

**VILLAGE OF THIENSVILLE
BOARD OF TRUSTEES
MINUTES**

DATE: Monday, August 16, 2021

LOCATION: 250 Elm Street
 Thiensville, WI

TIME: 6:00 PM

I. CALL TO ORDER

President Mobley called the meeting to order at 6:00 PM.

II. ROLL CALL

President:	Van Mobley	
Trustees:	Jennifer Abraham	Rob Holyoke
	Angelina Apostolos	Ken Kucharski
	Kristina Eckert (excused)	David Lange
Administrator:	Colleen Landisch-Hansen	
Attorney:	Tim Schoonenberg	
Planner:	Jon Censky	
Staff:	Police Chief Curt Kleppin	
	Director of Community Services/Public Works Andy LaFond	
	Village Clerk/Deputy Treasurer Amy Langlois (excused)	

III. PLEDGE OF ALLEGIANCE

Trustee Abraham led the recitation of the Pledge of Allegiance.

IV. PUBLIC HEARINGS

A. PUBLIC HEARING #1: TO AMEND THE B-1 CENTRAL BUSINESS DISTRICT TEXT TO ALLOW LIMITED RESIDENTIAL USE OF THE GROUND FLOOR SPACE OF BUILDINGS

B. PUBLIC HEARING #2: TO AMEND SECTION 17.0802 D. OF THE ZONING CODE REGARDING NONCONFORMING LOTS OF STRUCTURES TO ALLOW ORDINARY MAINTENANCE, REPAIRS AND ALTERATIONS OF NONCONFORMING STRUCTURES

1. Motion to open Public Hearings

MOTION by Trustee Holyoke, **SECONDED** by Trustee Abraham to Open Public Hearings at 6:02 PM. **MOTION CARRIED UNANIMOUSLY.**

2. Administrator to explain Notice of Public Hearings

Administrator Landisch-Hansen read and explained the Notice of Public Hearings.

3. Comments from anyone present requesting to be heard

George Coulter – 240 Williamsburg Drive: Mr. Coulter, whose background is in residential development, noted that Thiensville is unique in that it has a small town USA feeling and part of having a small town USA includes a mix in development. Mr. Coulter expressed support in allowing limited residential use of the ground floor space of buildings in the B-1 Central Business District noting it brings a different vitality to the neighborhood and may bring in younger families.

4. Administrator reads any correspondence received related to the request

There was no correspondence received related to this request.

5. Comments from the Village Board

There were no comments from the Village Board.

C. MOTION TO CLOSE PUBLIC HEARINGS

MOTION by Trustee Holyoke, **SECONDED** by Trustee Abraham to Close Public Hearings at 6:05 PM. **MOTION CARRIED UNANIMOUSLY.**

CONSENT AGENDA

Upon request of any Trustee, any item may be removed from the Consent Agenda for special consideration.

V. APPROVAL OF MINUTES

- A. Combined Committee of the Whole and Board of Trustees
 1. July 19, 2021

VI. DEPARTMENT REPORTS (Receipt)

- A. Department Reports (Receipt)
 1. Fire Department
 - a. N/A
 2. Police Department
 - a. July Police, 2021
 3. Public Works Department
 - a. July DPW, 2021

VII. COMMITTEE REPORTS

- A. Committee of the Whole
 1. August 2, 2021

VIII. REPORTS AND COMMUNICATIONS

- A. Historic Preservation Commission
 1. June 22, 2021
 2. July 6, 2021
- B. Mequon-Thiensville Bike and Pedestrian Way Commission
 1. June 3, 2021 (not available)

- C. Milwaukee River Advisory Committee
 - 1. March 3, 2021 (not available)
- D. Plan Commission
 - 1. July 13, 2021

MOTION by Trustee Holyoke, **SECONDED** by Trustee Abraham to approve the Consent Agenda. **MOTION CARRIED UNANIMOUSLY.**

BUSINESS AGENDA

IX. FINANCIAL REPORTS AND ACCOUNTS PAYABLE

- A. Accounts Payable for All Funds
 - 1. Accounts Payable
 - a. July 19, 2021 through August 13, 2021

Administrator Landisch-Hansen noted a payment to Lakeside Development in the amount of \$83,768.12 for 200 Green Bay Road.

