

The Village Board Meeting was called to order at 6:00 pm by President Kapaun.
The meeting was properly noticed in the Village of Roberts.
The Pledge of Allegiance was said.

Present: Katy Kapaun, Peter Tharp, Jeff Vogt, Shawn Dakovich, Mary Shemon, Brain Tremblay, and Tim Johnson

Absent: None

Guests: Jerry Strohmusch, John Bond, Chuck Pizzi, Tori Schoess, Mary Grupe, Rand Waughtal, Jim Smith, Mike & Tara Hakes, Patty Lewandowski, Jon Thompson, Gabby Lubich, Shane McFadden, Josue Gonzalas – Ayres, Angi Goodwin (phone).

Public Hearing regarding Special Assessments for W. Spring and W. Pleasant Street curb and gutter project:

The public hearing was called to order by President Kapaun at 6:00 PM.

Public Comments:

Asked about the time frame of the project. Where will the mailboxes be? Where will they park when they cannot get into their driveways? How will the UPS/FedEx Truck make deliveries? How will people get to the bank? Josue gave an update on the project and the expected timelines.

Motion to adjourn the public hearing at 6:30 pm by Johnson, seconded by Shemon. Motion carried.

Consent Agenda

Consent items were: Approval of Village Board minutes of April 8, 2024., Approval of Special Village Board minutes of April 22, 2024, Approval of Treasurer's Report, Approval of Education Request for Chief Strohmusch, Approval of Operator's License for Charles Pizzi, Approval of Temporary Operator's Licenses as listed for Roberts Lions Club for Good Neighbor Days, Approval of bills/checks written, Report from Police Department, Report from Director of Public Works, Report from Library Director, Report from the Village Clerk, Plan Commission minutes, Approval of Business Plan of Operation for Black Cat Tattoo Studio located at 108 W Main St for Ava Bohar, CDA Board minutes, Joint Comprehensive Plan Committee minutes, Park Board minutes, Discussion/approval of any items pulled from the consent agenda needing further discussion. Clerk Dull would like to pull the April 22, 2024, Special Board Minutes as they were not in the packet for review. Tharp would like to pull #15 Park Board minutes for further discussion. Motion to approve the remaining items on the consent agenda items by Dakovich, seconded by Johnson. Motion carried.

Discussion/approval of any items pulled from the consent agenda needing further discussion.

Park Board Meeting Minutes: Tharp thinks that the other business items should not have been discussed as these three items were not on the agenda. This is not approved through the League of Municipalities. There was clarification that no action was taken, it was just a discussion. Kapaun would like to know if this should go to our attorney for clarification and this was approved by Johnson, seconded by Shemon. Move to approve the minutes by Dakovich, seconded by Vogt. Discussion continued with Tharp asking who pulled the roller to work on the ball field and this was done by Public Works. Tharp also asked about the North tennis court being steam cleaned. This was done by a local resident so Tharp is asking for the procedure of what a local resident may be

able to do and who approved this to be done on municipality property? Kapaun agrees that the maintenance is normally not done by a resident. This was approved by Pizzi to have this done as they were volunteering their time for this to be done. Tharp wants it noted that Pizzi authorized this without any other approval.

Public Concerns

- The cable company that was in town needs to come back as there are rocks that were left in the yard instead of having them fixed nicely. Pick up the rocks. Will ask that both companies come back.
- Lubich asked about the garbage cans at the park being removed. Kapaun asked if they can be moved to the front of the building. Concern is noted and maybe some alternatives.
- Lubich asked about satellites being in the park and does not see the issue with have them. Add to Park Board meeting.

Communications

- Legal Updates: very few updates with ongoing cases. There will be a closed session pertaining to Twin Lakes later in the meeting. The Berger case has a scheduling conference at the end of July and no updates regarding Tharp vs Village.
- Went to Economic Meeting and had a meeting with Mike Kappers and Jim Boo. They are interested in doing some work for the Village. This will be looked at during budget time.
- The retaining wall at Bob Town Bar and Grill that is on the west side of the building. This is the third owner since the wall went in and is on the Village easement. When the street was done, if the owner wanted to keep the horseshow pits it would require a replacement wall. The wall is in bad shape and needs to be repaired or replaced.
- Deer Hills Open House is on May 30th from 11:00 am to 2:00 pm.
- Contacted Friday from Cindy Brown regarding the sesquicentennial. They are looking for a banner on Main Street for Good Neighbor Days. This would have to go through Xcel for approval and see if they are ok with this.
- April was Admin Professional Days so would like to thank Megan, Barb, Camie and Lisa. This is also Police Officer week so thank you to our officers. And it is also Wastewater Professionals' Recognition Week so thank you to Public Works.

