

**MEETING MINUTES OF PUBLIC HEARING AND BOARD MEETING
VILLAGE OF NORTH PRAIRIE
FEBRUARY 8, 2024 - 7:00 P.M.
MUNICIPAL CENTER-130 NORTH HARRISON STREET
VILLAGE OF NORTH PRAIRIE, WI**

- 1. Call to Order:** Public Hearing & Board Meeting was called to order at 7:02 PM
- 2. Roll Call:** President Nickerson, Trustee Hall, Trustee Rewasiewicz, Trustee Stellpflug, Trustee Pellegrino, Trustee Nottling and Trustee Heintz Taylor quorum present. Also present: Village Clerk, Chief Tamez, Donna Samuels, Jarad Schwartz, Jon Johnson, Bill Kubricky, Hans Guderyon and Steve Todd from Waukesha County, Jon Russell, Logan Winter, Kathern Winter, Debra Carrasco-Zanini, Eric Schwartz, Shawn Werner, Josh Caggon, Stever Kubricky and Don Turkoski
- 3. Pledge of Allegiance:** recited
- 4. Public Hearing: Ordinance 2024-01 Allow the Splitting of Shifts for Election Workers**
 - A. Motion to Open the Public Hearing

00:04:22

President Nickerson

Motion to open to the public. Seconded by Trustee Nottling. Motion carries.

- B. Public Comments on the Proposed Ordinance – none heard
- C. Village Comments on the Proposed Ordinance – none heard
- D. Motion to Close the Public Hearing

00:05:25

President Nickerson

Motion to close the public hearing. Seconded by Trustee Hall. Motion carries.

- 5. Approval of the Village Board meeting minutes of January 11, 2024: approved as amended.**

00:05:51

John Heintz Taylor

Motion that the Village Board Meeting Minutes of January 11th, 2024, be approved with contingency comments added to the minutes. Seconded by Trustee Nottling. Motion Carried.

- 6. PUBLIC COMMENT (No official action will be taken under Public Comment)**

00:06:46

President Nickerson

Motion to open the citizens present. Seconded by Trustee Rewasiewicz, Motion carried.

Donna Samuels

You should have a packet of information that I provided to Ginger earlier today to distribute. For a few years, I thought it would be beneficial for the citizens in North Prairie to use ATV/UTV on village roads just as those within the Broadways have been allowed to use their golf carts.

There are members of the Community that this board represents who would like to have a legal right to use ATV's on village roads for various reasons, including such things as taking kids trick or treating, helping neighbors with snow removal or salting, moving equipment from one property to another, or sometimes to just go visiting or take a ride. Outdoor recreation is a staple in Wisconsin and allows for many seasonal and year-round activities. This will allow citizens to have that opportunity to use their ATV/UTV's for these purposes, just as you see motorcycles, bicyclists, old car clubs, etcetera out riding.

Examples of neighboring communities that have roads open are the Village and Town of Eagle, Village and Town of Palmyra, which are extremely similar to our village. In addition, larger communities such as Fort Atkinson, Whitewater and Jefferson have opened their roads. The town of Ottawa and the Village of Summit are currently considering passing ordinances to allow for ATV/UTV to be usage on their roads. Currently, statewide, there's over 52,000 miles of roads that ATV's are allowed to operate on and it continues to grow.

[Copies of the handout to board members is available in the clerk's office]

Donna Samuels

Could you provide a status to the citizens on the Laue's lawsuit, as I saw it's on the Planning Commission Agenda. It was stated that the village was being sued by Laue's, but then it's been crickets ever since then. I guess I'm just kind of curious as to what the status of that is.

Donna Samuels

And I know I have asked this probably in three or four other village board meetings. Is there any movement on placing information on the village website when agendas are posted and things so that if individuals have an interest in something that is going to be on? I do understand we can come to the village hall and obtain that information, but at the same time it would be so easy for you folks to put that information on the website so that we can just review that when it's, I guess, a more convenient time for us. And I've been told that we're working on it. It's a matter of I don't even know what, but this has been going on for six months and I would certainly think that within a six-month period of time that something like this could have been done.

Trustee Hall

My next question is which department? Which committee decided to parameter for me was highlights of bigger issue and that we did not have a good description or committee responsibilities. I'm in agreement, this has been over a year that this same issue has come up so we need to start acting on it. So where are we referring to it as a board versus than being repeatedly talked about a public comment.

Rather than, we continually hear the comment where we as a board saying it should be referred to which committee so that we can maybe start discussing.

