

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, Tim Johnson, Mary Shemon

Absent: Brian Tremblay

Guests: Jerry Strobusch, John Bond, Chuck Pizzi, Tori Schoess (phone), Angi Goodwin - Ayres, Sam Fusco, Stacy Knoebel, employees of Roberts Tobacco

Consent Agenda

- Approval of Village Board minutes of November 18, 2024.
- Approval of Special Village Board minutes from December 2, 2024.
- Acknowledgement of Treasurer's Report.
- Approval of bills/checks written.
- Acknowledgement of the Police Departments Report
- Acknowledgment of the Library Director's Report
- Acknowledgement of the Public Works Director's Report
- Acknowledgement of the Clerks Report
- Acknowledgement of the Library Meeting Minutes
- Acknowledgement of the Plan Commissions Meeting Minutes
- Acknowledgement of Finance Committee Meeting Minutes

The Treasurer's Report, Village Board Minutes of October 14th, 2024, and acknowledgement of Finance Committee Meeting Minutes were pulled from the consent agenda

Motion to approve the remaining consent agenda items by Dakovich, seconded by Shemon. Motion carried.

Discussion of agenda items pulled from the Consent Agenda:

Tharp asked about the Treasurer's Report being approved or acknowledged. Tharp moved to approve the Treasurers Report tonight meeting and list as acknowledgement on future agendas but motion died for a lack of a second. It was decided that it will be acknowledged and not approved. Motion to approve the Treasurer's Report by Dakovich, seconded by Johnson. Motion carried with Tharp abstained. Tharp did ask to clarify that future agendas will have this report acknowledge. The Finance Committee Minutes were pulled as they were not in the packet. Motion to postpone until next meeting by Vogt, seconded by Dakovich. Motion carried.

Communications (Kapun)

Legal Update: Tharp vs Village is on the court calendar, no changes to Berger case, no update regarding Twin Lakes lawsuit.

Community Holiday Tree: there was chatter this last weekend for a desire for a community tree in conjunction with Christmas on Main. Kapaun is not sure if we have lights to decorate the tree. What is the board's feeling about this? Do we support this, or should it go out to a committee to coordinate this? Where should this be located, Veterans Memorial Park or by the library? It appears to make sense to put it at the library.

Pavilion Construction Update: The pavilion is going up and moving ahead of schedule. Trusses are going up. There is a problem with the cement blocks that were delivered wrong. The goal is to get them here so everything can still get done this year, but Pizzi is not sure if this will happen.

EDC Session: Economic Development Corp is hosting a meeting on December 12th. Kapaun will be attending this educational opportunity if anyone else is interested.

ECI/Schlön Tic Annexation Update: St Croix County notified use that there is a problem with the legal

description so this will need to be corrected, and a new public hearing done.

Spring Election Information: Nomination papers can be taken as of December 2nd. They can be picked up at Village Hall.

Public comments:

Today we lost water pressure throughout the Village due to the water tower being drained for service. As of now, this should be back to normal. This maintenance had been approved and they picked today to get it done.

Old Business

Discussion/action on side yard driveway issue in Rolling Meadows.

This homeowner is currently in compliance with the ordinance. Can we remove this item? Motion to approve removing this item from the agenda by Dakovich, seconded by Shemon. Motion carried.

Discussion/follow-up to revise the Special Assessment Ordinance 54-6 & 54-4 for clarification.

No update.

Discussion/approval regarding updating the Budget ordinance and removing it from agenda.

We are going to wait until the conclusion of the budget process to see if this needs to be adjusted.

Discussion/possible approval of updating Ordinance 46-4 regarding Public Nuisances affecting health (6) Noxious weeds and grass.

No update on this.

Discussion/approval to proceed with the Hancock property and removing of equipment outside.

