

# 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, July 19, 2021, at 6:00 p.m.

1. **Board of Trustees Meeting called to order by President Maloney**  
President Maloney called the meeting to order at 6:03 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	YES
Meinel, Steve	NO
White, Loren	YES
Xiong, Yee	YES (joined meeting at 6:04)
Zeyghami, Hooshang	YES

### PUBLIC COMMENTS

No comments.

### MINUTES FROM PREVIOUS MEETINGS.

4. **06/21/2021 Board of Trustees Meeting**
5. **06/29/2021 Special Board of Trustees Meeting**
6. **06/29/2021 Board of Review Meeting**

*Motion by Fiene second by Zeyghami to approve the meeting minutes.*

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

<u>Trustee</u>	<u>Voting</u>
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES
Meinel, Steve	-
White, Loren	YES
Xiong, Yee	-
Zeyghami, Hooshang	YES

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

7. **Building Committee**
8. **Community Development Authority**
9. **Everest Metro Police Commission**

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- 10. **Extraterritorial Zoning**
- 11. **Finance**
- 12. **Human Resources**
- 13. **Joint Review Board**
- 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 items 11, 13, and 15.*

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

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

Xiong joined the meeting at 6:04 p.m.

**REPORTS FROM DEPARTMENTS**

- 20. **Administrator**  
Donner said the Groundbreaking Ceremony for the new Municipal Center will be held tomorrow at 5:00 p.m. He also gave an update on the progress of the project. The Wausau/Central Wisconsin Convention & Visitors Bureau contract will be on the August agenda for consideration.
- 21. **Clerk**  
No comments.
- 22. **Finance**  
Trautman said staff will start working on the 2022 budget soon.
- 23. **Fire/EMS**  
No comments.
- 24. **Parks & Recreation**  
Osterbrink received word that the event Rugby and the CVB were planning to hold at Kennedy Park has been cancelled. Staff completed the railing down on the Brook Court entrance to the Eau Claire River Trail. This week staff is focusing on the landscaping at the Public Safety Building.
- 25. **Plan/Dev**  
Zeyghami asked about the meeting and hearing conduct webinars. Higgins will forward him the email.
- 26. **Refuse/Recycling Update**

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- No comments.
27. **Police**  
Schulz reported the department had 1,573 calls in June. The department has two vacancies. They are interviewing a candidate on Wednesday.
28. **Public Works**  
No comments.
29. **Technology**  
No comments.

**WORK PRODUCT TRANSMITTALS**

30. **June Building Permits**  
31. **June Budget Status Report**

*Motion by Fiene second by Ermeling to acknowledge items 30 and 31.*

**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	YES
Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

**CONSENT AGENDA**

32. **Requests to pull items out of consent consideration**  
33. **Vouchers – 54915-55093 and 90051-90052**  
34. **Appointment of Taylyn Brooks as the new agent for the Store #60, 4005 Westview Blvd**  
35. **Project #20210040 – Tommy Docks Site Plan – Amendment to Lighting Plan**  
36. **Action on consent agenda items**

*Motion by White second by Fiene to approve Consent items 33 – 35.*

**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	YES
Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

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**ORDINANCES**

37. Ordinance No 21-019: An Ordinance Amending Section 94.4.10  
Temporary Land Use Types

*Motion by Xiong second by Fiene to approve Ordinance No. 21-019.*

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

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

38. Ordinance No. 21-021: An ordinance to approve the rezoning of a parcel of land from B-2 Highway Business to PD Planned Development, located at 5603 and 5601 Business Highway 51, Village of Weston, Marathon County, Wisconsin (Project #20210209)

*Motion by White second by Xiong to approve Ordinance No. 21-021, per the recommendation of the Plan Commission.*

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

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

39. Ordinance No 21-022: An ordinance to amend Sec. 86.4.105 Connections to Village Sewage Collection System

*Motion by Fiene second by Zeyghami to approve Ordinance No. 21-022.*

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

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	YES
Maloney, Mark	YES

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Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

40. Ordinance No 21-023: An ordinance to amend Sec. 78.118 Determination of Assessment Cost for New Street and Curb and Gutter Construction and Sec. 78.123 Assessment Paid by Installments

*Motion by Fiene second by Zeyghami to approve Ordinance No. 21-023.*

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

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

41. Ordinance No 21-024: An ordinance to amend Sec. 82.504 Designation of ATV/UTV routes

*Motion by Zeyghami second by Fiene to approve Ordinance No. 21-024.*

Q/White said it seems the Village is receiving these requests on a regular basis. Schulz said the Village is behind on the movement of ATV routes. Every municipality north of here is wide open to ATV/UTV's. The police department has not had any issues. Ermeling said she received phone calls from her neighbors that someone was racing an ATV up and down the road. She is concerned about the person requesting this and not wanting them to run up and down the road. Fiene said at the Public Works and Utility Committee it was indicated they wanted it open just for trail access. He also said it would be nice to see a village wide route. It would be good for restaurants or bars. White said a lot of the northern communities depend on tourism and feels the Village is not dependent on tourism.