MOTION by Trustee Lange, **SECONDED** by Trustee Apostolos to approve the July 19, 2021 through August 13, 2021 Accounts Payable in the Amount of \$327,000.95. **MOTION CARRIED UNANIMOUSLY.**

- 2. Financial Report (Receipt)
 - a. July, 2021

The July, 2021 Financial Report was received.

X. PRESIDENT'S REPORT

- A. Appointment
 - 1. Fire Department Member
 - a. Alexander Slobodsky

MOTION by Trustee Lange, **SECONDED** by Trustee Apostolos to approve the Appointment of Alexander Slobodsky as a New Fire Department Member. **MOTION CARRIED UNANIMOUSLY.**

XI. ADMINISTRATOR'S REPORT

- A. Department Reports
 - 1. Administrator's Report

Administrator Landisch-Hansen shared the 2021 vs 2020 equalized valuation. Overall there was a 4.00% increase in 2021 compared to a 5.00% increase in 2020. Real estate increased about 5.00%, however, there was a decrease in personal property tax which may eventually be eliminated. The equalized ratio is estimated at 80.00% of fair market value compared to 83.00% in 2020. This is the Village's third year out of compliance.

The net new construction percentage for the Village is +.67% compared to +.25% last year. Preliminary numbers indicate approximately a \$16,000 increase to our levy.

Regarding the I-43 project, there is some preliminary work starting later this month. The work will focus on the corridor between Silver Spring Drive north to Highway 60 and includes widening the freeway from 4 to 6 lanes with reconstruction of 5 interchanges and the addition of a new interchange at Highland Road.

OED will have their Economic Forecast and Business of the Year Breakfast in October at the Pavilion at the Ozaukee County Fairgrounds.

Incoming revenues include \$1,235.49 for second quarter franchise fees from AT&T U-Verse.

2. Building Inspection Department (Receipt)
 - a. July, 2021 Report

The July, 2021 Building Inspection Department report was received.

XII. ATTORNEY'S REPORT

No Attorney's report.

XIII. COMMITTEE REPORTS

- A. Review and action regarding Ordinance No. 2021-07 Amending the B-1 Central Business District Text to Allow Limited Residential Use of the Ground Floor Space of Buildings

Director of Community Services/Public Works Andy LaFond shared that this proposed Ordinance is a Zoning Ordinance and was recommended by the Plan Commission for consideration with the intent to help keep buildings occupied. Many of the buildings in the B-1 Central Business District are in the Historic District. The proposed Ordinance is for a minimum of 30% of the first floor to be maintained as commercial with 100% of the street frontage commercial. About one-third of the buildings in the district are commercial now, one-third are commercial on the bottom and residential on top and the other third are all residential at this point as they have remained this way since the first Zoning Code was applied. In many ways, much of the first floor is residential now. There have been a few cases over the years that have been developed that ended up having some residential on the first floor, and there is one property that came before the Zoning Board of Appeals to have residential on the first floor. This was approved. This will add some flexibility to the use of the first floor.

Trustee Abraham owns a property in the B-1 Central Business District and supports this Ordinance change.

MOTION by Trustee Holyoke, **SECONDED** by Trustee Kucharski to approve Ordinance No. 2021-07 Amending the B-1 Central Business District Text to Allow Limited Residential Use of the Ground Floor Space of Buildings.

Ayes: Trustees Apostolos, Holyoke, Kucharski, Lange and President Mobley

Naes: None

Abstain: Trustee Abraham

MOTION CARRIED.