Chief Strohmusch could write a letter to start cleaning up or junk ordinance or nuisance of safety concern with regards to kids climbing on it. Tharp asked how this is compared to antiques on their property that could be considered junk. This is a commercial property, and it sounds like the old owner was to remove this equipment, but this has not been done. Tharp does not think we have any legal standing to do anything about it and would like it to be enforced across the village. This usually starts with people complaining about the property. First step for the junk ordinance with citations on a weekly basis. Strohmusch thinks we should start with a letter from him and site the ordinances regarding junk and discarded property.

New Business

Discussion/action to modify the Special Assessment amount and Water/Sewer bill for Sam Fusco due to his issues with the 2023 Street Project work.

There are two issues, the amount of time he spent on the street project and restoration he spent money on water. The city wrecked the yard and he fixed it and then the next year it happened again. They did not fill it with proper fill and then seeded over that. Johnson asked if it was removed, and it was before he replaced it again. Sam was told that they would come out to fix it, but they were not there for another two weeks. Why didn't someone check their work. Goodwin said that there were multiple visits with the contractor. Tharp thinks this should be between the contractor and the property owner. Goodwin asked if this work was done near the curb or by the driveway and this is for the curb area. We need a workman statement or receipts if we reimburse this amount. Dakovich does not feel we can approve the claim without this. Vogt and Tharp agree that we want receipts to be able to verify this. Sam will give us his contractor's name. As far as the water bill is concerned Tharp asked if he is disputing about the bill because it looks like he is using the same amount as last year. The water usage is less than it was in prior years. Dakovich said that we also adjusted the sewer rates this year. Fusco waters the grass every day and what we are trying to stress is to get a second meter for this. Dakovich does not see making an adjustment to this because it is not higher than other bills. Kapaun asked if there was anyone who wanted to make a motion and no one does. Kapaun stated that we have hired Albrightson, we pay them and bill the homeowners via special assessment that Fusco did himself. Dakovich had asked if it was

done before they came back to fix it after it. What do we do when they hire someone else to do this. Albrightson has a subcontractor due to this work. Should we withhold a portion and withhold from them. Tharp asked if we signed off on it meaning at Ayres and Goodwin has a punch list of items to be done and the park. We have approved partial payments not payments in full.

Discussion/approval of Phantom Fireworks Showrooms LLC dba Phantom Fireworks annual renewal of their Seller's Permit.

This form was not in the packet so it will be brought back next month. Motion to postpone by Dakovich, seconded by Johnson. Tharp thinks there are legal issues on form being used. Motion carried.

Discussion/action for Sesquicentennial Event Funding. – Kapaun has been discussing this at prior meetings and there is some money in the budget for celebration. We could use ARPA funds to pay for a banner which will cost around \$1,500. This would be displayed on the white wall on Main Street that used to be part of the feed mill buildings. The question was asked if the banner could be reused for Good Neighbor Days, or another event and it would depend on the timing of the event. If the ARPA funds are still there and if this is appropriate, then Dakovich would like to support this. The next meeting will be on December 5th. They have a Facebook page with information and are still looking for volunteers from the Village and Town. Kapaun is looking for \$2,000 but Vogt thinks \$2,500. Motion to approve up to \$2,500 for Sesquicentennial banner by Vogt, seconded by Johnson. Motion was amended to approve up to \$2,500 for the Sesquicentennial banner either out of ARPA or general fund by Vogt, seconded by Johnson still. Motion carried.

Discussion/approval of West Central Regional Planning submitting the P-D Flood Grant application and the costs associated with this process.

The cost for the potential pumping and further mitigation and the cost of benefit analysis. Tharp said that S.E.H. would need to partner with West Ventral Regional Planning and there is no cost from S. E. H. and what is our benefit. This would see if pumping from the lakes to land apply would work. Kapaun said it would be a benefit to show the Friends of Twin Lakes that we are looking for other alternative options and mitigating this. Kapaun also thinks that outside of the litigation we don't want to see the plant go under water in five years as has been predicted. Tharp thinks it would be wise to wait but the deadline to apply is November 30th. Town is willing to see if they can pay for half of this. Tharp asked if the Joint Comp Plan (JCP) needs this type of information for long range planning and this does not influence the JCP. Motion to approve the \$5,215 for the grant with the contingency that we are working with the Town of Warren for cost sharing on this by Johnson, seconded by Shemon. Discussion continued with Tharp asking about the cost for S. E.H. to be involved. If we receive grant money, then we will have another budget to spend the grant on. Motion carried.

