

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

Monday, February 18, 2019, at 5:30 p.m.

1. **Meeting called to order by President Ermeling at 5:30 p.m.**
Ermeling called the regular Board of Trustees meeting to order at 5:30 p.m.

2. **Pledge Allegiance to the Flag.**

3. **Roll Call by Clerk**

Roll call indicated 4 Board of Trustee members present.

Trustee	Present
Ermeling, Barb	YES
Ostrowski, Kevin	NO
Zeyghami, Hooshang	YES
Ziegler, Jon	NO
Sparks, Wally	YES
Maloney, Mark	NO
Xiong, Yee	YES

4. **Municipal Center Tour.**
The Board members toured the Municipal Center.

5. **Public Comments.**
No comments.

6. **Minutes from the previous meetings.**
- 1/21/2019 Board of Trustees.
 - 1/21/2019 Special Board of Trustees.

Motion by Zeyghami second by Sparks to approve the minutes.

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

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

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WRITTEN CORRESPONDENCE

7. No comments.

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

Motion by Sparks, second by Zeyghami to acknowledge items 11, 12, and 14 – 17.

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

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

REPORTS FROM DEPARTMENTS

- 21. **Clerks.**
No comments.
- 22. **Finance.**
No comments.
- 23. **Fire/EMS.**
It was indicated SAFER would have a report for the next meeting.
- 24. **Parks & Recreation.**
No comments.
- 25. **Plan/Dev.**
No comments.
- 26. **Police.**
Schulz reported on a recent incident involving a male shoveling snow off his roof. The roof collapsed and police officers had to perform CPR on the male.

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27. Public Works.

Donner reported staff has received a lot of good comments about the snowplowing efforts of the Public Works Department. The Next All Staff meeting is scheduled for March 6th. The facilities tour is tentatively scheduled for February 27th.

28. Technology.

No comments.

Motion by Sparks, second by Xiong to acknowledge items 21, 22, and 24 – 28.

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

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

WORK PRODUCT TRANSMITTALS

29. Acknowledge January 2019 Building Permits.

Motion by Zeyghami, second by Xiong to acknowledge the January 2019 building permits.

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

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

CONSENT AGENDA

- 30. Requests to pull items out of consent consideration.**
- 31. Approve Operator Licenses.**
- 32. Approve Samantha Lucas as new agent for The Store #60, 4005 Westview Blvd., Weston.**
- 33. Approve Vouchers 49729 – 49877.**
- 34. Action on consent agenda items.**

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Motion by Sparks, second by Zeyghami to approve consent items 31 and 32.

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

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

Motion by Sparks, second by Xiong to refer item #33 – Vouchers to the next meeting for consideration.

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

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

35. **Action on items pulled from consent.**
There were no items pulled from consent.

ORDINANCES

36. **Ordinance No. 19-003: An Ordinance to approve the annual update of the official zoning map for 2019.**

Motion by Xiong, second by Zeyghami to approve Ordinance No. 19-003.

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

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

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Maloney, Mark	-
Xiong, Yee	YES

37. Ordinance No. 19-004: An Ordinance to amend Sec. 2.303(1)(j) – Administrator’s Functions and duties.

Motion by sparks, second by Zeyghami to approve Ordinance No. 19-004.

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

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

RESOLUTIONS

38. Resolution No. 2019-001 correcting the address grid on River Bend Road.

Motion by Xiong, second by Zeyghami to approve Resolution No. 2019-001.

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

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

39. Resolution No. 2019-002 for special assessments for utility improvements on Zinser Street.

Motion by Zeyghami, second by Sparks to approve Resolution No. 2019-002.

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

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

40. Resolution No. 2019-003 accepting the proposed right-of-way dedication for a portion of Schofield Avenue identified by outlot 1 in certified survey map number 18255, recorded in Volume 89 of certified survey maps on page 113.

