

**EAST TROY  
VILLAGE BOARD MINUTES  
November 15, 2021  
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**Call Meeting to Order; Pledge of Allegiance**

**Clerk Alexander verified the meeting was posted according to law.**

**Roll Call:**

President Seager called the meeting to order at 6:30 p.m.

Present: President Scott Seager, Trustees John Alexander, Mary Nugent, Matt Johnson, Forty Renucci, Jason Smalley and Joe Wisnewski

Others: Chief Swendrowski, DPW Director Equitz, Administrator Suhm, Attorney Pruitt, Clerk Alexander

*The following attended via Zoom: Trustee Smalley*

**Citizen Participation**

Rodney Baerbock, 3034 Chafin Ave., spoke against the rezoning of the property at 2919 Beulah Ave. to AR-9, he feels this is not an appropriate zoning for this neighborhood.

**\*Ordinances & Resolutions** items 2 and 3 were taken out of order at this time.

**Consent Agenda**

1. Approval Minutes – 9/16 Tri-Troy, 11/1, 11/2
2. 2021 Tax Insert
3. Recommendation from Plan Commission to approve extraterritorial review of a one-lot certified survey map to create a 5-acre parcel with a remnant ag parcel located off of St. Peters Road (PET1800020A); Peter and Susan Acker, applicant (2021-34)
4. Recommendation from Plan Commission to approve extraterritorial review of a one-lot certified survey map to create a 4.85-acre parcel with remnant ag parcel located at W2691 Highway 20 (L T 2400010); Robert and Linda Dingman, applicant (application 2021-35)
5. Recommendation from Plan Commission to approve a one-lot certified survey map to merge 3 adjoining parcels located at 2511 Main Street; BBQ Pit LLC; Leon Davis, agent (2021-36)
6. Consider extension of deadline to submit advance requests for East Troy Railroad Infrastructure agreement and associated loan.
7. Consider granting approval of Special Event Permit for East Troy Chamber of Commerce, Vanessa Lenz, Chairperson, for:
  - **Santa on the Square**, Dec. 4, 2021, from 5 – 8:30 pm. Event will include tree lighting and winter activities (see provided information).
  - **East Troy Lights 2021 and NYE Ball Drop**, December 4 through 31, from 5 – 8:30 pm at the Village Square and from 5 pm to 12:30 am on December 31.
  - **Temporary Class B License for Santa on the Square and ET Lights**, for December 4, 10, 11, 17, 18, 24 (TBD), 25 (TBD), 31, from 5 – 8:30 pm at the Village Square and from 5 pm to 12:30 am on December 31. Operators to be Vanessa Lenz and Sarah Manke.
    - i. Contingent upon receipt of fees
    - ii. Contingent upon receipt of permit from Walworth County if closure of Main Street, north side of Square is approved

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8. Consider granting approval of Special Event Permit for **Winter Wine Walk**, December 10, 2021, East Troy Chamber of Commerce, Vanessa Lenz, Chairperson, 5 pm to 8 pm at Village Square and surrounding businesses (13 locations) and include the area of the Winter Wine Walk locations to be authorized as an exemption per Ord. 305-24 (D) and (E).
  - Contingent upon receipt of fees
9. Setting garbage and recycling special charge for the 2021 tax roll at \$183.12

Trustee Johnson pulled item 7 and 8 to ask DPW Equitz if there were any concerns with these events. DPW Equitz stated that the center grass area will need to be barricaded and they will need to monitor any equipment that is placed on the new concrete. Ms. Lenz stated she understands this, will be utilizing alternate equipment for decorating and will continue to communicate with DPW Equitz regarding the event.

Motion by Trustee Alexander, second by Trustee Johnson, to approve the consent agenda. Motion carried.

