

# VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

## REGULAR MEETING MINUTES OF THE BOARD OF TRUSTEES

Weston Municipal Center Board Room  
5500 Schofield Avenue, Weston, WI 54476

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**Monday, March 15, 2021, at 6:00 p.m.**

- 1. Board of Trustees Meeting called to order**  
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**

<u>Trustee</u>	<u>Present</u>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	NO
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

### **PUBLIC COMMENTS**

Jim Pinsonneault, 5002 Arrow St., said he understands there are weight limits on the roads right now and would like to start his project on the corner of Mount View Avenue and Schofield Avenue before the weight limits are off. He is on a tight timeline for this project. Director Wodalski said he would not have an issue with a one-time permit to unload equipment. Pinsonneault said there would be two or three pieces of equipment. White said the Public Works Department needs to take care of this issue. He also said this item is not on the agenda and the Board could not take any action. Pinsonneault will work with Wodalski.

### **MINUTES FROM PREVIOUS MEETINGS.**

- 4. 2/15/2021 Board of Trustees Regular Meeting**
- 5. 2/15/2021 Board of Trustees Closed Session**

*Motion by Xiong second by Ziegler to approve meeting minutes.*

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

<b>Trustee</b>	<b>Voting</b>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	-
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

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**REPORTS/MINUTES FROM BOARDS, COMMITTEES, COMMISSIONS**

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

*Motion by Fiene second by Xiong to acknowledge items 10, 14, 15 and 16.*

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

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

**REPORTS FROM DEPARTMENTS**

**20. Administrator**

Donner said there is an upcoming bid opening for the public facilities. The Village will receive a number on the smaller garage. It was put in the bid specifications and staff did not anticipate that. Meinel asked why this wasn't discussed with the Trustees. Donner was not aware of this until the pre-bid meeting. Meinel asked if the architect included this. Donner said yes and said it can still be taken out. Meinel said he is disappointed and said this was not the authority of the architect. Donner said just for clarification the Building Committee and the Board wanted an alternate bid on a smaller office with a larger garage. The alternate that was eliminated was the small garage because it does not serve the Village's needs. Meinel said that is how he understands it too, but the Trustees should be involved with making those decisions and not the architect to decide what will be bid. Donner said it can

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be eliminated. Zielger asked if the Village is paying extra for this. Donner said no. Wodalski said the architect just missed taking out the smaller garage. Fiene said to just pull the alternate because it was not part of the approved resolution. It was decided no action could be taken on this because it is not on the agenda. Xiong asked if staff could just pull this out on their own. The consensus of the Board was to have staff pull this out on their own.

Donner said final edits are being made to the building project video. There seems to be questions relating to the financial aspect and staff will not know any numbers until next Tuesday.

- 21. Clerks**  
No comments.
- 22. Finance**  
No comments.
- 23. Fire/EMS**  
Chief Savage said Station 2 is looking great.
- 24. Parks & Recreation**  
No comments.
- 25. Plan/Dev**  
No comments.
- 26. Police**  
No comments.
- 27. Public Works**  
Wodalski said the Department came in under budget at \$138,000 for salt.
- 28. Technology**  
No comments.

***Motion by White second by Fiene to acknowledge items 20-22, and 24-28.***

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

<b>Trustee</b>	<b>Voting</b>
<b>Ermeling, Barb</b>	<b>YES</b>
<b>Fiene, Nate</b>	<b>YES</b>
<b>Maloney, Mark</b>	<b>-</b>
<b>Meinel, Steve</b>	<b>YES</b>
<b>White, Loren</b>	<b>YES</b>
<b>Xiong, Yee</b>	<b>YES</b>
<b>Ziegler, Jon</b>	<b>YES</b>