- B. Review and action regarding Ordinance No. 2021-08 Amending Section 17.0802 D. of the Zoning Code of Thiensville, Wisconsin Regarding Nonconforming Lots of Structures

Village Planner Jon Censky shared that the theory behind the status of the nonconforming building was to eventually phase them out of existence. The problem is that many people purchase these building and expect and want to hang on to them for years and are under very restrictive rules of which they can do. What this change does is to allow the owner of a nonconforming structure to make repairs and alterations as long as they maintain the buildings within the limits and restrictions of the Zoning Code that they are under. This proposed Ordinance provides some flexibility for the owners. The intent is to work with the owners. This is a recommendation from the Plan Commission. These properties are classified as nonconforming due to their location.

MOTION by Trustee Apostolos, **SECONDED** by Trustee Abraham to approve Ordinance No. 2021-08 Amending Section 17.0802 D. of the Zoning Code of Thiensville, Wisconsin Regarding Nonconforming Lots of Structures. **MOTION CARRIED UNANIMOUSLY.**

- C. Review and action regarding Ordinance No. 2021-04 Amending Section 74-61 Regarding Parking Restrictions and Prohibitions

MOTION by Trustee Holyoke, **SECONDED** by Trustee Kucharski to approve Ordinance No. 2021-04 Amending Section 74-61 Regarding Parking Restrictions and Prohibitions. **MOTION CARRIED UNANIMOUSLY.**

- D. Review and action regarding Ordinance No. 2021-05 Amending Section 1-15(a)(2) Regarding General Penalties for Second Offense of the Code

MOTION by Trustee Lange, **SECONDED** by Trustee Abraham to approve Ordinance No. 2021-05 Amending Section 1-15(a)(2) Regarding General Penalties for Second Offense of the Code. **MOTION CARRIED UNANIMOUSLY.**

- E. Review and action regarding Ordinance No. 2021-06 Regarding Abandoned Property

MOTION by Trustee Holyoke, **SECONDED** by Trustee Apostolos to approve Ordinance No. 2021-06 Regarding Abandoned Property. **MOTION CARRIED UNANIMOUSLY.**

- F. Review and action regarding Proclamation Honoring Fiddleheads Coffee on Their 25th Anniversary

MOTION by Trustee Lange, **SECONDED** by Trustee Apostolos to approve Proclamation Honoring Fiddleheads Coffee on Their 25th Anniversary. **MOTION CARRIED UNANIMOUSLY.**

- G. Review and action regarding Proclamation Establishing Sunday, October 31, 2021 as Beggar's Night for the Year 2021 in the Village of Thiensville with Hours Being from 3:00 PM to 6:00 PM

MOTION by Trustee Apostolos, **SECONDED** by Trustee Holyoke to approve Proclamation Establishing Sunday, October 31, 2021 as Beggar's Night for the Year 2021 in the Village of Thiensville with Hours Being from 3:00 PM to 6:00 PM. **MOTION CARRIED UNANIMOUSLY.**

- H. Review and action regarding Using ARPA Funds for Thiensville Fire Department Requests for Respirator Masks, AutoPulse System and Power Lift for Two Ambulances in the Amount of \$70,572.89 and for the Remainder of the First Traunch to Replenish Lost Revenue in the General Fund

MOTION by Trustee Lange, **SECONDED** by Trustee Apostolos to approve Using ARPA Funds for Thiensville Fire Department Requests for Respirator Masks, AutoPulse System and Power Lift for Two Ambulances in the Amount of \$70,572.89 and for the Remainder of the First Tranche to Replenish Lost Revenue in the General Fund. **MOTION CARRIED UNANIMOUSLY.**

I. Capital Expenditures Report

Administrator Landisch-Hansen shared that the Fire Department is requesting at this time the \$70,572.89 for the power lift cots for both ambulances, AutoPulse System and respirators.