**Miscellaneous Business**

**1. Consideration of awarding bids for dam removal project**

Tim Lynch, Lynch & Associates, Village Engineer, stated the bids received were favorable. There were three bidders and RLP Diversified was low bidder. Mr. Lynch presented the results for the base bid and alternates A-D, recommending consideration of either Alternate A or B landscaping plans. He explained that Alternate B is about half the amount of landscaping, and Alternate C changes grass type, Alternate D relates to alternate riffle pools and this option cannot be done later so would need to be selected at this time. The Base Bid does include remediation of cattails, replanting and storm sewer extensions. He reviewed the map renderings of the base bid including riffle and pool for fish habitat. Discussion included grading work, plans for removing cattails, reseeding of the area, temporary stream diversion plan, funding, scope of project, storm sewer extension, the timeline with work beginning in December 2021 and planting in spring 2022, the possibility of the stream being relocated to the north, concerns with moving the stream to the north, the potential for flooding, concern this would bring the project back to a redesign point and need to be re-bid causing a delayed start, the deadline to award or reject a bid by law, a request for estimated costs for the possibility of moving the stream to the north (Mr. Lynch estimated it would take about two weeks to provide cost numbers but longer to receive communication from the WI DNR), the option of running this as two parallel projects, funding, thoughts on the offered alternatives, and the advantage that Alternate D would provide additional fish habitat and enhance the public space. DPW Equitz expressed concern with the consideration of moving the stream to the north as this may be a change to the scope of work, require additional survey work, costs, DNR approvals, and engineering fees. Mr. Lynch agreed that there would be additional costs for permitting and engineering as well as the need to determine if the project would need to be re-bid because of the changes based on the percentage of change allowable by law.

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Mr. Lynch stated that the goal was to award the bid and choose either Alternate A or B and consider Alternates C and D.

It was discussed that Alternates A, B and C could be approved in the future, but the base bid and Alternate D would need to be decided upon to begin the project, and perhaps Alternates A, B and C could have input from the Parks & Rec Board, the schools, or other partners.

Motion by President Seager, second by Trustee Nugent, to approve awarding the base and Alternate D to RLP Diversified. Motion carried.

**2. Consideration of change order to extend utility services in TID 4 (no packet materials)**

DPW Equitz stated that there was no information at this time

**3. 2022 Budget**

a. **Presentation** -Administrator Suhm gave the budget presentation as a high-level overview summary. (The presentation documents can be found on the Village web site)

**b. Public Hearing on 2022 Budget**

President Seager opened the public hearing 7:50 pm.

Steven Kuhl, 2905 North Shore Drive, asked how the budget is accommodating the dam removal project and if there will be enough funds available for the project. Trustee Johnson explained the amount of the grant, the amount of funds that have been set aside for the project and that there are undesignated funds that can be used as needed. He stated that when the bid is awarded that becomes the scope of work for the contractor and with the scope of work as it is now, change orders may be used to adjust the project. Mr. Kuhl questioned possible legal costs and it was explained that legal costs are always anticipated in the budget. Mr. Kuhl asked how changes are addressed and it was explained that change orders are brought to the Board by staff, discussed and voted on.

President Seager closed the public hearing at 7:58 pm .

**c. Consideration of Ordinance 2021-11 Appropriating funds to operate in 2022 and adopting levy**

Motion by Trustee Johnson, second by Trustee Alexander, to approve Ordinance 2021-11 Appropriating funds to operate in 2022 and adopting levy. Motion carried.

Trustee Nugent then thanked Administrator Suhm, staff and the Department Heads for their work on the budget and Trustee Alexander praised the understandable format.

**Ordinances & Resolutions**

**1. Ordinance 2021-12 - Potential revisions to the zoning code (Chapter 510) relating to bufferyard requirements (application 2021-33)**

Motion by Trustee Johnson, second by Trustee Wisnewski, to approve Ordinance 2021-12, Potential revisions to the zoning code (Chapter 510) relating to bufferyard requirements. Motion carried.

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2. **\*Ordinance 2021 - 13 Recommendation from Plan Commission to approve amending various dimensional standards in Subsection 510-24(H) of the zoning regulations for the Two-Family Residential (TR-8) zoning district; Steve Lambrechts, applicant (2021-37)**

Item was taken out of order – Motion by Trustee Johnson, second by Trustee Nugent, to approve Ordinance 2021 - 13 as recommended from Plan Commission to approve amending various dimensional standards in Subsection 510-24(H) of the zoning regulations for the Two-Family Residential (TR-8) zoning district. Motion carried.