Motion by Zeyghami, second by Xiong to approve Resolution No. 2019-003, per the recommendation of the Plan Commission.

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

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

Hearing.

41. **Open Hearing and hear comments (6:00 p.m.).**
Ermeling opened the hearing.

- **Operator License for Raymond Raczkowski**

Raymond Raczkowski, Wausau, explained the 9/23/18 incident was a misunderstanding between family members. He said he has been going to college and working several jobs. He currently works at Wiggly Field. He said he respects all laws, as well as police officers.

Police Chief Schulz reviewed 6.104 of the Village of Weston ordinances.

Sparks asked if the October 2014 incident occurred at a tavern. Mr. Raczkowski said it took place on Water Street, outside of a tavern, in Eau Claire. The September 18 incident took place at a private residence.

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Xiong asked about the lack of cooperation with police. Schulz said in one of the police report's it states Raczkowski became agitated with the police.

Dan Raczkowski, Mosinee, indicated he is Raymond's father. He said Raymond has been working hard. He put himself through college. The family incident that took place back in September was a family matter between himself and Raymond's mother. There were other family members involved that day. Raymond was arrested, and Dan was named as a victim. He talked with the DA and Raymond spent the night in jail. It was a learning experience for him. He likes where he works and is trying to save money for grad school. He does not think Raymond will let the Board down because he does not want to let down the owners of Wiggly Field. He believes Raymond has learned a lesson.

42. Close hearing.

Ermeling closed the hearing at 6:29 p.m.

43. Action on Operator License for Raymond Raczkowski

Motion by Sparks, second by Xiong to deny the Operator License for Raymond Raczkowski, based on the recommendation from the Police Chief and the ordinance guidelines. Q/Zeyghami asked when Raymond could apply again for the license. Sparks said he could apply again in October. It was indicated Raymond could work at Wiggly if he is working with another licensed operator. Dan Raczkowski asked if the September incident was being considered with this denial. Sparks said there were two incidents within the last 5 years, which were the 2014 and 2015 incidents. Dan Raczkowski also added that Raymond did complete alcohol counseling.

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

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

UNFINISHED BUSINESS

- 44. Request from Tom Felch, J&D Tube Benders, for waiver of commercial building permit fees for project 20180083.**

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Motion by Zeyghami, second by Xiong to deny the request to waive the commercial building permit fees, based on staff recommendation. Q/ Sparks said he realizes the Village should not set a precedent, but would like to see changes to the Village's ordinance and fee structure that is more pro-business, and see staff continue to explore, while taking a longer-term view of building up the business community. Xiong does not want to see us set a precedent. Donner said the Planning and Development Department is currently reviewing the fees. He also said the Village's fees are relatively low compared to other communities. Ermeling also said the Village is not out of line with other communities. She would also like to see some kind of business incentives.

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

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

NEW BUSINESS

45. **Switch payroll vendor from ADP back to Clarity.**

Motion by Xiong, second by Sparks to approve switching the payroll vendor from ADP back to Clarity. Q/Zeyghami asked staff to give more detail on the reasons for the switch. Trautman and Weinkauf expressed their concerns with the most recent issues they had with ADP processing the employee W2's. Staff continues to have issues with their customer support, and the capability of their general ledger program. The new software will have the same modules that ADP offers. Staff will have more control over the software.

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

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

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46. Creation of Mechanic position and reclassification of J Lenhard to Mechanic.

Motion by Sparks, second by Xiong to approve the creation of Mechanic position and the reclassification of J Lenhard to Mechanic.

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

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

47. Utility Superintendent recruitment.

Motion by Zeyghami, second by Sparks to approve moving forward with the Utility Superintendent recruitment.

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

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

48. DPW job descriptions.

Motion by Sparks, second by Zeyghami to approve the DPW job descriptions.

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

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

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be transparent and this would be a good way to do that. Trautman asked about a contract. Crowe said there was no discussion on that. Crowe also stated they do charge for travel. There would also be an additional charge if the Village would request more than one camera. Ermeling would like the other Board members, currently not in attendance, to be part of this discussion.