Discussion/action regarding the tobacco ordinance changes approved at the October Village Board Meeting or next steps for Roberts Tobacco Business Plan of Operation approval and Discussion/approval of modifying Ordinance Section 70-122 – B-3 General Business District, Section 70-121 – B-2 Community Business District and Section 70-120 - B-1 Neighborhood Business District to modify the wording to expand the Tobacco use to include Electronic Nicotine Delivery Systems and Non-Nicotine Vapor Products and Synthetic THC Products.

Kapaun put this back on because of what happened last month. It appears we got caught up in what would be in the shop and not the other wording. Johnson talked to the people at Circle K, and they have been selling for years. Daycare is a business not a school. Stacy Knobel is here from Snap Fitness and does not have concerns about the vape shops going in and has spoken to them. Kapaun is asking if we are going to revise the ordinance to remove the daycare wording so the vape shop can go in or follow the ordinance that we put in and rescind the business plan of operation that was approved. Dakovich would like to see this spelled out and then decide. Dakovich said that the kids are already going by this and probably don't know what is going on. Tharp asked for clarification on the issue. Chief Strohmusch suggested that maybe we re-word the ordinance to be more like the liquor sales ordinance so that they are consistent. Motion to approve the re-wording of this section of the

ordinance to match the alcohol ordinance restrictions with childcare/daycare to schools but contingent on the Plan Commissions approval by Johnson, seconded by Dakovich. Motion carried with Shemon opposing.

Discussion/approval of Updated Master Agreement and General Services Supplement Agreement –

Goodwin said that the agreement has gotten old and needs updating. Master Agreement is from 2002, and they try to upgrade every five years. The question was asked what the differences are between the old master and new master and Goodwin said the document has just basically been rearranged and updated throughout the years. The second document for project supplement is on a month-to-month basis and bigger projects come back with a separate proposal. The rates have been the same. Tharp asked if the attachments first supplement is the first for the general engineering services. The new proposal for the water tower will be another second supplement to this project and Goodwin said that the attachments ABC will only be applied for a separate project. There is no time urgency but just needed to get this in front of us to start the update process. Tharp has difficulty with time and materials and over the years he feels that Ayres have an open checkbook. Goodwin does not bill for attending the meetings, it is her time or the company's time. Day to day things is hard to estimate. Anytime they are on a zoom call or phone we are not billed for extra time. Lump sum contracts and there is no billing that comes back to the projects for this. The master agreement is difficult to see what the changes are and would like to have legal review. Move to approve the updated master agreement and general service agreement with Attorney Mahler's review by Dakovich seconded by Johnson. Motion carried.

Discussion/approval of 2024 Streets (Spring/Pleasant) Albrightson Pay Application No.

There is still outstanding money for the 2023 project, but this is for the 2024 street project. Move to approve the \$37,623 for the 2024 Street Project for Albrightson's Pay Application by Dakovich, seconded by Shemon. Motion carried.

Discussion/approval of Ross & Associates Pay Application No. 3 for the park pavilion.

Move to approve the pay application for Ross & Associates pay application No 3 by Tharp, seconded by Johnson. Motion carried.

Well Site Investigation Report – update

Goodwin said that the report is almost written. Basically, they are still collecting some information for neighboring property owners. They do have an above ground tank that is not registered but we need to have a conversation about. Expect this to come through next month for approval.

Water Improvements Project – survey update

The field work has been done. The roadway corridors are done. Held off on the TOPO survey of the two-acre parcel until this is done. 95% is done just waiting on the other stuff. This will probably be back in January.

