

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, Brain Tremblay, Tim Johnson, Mary Shemon
Guests: Jerry Strobusch, John Bond, Chuck Pizzi, Tori Schoess, Angi Goodwin - Ayres, Drew Peterson

Consent Agenda

1. Approval of Village Board minutes of September 16, 2024.
 2. Approval of Treasurer's Report.
 3. Approval of bills/checks written.
 4. Approval of Operator's License Application
 5. Acknowledgement of the Police Departments Report
 6. Acknowledgment of the Library Director's Report
 7. Acknowledgement of the Public Works Director's Report
 8. Acknowledgement of the Library Meeting Minutes
 9. Acknowledgement of the Park Board Minutes
 10. Acknowledgement of the Public Safety Minutes
 11. Acknowledgement of the Plan Commissions Meeting
- Tharp would like the treasurers report pulled and Dakovich would like the police department report pulled. Motion to approve the consent agenda by Tremblay seconded by Shemon. Motion carried. With three items stricken.
 - Motion to acknowledge the Treasurer's Report by Tharp – motion died due to lack of second. Motion to acknowledge the Treasurer's Report by Tharp, no second. Motion to approve the treasurers report by Tremblay, seconded by Shemon. Motion carried with Dakovich opposing and Tharp abstaining.
 - No Operator's License
 - Police Department Report – Dakovich thinks that this is a good use of our resources. This person had no food or water and needed a jump start. Strobusch got him food and water. Tom Peterson looked at the vehicle and it needed a new alternator. He towed it to the shop and fixed this and got him on the road to his family. Thanks to Tom Peterson and his staff for helping with this stop. Motion to acknowledge the report as received by Dakovich, seconded by Shemon. Motion carried.

Communications (Kapun)

Legal Updates - No changes since last month.

Sesquicentennial Update - Date is October 3rd, 4th and 5th of 2025. Will be looking for volunteers to help with this.

Budget meeting – October 21 @6:00 pm. - Would like to get the first round done next week.

Rescheduled the November 11th Village Board meeting until November 18th due to Holiday - The village hall is closed on the 11th.

Reminder of the Board of Review Training needed and meeting on November 13th - Dull will schedule training for the trustees to get this done

Flyer for Economic Development Housing Survey - Survey is open to all residents of SCC to participate in the survey. You can go to the website, or the information is on the flyer.

Election Day is November 5th - Please vote. Reminder that post-election the political signs should be taken down.

No public comments:

Old Business

Discussion/action on side yard driveway issue in Rolling Meadows. There is nothing new to report on this.

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

Discussion regarding updating the Budget ordinance. No changes.

Discussion/possible approval of updating Ordinance 46-4 regarding Public Nuisances affecting health (6) Noxious weeds and grass. No changes currently. Dakovich is working on this.

Update on old Hancock property – removing equipment outside.

Discussion/approval of Parkos Final Payment for the WWTP Roof.

This will be for the final payment with no retainage being held. Bond is satisfied with the work, and we have passed the final inspection. Dakovich would like to approve the final payment for Parkos of \$39,234.15 by Dakovich, seconded by Tharp. Motion carried.

New Business

Discussion/approval regarding John Bond's retirement and approval to post for a full-time public works position.

John Bond has given his formal notice that he is retiring as of January 31, 2025. Thank you for over three decades of working for the village. Dakovich has got to know Bond. He knows his job in and out. He will have the answer for you. This has been a big commitment to the Village. The things that have changed since he was at the plant have been incredible. I don't know what we are going to do without you but congrats. Kapaun would like to post for a full-time public works position to get someone in place by the end of the year. Dakovich motions to approve John Bonds retirement letter and posting for a full-time Public Works employee by Dakovich, seconded by Tremblay. Vogt thinks we need a public works director so he would like to see this posted. Johnson asked if we should hire an administrator and split the duties. Motion carried with Vogt and Johnson opposing.

Discussion/approval of WEM's Intent to Apply for Pre-Disaster Flooding.

This grant information was made available by West Central Regional Planning. This funding is available to us to apply for it. We made them aware we are interested in this and have some correspondence back. Dakovich asked who the parties are in the correspondence. Johnson asked if this would be an admission of guilt in the lawsuit, and it does not. Johnson asked if this grant would help obtain more from the Core of Engineers. This will just come up with a potential solution. The Town has already approved to move forward. Move to approve WEM's intent to apply by Dakovich, seconded by Tremblay. Motion carried with Johnson opposing.

Discussion/approval of AED purchase from Born Force Training.