Motion by Xiong, second by Sparks to postpone this item to the next meeting.

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

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

52. Capital Improvement Plan 2019 Projects.

Sparks said there are a lot of items included in the plan. He asked if Finance reviewed these items. Maloney said they did not. He would like a joint meeting of the Board of Trustees and Finance to discuss each item. Trautman explained that the position of the Finance Committee is to see what the Village can afford and not reviewing the line items in detail. It was indicated that Ehlers will help the Village with moving forward on the funding. A resolution should come before the Board of Trustees at their next regular meeting. Trautman explained she has a debt issue coming up in May, which has been approved to refund. To get the funds by May the process needs to begin at the next Board meeting. Sparks said the entire Board should be involved to review each item.

Motion by Xiong, second by Zeyghami to refer this item to a special meeting of the Board of Trustees.

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

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

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Xiong, Yee YES

53. **Contract Amendment #1 with MiTech to Complete Right-of-Way Plat for Connection of Transport Way to Weston Avenue.**

Motion by Zeyghami, second by Sparks to approve contract Amendment #1 with MiTech to Complete Right-of-Way Plat for Connection of Transport Way to Weston Avenue.

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

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

54. **Placement of memorial at Kennedy Park.**

Motion by Sparks, second by Xiong to approve the placement of a memorial at Kennedy Park. Q/Ermeling asked where do you draw the line with something like this. Osterbrink said most of the memorials in the parks are functional pieces. He also said this was discussed at committee level and they decided not to draft a policy but take each request on a case by case basis. Ermeling said she is not questioning if it is an appropriate memorial but likes the idea of a functional memorial.

Yes Vote: 3 No Votes:1 Abstain:0 Not Voting: 3 Result: Pass

Trustee	Voting
Ermeling, Barb	NO
Ostrowski, Kevin	-
Zeyghami, Hooshang	YES
Ziegler, Jon	-
Sparks, Wally	YES
Maloney, Mark	-
Xiong, Yee	YES

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

Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: Municipal challenge of DOR Personal Property Tax Reimbursement Status Report.

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and

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

Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Administrator Agreement and Resolution No. 2019-004 – 2019 Employee CPI wage and merit increases.

Motion by sparks, second by Zeyghami to move to closed session at 7:13 p.m.

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

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

RECONVENE TO OPEN SESSION

Motion by Xiong, second by Sparks to reconvene to open session at 7:37 p.m.

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

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

POSSIBLE ACTION ON CLOSED SESSION ITEMS

55. Administrator Agreement.

Motion by Sparks, second by Zeyghami to approve the Administrator Agreement with Keith Donner to be effective February 19, 2019.

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

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

56. Resolution No. 2019-004 – 2019 Employee CPI wage and merit increases.

57. *Motion by Zeyghami, second by Xiong to approve the 2019 Employee CPI increase at 2.8% and proposed merit increases.*

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

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

REMARKS FROM TRUSTEES

Zeyghami suggested drafting a letter to Senator Petrowski regarding repair on Business 51. Xiong suggested establishing a resolution.

Xiong and Ermeling expressed their appreciation to staff for the clearing of the roadways.

Sparks, Ermeling and Zeyghami recognized Donner for stepping in as acting administrator August 2018 to present.

REMARKS FROM THE PRESIDENT

FUTURE ITEMS

58. Next meeting date(s):
- **March 18, 2019 @ 6:00 p.m. Regular Meeting**

59. **Announcements.**
All Staff meeting will be held on March 6th.
Donner will be gone the week of March 18th.

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**WITH NO OTHER PLANNED BUSINESS, THE MEETING IS ADJOURNED UNTIL
March 18, 2019 @ 6:00 P.M.**

Motion by sparks, second by Xiong adjourn the meeting at 7:56: p.m.

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

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