**WORK PRODUCT TRANSMITTALS**

- 29. February Building Permits**

***Motion by Fiene second by Meinel to acknowledge the February Building Permits.***

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

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

**CONSENT AGENDA**

30. Requests to pull items out of consent consideration
31. Vouchers – 54186-54277, 54283-54343 and 90045-90046. Voided checks were: 52707, 53952, 54018, and 54057. Manual payroll checks were 54278-54282
32. 2021/2022 Secondhand Article Dealers/Jewelry Dealers license, 2107 Schofield Ave.
33. 2021/2022 Cigarette license for Family Dollar #31154, 3910 Schofield Ave.
34. 2021/2022 Mobile Food Vendor licenses for Curds of Wisconsin and Chubby Cheeks Ice Cream
35. Appointment of Bryan Edwards as the new agent for Trig's, 6205 Business 51
36. Acknowledge MDRoffers Work Order #18 – Village of Weston Amended TID #2 Project Plan
37. Acknowledge the purchase of 20 banners from Northern Lights Display for \$3,325.71 utilizing TIF funds
38. Acknowledge verbal resignation from Public Works & Utility Committee Member John Jensen
39. Action on consent agenda items

*Motion by Xiong second by Ziegler to acknowledge and approve Consent items 31 to 38.*

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

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

**ORDINANCES**

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40. **Ordinance No. 21-006 to approve the rezoning of a parcel of land from AR-Agriculture and Residential to B-3 General Business and RR-5 Rural Residential 5 Zoning District located at 8101 County Road J**

*Motion by White second by Fiene to approve Ordinance No. 21-006, per the recommendation of the Plan Commission.*

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

<b>Trustee</b>	<b>Voting</b>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	-
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

**RESOLUTIONS**

41. **Resolution No. 2021-005 special assessments for street improvements for the Crestwood Acres Neighborhood Reconstruction Project**

*Motion by Fiene second by White to approve Resolution No. 2021-005.*  
Q/Fiene asked if this was just the driveway improvements. Wodalski said yes. Fiene also asked about how much per household. Wodalski said approximately \$1600 per driveway with a payback period of 10 years.

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

<b>Trustee</b>	<b>Voting</b>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	-
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

42. **Resolution No. 2021-006 proposed amendment to the Stone Gate Condominium Plat**

*Motion by White second by Ziegler to approve Resolution No. 2021-006, per the recommendation of the Plan Commission.*

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

<b>Trustee</b>	<b>Voting</b>
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Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	-
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

**UNFINISHED BUSINESS**

43. **TIF PAYGO Agreement with Tommy Dock Products, LLC, for purchase of Village owned land and development of a building for product assembly, warehousing, display, and sales at 8608 Progress Way.**

***Motion by White second by Fiene to approve the TIF PAYGO, Land Sale and Development Agreement for Tommy Dock Products, LLC, as presented and authorize the Village President to sign a resolution approving the land sale consistent with the terms of the development agreement prior to closing on the land sale.*** Q/Donner said Attorney Yde asked to add a sentence on Page 9, paragraph 3 that states if the developer does not receive the total amount of tax increment by March 1, 2031 the Village has no obligation to pay any further amounts.

***Motion by Xiong second by Fiene to amend the motion to include the advice of counsel, as stated above by Administer Donner.*** Q/ Meinel asked about the 10 FTE's and a certain building being built. He said the plan has not been approved or the dollar amount tied in anywhere. He is in support of the project but feels some things still need to be addressed in the agreement. Donner said the project was predicated on their preliminary plan dated January 26th. The final plan still needs to be adopted. The final plan also needs to be presented substantially like the preliminary plan. Meinel said it should state the repercussions if 10 FTE's are not hired. Donner said the agreement does state that in the form of a penalty for the FTE's. Meinel also asked about the penalty for not building to a certain dollar amount. Donner said they would not achieve the tax increment grant amount which is 75%. Meinel is not comfortable with the agreement and does not have a clear enough understanding of it. He feels there should be more details. Donner said this is a form of agreement that was prepared by bond council. He also said the same type of agreement has been used in the past for other projects. Donner said we are at a point with our TIF's that we probably don't need to use this type of agreement anymore based on the financial situation. We might want to look at using direct grants instead of PAYGO agreements. Xiong asked if the Attorney had any other concerns. Donner said no.