Old Business

Discussion/action on side yard driveway issue in Rolling Meadows. No new updates

Discussion/follow-up to revise the Special Assessment Ordinance 54-6 & 54-4 for clarification. No update given.

Update Budget ordinance. No update given.

Update regarding the Wastewater Treatment Plant roof issues/repairs in the mechanical building. Clearas and Weston made a site visit no solution was proposed so this is moving forward.

Discussion/approval of the Officer in Training Program for the Roberts Police Department.

This has been through Attorney Mahler's review. He only cleaned up a few grammatical errors, Letter of Agreement with Village, Pre-employment Agreement and the general letter that goes out.

Motion to approve the Officer in Training Program by Johnson, seconded by Dakovich. Motion carried.

New Business

Approval of Resolution #2024-03 – Final Resolution Authorizing Public Improvement and Levying Special Assessments for W. Pleasant Street and W. Spring Street.

The date for the public hearing on the resolution is wrong and needs to be corrected. Motion to approve Resolution 2024-03 with the changes noted by Dakovich, seconded by Tremblay. Motion carried.

Approval of award contract for Albrightson Excavating for the W. Pleasant and W. Spring Street project.

Albrightson was the low bidder for this project. Move to approve the award for Albrightson Excavating for the Pleasant and Spring Street Project by Tharp, seconded by Tremblay. Motion carried

Discussion/approval of clarification of financing options for driveways for residents on Durango, Dakota, Wolf Creek, Pleasant and Spring Streets.

With the timing of the Residential Lending \$10,000 loan being available and the contractor requiring payment within 30 days the Village may need to fund the driveway payments and have the resident repay the Village when the loan is approved. There are residents waiting for the new applications for the new loan but there are still a couple of approvals that are needed. If the resident does not pay back the money with the loan it will become a special assessment and added to the tax roll is necessary. Motion to approve the clarification on the driveways by Dakovich, seconded by Shemon. Motion carried.

Update/recommendation/approval regarding Durango Drive and Wolf Creek Circle Street Project.

Shared an email from Jon Thompson regarding the project and his concerns regarding his driveway. At one time this was on hold, 4-inch, 10-inch cut, changing the elevation on another driveway to compensate for this. Thompson is asking for a two-year warranty on his driveway. Move to postpone until there is more time to review the email that was sent by Tharp, seconded by Johnson for discussion purposes. There could be an open meeting violation regarding this topic. Tharp did not have enough time to review and investigate this matter. This is not exclusively this issue. Kapaun added that when we were discussing the potential solutions for Thompson's driveway and potential pooling, she was worried about compromising the rest of the road because of this. There were other concerns that have been resolved. Goodwin wants to clarify a couple items not concerned about pooling water by his driveway. His driveway is four inches higher than the curb. However, where the grade was it would go back fourteen feet from the curb. Looking to raise the curb up because the curb on Thompsons side is four inches higher there was a concern that this would take the slope out of the road for the water to flow correctly. Ayres is planning on paying for this cost for removal and replacement. They said they could keep his driveway but should not have said that. Once this is done everything can work. The other side of the street will get a steeper slope. Ideally this would have been cut back to the joint and with this being new the aesthetics would be different. Cross slope will be closer to 3 to 3 1/2% and this will be noticeable. Would recommend that this curb be removed and raised a couple of inches. Ayres would not pay for this. Per plan if we went back to the second joint would cost over \$6,000 if first panel \$3,000 now there

would be no removal and the replacement would be \$1,500 for this to be raised. Johnson talked to Thompson regarding this and doesn't want to see this happen again, would like to see a revision of the changes before deciding on this. The Ryans called with concern and Mitch from Ayres met with them. They walked through the curb elevation and made the driveway a little steeper which helps the yard to not drain onto the driveway. It is poured per plans. Goodwin gave her the weekend to think about it and she feels the original design would be the best for their property. Dakovich said that looking at plans will not show what this really means. Johnson asked about the estimated grade on their driveway, and it varies from side to side. Goodwin has asked if Albrightson could get her an estimate for the remaining driveway and this could potentially help with the grade. Johnson said that Bond brought up the section of pooling is their storm sewer. Did add drain tile under all the curbs to help with drainage issues and tied into the storm sewer. Goodwin clarified that there is a very good slope from west to east and the only flatter slop is the cross slop keeping the water closer to the curb and not over the centerline. Keeping the center of the street higher than the curblin helps the water run correctly. The centerline will be raised up a little. Johnson asked to clarify that she has talked to the Ryans, and they are good with it. Thompson is ok with it. The only concern is the two-year warranty with water getting into the cut. Motion failed with only Tharp voting yes. Dakovich said that he is not comfortable with the extended warranty. They will epoxy it to help prevent this