Yes Vote: 4    No Votes: 2    Abstain:0    Not Voting: 1    Result: Pass

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

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**RESOLUTIONS**

42. Resolution No. 2021-21: A resolution to approve the final plat of Hinner Springs

*Motion by White second by Fiene to approve Resolution 2021-21, per the recommendation of the Plan Commission.*

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

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

**UNFINISHED BUSINESS**

43. Update on American Rescue Plan (ARPA) Funds

- Discussion and possible action directing some of the ARPA funds to SAFER and Everest Metro Police Department

Maloney said he heard that the City of Schofield earmarked 10% of their ARPA funds to EMPD and 10% for Fire. The Town of Weston did the same thing. He feels the village should act in the same manner. It would be approximately \$200,000 each. Trautman said the funds can be used for revenue loss. The revenue loss is the amount of funds that we have flexibility with. With the amount of funds that were received the Village will have to go through an audit. Ermeling said the Village needs to make sure it is legal to give these funds to police and fire. Xiong agrees with Ermeling and wants to make sure the Village is consistent with policies. He is not comfortable setting a percentage right now. Donner said the Village has until 2024 to expend funds. Fiene said he would like a discussion regarding cash bonuses for SAFER and EMPD. White suggested using toward overtime for first responders. Trautman said it can't be used for overtime, but it can be used for premium pay or hazard pay. Schulz said there is something in the rules about funding positions. Donner said this might cover other areas of the operation as well.

**NEW BUSINESS**

44. Contract with Credit Management Control

*Motion by White second by Fiene to approve authorizing staff to enter a contract with Credit Management Control, per the recommendation of the Finance Committee.*

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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	YES
Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

**45. Apache Ln Construction Contract Award**

***Motion by Zeyghami second by Fiene to award the Apache Ln Utilities and River Crossing Project Construction Contract to Advance Construction, Inc. for a bid price of \$2,245,039.60. Q/ Zeyghami asked Donner if all the differences were worked out. Donner said yes and the cost to bore the river was the biggest factor.***

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

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

**46. Crestwood Acres Construction Contract Change Order #2**

Fiene recused himself.

***Motion by White second by Ermeling to approve Change Order #2 with Switlick & Sons for the Crestwood subdivision utility reconstruction project. Q/Donner said this establishes unit costs for items contained in the change order. If there are differences in quantities, the amount is subject to change. This will not go over budget.***

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

Trustee	Voting
Ermeling, Barb	YES
Fiene, Nate	-
Maloney, Mark	YES

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Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

**47. Crestwood Acres Design Contract Change Order #1**

Fiene recused himself.

***Motion by White second by Xiong to approve Change Order #1 for the Crestwood subdivision utility reconstruction project with AECOM for the redesign of Douglas Lane not to exceed \$3,900.***

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

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

**48. Municipal Center Materials Testing Contract**

***Motion by Zeyghami second by Xiong to award the Materials Testing Contract to American Engineering Testing, Inc. for the Municipal Center Construction Project in the amount of \$33,095.***

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

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

**49. Westview Boulevard repaving and concrete repair construction contract**

***Motion by White second by Fiene to award the construction contract to Pember Companies for the Westview Boulevard Repaving and Concrete Repair Project in the amount of \$307,297.35. Q/Xiong asked about this being over budget. Trautman said this was a rough estimate. Donner said at***



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the time of budgeting staff does not have all the details involved in the project. Trautman said staff spends the least amount of time on the TIF budget. Xiong would like staff to review and reevaluate because it is \$100,000 over what was estimated. Dan Raczkowski said the numbers that came in for this project is very similar to Barbican Avenue. The problem with this road is that it was built in a couple different stages. He explained all the issues with the road. The pricing is in line with Barbican Avenue. There is no other good way to fix this road. Xiong is not concerned with the project itself but is concerned with the budget process. Xiong asked why the budget was not set the same as Barbican. Wodalski said staff does their best to put the budget together on these kinds of projects. It was probably 18 to 20 months ago when the estimates were put together. Construction costs have gone up significantly. He said maybe these budgets need to be looked at monthly or quarterly. Maloney said the CIP budget is hard to manage. White said sometimes the estimates are 3 to 4 years old as well. Donner said the budget process should be updated annually. Xiong said the answers he is hearing is not consistent. Xiong wants staff to review the budget process on these projects. Zeyghami suggested the estimates get reviewed for the next project.