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

<b>Trustee</b>	<b>Voting</b>
<b>Ermeling, Barb</b>	<b>YES</b>

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

*Motion as amended:*

Yes Vote: 5    No Votes: 1    Abstain:0    Not Voting: 1    Result: Pass

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

**NEW BUSINESS**

44.    Engineering Contract for Birch St (Shorey to Cross Pointe) Reconstruction Project

*Motion by White second by Fiene to award the Birch St (Shorey to Cross Pointe) Reconstruction Engineering Design Contract to Becher Hoppe in the amount of \$69,500.*

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

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

45.    Engineering Contract for Weston Avenue (CR-X to CR-J) Reconstruction Project

*Motion by Fiene second by White to approve the Engineering Contract for Weston Avenue (CR-X to CR-J) Reconstruction Project.*

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

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

46. Engineering Contract Amendment for Ryan St/Apache Ln River Crossing Project

*Motion by Fiene second by Meinel to approve the Engineering Contract Amendment for Ryan St/Apache Ln River Crossing Project.*

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

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

47. WPS Easement in Business Park North

*Motion by White second by Ziegler to approve the WPS Easement in Business Park North. Read motion from report*

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

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

48. 2020 budget amendments and creation of new special revenue fund

*Motion by Fiene second by Meinel to approve the 2020 budget amendments and creation of a new special revenue fund for public safety grant funds.*



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

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

**49. Purchase of replacement log slice floats**

*Motion by Fiene second by Ziegler to approve the purchase of replacement log slice floats.*

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

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

**50. Purchase of replacement safety pads**

*Motion by Fiene second by Xiong to approve the purchase of replacement safety pads.*

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

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

**ATTORNEY REFERRALS**

No referrals.

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**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.

- Proposed land trade with Gold Key Investments for properties in Wandering Springs and Wandering Springs West Plats.

***Motion by Fiene second by White to move to Closed Session.***

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

<b>Trustee</b>	<b>Voting</b>
<b>Ermeling, Barb</b>	<b>YES</b>
<b>Fiene, Nate</b>	<b>YES</b>
<b>Maloney, Mark</b>	<b>-</b>
<b>Meinel, Steve</b>	<b>YES</b>
<b>White, Loren</b>	<b>YES</b>
<b>Xiong, Yee</b>	<b>YES</b>
<b>Ziegler, Jon</b>	<b>YES</b>

**RECONVENE TO OPEN SESSION**

***Motion by Xiong second by Fiene to reconvene to Open Session.***

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

<b>Trustee</b>	<b>Voting</b>
<b>Ermeling, Barb</b>	<b>YES</b>
<b>Fiene, Nate</b>	<b>YES</b>
<b>Maloney, Mark</b>	<b>-</b>
<b>Meinel, Steve</b>	<b>YES</b>
<b>White, Loren</b>	<b>YES</b>
<b>Xiong, Yee</b>	<b>YES</b>
<b>Ziegler, Jon</b>	<b>YES</b>

**POSSIBLE ACTION ON CLOSED SESSION ITEMS**

- Proposed land trade with Gold Key Investments for properties in Wandering Springs and Wandering Springs West Plats.

***Motion by Fiene second by Ziegler to give the party until Friday at noon to turn over the quit claim deeds or the Village will pursue this action in the court of law.***

Q/Donner said just to clarify these are two outlots for the right-of-way for Wandering Springs West plat.

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

<b>Trustee</b>	<b>Voting</b>
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Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	-
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES

**REMARKS FROM TRUSTEES**

No comments.

**REMARKS FROM THE PRESIDENT**

No comments.

**FUTURE ITEMS**

Next meeting date(s):

- April 19, 2021, Board of Trustees Regular Meeting at 6:00 p.m.
- May 17, 2021, Board of Trustees Regular Meeting at 6:00 p.m.

**ADJOURN**

*Motion by Fiene second by Meinel to adjourn the meeting at 7:01 p.m.*

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

<b>Trustee</b>	<b>Voting</b>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	-
Meinel, Steve	YES
White, Loren	YES
Xiong, Yee	YES
Ziegler, Jon	YES