

VILLAGE OF ELLSWORTH BOARD MEETING
December 4, 2023 6:00pm
130 N. Chestnut St. Lower Level Boardroom (East Rear Entrance)

Members Present: President Beissel, Trustees Bench, Borner, Anderson, Neeley, Schutz and Hines.

Staff Present: Administrator/Clerk-Treasurer Brad Roy, Chief of Police Ladwig, Library Director Meyer, Attorney Loberg

Public Present: Randy Brickner, Karen Meyer, Sean Lentz (Ehlers), Sarah Nighbor (Press/virtual).

MINUTES

- 1. Meeting called to order at 6:00pm by President Beissel**
The Pledge of Allegiance to the Flag was recited.
- 2. Approval of minutes – 11/6, 11/27. MSC Borner/Hines to approve the minutes. No further discussion. Unanimous.**
- 3. Approve payments and deposits. MSC Bench/Schutz to approve the payments and deposits. No further discussion. Unanimous.**
- 4. Public comment on non-agenda items. No public comment.**
- 5. Select January Village Board meeting date. The possible options for meeting dates were discussed. MSC Borner/Hines to select January 3rd at 6pm for the regular January 2024 Village Board Meeting. No further discussion. Unanimous.**
- 6. Discuss/Approve a Certified Survey Map for Randy Brickner on property located at 527 South St. The CSM was presented. MSC Hines/Schutz to approve the CSM for Randy Brickner. No further discussion. Unanimous.**
- 7. Discuss/Approve agreements with Ehlers for Water and Sewer Rate Studies. The proposals for utility rate studies were presented. A/C-T Roy discussed how the current rates are insufficient and need to be updated. The studies will show how much of an increase is needed and the impact of Grant/Piety reconstruction, Public Fire Protection charge, Biosolids updates will impact the utility rates. Sean Lentz (Ehlers) discussed the process for the studies and the PSC approval for the water rate. MSC Borner/Hines to approve \$4,500.00 for the Sewer rate study and \$13,500.00 for the Water Rate Study. No further discussion. Unanimous.**
- 8. Discuss a proposed Crossing Meadows subdivision - Meadowlark eco-Apartments by Gerrard Corporation. Paul Gerrard presented the proposed subdivision in Crossing Meadows which would include 54 housing units with low-income, medium-income, and market-rate rents. A/C-T Roy discussed the property would need to be removed from TID 7 and a new TID would need to be created. The modification of TID 7 and the creation of the new TID requires approval from the Joint Review Board. Sean Lentz (Ehlers) discussed the Tax Increment process. The Board discussed the project and agreed it is worthwhile for future consideration. No formal action was taken.**
- 9. Discussion and possible action on Ordinance #695 extending sunset date of 12/31/23 to 12/31/24 on reduction of residential and commercial Impact Fees. A/C-T Roy presented the**

impact fee amounts. The fees have not been collected since at least 2020. Attorney Loberg discussed that there are requirements for collecting the fees and restrictions on how to spend the fees. **MSC Bench/Hines to extend the sunset until April 15, 2024.** No further discussion. **Unanimous.**

- 10. Discuss/Approve Peak Holdings One LLC Mobile Home Park License for 2024.** The Mobile Home Park license application was presented. Hines questioned the application fee. The fee is set by the State of Wisconsin and the Village cannot charge a different fee. **MSC Borner/Anderson to approve the license for 2024.** No further discussion. **Six (6) votes in favor and one (1) oppose (Hines). The application was approved.**
- 11. Discuss/Approve the application for an original license Class A Retailer's License for the sale of intoxicating liquor and/or fermented malt beverages for Family Dollar Store #22637, 181 E Main St., Ellsworth, WI 54011.** The application was presented. **MSC Bench/Hines to approve the application.** No further discussion. **Unanimous.**
- 12. Appoint Election Inspectors for a two-year term which begins January 1, 2024 and ends December 31, 2025.** The list of election inspectors was presented, noting political party if applicable. **MSC Schutz/Neeley to approve the list.** No further discussion. **Unanimous.**
- 13. Discuss/Approve Police Department vehicle purchase.** Chief Ladwig presented the bids and discussed his preference for marked vehicles. Ford has not been taking orders for Police vehicles and the timeframe to purchase one is still unknown. Chief Ladwig stated that he preferred to purchase a 2024 Chevy Silverado from Quinn Motors, the price listed is \$49,500 but the price may change when the order is placed. The Board discussed the options and its preference to have more marked vehicles. **MSC Schutz/Neeley to approve the purchase of the 2024 Chevy Silverado from Quinn Motors.** No further discussion. **Unanimous.**
- 14. Discuss/Approve an updated Developer's Agreement for the WEDC Community Development Investment Grant.** The updated Developers Agreement with Baker Rental Properties, LLC was presented. The grant amount was changed to \$131,000.00. The Village will submit the application to the WEDC and the grant funds will be distributed to Baker Rental Properties, LLC if awarded. **MSC Borner/Neeley to approve the Developers Agreement.** No further discussion. **Unanimous.**
- 15. PFAS Settlement Opt-Out update.** Currently the PFAS in the Village are below State limits. To date no costs have been incurred by the Village to treat PFAS. The Village has been included in two Class Action lawsuits. A/C-T Roy discussed the PFAS settlement, due to the current PFAS levels and the lack of financial costs to the Village it is unlikely that the Village would receive a financial award. The lawsuits would limit the Village's ability for future claims if the PFAS levels were to exceed State limits. A/C-T Roy, DPW Vick, and Attorney Loberg have discussed the settlement options in detail. It was determined that the best course of action for the Village was to opt out of the lawsuits. No action was taken.
- 16. President's Report.** The President's report was presented.
- 17. Committee/Commission meeting reports/recommendations.**

- a. **TID Joint Review Board**
 - The November 15 meeting minutes were reviewed.
- b. **Plan Commission**
- c. **Board of Appeals**
- d. **Board of Review**
- e. **ETZ**
- f. **Water and Sewer**
- g. **Street & Sidewalk**
- h. **Salary and Labor**
- i. **Parks, Recreation, & Development**
- j. **Finance, Purchasing, Buildings**
- k. **Public Safety**
- l. **Health, License, Welfare**
- m. **Solid Waste, Cable TV, Special Committee**
- n. **Cemetery**
- o. **Community Development Authority**
 - The November 16 meeting minutes were reviewed.

18. Department Head Reports: Department activity/update

- a. **Chief of Police presented his report.**
- b. **Director of Public Works report was presented.**
- c. **Administrator/Clerk/Treasurer presented his report.**
- d. **Library Director presented her report.**

19. The Board will adjourn to closed session pursuant to Wisconsin Statutes, Section 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.

MSC Schutz/Hines to adjourn to closed session. Roll Call Vote. Unanimous.

Discuss potential Ellsworth Bioenergy Payment in Lieu of Taxes and possible terms of any accompanying Memorandum of Understanding.

MSC Borner/Neeley to reconvene into open session. Roll Call Vote. Unanimous.
No action was taken.

20. Adjournment. MSC Anderson/Hines to adjourn. Unanimous.

Respectfully submitted by Brad Roy, Administrator Clerk-Treasurer