible ordinance amendment. Ermeling asked if the Board was violating the current ordinance. Maloney said no because this is an appeal. Sparks said it is important that nothing changes on Gardner's record at renewal time.

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

PRESENTATION

- 7. Dale Grosskurth, Marathon County Environmental Health and Safety Director**
- **Covid-19 presentation**

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Dale Grosskurth said he can answer any questions that Trustees have. When Safer at Home was in place all the indoor and outdoor pools were closed. Then there was the injunction after that and that changed things back to the way there were. There are several different organizations providing recommendations and guidance on opening pools. There is no law or requirement. There will be challenges with opening the Aquatic Center. The hardest thing to control is the social distancing. To not follow guidance, the Village would assume some liability. It will be tough to separate kids. There continues to be new data all the time. Fiene asked Grosskurth if he reviewed Osterbrink's Operation plan. He said yes. He can't give any kind of approval on the plan. White asked about the possibility of having a confirmed case at the Aquatic Center, and how it would be handled through the health department. Grosskurth said it would depend on exposure. Each case is reviewed individually.

MINUTES FROM PREVIOUS MEETINGS.

8. 5/18/2020 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

- 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 Ziegler second by Fiene to acknowledge item #13.

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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 FROM DEPARTMENTS

21. Administrator

Donner reported that TDS has applied for a direct seller permit to go door-to-door selling their product. He is not sure that is good judgment on their part. A rezoning notice for the former G&B site was provided to adjacent property owners. This item will be on the next Plan Commission agenda. Staff met with Mark Roffers and his staff to talk about the kick-off of the Weston Ave corridor study. The Village was also informed we would receive a second premium reduction from Group Health Cooperative.

- **Re-opening access to the Municipal Center**

Donner said his recommendation is to install a ticket window in the Municipal Center's vestibule, along with an intercom system. He talked about the concerns with taking utility payments. There are several other options for paying utility bills. Doing this will also help make the municipal center safer. There will be less distraction for staff. Maloney sees it as a welcome window. He also agrees we should not accept utility payments. Sparks said this is less about the virus and more about safety.

Motion by White second by Maloney to approve the recommendations of the Administrator to re-open access to the Municipal Center by the public into the vestibule after the ticket window and intercom have been installed, and made functional and that the Village discontinues accepting bill payments at the Municipal Center.

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

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- **Routes to Recovery**

Donner said the Department of Administration will make grant funds available for Covid-19 response. The Village could be eligible for approximately \$250,000. He said he is also looking to purchase a disinfectant spray machine. The topic of all employees wearing masks came up at the Human Resources Committee meeting. This needs to be looked at a bit further. Sparks said it should be up to the individual but have them available. Xiong asked how many employees were working from home. Donner said two from the Plan Development Department and two from the Finance Department. He also reported that all offices were cleaned this last weekend along with the carpets. Donner said over the next couple of weeks the rest of the employees will return to work at the Municipal Center.

22. Clerks

No comments.

23. Finance

No comments.

24. Fire/EMS

No comments.

25. Parks & Recreation

Fiene said there was a 4 to 1 vote from Wausau's Parks and Recreation Committee to open two of their pools. The final decision will be made by the City Council next week.

26. Plan/Dev

No comments

27. Police

Schulz said two of his officers recently attended training for crowd control. They have also worked at some of the larger gatherings.

28. Public Works

Wodalski said the kayak launch on Highway J is now complete.

29. Technology

No comments.

WORK PRODUCT TRANSMITTALS

No comments.

CONSENT AGENDA

30. Requests to pull items out of consent consideration

31. Vouchers – 52496-52577 and 90030

32. Adult Oriented Establishment 2020/2021 License for Secrets II.

33. Class A Beer and Liquor, Class B Beer and Liquor, Class B Beer and Reserve Liquor, Class B Beer and Class C Wine 2020/2021 Licenses (business listing attached).

34. Commercial Animal Establishment 2020/2021 License for Ace Hardware.

35. Mobile Food Vendor Licenses for the 2020/2021 licensing term (business listing attached).

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- 36. Pawn Broker, Secondhand Article Dealers and Secondhand Jewelry Dealers Licenses for the 2020/2021 Licensing Term (business listing attached).
- 37. Salvage Licenses for the 2020/2021 Licensing Term (business listing attached).
- 38. Weights & Measures Licenses for the 2020/2021 Term (listing attached).
- 39. Hotel/Motel Licenses for the 2020/2021 term (listing attached).
- 40. Action on consent agenda items

Motion by Maloney second by Fiene to approve consent 31 to 39.

Q/White commented on the contingencies for item 33 relating to payment of personal property taxes. Q/Maloney also asked about their only being one hotel license. Weinkauff said staff is still processing applications and the rest of the applications will be on the next agenda.

Motion by Maloney second by Fiene to amend the original motion to include the contingencies for personal property tax payments.

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 were in favor of the original motion as amended.

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

ORDINANCES

No ordinances to consider.

RESOLUTIONS

No resolutions to consider.