3. **\*Ordinance 2021 - 14 Rezone subject property located at 2019 Beulah Avenue (RA454000001) from Light Industrial (LI) to Attached Residential (AR-9); ABCS Investments LLC, applicant; Steve Lambrechts, agent (application 2021-38)**

Item was taken out of order – Trustee Johnson stated that this property is currently zoned Light Industrial and expressed concern that a light industrial use would be detrimental to the neighborhood.

Motion by Trustee Renucci, second by Trustee Nugent, to approve Ordinance 2021-14 Rezone subject property located at 2019 Beulah Avenue (RA454000001) from Light Industrial (LI) to Attached Residential (AR-9).

Trustee Wisnewski stated his opposition and expressed concern that an AR-9 project could be approved without neighbors knowing about it and believes there should be a development plan prior to approving the AR-9 rezone for this property.

Discussion included that it is the Village's practice to inform residents within 300' of a property when public hearings are required however residents may receive notifications of applications for any property by subscribing on the Village website through the zoning page, (ZoningHub), that the Comprehensive Plan is required by the state and should be adhered to, that any development plan would need to be approved by the Plan Commission and meet the required standards, concern with a light industrial use being brought to this property to the detriment of the neighborhood, and questioned if the zoning were changed AR-9 could it still be used as TR-8 and it was confirmed that a lower density could be proposed but AR-9 would be the maximum density allowed.

Motion by Trustee Johnson, second by Trustee Alexander, to allow Steve Lambrechts, applicant, to address the Board. Motion carried.

Steve Lambrechts, applicant, stated that this property is different from the former Chester Brynes property because it is zoned light industrial, he discussed the improvements he has made to the property and read an email from Associated Appraisal regarding the effect on property values when multi-family development is located adjacent to single family homes of rarely losing property values but diminished market values have happened when neighboring properties acquire industrial or light industrial uses. He stressed that he would want to see owner occupied development at this location and that he has publicly stated his opposition to apartments and as the current owner would review development plans prior to a sale of

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the property. Trustee Wisniewski asked for more information about the history of the property and what had been done to improve the property. Mr. Lambrechts explained that this area once was a Co-op and he has removed nine above ground fuel tanks, multiple underground tanks, old buildings and has cleaned up other environmental issues to receive a “clean bill of health” for the property from the state.

Trustee Nugent called the question and the motion carried.

**Reports**

1. **Verbal update on Main Street/Square Project/Church Street & Cost Tracking Update**  
DPW Equitz stated that the paving is scheduled to begin tomorrow, and the contractor has worked during the weekend pouring concrete and is bringing in lighting to work extended days as the weather is deteriorating. Striping may not get done until spring and they have been investigating a concrete sealer for this winter. There have been a few cracks in the decorative sidewalk that will be repaired in spring. He has not found a safe ice melt and is hoping the sealer will help. Salt should not be used on the new concrete, and he is checking for alternates. There are a few random spots where sidewalk squares had to be replaced and DPW Equitz had asked that those be done by Halloween, but the contractors are focused on downtown. They are aware of these sidewalk spots, and he expects to see those finished soon.
2. **October Financial Report**
3. **Library Board Minutes 10/11/2021** – Trustee Nugent notified the Board that Library Director Jeff Gartman has submitted his resignation and the Board thanked him for his service.

**Closed session**

Motion by President Seager, second by Trustee Johnson, to adjourn to closed session pursuant to Wis. Stats. 19.85 (1)(e) for the purpose of conducting other specified public business, whenever competitive or bargaining reasons require a closed session (possible amendment to intergovernmental agreement for emergency services and potential TID 4 developments).

Motion carried on a roll call vote:

President Seager	Y
Trustee Alexander	Y
Trustee Johnson	Y
Trustee Nugent	Y
Trustee Renucci	Y
Trustee Smalley	Y
Trustee Wisniewski	Y

**Adjourn**

Motion by President Seager, second by Trustee Johnson, to adjourn. Motion carried at 8:42 pm.

Respectfully Submitted,  
Lorri Alexander  
Clerk

**Note:** Recordings of the meeting may be found on our YouTube Channel - Link:  
<https://www.youtube.com/channel/UCGPfzVwLzE2Pqt4-g450Klg>