This is to replace the AED's that we currently use. The current AEDs were purchased in 2014, and the new ones are compatible with what the Rescue and EMS use. We can use ARPA for this or other carryover funds for this. With the grant this means that we have \$8,000 that we could use for ARPA funding. The lead time is within a day for getting them. Motion to approve the AED purchase by Dakovich, seconded by Shemon. Motion carried.

Discussion/approval of purchasing two new computers for the Clerk's Office.

Sees government using the Core 7. The cost is \$4,210 before installation. Motion to approve new computers for the Clerk's office by Tremblay, seconded by Shemon. Motion carried.

Discussion/approval of replacing the windows at Village Hall.

Proposal for window replacement from C&T Siding. Drew Peterson is here to discuss the bid for this. Johnson asked about using Marvin windows from Home Depot or to try getting a grant through Anderson and discount it for using their windows. Kapaun said we are not 501c3 and we are not an organization that is required for the grants. Move to approve replacing the windows at Village Hall by Shemon, seconded by Tremblay. Dakovich thinks we should wait for another vendor and see what the price is, Tharp and Vogt agree. Motion failed due to not having enough support. This can go back on the agenda for Monday night. Dakovich asked about the quality and warranty for the windows. Peterson said that their warranty is the entire life of the product. They sell only a premium window and not composite windows. Getting more glass, it is stronger and smaller, and it is going to hold its shape. Marvin warranty is cover us minus two. 10 years on fade, chipping, chalking and 20 years on a seal failure. Johnson asked Peterson about the Fire Association meeting coming up and one of the topics is window replacement before the 16th if he would like to look at them also.

Discussion/approval of the creation of new Ordinance XX – Electronic Nicotine Delivery Systems, Non-Nicotine Vape Products.

Strohbusch said we have never had an ordinance in the Village for this. Other municipalities have had them in the books. There is nothing in enforcement for nicotine, just that you cannot possess any of these devices. Move to approve the new ordinance with Attorney Mahler's review and proper placement in the ordinance position by Tharp, seconded by Shemon. Discussion continued with Dakovich asking if this is needed and at this time there is no recourse for this. If a minor is in possession of a vape pen this is deemed damaging according to the federal government. This would be the same as if you were in possession of alcohol or chew if you are under the ordinance. Tremblay is surprised that there is nothing at County or State level. Most stores follow the age of 21 Federal limits instead of 18 by the State. Most of the stores are 21+. Vogt said if the State doesn't have a rule is 21 to high. Why would we create rules if the State and County don't have rules. Motion failed due to nay votes by Vogt, Dakovich, Tremblay and Johnson.

Discussion/approval modifying Article II – Controlled Substances Ordinance 34-41 & 34-46.

The notice was to add addendum "a" and "b" under 34-44. Definitions added from a-n to – this would also be discussed with Mahler to see where this should be added. These definitions are always changing. Synthetics are riskier than marijuana – other states are legalizing marijuana. Dakovich does not feel he knows enough to make a decision tonight regarding this. Does not have an issue with the general population using marijuana. **Recommend** move to approve addendum "A" and "B" to the Village of Roberts Ordinances under 34-44 with attorney Mahler's guidance to place it in the appropriate location by Tharp, seconded by Shemon. Discussion continued with Dakovich asking for more time to understand what all these things are. Johnson would like to know what is being approved by the States around us and why? Kapaun asked if Hudson when they put this in place did this come from a professional or where did they get the recommended wording? The items included are chemical compounds are not allowed in the State of Wisconsin. Is there a way to see what is in this product and these can be looked up on the internet to see what is in it. Chemical compounds mirror the State compounds. This would be an ordinance violation instead of a state law. Tharp would like a roll call. Roll call: Tharp – yes, Vogt – yes, Dakovich – no, Kapaun – yes, Shemon – yes, Tremblay – no, Johnson – no. motion carried.

Discussion/approval of Business Plan of Operation for Roberts Tobacco and Vape, Inc.

Move to approve the Business Plan of Operation by Tharp, seconded by Johnson. Discussion continued with Dakovich asking if Roberts Tobacco will sell any of these products and they are following the age 21 rule. Motion carried with Tremblay opposing.

Discussion/approval of closing Main Street from Division to Vine for Trick or Treat on Main/Halloween Parade on Thursday, October 31st from 12:30 – 4:00 pm.

Motion to approve by the closing of Main Street from Division to Vine for Trick or treating and the Halloween parade by Shemon, seconded by Johnson. Motion carried.

Discussion/approval of adding Sue Patterson to the Library Board.

The Library Board has made a recommendation to the Village Board to add Sue Patterson to their board. Motion to approve Patterson to the Library Board by Johnson, seconded by Tharp. Motion carried.

Discussion/approval of the bids to fix the Library HVAC System.