MOTION by Trustee Holyoke, **SECONDED** by Trustee Abraham to approve the following Capital Expenditures for the Fire Department: \$50,300.48 for Power Lift Cots for Both Ambulances, \$15,910.41 for AutoPulse System and \$4,362.00 for 40 Respirator Masks. **MOTION CARRIED UNANIMOUSLY.**

J. Review and action regarding Parade/Street Closing Application, Homestead High School Homecoming Parade, Friday, September 24, 2021, Walgreens Parking Lot to Division Street, South on Main Street, 4:00 PM until 4:30 PM

MOTION by Trustee Lange, **SECONDED** by Trustee Kucharski to approve Parade/Street Closing Application, Homestead High School Homecoming Parade, Friday, September 24, 2021, Walgreens Parking Lot to Division Street, South on Main Street, 4:00 PM until 4:30 PM. **MOTION CARRIED UNANIMOUSLY.**

K. Update and discussion regarding Public Safety Department Visits

President Mobley shared that visits were made to the Village of Palmyra and to the Village of Ashwaubenon. Both Village Presidents were very gracious and volunteered to share more of their time and information by sending someone to our Open House to answer any questions.

President Mobley shared that the Village of Palmyra has adopted this public safety model by necessity more than choice due to the fact that they do not have anyone to consolidate with. The Village of Ashwaubenon, which is a much larger department, started their model for their department in 1980 and look at themselves as a premier public safety outfit in the Green Bay area and do not have any difficulty recruiting.

Administrator Landisch-Hansen likes the idea even more after these two visits and believes that if anyone could make this work, Thiensville could. Both departments are very proud of what they have been doing. The Village of Palmyra has 6 full-time employees while Ashwaubenon has 51 with both having more of a fire department schedule. Administrator Landisch-Hansen believes that this seems to be an efficient way to provide services, likes that employees are cross-trained and may help change the stigma tied to law enforcement and noted there may be some hurdles to climb and believes that this should be looked into further.

Chief Kleppin attended both Palmyra and Ashwaubenon and noticed a lot of pride amongst the employees and that they liked working together. The right person to do both jobs is required, however, they have not had any problem finding their employees and believes that Thiensville could do it relatively easily.

Trustee Abraham was able to attend the visit to Palmyra and agrees that this is doable in Thiensville. Palmyra is two square miles and similar to the Village of Thiensville.

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Trustee Lange visited Ashwaubenon. Ashwaubenon is much larger than Thiensville and a lot of thought has to go into scheduling due to the Packer games and has an increase in compensation for those employees doing both (police and fire). The Village has been operating this way since 1980 and believe this is the premier way for a municipality of their size to operate. Noted was how the perception had changed of the police because of their role in fire. Trustee Lange believes Thiensville is very well situated to be able to do something like this. Ashwaubenon still does have some paid-on-call employees for fire-fighting as well. Trustee Lange appreciated how generous those in Ashwaubenon were with their information.

Trustee Holyoke inquired about the vehicles used and if they use more of an interceptor vehicle. Trustee Lange noted that by and large each department is separate and the employees are not switching their role on a call. Administrator Landisch-Hansen shared that in Palmyra there was a situation that an employee was responding as a firefighter, however, the incident turned into a tactical situation so he had to react as an officer and made an arrest.

President Mobley suggested setting up an Open House and inviting the Village of Palmyra as well as the Village of Ashwaubenon to share information and answer any questions.

The Village of Palmyra has been operating like this since 2018. President Mobley noted that the pay scale is low in Palmyra and high in Ashwaubenon. The retention in Ashwaubenon is very good and has a 24/48 schedule.

Administrator Landisch-Hansen believes that this is a viable option to look into, however, the Village cannot forget that we are surrounded by other communities and an entire county that are looking to solve a problem and what they decide to do affects us as well.

L. Update regarding Storm Damage

Director LaFond shared that the storm event on August 6th through August 10th impacted the Village in a negative way because of the widespread power outage. There was no overland flooding or street closures. There was a large amount of rain over a short amount of time. The Village had almost 8 inches between the 6th and the 10th of August; on one evening there was almost 5 inches in a short duration. There was a widespread power outage as well as multiple wet basements and sewer backups.

We Energies reported 850 Thiensville customers out of service for up to 590 minutes.