Motion to approve raising the south side of the road per Ayre's request and at the Village cost (412 Wolf Creek) and no extended warranty by Dakovich, seconded by Tremblay. Tremblay has seen his driveway, and it is built like a freeway. If this does fail, he would not ask for a whole new driveway and just replace one panel. Kapaun asked how the warranties work if it does fail. According to the contract, after the street is accepted there is a one-year warranty through Albrightson. Every driveway will have a one-year warranty for the saw cut that is being done. If the warranty is executed, what do they come in and do? Goodwin said that this depends on the situation and what solutions are approved. Johnson asked what classifies a hairline crack or bigger crack. Goodwin added that she has talked to Chippewa Concrete, and this is a very common practice for them to do. They spray the epoxy seal on the rebar and continue the driveway. Dakovich reason for denying the extended warranty is to protect the Village from future expenses. Tharp thought this was a reasonable motion, but we were not given the proper time to review. Tharp said Thompson sent his email on Friday evening but was not forwarded until Monday. Motion carried with Tharp opposing.

Discussion/approval for 2023 Steets Project (Rolling Meadows) Pay Request No. 3 from Albrightson Excavating.

This is part of the normal project cost. Move to approve Pay Request #3 from Albrightson Excavating for the 2023 Street Project by Tharp seconded by Johnson. Motion carried.

Discussion/approval of Annexation Ordinance 2024-02VB for ECI/Schlön Tic.

This was subject to the public hearing from last month. Move to approve the Annexation Ordinance 2024-02VB for ECI/Schlön Tic by Dakovich, seconded by Shemon. Tharp added the comment regarding the septic systems not being allowed in the Village. Motion carried with Tharp opposing.

Discussion/approval of ECI/Schlön Tic for a CSM to create a single lot.

This is to combine the two lots into one lot. The comments have been received. Move to approve the CSM based on Ayres final review by Dakovich, seconded by Shemon. Motion carried with Tharp opposing.

Discussion/approval of the library's request for \$40,000 of ARPA funds for a new HVAC system.

Two of the HVAC systems are failing. We can replace the coils for \$11,000 total or replace the units. They're asking for \$40,000 to replace the two systems. The intent would be to keep the geothermal and keep the exchanger and look at a replacement schedule over the next couple of years. Tharp added that the Library Board did motion to approve this, but he would like to see this go back to Public Works for input. Public Works is not knowledgeable enough on the library issues to make this decision, so it is back to the Village Board. These systems are 14 years old. Schoess asked if it would be helpful to have the contractors come and explain this to us? Do we want to abandon this and look at some other system. Dakovich would like to see what they are suggesting in writing. This was a big ballpark price. Dakovich added that we should look to see if the geothermal is still working and keep this going. Motion to postpone the ARPA funds for the HVAC system by Dakovich, seconded by Tremblay. Motion carried.

Discussion/approval of new graphics and accessories for the new Police Squad Car.

Dakovich said that we have never approved a design. We have given some comments on this. Tharp thinks that this should be approved. Motion to postpone until we have more details by Tharp. This motion died for a lack of a second. Move to approve the new graphics and accessories at the Chiefs discretion by Shemon, second by Vogt for further discussion. This was more informational for the board to see but not meant for approval. Tharp doesn't like the design that we used on the last squad, but it was not approved. There was direction given and that was done. Vogt gave input on this at the other meeting. Tharp thinks that this should be approved by the board. Motion carried with Tharp, Dakovich, Tremblay opposing.

Discussion/approval of purchasing more water meters.

We are getting low because of aging meters and new buildings. The full pallet (144) of meters is \$44,748 or half is \$22,374 with no savings given. Dakovich asked about allocation of this and currently it is going to water but there is an allocation that is done at audit time. Vogt thinks we should purchase a whole pallet. Tharp asked if there is a chance that technology will change. Motion to approve the purchase of the pallet by Vogt, seconded by Dakovich. Motion carried.

Discussion/approval to authorize Public Works to purchase a new pickup truck within a specified budget.