There are bids from Steiner Plumbing and Comforts by Design. Dakovich said these are combined they go into the water into the ground. It is a heat pump built all into one. Vertical is how it sits. Tonnage is similar but they are close, so Dakovich said these are close. Currently the system is working at 60%. They are all super-efficient. Met with Tori regarding the funding for this. We discussed \$20,000 from ARPA and the rest coming from the Library Continual Appropriations Fund. Do we keep running the system that we have until something happens or replace it now? The library doesn't have to run these in the winter. The History Room is cold but above freezing. Main library has two units that service it and one of these are running at 60%. Tharp said that we want to replace these now so let's replace them. Move to approve the bid for Steiner Plumbing to replace the two units for \$29,312 by Tharp with Johnson requesting that \$20,000 come from ARPA funds, seconded by Johnson. Motion carried.

Discussion/approval of 2023 Streets Project for change orders 3,4,5 (added RM park water main, and added asphalt patches on Main Street).

Tharp asked if we approved the change order and 3 & 4 proceeded and Goodwin said they were talked about as regular street maintenance when they occurred. Feed Mill lot where we store the snow. In front of Bob town because this was not poured correctly and covered half the cost and felt that there was very good value to do this. Kapaun and Ayres gave approval to move forward with this. There is money in the budget to repair this, however we have the opportunity to add it to the project. In the 2023 Street Project these are noted for change orders and were under budget. Tharp thinks this should have come to the Public Works Committee and then the Village Board. Dakovich said some of these are quickly moving within the Village and needs to be done. Dakovich asked if everything looked good. St Croix County is supposed to be shouldering 70th Avenue, and this will wait until 2025. Motion to approve the 2023 change order #3 & #5 out the 2023 Street Project loan finance and approve change order #4 from Street Maintenance by Tremblay, seconded by Dakovich. Motion carried.

Discussion/approval of 2023 Streets Project for change order 6 (additional grading at park for playground and courts areas).

Change Order #6 is \$18,817. There are two areas for playground equipment in the future Rolling Meadows Park. We have contacted other companies for clean fill, but they are only looking for junk fill disposal. Dakovich does not think that there is enough fill for the hill and maybe we should put feelers out for more. Tharp asked where this would be paid from, and it can be taken from impact fees or the loan that was taken out. We financed based on estimate, but the bids were under. There are no further changes to expect. Could we take from both impact and financing. Tremblay brought up the atv traffic and how do we take care of them tearing this up area up once it is done. Could we sign this to keep atv's off this area? We would have to order signs. We can make posts on social media. Move to approve the Rolling Meadows grading with 50% coming from the loan and 50% coming from Park Impact Fees by Dakovich, seconded by Tremblay. Motion carried.

Discussion/approval of 2023 Streets Project pay request from Albrightson.

This is only for paving at the park. The three change orders are not on this request yet but will come back. Motion to approve the pay application for the 2023 Street Project for \$49,150.44 by Dakovich, seconded by Vogt. Motion carried.

Discussion/approval of 2024 Streets Project pay request from Albrightson.

This is for Pleasant and Spring Street. Motion to approve the 2024 Street Projects pay request from Albrightson for \$26,793.88 by Tremblay, seconded by Johnson. Motion carried.

Discussion/Update on Water System ITA/PERF.

Goodwin said that the ITA/perf are due at the end of October. This is paperwork needed to apply for the Safe Drinking Water financing. DNR wanted us to submit three different submittals because they felt the tower could rank higher and possibly get some grant money. By the end of June, we will have to submit a plan and if we are moving forward, we should do the topographic survey to help with the estimates. This would be around \$18,000. Again, we could use impact fees or TID money to pay for this. Dakovich said we could do this now or later but cannot approve because it is not on the agenda. Add to Monday's agenda.

Discussion/approval of Grupe Street acceptance of public infrastructure.

Interest in the Village to accept this because of the WISLER report plus we will probably be plowing them. This project has been done for a while but needs to follow up on a few outstanding items. Recommend accepting contingent on submittal of cashiers check- will still have one year warranty. Motion to accept Grupe street with the contingency of receiving a cashier's check by Vogt, seconded by Dakovich. Motion carried.

Discussion/approval of Wilkens Way, Hilpert Street, 70th Avenue (improvements by Kwik Trip) – acceptance of public infrastructure.

Three minor field items – contacted Haas to come back out. They have not had CAD to us yet. There is one more bill that will happen and a drainage easement. Goodwin recommends approval contingent on these items. Move to approve to accept Wilkens, hilpert street and 70th avenue contingent on the following items by Dakovich, seconded by Johnson. Motion carried.

Discussion/approval of Rolling Meadows 8th Addition acceptance of public infrastructure.

