

MINUTES
VILLAGE BOARD MEETING
Tuesday, November 14, 2023 at 7:30 PM
Village Board Meeting

1. Call to Order and Roll Call

The meeting was called to order at 7:30 PM by Pres. Heckendorf.

Members Present: Pres. Heckendorf, Tr. Emmrich, Tr. Engelhardt, Tr. Kruepke, Tr. Matter, and Tr. Wells.

Members Excused: Tr. Olson

Members Absent: None

Staff Present: Administrator Jen Keller, Treasurer Darlene Smith, Police Lieutenant Todd Fristed, Fire Chief Aaron Swaney, Building Inspector Collin Johnson, Public Works Director Brian Kober, Parks & Recreation Director Kelly Valentino, and Clerk Anastasia Gonstead.

2. Pledge of Allegiance

The Pledge of Allegiance was recited by those who were in attendance.

3. Presentations

a. Project Update - Zimmerman Architectural Studios, Inc. - Jackson Community Center Expansion Phase II

Jack Bloom with Zimmerman Architectural Studios, Inc. and representatives with Moore Constructions Services provided a powerpoint presentation of the current status of the Jackson Community Center Expansion Phase II. An outline was provided of the projected upcoming schedule. Artist renderings of the pending updates were provided.

No formal action was taken.

4. Public Hearings

No citizens were present who wished to speak on the listed public hearings.

a. 2024 General Fund Budget

b. Ordinance #23-16 - Establishing Zoning District PUD-06 - Laurel Springs Villas Subdivision - Bielinski Homes, Inc.

c. Ordinance #23-17 - Establishing R-1 Zoning for Parcel V3_052200A - Just Two Neighbors, LLC

- d. Conditional Use and Site Plan Review - Cedar Creek Townhomes - James Kupfer
- e. Conditional Use and Site Plan Review - N173W11843 Northwest Passage - Manzoor Enterprises, LLC - Design 2 Construct

5. **Village Citizen Comment on an Agenda Item** (Please sign-in with the Clerk prior to speaking. Please note this is the Village Board's monthly business meeting, not a public hearing. People wishing to speak on an item on the agenda should present their comments under this agenda item. Each commenter will be limited to a total of 2 minutes.)

Ms. Regan Minaudo, of W207N17366 Parkview Drive, spoke on agenda item #10. Ms. Minaudo gave a statement regarding the desire for a Jackson School District and the reasoning behind it.

6. **Consent Agenda** (Prior to voting on the Consent Agenda, items may be removed at the request of any Trustee and placed on the agenda following this item.)

- a. Approval of Minutes for the Village Board Meeting of October 10, 2023
- b. Approval of Minutes for the Special Village Board Meeting of October 16, 2023
- c. Approval of the Minutes for the Special Village Board Meeting of October 31, 2023
- d. Resolution #23-25 - Adopting 2024 General Fund Budget
- e. Resolution #23-26 - Adopting the 2023 Tax Levy for the 2024 Budget
- f. Resolution #23-27 - Adopting the 2024 Water Utility Budget
- g. Resolution #23-28 - Adopting the 2024 Sewer Utility Budget

Items 6d - Resolution #23-25 and 6e - Resolution #23-26 were requested to be pulled off the consent agenda by Pres. Heckendorf. No objection was made.

The motion to approve the remaining items, a through c, f, and g, in the consent agenda was made by Tr. Wells and seconded by Tr. Kruepke.

Vote: 6 ayes, 0 nays. Motion carried.

The motion to approve Resolution #23-25 was made by Tr. Kruepke and seconded by Tr. Wells.

Vote: 4 ayes, 1 nay (Tr. Emmrich), and 1 abstain (Pres. Heckendorf). Motion carried.

The motion to approve Resolution #23-26 was made by Tr. Kruepke and seconded by Tr. Wells. Discussion: Tr. Emmrich expressed his desire not to raise taxes at this time.

Vote: 4 ayes, 1 nay (Tr. Emmrich), and 1 abstain (Pres. Heckendorf). Motion carried.

7. Budget and Finance Committee

- a. Pay Request #5 - Oaks of Jackson Subdivision - DF Tomasini Contractors Inc., in the Amount of \$164,009.14

The motion to approve Pay Request #5 for the Oaks of Jackson Subdivision to DF Tomasini Contractors Inc., in the amount of \$164,009.14, was made by Tr. Engelhardt and seconded by Tr. Wells.

Vote: 6 ayes, 0 nays. Motion carried.

- b. Pay Request #1 - Jackson WWTF Storage Garage - Hunzinger Construction, in the Amount of \$107,690.10

The motion to approve Pay Request #1 for the Jackson Waste Water Treatment Facility Storage Garage to Hunzinger Construction, in the amount of \$107,690.10, was made by Tr. Engelhardt and seconded by Tr. Kruepke.

Vote: 6 ayes, 0 nays. Motion carried.

- c. Change Order #2, Final - Jackson Tennis Pickleball Project - Vinton Construction, in the amount of \$20,138.95

The motion to approve Change Order #2, Final, for the Jackson Tennis Pickleball Project to Vinton Construction, in the amount of \$20,138.95, was made by Tr. Engelhardt and seconded by Tr. Wells.