Kapaun wanted this to be on the agenda as a follow-up vote for not authorizing the purchase of the side by side. Because they move off the lot so quickly due to high demand, the point of having this on the agenda is to allow them to shop and purchase so they can lock into something before it is gone. Motion to send the purchase pickup and tandem truck back to Public Works for input by Tharp. No second given so motion failed for lack of second. Do we want to give them a budget for shopping for a truck? They are currently looking at a three-quarter ton truck could pull a trailer, ext. Could this push of purchase of a three-quarter ton truck replacement out further and Bond is not sure regarding this. The equipment replacement schedule was discussed. The money has been planned in the equipment replacement schedule. Kapaun said that this is different than what we have done before. There is too much background noise with this. Dakovich would like to see Bond in charge of getting the truck and maybe using ARPA funds to purchase this since we need to spend them. Tremblay asked if there are other things that are needed for the truck like decals, toolboxes, yellow light, etc. Bond said that there was a listing for a utility truck that was listed for same price

but in talking this did not include the utility bed. Could go \$60,000 to get what we need. The gooseneck is part of the package that is on the truck in the lot. This is only the outlet for the gooseneck but not the hitch. Would like the underbody rust coated if possible. If you order one, most places are not talking 2024 orders or 2025 so you are looking for 14 to 18 months out. Vogt thinks we need to act. There was discussion on how to pay for the truck, i.e. Arpa Funds, Water/Sewer, Equipment Replacement, or loan. This can all be decided after the truck is purchased but would like to see the money come from the general fund for the purchase and come back for accounting decisions after the purchase has been made. Motion to authorize Public Works to purchase a truck and all accessories for \$60,000 or less by Tremblay, seconded by Vogt. The motion was amended to take the funds from the general fund. for the purchase. Tharp asked about the ARPA funds and having to designate. Motion carried.

Discussion/approval of work to be done on the tandem truck by Monroe Truck Equipment.

This is \$54,949 for the tandem truck wing and box. Bond said that they have been having problems with the wing and it binds when you want to lower it. Monroe has a little different style of wing and looked at a box. They recommended a package deal but can get by with the current box for another year or so. Monroe is the only one that has looked at it. The repairs will not be done until November. Dakovich would like to see this postponed until we know the prices. Lubich discussed a potential truck from River Falls. They have a 2008 but he does not know what they are asking for it. Motion to postpone this so that we can see more detail on just the cost of the wing replacement by Dakovich, seconded by Tremblay. Johnson would like to see this go back to Public Works and Tharp agrees with this. Motion carried with Vogt and Johnson opposing.

Discussion/approval of Lane Tank's bid for installing a recirculation system in the water tower.

This was also part of Bond's report. Lane Tank is the only company that submitted a price. In the winter we would lower the water to keep the ice out of it. With the demand we must keep it full, and the fear is that we cannot add enough warm ground water to keep it from freezing. In the summer if you cannot turn enough, it gets bacteria in it. This will pull the water out of the pipe to continually move this water. Two methods to do this. Put a mixing device in or this one that the pump mounts in the base of the tower. With the mixing device you do not know it is working unless you climb the tank and check it. With this proposed pump you can see the pump working. Lane Tank currently does all our maintenance and painting. Tharp asked about the price of the different style. Move to accept the Lane Tank bid for the pump by Tharp, seconded by Dakovich to open discussion. Tremblay asked if putting a new tank would elevate some of this issue and Bond thinks not. With this freezing you also diminish your fire protection that you can offer. When a tower freezes the center standpipe freezes and you have no water, and this pipe could split. If new towers are required to have them there is a reason for this. Dakovich said that this has been discussed for a while. Motion carried.

Discussion/approval regarding the utility box/cable boxes being painted.

This may not be our approval to give since we do not own the boxes. Are there objections to having this done and now if the citizen wants to call and get permission, they can initiate this. Tharp thinks any design should come back to the board.

Motion to convene into closed session per Wisconsin State Statutes 19.85(1)g, in order to confer with legal counsel for the Village who is rendering oral or written advice concerning strategy to be

adopted by the Village with respect to litigation in which it is or is likely to become involved – Twin Lakes litigation update by Dakovich seconded by Shemon. Roll call: Tharp – yes, Vogt – yes, Dakovich – yes, Kapaun – yes, Shemon – yes, Tremblay – yes, Johnson – yes. Motion carried.

Motion Adjourn from closed session to reconvene back into open session by Johnson, seconded by Dakovich. Roll call: Tharp – yes, Vogt – yes, Dakovich – yes, Kapaun – yes, Shemon – yes, Tremblay – yes, Johnson – yes. Motion carried.

Any action needed from closed session.

Motion to approve the counter offer as discussed in closed session by Dakovich, seconded by Vogt. Tharp asked if this would comply with open records laws. Motion carried.

Items for future agendas.

- Review side-by-side ordinance regarding roundabouts.
- Rolling Meadows - can we get a second exit on Highway 65. Would like to see us start this conversation with Mark at the DOT.
- Committees – there are four members at these meetings and how is this an open meeting with how this works and this should be a regular board meeting. Park, Public Safety are intertwined, and these could be spun up into one board with a chair – co-chair to run them. And make a new ordinance committee to help get updates moved along.

Others Business – none.

Motion to adjourn at 9:07 pm by Vogt, seconded by Shemon. Motion carried.

Megan Dull
Village Clerk