Eric Schwartz

Just in regards to what, what just occurred right there. She's brought that up for like 6 months or however long and there's been no action. I just ask, please don't let the ATV thing drag all night long. You know what I mean? Like, let's get some, let's get some movement done rather than just let it drag little. Fine. That seems like a real simple thing.

Trustee Heintz Taylor

I'm respectfully asking that this topic of proposed ATV/UTV road routes in the village of North Prairie be an agenda item for the next board meeting.

President Nickerson

I agree. OK.

00:20:52

President Nickerson

Motion to close public comment. Seconded by Trustee Nottling; Motion Carried

Trustee Hall

Yes, I would like to make sure there's no one else that would like to say anything anymore.

Resident Kubricky (Ferris Drive)

I strongly, strongly suggest the board look into this ATV issue. I own one. There's several of us do and want to use the Village of North Prairie roads instead of the trails and other properties. So once again, I strongly would like you to please look into this.

7. VILLAGE PRESIDENT

a. Report to Village Board:

Regarding the position of the Kettle Moraine Fire Chief, the Fire Board has not made a recommendation to the Fire Committee, at this time. So that position is still open. I would ask the Policy and Personnel Committee to investigate our professional services vendors. We borrowed \$150,000 for no specific use for this year. Because of what happened here a few

weeks ago with the weather, we're looking at putting backup generators at the Firehouse and here, so if we have a critical situation, we can open up the village hall to residents that might lose power and things like that, and just see what it's worth and bring back to public. A closed special meeting of the Planning Commission has been scheduled for February 15th to discuss options with the attorney.

Unidentified Member of the Public (tape starts at 29:40)

So I'll be that guy. Why are we being sued?

President Nickerson

I'm sorry. What?

Unidentified Member of the Public

Why are we being sued?

Trustee Heintz Taylor

Point of order Mr. President

00:29:47

President Nickerson

Motion to open up so some of you can speak. Second by Trustee Hall. Motion Carries

President Nickerson

The reason we're being sued is because we made a decision Planning Commission level and the board level to not allow a business to take place in the add on part of our industrial park to would affect some of the neighbors, in their homes and in less than friendly way with the norms and stuff. We had originally granted it and then we got people coming back down and saying, oh, we shouldn't do that and came in with a whole bunch of good reasons. Members of the Board and members of the Planning Commission all visited the site, heard different things going on, we decided to reverse our decision. So that's why we're being sued.

Trustee Hall

To clarify, the board was not a party to any decisions.

President Nickerson

No, you were part of it, but you were.

Trustee Hall

Right now it is a Planning Commission decision that came to the board, there wasn't enough information. It needed to go back to the Planning Commission and that's where this is all

stemming from. And it's not that this business is not allowed, it's that outside storage is not allowed in this.

President Nickerson

It's a conditional use

Trustee Hall

And this is outside storage. And it was decided. That that wasn't the best use and the decision was made that the conditional use would be granted by the Planning Commission.

Trustee Heintz Taylor

I do have. I do have a comment on that, and I think it would be in the best interest of the village if the requestor of information would seek any open records, request for public information, such as the attorney's response. I disagree with the attorney's response. But I was not ask to give my response and I think it would be best for the Village not to go on record in Village Board Meeting Minutes with everybody's rendition of the decision, the wise and the wherefore, but just simply, respectfully ask, Mr. President, did you direct the requester to complete an open records request, turn it into our village clerk and she will in turn make available whatever public information is available on that request.

Trustee Hall

And I had to talk to that because I attended the hearing so.

Unidentified member of the public (33:03)

I guess I just don't understand the difference between outdoor storage. He is going to keep rocks there. [Garbled]

President Nickerson

It's a conditional use issue.

Trustee Nottling

There was a lot to this and there was a lot of information. So, I think that at the end of the day, everybody would agree that there was a lot to go on and discussing all of that right now, it's a lot.

b. Discussion and/or Action as Necessary: Approval of 5-Year Extension to the Existing Conditional Use Permit for Waukesha County per Public Hearing Held at the Plan Commission Per Zoning Code Chapter 5.3B. No action taken

c. Discussion and Action as Necessary: Approval of Ordinance 2024-01 to Allow the Splitting of Shifts for Election Workers.

00:34:43

Trustee Heintz Taylor

Motion that the village board approved Ordinance 2024-01 to allow for the splitting of shifts for election workers. Seconded by Trustee Pellegrino. Motion Carried.