Vote: 6 ayes, 0 nays. Motion carried.

- d. Pay Request #3, Final - Jackson Park Tennis Pickleball Project - Vinton Construction, in the Amount of \$33,775.71

The motion to approve Pay Request #3, Final, for the Jackson Park Tennis Pickleball Project to Vinton Construction, in the amount of \$33,775.71, was made by Tr. Wells and seconded by Tr. Matter.

Vote: 6 ayes, 0 nays. Motion carried.

- e. Proposal - Hickory Lane Reconstruction Project - Gremmer & Associates, not to Exceed \$149,359.00

The motion to approve the proposal of Gremmer & Associates for the Hickory Lane Reconstruction Project, not to exceed \$149,354.00, was made by Pres. Heckendorf and seconded by Tr. Kruepke.

Correction was noted that the proposal was for \$149,354.00, not the \$149,359.00 noted on the agenda.

Vote: 6 ayes, 0 nays. Motion carried.

- f. Proposal - Ridgeway Dr. and Chestnut Ct. Reconstruction Project - Cedar Corp., not to Exceed \$24,000.00

The motion to approve the proposal from Cedar Corp. for the Ridgeway Dr. and Chestnut Ct. Reconstruction Project, not to exceed \$24,000.00, was made by Tr. Engelhardt and seconded by Tr. Matter.

Vote: 6 ayes, 0 nays. Motion carried.

8. Plan Commission

- a. Development Agreement - Laurel Springs Villas Subdivision - Bielinski Homes, Inc.

The motion to approve the development agreement for Laurel Springs Villas Subdivision by Bielinski Homes, Inc., was made by Tr. Kruepke and seconded by Tr. Wells.

Vote: 6 ayes, 0 nays. Motion carried.

- b. Ordinance #23-16 Creating Residential Zoning District PUD-06 for Laurel Springs Villas

A motion to approve Ordinance #23-16 was made by Tr. Kruepke and seconded by Tr. Wells.

Votes: 6 ayes, 0 nays. Motion carried.

A motion to suspend the rules for a second reading of Ordinance #23-16 was made by Pres. Heckendorf and seconded by Tr. Emmrich. A roll vote was taken:

Pres. Heckendorf: Aye
Tr. Emmrich: Aye
Tr. Engelhardt: Aye
Tr. Kruepke: Aye
Tr. Matter: Aye
Tr. Wells: Aye

Vote: 6 ayes, 0 nays. Motion carried.

A motion to approve the second reading of Ordinance #23-16 was made by Tr. Kruepke and seconded by Tr. Wells.

Vote: 6 ayes, 0 nays. Motion carried.

- c. Ordinance #23-17 - Establishing R-1 Zoning for Parcel V3_052200A - Just Two Neighbors, LLC

A motion to approve Ordinance #23-17 was made by Tr. Kruepke and seconded by Tr. Emmrich. Discussion: Tr. Matter asked for clarification on the entity name, as it varied across different sources. Staff confirmed the ordinance would be revised to reference the ownership as "Just Neighbors 2 LLC." It is a non-substantive change to the ordinance to ensure the correct LLC is listed.

Votes: 6 ayes, 0 nays. Motion carried.

A motion to suspend the rules for a second reading of Ordinance #23-17 was made by Pres. Heckendorf and seconded by Tr. Emmrich. A roll vote was taken:

Pres. Heckendorf: Aye
Tr. Emmrich: Aye
Tr. Engelhardt: Aye
Tr. Kruepke: Aye
Tr. Matter: Aye
Tr. Wells: Aye

Vote: 6 ayes, 0 nays. Motion carried.

A motion to approve the second reading of Ordinance #23-17 was made by Tr. Kruepke and seconded by Tr. Emmrich.

Vote: 6 ayes, 0 nays. Motion carried.

- d. Development Agreement - Cedar Creek Townhomes - James Kupfer

The motion to approve the development agreement for Cedar Creek Townhomes by James Kupfer was made by Tr. Wells and seconded by Tr. Engelhardt.

Vote: 6 ayes, 0 nays. Motion carried.

- e. Conditional Use and Site Plan Review - Cedar Creek Townhomes - James Kupfer

The motion to approve the conditional use and site plan review for Cedar Creek Townhomes by James Kupfer, subject to the provided conditions, was made by Tr. Wells and seconded by Tr. Kruepke.

Vote: 6 ayes, 0 nays. Motion carried.

The provided conditions listed were:

1. Village approval of the onsite stormwater plan; and
2. Agreement to provide means to either provide separate water utilities for each unit and/or a single water service to be billed to the Condominium Association; and

3. Upon receipt of a written complaint and review by the Plan Commission, this conditional use approval may be subject to additional regulation and/or potential revocation by the Village.

- f. Conditional Use and Site Plan Review - N173W11843 Northwest Passage - Manzoor Enterprises, LLC - Design 2 Construct

The motion to approve the conditional use and site plan review for N173W11843 Northwest Passage by Manzoor Enterprises, LLC with Design 2 Construct as applicant, subject to the provided conditions, was made by Tr. Emmrich and seconded by Tr. Kruepke.

