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FREDONIA VILLAGE BOARD MEETING MINUTES

Thursday, March 7th, 2024 at 7:00 PM

Fredonia Government Center - Board Room
242 Fredonia Avenue, Fredonia, Wisconsin

1. President Gehrke called the meeting to order at 7:00PM followed by the Pledge of Allegiance.
2. Trustees Present: President Gehrke, Trustee Paape, Trustee Haas, Trustee Abegglen, Trustee Dohrwardt, Trustee Bartz, Trustee Meyle
Staff Present: Administrator Jenkins, Marshal Davel, Clerk Johnson, Treasurer Depies
Residents Present: Jessica Franck, Natalie Eippert, Mark Buechler, others.
3. Public Comments: *Trustee Meyle shared that a local religious leader, Pastor Frisque, from St. John's Lutheran, was lauded in the Sounder. He felt it was a good religious article and was pleased one of the Village's religious leaders was getting attention.*
4. **Motion to Approve Minutes of February 15th, 2024 Village Board Meeting and General Fund, Water and Sewer Invoices** made by Trustee Haas.
Seconded by Trustee Bartz.
Passed by unanimous voice vote.
5. Report on Village Committees by:
 - a) **Finance Committee:** *Trustee Haas shared that the Finance Committee reviewed and made edits to the Finance and Purchasing Policies to be discussed later at this meeting.*
 - b) **Planning Commission:** *President Gehrke stated that the Planning Commission reviewed a CSM to expand the St. John's Cemetery and set a Public Hearing for April 8, 2024 to hear reaction to the proposed rezoning of the parcel. The Commission also began a review of the current sign ordinance.*
6. Items for Discussion and/or Action
 - a) **Motion to Approve Certified Survey Map (CSM)# 2024-01 Combining 824-836 Fredonia Ave, Parcel Number 090500120006, and a Portion of Parcel Number 090500122051; Applicant: St. John's Lutheran Church, Agent: Same** made by Trustee Meyle.
Seconded by Trustee Dohrwardt.
Trustee Paape asked, if, as a member of the church, he should abstain from voting. Trustee Dohrwardt responded that he should not abstain.
Passed by unanimous voice vote.

- b) Motion to Approve Contract for the Business Park Expansion Project, Contract 1-2024, with Kruczek Construction Inc. in the Amount of \$2,649,000.00** made by Trustee Abegglen.

Seconded by Trustee Meyle.

Administrator Jenkins reminded the Board that the original estimate for this project was \$3.5 million. He shared that the project had nine eligible bidders, and Strand had expressed surprise at such a competitive result. The lowest bidder, at \$2.7 million, was Kruczek Construction. Administrator Jenkins pointed out the company's references, included in the packet, and that similar municipalities gave good reports. He shared that if the Board approves entering into this contract, preconstruction meetings would begin. President Gehrke said initially, he was nervous about the relatively unknown company, but statute dictates that the lowest bidder be selected, and after reviewing the bid documents, he felt more comfortable. Trustee Dohrwardt said it was good the Village went to bid in January.

Passed by unanimous voice vote.