- d. Discussion and Action as Necessary: Certified Survey Map Jarrod Schwartz & Matthew Schwartz, Tax Key Number 1565979002 to Split the Current lot in two Separate Parcels.**

00:35:25

Trustee Hall

Motion that the board approve the request by Jared Schwartz and Matthew Schwartz for a certified survey map affecting taxi number 156-597-9002 to split the current lot into Super two separate parcels in accordance with the recommendation by our planner. Seconded by Trustee Nottling. Motion Carries.

8. VILLAGE CLERK

a. Report to Village Board: The workmen's compensation audit is next week. And some upcoming election training. Otherwise just continuing to organize and clean up.

9. PUBLIC SAFETY & PROTECTIVE SERVICES COMMITTEE (Police, Fire, Municipal Court)

a. Report on discussion or action taken at previous meetings, reports, or future agenda items.

We've been notified that we did make the window for the squad car to possibly be built in 2024, which it has a chance of happening now instead of 2025. We'll save \$3000 from the original quote if it gets build this year.

b. Discussion and/or Action as Necessary: Recommendation from Public Safety & Protective Services on Adding 9 email Accounts to the Village's gov email account for the North Prairie Police Department Officers so that they will be able to Utilize the TraCS Software.

Public Safety and Protective Services Committee had a meeting this evening. We've been notified that for us to stay active with TraCS, which is how our officers enter the tickets each officer has to have their own .gov e-mail account. A Motion was made, seconded and passed in committee to not exceed \$1800.00. This can be absorbed in the current police budget; therefore, no board action is necessary.

00:42:20

Trustee Heintz Taylor

Motion that we open the floor to Chief Tamez for an explanation; Second by Trustee Nottling, Motion Carries.

Chief Tamez

TraCS is where we enter our citations and then we ship them to the state through the system. TraCS decided several years ago that they wanted every individual to have their own e-mail address. Each officer has to have an individual e-mail address. Yahoo was asking for too much personal information for a business account. They will only be using this to enter the citation. It's a police department e-mail address. They can only use it for department work. This is being mandated by the State.

10. PUBLIC WORKS BUILDING & GROUNDS COMMITTEE (Streets & Roads, Parks, Community Center, Civic Pride)

a. Report on discussion or action taken at previous meetings, reports, or future agenda items.

The committee will open bids for the Broadland Pavilions on Monday, February 26th at 5:30 PM. I've been down to Village Hall a few times in the last month, month and a half, and grant is submitted and hopefully we get our money back from last year. I have contacted John's Disposal and they are more than willing to work with us on changing the garbage collection to a fee; we will discuss that possibility more on the 26th.

11. PERSONNEL AND POLICY COMMITTEE

Report on discussion or action taken at previous meetings, reports or future agenda items.

Reminder to the committee, especially to the committee members, that anyone else is interested in the regular meeting regular committee meeting will be on February 15th, 2024. And a second item is, I will be calling a joint Municipal Court Committee meeting regarding the cybersecurity insurance costs.

Trustee Rewasiewicz

The review of our official manual update and the fitness for Duty certification has been sent to the firm in Madison. The firm asked five or six questions, and I answered them. She'll get back to us with information on that.

12. AD HOC ARPA (American Rescue Plan Act) COMMITTEE

a. Report on discussion or action taken at previous meetings, reports or future agenda items.

At the joint meeting, we were given an update of what we have committed. If we spend what we had committed at budget time, all of that we have \$8,596.27 left.

b. Discussion and/or Action as Necessary: 2024 ARPA Expenditures, Allocations & Possible Recommendation of Road, Broadlands Park Pavilions, Fire Station Flooring and any other projects. Covered under previous agenda item.

13. FINANCE AND FEE COMMITTEE

a. Report on discussion or action taken at previous meetings, reports or future agenda items.

Also in the joint meeting, the funds that were supposed to be used for ARPA have been moved back into the general fund. I sent everyone the fee changes, except for Building and Grounds. We would like to get the fee schedule changed at the March meeting. Finance and Fee will be holding a meeting to discuss the final fee changes the week before the March Board meeting.

b. Discussion and/or Action as Necessary: Review and approve monthly bills and payroll.

00:50:17

Trustee Rewasiewicz

Motion to accept the payroll and bill for February 8th. Checks and payroll numbers, check number 18980 to 19035 invoices, payroll and federal and state withholding we also set up Direct deposits, so we have a grand total of \$146,493.70 with no VOIDS. Seconded by Trustee Heintz Taylor. Motion Carried

14. Reports: Building Inspector, Fire, Police and Public Works Departments. filed

15. Motion for Adjournment.

00:51:30 Trustee Hall

Make the motion to adjourn at 7:50. Seconded by Trustee Nottling. Motion Carried.