**Yes Vote: 5      No Votes: 1   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>YES</b>
<b>Meinel, Steve</b>	<b>-</b>
<b>White, Loren</b>	<b>YES</b>
<b>Xiong, Yee</b>	<b>NO</b>
<b>Zeyghami, Hooshang</b>	<b>YES</b>

**50. Appointments to East Nick Ad Hoc Committee (3 Village Trustees)**

White said Donner indicated in his report that Kronenwetter is no longer interested in participating. He asked if the Village would still do this on their own. Donner said that would be the only option. We could continue with the Ad Hoc Committee or refer to the Public Works and Utility Committee for more discussion. Maloney suggested the Ad Hoc Committee have White and Zeyghami and leave it to the board discretion for the third Trustee if we move forward with the committee. White said the Village has many streets that only have one way in and out. There are four municipalities involved in this. Three do not want to participate. Fiene asked why Kronenwetter is not interested. Donner said there is no benefit for them. There is a desire by a developer to approach Kronenwetter for a non-metallic mining permit in the area located in Kronenwetter. They would need a conditional use permit and there is no guarantee they would get it. Maloney asked the Board if they want to move forward with an Ad Hoc committee. Ermeling said if no one is going to participate why have a committee? Donner suggested just having the two administrators and both Village presidents get together to discuss.

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Motion by White second by Fiene to defer the appointment of the East Nick Ad Hoc Committee pending further discussion.

**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>YES</b>
<b>Meinel, Steve</b>	<b>-</b>
<b>White, Loren</b>	<b>YES</b>
<b>Xiong, Yee</b>	<b>YES</b>
<b>Zeyghami, Hooshang</b>	<b>YES</b>

**51. Discussion on renaming a street in the Village of Weston**

Maloney requested this item to be put on the agenda. He feels we need to rename Schofield Avenue. He suggested "Village Avenue" or something else. The Village could maybe fund this in some way to help the businesses. He said he called some area businesses, and some don't know they are in the Village of Weston. Xiong said Schofield Avenue should identify the Village of Weston. Higgins said we do not want to duplicate names. Maloney and Zeyghami suggested reaching out the public to get ideas and bring back to another meeting. Maloney suggested putting it on the agenda next month with possible action. Higgins said she has a list from Marathon County of names that can't be used.

**52. Discussion on exterior appearance at Public Safety Building and possible improvements**

Maloney said there is nothing on the public safety buildings that says "SAFER". There is just a small sign. The green sign at the Weston Safety building needs to be replaced. He would like to see different colors. He proposed that "SAFER" be written on the doors at both safety buildings. Zeyghami suggested getting ideas from the architect for the Weston Safety Building. Xiong said he knows someone that would be willing to donate their time. Fiene suggested getting input from staff. Zeyghami said Kueny Architects most likely has an interior designer on their staff. Donner will work with Kueny on this item.

**53. Developers Agreement for Hinner Springs**

***Motion by Fiene second by White to approve the developers agreement with Denyon Homes for the Plat of Hinner Springs with the conditions as presented.*** Q/Zeyghami asked if staff was ok with this. Donner reviewed an email from the developer and said there are minor items to strike out.

**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	YES
Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

54. Discussion and possible action on holding special meetings the first Monday of the month when staff has someone wanting to appeal the denial of their alcohol license

Weinkauf does have one person who plans to appeal their denial. Zeyghami has concerns with allowing the appeals. Schulz is opposed to having to attend another meeting. Schulz said that when he recommends denial the Board ends up giving the license to them anyways. Weinkauf said with the change in laws the Board has to consider rehabilitation. Ermeling suggested having the appeals at a special meeting held just before the regular meeting. Maloney has no issue with these appeals taking place during the regular meeting because it is a public hearing.

***Motion by Fiene second by Ermeling to deny the request to have special meetings for someone wanting to appeal the denial of their alcohol license.***

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

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

**ATTORNEY REFERRALS**

No comments.

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

Move to closed session to consider employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility: Administrator Evaluation.

***Motion by Fiene second by Ermeling to convene to closed session at 8:00 p.m.***

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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	YES
Meinel, Steve	-
White, Loren	YES
Xiong, Yee	YES
Zeyghami, Hooshang	YES

**RECONVENE TO OPEN SESSION**

*Motion by Fiene second by Ermeling to reconvene to open session at 8:15 p.m.*

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

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

**POSSIBLE ACTION ON CLOSED SESSION ITEMS**

- **Administrator Evaluation**  
No action taken in closed session.

**REMARKS FROM TRUSTEES**

Xiong reminded the Board that the Hmong Wausau Festival will be held Saturday, July 31 and Sunday, August 1.

**REMARKS FROM THE PRESIDENT**

Maloney said the last newsletter sent out was good and positive.

**FUTURE ITEMS**

- Next meeting date(s):
- August 16, 2021, Board of Trustees Regular Meeting at 6:00 p.m. and Public Hearing to consider amending the future land use map
  - September 20, 2021, Board of Trustees Regular Meeting at 6:00 p.m.

**ADJOURN**

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*Motion by Fiene second by Zeyghami to adjourn the meeting at 8:20 p.m.*

**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>YES</b>
<b>Meinel, Steve</b>	<b>-</b>
<b>White, Loren</b>	<b>YES</b>
<b>Xiong, Yee</b>	<b>YES</b>
<b>Ziegler, Jon</b>	<b>YES</b>