- c) Discussion of Proposed Golf Cart Ordinance: *Marshal Davel shared that, after review with the Village Administrator and municipal attorney, statute prohibits golf carts on Village roads. Clerk Johnson was asked to share Attorney Woodward's opinion on the matter, which was: "What is typically thought of or seen on a golf course can't be on public roads". Trustee Meyle expressed surprise, and wished to know if the Village of Belgium was aware. Mr. Buechler shared that he contacted the Village of Belgium's clerk, who stated that Belgium's golf cart ordinance had been crafted by their municipal attorney and in accordance with state law. Trustee Meyle said this is a nation of freedoms, and that golf carts would not harm anything. He had reviewed the statute provided in the packet and felt there were mild contradictions to golf carts operating but wondered if the state really cared. Mr. Buechler asked the definition of a highway. Trustee Meyle shared that he was a police officer and that Village streets are considered a highway. He questioned if the statute specified "state" highways and said that golf carts on 57 and Fredonia Ave would probably be bad, but side streets might be considered. Marshal Davel said that golf carts probably couldn't cross Martin Dr. and Fredonia Ave and reminded the Board that he had previously objected to ATVs and UTVs. He stated that golf carts could attain maximum speeds of 20mph and had no safety equipment. Golf carts would need to pull out around parked vehicles into traffic travelling over 25 mph. Marshal Davel stated that Belgium must have realized the risk because their ordinance lays out culpability. He said that the risk golf carts pose outweighs the benefit, and he does not see the benefit to the Village at all. He said that the permitting and inspection processes add to the work of staff. Trustee Haas stated that he agrees with Marshal Davel and the municipal attorney and received phone calls from concerned residents urging him not to vote in favor of allowing golf carts. He said he would change his vote from yes to no. Administrator Jenkins added that permitting authority lies with the Department of Transportation. Trustee Abegglen said that he relies on the opinion of experts, in this case, those experts are telling him that the Village has no authority to allow golf carts and the Board cannot act on this item tonight. Trustee Dohrwardt advocated for resident drivers, stating that golf carts have no safety equipment, no suspension, and are not designed to be driven on roads. He wouldn't want to put resident drivers at risk of injuring golf cart drivers, and then must live with the burden of guilt. He stated golf carts should be kept on golf courses. Mr. Buechler felt that golf carts are like e-bikes, in terms of speed and safety, and that safety features of golf carts could be built into the ordinance. He added that Random Lake has a golf cart ordinance like Belgium's, and asked how that could be. Trustee Meyle said that golf*

carts don't go that fast and may not need the same safety features as a motor vehicle. President Gehrke asked about Low Speed Vehicles. Clerk Johnson shared the DOT definition of an LSV, including that golf carts are specifically exempt. She shared that LSV are already allowed on Village streets and are permitted by the DOT. The Board could ask staff to prepare an ordinance to disallow them, but in the absence of a local ordinance, LSVs are currently allowed in the Village. Trustee Paape asked for the safety standards required for LSV. Marshal Davel listed blinkers, headlights, etc. Trustee Bartz wished to know how Random Lake and Belgium could have golf cart ordinances. Trustee Abegglen responded that it was likely that no one had challenged those ordinances, and it was possible they would not withstand a challenge. Trustee Meyle stated that the Village should trust residents. He sees no problem with golf carts and noted that the Belgium ordinance restricts the time of day they are allowed to operate, so golf carts would always be visible in day light. Trustee Haas referenced a post he saw on social media about vehicles running through Village stop signs. He doesn't want to risk going to court in the event of an accident. Trustee Paape stated he felt Village streets are narrow and parking is limited. A resident asked if there are fines for driving a golf cart in the Village. Marshal Davel responded that there are fines. The resident said that Belgium and Saukville allowed ATV's and the Village is the only hold out. President Gehrke stated that there was no action to be taken, and they were at an impasse.

- d) Motion to Approve Updated Village Financial and Purchasing Policy as Recommended by the Finance Committee with Editorial Corrections** made by Trustee Dohrwardt.

Seconded by Trustee Bartz.

Administrator Jenkins shared that the recent borrowing had revealed outdated policies. Ehlers recommended updating these policies. Administrator Jenkins reached out to similar municipalities and landed on a template that met the Village's needs. He brought the updated policies to Ehlers for review and then the Finance Committee, where they were tweaked and edited both policies. Administrator Jenkins gave a brief overview of each policy. The Finance and Budgeting Policy is intended to be the overarching guide for staff and trustees, laying out budget crafting, debt policies, fund balance and investment policies, and CIP guidance. The Purchasing Policy is intended to guide staff in decision making. Administrator Jenkins highlighted a useful chart that could help staff when making purchasing decisions and went through it with the Board. He shared that emergency purchases were discussed at length by the Finance Committee. Emergency purchases would be approved by the Village President and Department Head or Administrator, then reported to the Board. He used the clarifier break as an example. If there is a disagreement as to whether there is an emergency, a special meeting of the Board should be called. President Gehrke asked how purchases less than \$25,000 would be reported to the Board. Administrator Jenkins responded that the Board would see those purchases in the bills approved at each meeting. Trustee Abegglen said that purchases would already have been approved in the CIP and in the budgeting process, but it is a good courtesy for department heads to note purchases in their monthly report. Trustee Paape stated that it would be a good thing for the Department of Public Works to have more control over purchases. Trustee Meyle asked how outdated these documents were. Administrator Jenkins responded that they had been revised in 2017, and that Ehlers had flagged that the investment policy, specifically, was outdated and the definitions limiting. Trustee Dohrwardt pointed out a few typos regarding enterprise funds and non-budgeted purchases.