Many Thiensville homes have sump pumps and some have battery backups which are only good for so long. An option if a home is on city water is a water powered sump pump which in theory does not stop. A 4 inch drain in a basement can take 125 gallons a minute.

There were three reported backups in the Village of sewage with many other soggy basements. An additional garbage pickup was scheduled on the Thursday after the storm to help those removing boxes and carpeting from resident basements. The Police Department had 10 calls for service which were mostly due to debris in the road, the Fire Department had 3 calls which were for power lines down and trees on power lines and the Department of Public Works had 4 calls for sewer backups.

The homes that Director LaFond has seen so far that reported a backup are all either further down on the system and a couple that have a very minimum pitch on the sewer lateral. Some older homes are built flat while newer homes are built 2-3 feet above the ground.

Hung plumbing gives a home more protection from a backup and would cost a homeowner between \$5,000 to \$9,000 to install. Director LaFond reached out to MMSD inquiring if a homeowner could apply for assistance through MMSD for hung plumbing. A response has not been received.

Trustee Lange inquired if this information could be included in the Village Voice. Director LaFond shared that this as well as other information from MMSD could be included.

Sump pumps used to be inspected prior to sale to ensure that it is property connected, however, a recent law will not allow municipalities to require this inspection upon sale.

Trustee Holyoke inquired about the Village pumping water into the streets. Director LaFond shared that this would only happen when and if the lift station could not keep up.

NEXT RESOLUTION NUMBER:	2021-07
NEXT ORDINANCE NUMBER:	2021-09

XIV. REPORTS AND COMMUNICATIONS

XV. UNFINISHED BUSINESS

XVI. ANY OTHER MISCELLANEOUS BUSINESS BY THE TRUSTEES AS MAY BE BROUGHT BEFORE THE BOARD, OR CARRIED OVER FROM THE JULY 19, 2021 VILLAGE BOARD MEETING

- A. Acceptance/Report of Gifts Received:
 - 1. \$100.00 to Village Park Reimagined from the M-T Chamber of Commerce-MTYP
 - 2. \$500.00 to Village Park Reimagined from Daily Taco LLC
- B. Review next month's meeting date schedule:
 - September 13, 2021 - Committee of the Whole at 6:00 PM
 - September 27, 2021 - Board of Trustees at 6:00 PM

MOTION by Trustee Apostolos, **SECONDED** by Trustee Kucharski to accept the gifts of \$100.00 to Village Park Reimagined from the M-T Chamber of Commerce-MTYP and \$500.00 to Village Park Reimagined from Daily Taco LLC with Much Gratitude. **MOTION CARRIED UNANIMOUSLY.**

XVII. MOTION TO ADJOURN TO CLOSED SESSION

MOTION by Trustee Holyoke, **SECONDED** by Trustee Apostolos to adjourn to Closed Session at 6:45 PM deliberating about the investment of public funds in future Village properties requiring a Closed Session due to the competitive nature and bargaining positions at risk if conducted in a public meeting. Such Closed Session is authorized pursuant to Wis. Stats. Article 19.85(1)(e) and Pursuant to Chapter 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 regarding Police Officer candidates.

- 1. Roll Call Vote

Ayes: Trustees Abraham, Apostolos, Holyoke, Kucharski, Lange and President Mobley.

Naes: None

MOTION CARRIED.

MOTION TO RECONVENE IN OPEN SESSION

- 1. Vote of Board to reconvene
- 2. Authorization to extend a conditional offer to Police Officer candidate(s)

MOTION by Trustee Holyoke, **SECONDED** by Trustee Lange to reconvene into Open Session at 7:07 PM. **MOTION CARRIED UNANIMOUSLY.**

MOTION by Trustee Lange, **SECONDED** by Trustee Abraham to Extend a Conditional Offer to Two Police Officer Candidates. **MOTION CARRIED UNANIMOUSLY.**

XVIII. ADJOURNMENT

MOTION by Trustee Kucharski, **SECONDED** by Trustee Abraham to adjourn the meeting at 7:08 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,



Amy L. Langlois
Village Clerk