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NEW BUSINESS

41. Purchase of a pool motor lifting crane

Motion by Xiong second by Maloney to approve the purchase of a Lifting Crane from Wisconsin Lifting Specialists for a price of \$8,782.96.

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

42. Purchase of a replacement 1-ton dump truck cab and chassis

Motion by Maloney second Xiong to approve trading in the current truck and purchasing the cab and chassis from Fred Mueller for a net price of \$22,750 as well as approve the quote from Scotts Heavy Truck to install the dump body and plow equipment for a price of \$20,452 for a total truck cost of \$43,202.

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. Discussion/consideration on opening the Aquatic Center

• **Proposed Aquatic Center Operation Plan**

Donner said a draft Aquatic Center Operation plan was included in the packet. Osterbrink said this is just a plan and it may not work the way we want it to. He also said since the water fountain needs to be shut down, they will have to provide bottled water. He is working with Crowe to get a reservation system set up. Staff is proposing no walk-ins. All patron contact information will be tracked through the reservation system. A big challenge for staff will be the enforcement of social distancing. White said Osterbrink did a good job writing up the plan. He would like to see the

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Board give Osterbrink the ability to open when he feels it is safe to do so. Ermeling has concerns with the finances. She is concerned with where the revenue will come from. Sparks said the Village may be able to use some of the grant money. Maloney said he can think of other things that were done in the past like the Camp Phillips Centre project and the Village will never get that money back. Donner reviewed the proposed 2020 Aquatic Center budget. It was indicted room tax revenue will be down. Sparks said in the past the Aquatic Center has cash flowed. It is important people have options or outlets. Fiene said some other pool facilities are limiting their patrons to just residents of the city and school district. He also has concerns with allowing a 10-year old child to be at the pool without a parent. It should be raised to 13. We should also limit it to Marathon County residents. Osterbrink said there will be concerns with staff having to deal with proof of residency. It's a timing thing too. Xiong has concerns with opening and allowing patrons to come from southern Wisconsin that may have had more contact with Covid-19. He also has concerns with the finances. There was a short discussion regarding finances and borrowing. Trautman said there could be further discussion on what the borrowing is used for. Fiene also said if patrons can't follow the safety rules, the Board will need to reevaluate whether the pool should remain open. If we find out that there has been even one Covid-19 trace back to the pool, we should close the facility. Maloney suggested that we just not allow them back to the pool. There was a short discussion on refunds. The Board agreed there should be no refunds.

Motion by Maloney second by Ziegler to open the Aquatic Center, following the Weston Aquatic Center opening plan for 2020 and to open when Osterbrink feels it is safe to do. Q/Donner said things are behind and staff will not be ready by June 13th. He is hoping by the end of the month.

Yes Vote: 5 No Votes:2 Abstain:0 Not Voting: 0 Result: Pass

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

- **YMCA contract**

Motion by Maloney second by Fiene to approve the YMCA contract. Q/White said the agreement should be put in place even if the Village would decide not to open the pool.

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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

44. Discussion/consideration on re-opening park restrooms, shelters, and resuming reservations.

Osterbrink said all shelter reservation through May were cancelled and refunded. Restrooms are not open right now. If the restroom were to open more cleaning would need to be done. One person would have to clean each day and then weekends as well. Other work will not get done if staff is just cleaning bathrooms. Ermeling suggested just opening the restrooms when there is a shelter reservation. Osterbrink said there are two reservations booked for June. White said they should be notified about the restrooms being closed. Osterbrink said staff is not accepting any new reservations at this time. He also suggested not accepting anymore reservations through June. Osterbrink suggested people rent their own portable restroom if they want to use the shelter.

Motion by Ermeling second by Fiene to open the parks, not open the restrooms and not take any reservations through June.

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. Village of Weston's satisfaction with SAFER's services, including consideration of extending, renegotiating or terminating the SAFER contract

Sparks said dealing with SAFER has been a challenge. He does not feel that the Village is being treated as partners. SAFER has some outstanding firefighters and EMT's, but the leadership is lacking. He struggles with having