Passed by unanimous voice vote.

- e) Motion to Approve Investment of TID Debt Proceeds by Ehlers** made by Trustee Dohrwardt.

Seconded by Trustee Meyle.

Trustee Abegglen shared that the Finance Committee had heard a presentation from the investment arm of Ehlers, offering advisement services on how and where to invest TID debt proceeds. He stated that the investments were somewhat safe items and regulated by the state. He felt investment is a smart choice while the money isn't being used. He shared that, according to Ehler's presentation, the Village stood to see a \$65,000 in returns if the Board approves investing the funds, as opposed to not investing and earning \$34,00 in interest. He shared that the fee for services was \$2,600, and that Ehlers is a fiduciary and obligated to treat the Village's money as their own. He said that no one would get rich, but investing is a responsible use of public funds. Short-term, low-risk investment is a good way to put the public's money to work. Trustee Dohrwardt asked if they were discussing just the bond proceeds, not general fund dollars. Administrator Jenkins confirmed it was just the bond proceeds.

Passed by unanimous voice vote.

- f) Motion to Approve Resolution 2024-03: A Resolution in Opposition to Senate Bill 691** made by Trustee Haas.

Seconded by Trustee Abegglen.

Trustee Dohrwardt said that the Mid Moraine Municipal Association Legislative Committee lobbyists suggested that municipalities take issue with Senate Bill 691, which gives towns latitude in putting certain demands on village and city services like sewer. He stated that the bill, which is still in committee, would lessen home rule powers, and that it could be costly to furnish sewer to a town, highlighting that a lift station could cost over a million dollars. Trustee Dohrwardt felt that legislators aren't familiar enough to take issue with this. The Mid Moraine Municipal Association requested that municipalities pass this resolution and forward it to their representatives in the House and Senate and ask that they don't back this bill or forward it. Trustee Paape stated the Village has its own issues with sewer and water. Trustee Dohrwardt said that urban towns are looking to demand services from neighboring villages and cities, citing Mequon and the Town of Cedarburg as examples. He added that wastewater treatment plants are required to be sized to take care of villages' needs, not to accommodate encroaching towns. Trustee Dohrwardt said that boundary and cooperative agreements with towns could be handled internally, and that he wished to maintain the sovereignty of the Village.

Passed by unanimous voice vote.

- g) Motion to Enter into Closed Session Pursuant to State Statute 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 (Village Administrator Performance Review)** made by Trustee Bartz.

Seconded by Trustee Meyle.

Passed by unanimous roll call vote.

Trustee Paape: Aye

Trustee Haas: Aye

Trustee Abegglen: Aye

President Gehrke: Aye

Trustee Dohrwardt: Aye

Trustee Bartz: Aye

Trustee Meyle: Aye

Motion to adjourn into open session made by Trustee Abegglen.

Seconded by Trustee Dohrwardt.

Passed by unanimous roll call vote.

Trustee Paape: Aye

Trustee Haas: Aye

Trustee Abegglen: Aye

President Gehrke: Aye

Trustee Dohrwardt: Aye

Trustee Bartz: Aye

Trustee Meyle: Aye

7. Correspondence: *Clerk Johnson asked for RSVP's to the March 27th, 2024 Mid Moraine Municipal Association's dinner. Trustee Dohrwardt to attend.*

8. Items for Future Consideration by Village Board: None

9. **Motion to adjourn** made by Trustee Dohrwardt.

Seconded by Trustee Bartz.

Passed by unanimous voice vote.

Meeting adjourned at 8:41 PM.