Vote: 6 ayes, 0 nays. Motion carried.

The provided conditions listed were:

1. Village approval of the onsite stormwater plan; and
2. Upon receipt of a written complaint and review by the Plan Commission, this Conditional Use approval may be subject to additional regulation and/or potential revocation by the Village.

- g. Extraterritorial Plat Review for a Two-Lot Certified Survey Map - 2028 Hwy 60 - John and Debra Goll

The motion to approve the extraterritorial plat review for a two-lot certified survey map for the property located at 2028 Hwy 60 for John and Debra Goll was made by Tr. Emmrich and seconded by Tr. Matter.

Vote: 6 ayes, 0 nays. Motion carried.

9. Personnel Committee

- a. Review and Discussion of Chapter IV of the Village of Jackson Employee Handbook

Administrator Keller provided an overview of the items contained in the agenda packet with regard to section IV of the Village of Jackson Employee Handbook. Tr. Emmrich pointed out a need for flexibility for additional bereavement leave, if needed, to go above the indicated time allowed, with clarification that it could pertain to immediate or extended family members. Pres. Heckendorf agreed, permitting it is not going into unpaid time off. Tr. Matter inquired if consideration given to having to take a set amount of time required to take off. Administrator Keller explained the need for flexibility within departments and deferring to management to ensure operations are able to be maintained.

No formal action taken.

10. West Bend School District

Tr. Wells reported there will be a facilities assessment overview at next meeting.

11. Washington County Board Report

Pres. Heckendorf provided an overview of Supervisor Schwab's monthly email. Overview of the budget at the county level and indicated these items are available on Washington County's website.

12. Greater Jackson Business Alliance

Tr. Matter reported, annual holiday gathering to be held November 15, 2023. Explanation of involvement with pickleball courts project. Overview of plan to increase scholarships given out by the Alliance.

13. Mid-Moraine Municipal Association Report

Administrator Keller reported they will meet again beginning in January 2024.

14. Closed Session Pursuant to Wis. Stats. §19.85(1)(c) "considering employment, promotion, compensation, or performance evaluation data of any public employee over which the Village has jurisdiction or exercises responsibility" and 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 require a closed session."

The closed session is for the following purposes:

1. Updates to Chapter IV of the Village of Jackson Employee Handbook and Application of Same with Regard to Specific Employees; and
2. To Discuss the Village Strategic Approach Related to the Sale and Development of Properties Publically Owned in TID 7.

The motion to proceed into closed session pursuant to Wis. Stats. §19.85(1)(c) and Wis. Stats. §19.85(1)(e) was made by Pres. Heckendorf and seconded by Tr. Emmrich. Roll vote taken:

Pres. Heckendorf: Aye

Tr. Emmrich: Aye

Tr. Engelhardt: Aye

Tr. Kruepke: Aye

Tr. Matter: Aye

Tr. Wells: Aye

Vote: 6 ayes, 0 nays. Motion carried. The vote was taken at 8:16PM. A five-minute break was given before proceeding into the closed session. The meeting proceeded into closed session at 8:21 PM. Those present in the closed session were the Village Board members and Administrator Keller, as well as representatives for EDWC, for closed session item 2 only.

15. Reconvene into Open Session with Possible Action Related to the Subject of the Preceding Closed Session

The motion to reconvene into open session was made by Pres. Heckendorf and seconded by Tr. Emmrich.

Vote: 6 ayes, 0 nays. Motion carried. The meeting reconvened into open session at 10:15 PM.

The motion to authorize the Village Administrator and EDWC to negotiate the sale of land to 250 Focus, per the terms discussed in closed session, was made by Pres. Heckendorf and seconded by Tr. Emmrich.

Vote: 6 ayes, 0 nays. Motion carried.

A motion was made by Tr. Emmrich and seconded by Tr. Wells to authorize the Village Attorney and the Village Administrator to review, revise, and distribute to employees the updated Section IV Leave Policies of the Employee Handbook, and to allow for a one-time adjustment of leave benefit for specific employees, as discussed in closed session, effective January 1, 2024, subject to the following amendments:

1. The bereavement benefit to be amended to allow for employees to exceed the two-day minimum in the event they have remaining paid time off available to them, subject to the immediate supervisor's approval.
2. No paid time off benefit shall be accessible to part-time employees.
3. Upon one month of employment, employees shall be eligible to use 10 vacation days. This benefit may be prorated upon hire and shall require reimbursement to the Village should the employee utilize vacation time and resign or be terminated within the first calendar year of employment.
4. Language referencing 2:1 years of experience credits for vacation time, available to employees upon hire, shall only apply to Department Heads. This benefit may be prorated upon hire and shall require reimbursement to the Village should the employee utilize the vacation time and resign or be terminated within the first calendar year of employment.

16. Adjourn

A motion to adjourn the meeting was made by Tr. Kruepke and seconded by Tr. Emmrich.

Vote: 6 ayes, 0 nays. Motion carried. The meeting was adjourned at 10:18 PM.

Respectfully Submitted,
Anastasia Gonstead - Village Clerk