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an outside entity handle the finances. The taxpayers of Weston and Rib Mountain are supplementing the seven outside service contracts. He was also told there are five different ways to look at SAFER's financials and money is being made. He does not feel leadership has the ability to put the financial information together where informed decisions can be made by the board. He does not feel the Department is being run in a good fiscal matter. The accountability is not where it should be. At the last meeting he asked leadership if the budget will finish with a deficit or surplus and it could not be answered. He does not have confidence in leadership there. It is not right for taxpayers to continue with this unless there are some significant changes. Maloney concurs with Sparks. It has been an extremely frustrating year. He also concurs that there is some amazing EMT's and Firefighters. He has no confidence with management. He does not feel like the Village has a fair partnership. There is also the issue with the Town of Weston paying \$10,000 more than Marathon for services. He said whenever there is a surplus of money leadership wants to immediately spend it on equipment. Maloney does not believe in the path that SAFER is taking right now. He asked if the Village would still be under contract with SAFER through 2021, if we give notice right now. It was indicated yes. He feels this is the right thing to do. We can always change our mind. Xiong is not against terminating this but we should have a back-up plan. White said there was money saved in the beginning. He said if cancelled we would not have paramedic service. Safer has improved the service for the Village. He feels it would be a serious mistake to terminate this. There are always issues with a blended paid-on-call/fulltime department. Ermeling understands the frustration. She also questioned the difference in contract amounts. The response she received is they might go somewhere else. We should not be subsidizing. Maloney said he has questioned several times as to why SAFER is competing with Wausau. He would like to see us work something out with Rothschild and Schofield. White said they were not interested in the past. Maloney feels the Village would have plenty of time to create a plan in 18 months. Fiene said he does not know the history, but has got to know several employees, both current and former. He said some of those employees want to continue to work for SAFER, but they can't make a living with the pay. In the last two months moral has started to improve. There is a lot of failure from the command staff. For several months there was an atmosphere with fear of sexual harassment, alleged favoritism, changing of standards, unwillingness to hold other command staff accountable, and lack of confidence with leadership. He also said he was disappointed that the Chief and Deputy Chief were not present for this meeting to answer questions. Chief Savage said he is present and is listening through the zoom audio. Maloney asked why he was not present. Savage said because he has been taking care of patients in a Covid-19 atmosphere and thought it would be best to attend by zoom. Maloney said even the last four or five meetings as well. Savage said yes. Maloney also asked why either the Chief or Deputy Chief are not stationed in Weston. Savage said because they have Battalion Chiefs. Maloney is disappointed that Savage did not attend the meeting in person. Fiene said at the last SAFER meeting some of the board members

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called Sparks a liar in regard to a memo that was sent to several other individuals. He no longer feels that SAFER, in its current form, is in the best interest of the Village. Maloney and Sparks talked about the same memo related to a legal opinion on the selection of commissioners and said it was not a good discussion at the SAFER meeting. Maloney asked Savage if he had any comments. Savage said no. Sparks said management needs to be able to answer basic financial questions. Xiong asked Savage if he had a response to any of Spark's comments. Savage said he will defer his comments to the SAFER Board meeting. Sparks said the department can't continue where it is at. There needs to be significant changes. There was a short discussion on the budget. SAFER blames the Village's previous administration for the issues. Xiong asked Sparks what he would like to see happen this evening. Sparks said it is either a withdrawal from the district or we renegotiate. Xiong asked if there was a clause in the contract to renegotiate the contract. White and Maloney said no. Maloney said the withdrawal gives us a firm ground to renegotiate. He would also like to see the Village join Riverside. There was a short discussion on the availability of paramedics in the area, SAFER's blended staff of fulltime and paid-on-call, and the cost to have SAFER become fulltime. Sparks said to become fulltime is unaffordable. White said this is way too much to consider at this meeting.

Motion by White second by Ermeling to defer this to a future meeting.

Yes Vote: 3 No Votes: 4 Abstain:0 Not Voting: 0 Result: Denied

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

Motion by Maloney second by Fiene to terminate the agreement with SAFER. Q/ Xiong asked for clarification. Maloney said if we terminate this evening, we will still be under contract with SAFER through 2021. Q/Xiong said so if they choose to renegotiate with the Village, we would continue discussions with them. Maloney said absolutely. Sparks said his preference is we negotiate on what needs to be changed and keep SAFER going. Fiene said this has brought him nothing but sorrow but he could not, in good conscious, let the board know of the complete failure. Ermeling asked Sparks if he had a plan on the proposed changes. Sparks said yes because they have asked questions in the past and challenged things multiple times. Sparks said he ran for President because there are issues to fix and this is one of them. We have to do what is right for the community. He would like to see paramedic service remain in Weston. He is unsure what this will look like,

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but hopefully we can make it work with SAFER. There must be changes. Ermeling asked what changes need to be made to make things work with SAFER. Sparks said first we need someone with government finance experience, and second changes in leadership. Xiong said a letter should be drafted to SAFER. Fiene said it is his intent to attend SAFER meetings and if other trustees want to attend to make sure the Village Clerk is notified so she can provide a notice of quorum. Donner said the dispute resolution process involves a meeting of the Administrator, Chief elected official of each municipality, and the Fire Chief. This should be followed by mediation and arbitration. Donner said this may be above the level of a dispute. Maloney also said SAFER may be looking for different legal counsel. Sparks said going through the dispute resolution may be an appropriate avenue and should be one of the first steps.

Yes Vote: 5 No Votes: 2 Abstain:0 Not Voting: 0 Result: Pass

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

REMARKS FROM TRUSTEES

Xiong said we are going through difficult times and asked everyone to keep law enforcement in their thoughts. Maloney agreed. Fiene said during these difficult times he hopes for peace and justice.

REMARKS FROM THE PRESIDENT

No comments.

FUTURE ITEMS

Next meeting date(s):

- 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.
- July 6, 2020, Board of Trustees Regular Meeting at 6:00 p.m.

ADJOURN

Motion by Maloney, second by Fiene to adjourn the meeting at 8:57 p.m.

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

Trustee	Voting
Sparks, Wally	YES

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