Discussion/approval of person to represent the Village for the Biosolids Committee.

Bond has been the rep and with his pending retirement we need to appoint a new representative for the Village. Move to approve Chris Holmes to represent the Village and Dakovich (Moeri) as the second member by Dakovich, seconded by Tharp. Motion carried.

Discussion/approval to remove the handicap parking sign located at 106 W. Main St or to require the owner to comply with the Village Ordinance and WI State Statutes.

Tharp requested this and this was part of the special meeting. Nothing occurred because there was a tied vote. Tharp suggests that the sign be removed or installing the sign per State Statutes. The business owner painted the street due to misinformation to them to have these. Are we responsible for installing the sign and Tharp said yes according to the ordinance. This is regarding the sign on the post. This is a temp sign and needs to be permanent. Part of the line goes into the driveway. Dakovich would like to see this removed altogether. Do we expect to see the spot across the street removed also? With it being a public street, we don't have the authority

to enforce this. Vogt doesn't have a problem with this where it is and Kapaun agrees. Does it hurt if we put the signage up right. We agree that they did not go about it the right way. Motion to remove the handicap parking sign based on cost by Dakovich, seconded by Tharp (pull sign on post). Motion approved with Vogt and Shemon opposing.

Discussion/approval to remove the handicap painted sign located at 106 W. Main Street or to require the owner/installer to comply with Village Ordinance and State Statutes.

Motion to remove the painted sign at 106 Main Street by Dakovich, seconded by Tharp. Discussion continued with the question being asked about the painting being legal and it is. Shemon and Vogt think that it would be worth it to keep this spot. The spot across the street is painted but not signed. Motion failed due to Vogt, Shemon, Johnson and Kapaun opposing. The nays want to get the signing done to keep this and ask to have this on the agenda next month to add the permanent sign.

Discussion/approval to require the owners of 106 W. Main Street to remove the 15-minute temporary parking sign in front of their business and cease installing signs of any type unless granted permission by the Village of Roberts Village Board.

This was discussed previously. They are not installed but standing/movable. We can't enforce them if they want to use them. Pet grooming spot also has this. The sign is illegal according to the Village Ordinance as they need to be approved by the Village Board. Motion to have the owner remove the 15-minute temp sign and if they want signs to come back to the Village Board and have Public Works install by Tharp, seconded by Vogt. Motion denied with Vogt, Dakovich, Kapaun, Shemon and Johnson opposing.

Discussion/action for Village Police Department officers to issue citations to the owners/installs of items 27, 28, and 29 above for failure to comply with Village Ordinances and State Statutes. This will be added to next month's agenda as the agenda item references the wrong item numbers.

Discussion/approval of ARPA Fund allocations and possible expenditures.

Discussed potential wish list items for the ARPA funds. Added the Clerk's office computers to this list and Dakovich thinks \$500 for security type cameras. Motion to approve \$500 for camera at the park by Dakovich, seconded by Shemon. Motion amended to include \$500 for possible Wi-Fi upgrades to Park and Public Works by Dakovich, seconded by Shemon. Motion carried with Tharp opposing. Motion to approve the \$2500 for the Sesquicentennial by Johnson, seconded by Shemon. Motion carried. Did not add a monument sign for Village Hall and postponing the election equipment upgrade and to also add the Christmas items to the list.

Discussion/action on the disposal of the chairs being replaced at Village Hall.

Motion to make the chairs available to whomever on first come first serve basis by Johnson, second by Shemon. Motion carried.

Items for future agendas:

- ARPA Funds
- Signage by Kwik Trip
- Screen at Flying J to block headlights when fueling. This should go to Public Works.
- Garbage on Warren Township property.

Adjourn:

Motion to adjourn at 8:33 pm by Johnson, seconded by Shemon. Motion carried.

Megan Dull
Village Clerk