Completely done with a punch list for outstanding items. Verified that the lien waivers have been paid in full for Albrightson. The only remaining item is \$25,840 for the hammerheads. He has acknowledged that he owes this, but Oevering has suggested that we could assess this to the next lot that sells. Motion to accept the public improvements by Dakovich seconded by Tremblay. Motion carried.

Discussion/approval of additional TID payment for 1880 Warehouse from TID #3.

Our TID is doing great. Ehlers has suggested that we can make an additional TID payment to 1880 to speed up the payback of the money designated for them, or we can leave it as is. Move to approve the additional TID payment for \$102,204 to 1880 Warehouse by Dakovich, seconded by Shemon. Motion carried.

Discussion/approval to purchase Brine tank/hoses and pump for Public Works for treating roads.

This is the only company that sets up brine tanks. Bond said we can part/purchase everything individually, but it will cost \$1,500 more to do this. Everyone talks about a 25% savings in salt and could cut the order by 25%. The county has a bulk truck that fills their sites and would stop and fill this for us. The other option is to go to Baldwin to the County to get the trucks filled but then if they are not open, we wait. Vogt asked if

this is in the budget and Bond thinks the snow removal budget might have some funds. There is room for the tank etc. and yes, the pump is a gas engine so it can be set wherever we want it. Motion to approve the purchase of the Brine tank by Tremblay, seconded by Dakovich. Tremblay amended the motion to include an amount for up to \$3,300. Motion carried.

Discussion/approval of modifying the Village of Roberts Office Hours and to keep the “summer hours” for the Public Works Department until further notice.

Motion to postpone until Monday’s meeting by Dakovich, seconded Tharp. Motion carried.

Discussion/approval of Pay Request #1 from Ross & Associates for work done on the Park Pavilion.

The initial request came in \$855 higher because we did not take out the retainage. The new amount should be \$16,245 for the pay request once the retainage has been taken out. Move to approve the pay request for \$16,245 for the park pavilion by Dakovich, seconded by Vogt. Motion carried.

Discussion/action of recording votes during meetings.

This will apply to both Village Board Meetings and Committee Meetings. This is if votes should be recorded unless there is a roll-call vote. Johnson talked to a couple of attorneys and the only thing you have to say is motion carried or denied. Dakovich does not want to add any more barriers and feels that it is ok with the way it is. For record keeping and whatnot as long as we are following the rules don’t want to change anything. Tharp thinks that we should continue to supply who votes which way. Vogt thinks that it is fine the way it is and so does Tremblay. Johnson asked Tharp if the only concern was, he did not get to hear who said no and it wasn’t recorded in the minutes and it is. Motion to require all boards, committees and commissions for the Village of Roberts to insert the names of who voted which way in the minutes by Tharp, seconded by no-one. Failed for lack of a second.

Discussion/approval of how to handle the handicap parking issue at Rowdy’s Ranch Supply at 106 W. Main St.

The owners of Rowdy’s have painted a handicap accessible spot. People should not go around painting our street but if there is a designated spot this would be the spot for it. Could handle it in a couple of ways. Suggest asking for forgiveness and say thanks for doing this. Tharp thinks that this is just taking away another parking spot. Who designated this one in front of Stewarts and it was handicap spot when the post office was there. Strohbusch just needs to enforce it. Have him remove it or leave it and don’t enforce it or leave it and enforce it. Strohbusch has had it that people are parking in this spot, but the village is not enforcing it. There is not one on that side of the street and maybe we should have one there. We will see if this meets the criteria. Motion to postpone until the next meeting by Johnson, seconded by Dakovich. Bond will measure to see if we have the appropriate amount of room. Motion carried.

Convene into closed session per Wisconsin State Statutes 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 for discussion of non-union employee wage increases and General Teamsters Union, 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 requires a closed session for potential land purchase and 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 regarding the Wastewater Treatment Plant repairs. By Dakovich, seconded by Johnson. Roll call: Tharp – yes, Vogt – yes, Dakovich – yes, Kapaun – yes, Shemon – yes, Tremblay – yes, Johnson – yes. Motion carried.

Village of Roberts
Village Board Meeting
Monday, October 14, 2024

Motion to adjourn from closed session to reconvene back into open session by Dakovich, seconded by Johnson. 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 accept the recommendation from the Negotiation Committee as discussed by Dakovich, seconded by Tremblay. Motion carried.

Motion to make an offer at 102 W. Maple Street as discussed by Dakovich, seconded by Vogt. Motion carried.

Items for future agendas. – none

Motion to adjourn at 9:55 pm by Dakovich, seconded by Shemon. Motion carried.

Megan Dull
Village Clerk