

*Village of Bloomington*  
Regular Board Meeting  
April 8, 2024

The regular monthly meeting of the Village Board was called to order by Village President Robert McLimans at 7:00 p.m.

The Pledge Allegiance to the Flag was said.

Roll call was taken, present: Robert McLimans, Dennis Moris, Tim Senn, Chasity Allen, Scott Daentl, Dawn Drew, and Robert Fox.

McLimans welcomed recently elected trustees Dennis Moris and two new trustees: Al Mergen, who was present, and Michelle Atterbury. They will take the Oath of Office this week and begin their term on the third Tuesday of April, which is April 16, 2024.

Motion was made by Moris and seconded by Fox to approve the minutes of the regular board meeting for February 5, 2024, as read in e-mail. All were in favor. Motion carried.

Motion was made by Senn and seconded by Daentl to approve the accounts payable reports for March 2024. All were in favor. Motion carried.

Officer Small was present to give his report. Officer Small reported that he typed and issued a warning letter to the residents at 4<sup>th</sup> Street for the updated dog ordinance. Officer Small previously requested a Village email address due to issues with accessing his work email from his personal PC and phone, and to make communication easier. This has been set up. Officer Small discussed the possibility of a Spring Clean-Up. Clerk stated that she had reached out to Town & Country. They informed the Clerk that the Village had never done so, and Town & Country did not seem interested in doing so at the time. Discussion was had on garbage and recycling fees and the use of dumpsters. Board suggested creating a Facebook post to remind residents to call Town & Country for junk removal or sending a flyer with the next water/sewer utility. Officer Small asked if the ordinance for junked vehicles had been updated. McLimans stated that it is on hold at this time. Officer Small discussed parking and asked about enforcing parking between 3 am – 6 am during the summer months. It was decided to enforce those hours only during winter months. Officer Small will start enforcing the handicapped parking downtown.

Concerned citizens present were Jessica and Jason Fuerstenberg and Larry Reuter. Jessica Fuerstenberg requested a special license to keep their 13 dogs and discussed the history of care and vaccinations. Fuerstenberg stated that social workers and the humane society have made visits to their residence and claimed no issues or concerns had been found by either. Fuerstenberg claimed that the only time the dogs bark is when it is feeding time or when someone walks by. McLimans stated that the Village has been dealing with complaints regarding their dogs from other residents for the last twelve months. McLimans explained that dog ordinance was updated to limit the number of dogs on the recommendation of the Village Attorney. This is similar to other communities in the area, and it's been publicized several times. Fuerstenberg claimed that she has always registered all 13 dogs with the Clerk/Treasurer by showing proof of their vaccination and paying the fee, and the Clerk/Treasurer then gives her tags. According to Clerk's records and emails between Jessica Fuerstenberg, Officer Small and the Clerk only nine of those dogs were registered in 2023. Fuerstenberg then claimed that she received a kennel license through the County. Discussion was had. Daentl suggested granting the special license until the end of 2024 since all dogs have now been registered. Moris stated that according to the ordinance, a request has to come through the Board and the Board then votes on it. Moris stated that since this is not being enforced until July, the Fuerstenbergs should present a list of the eight dogs in which they are requesting a special license, and the Board will then vote on it. McLimans suggested that the Board vote on it now. McLimans suggested granting the special license until the end of 2024, at which time the special licenses will be reviewed. McLimans explained that it is the Board's intention for the Fuerstenbergs to reduce the number of dogs they have. Senn stated that granting this request will not stop the complaints the Board is going to receive and suggested granting the request as long as the dogs are kept under control and there are no further issues. McLimans told Fuerstenbergs to contact Officer Small directly and not the

Sheriff's Office when they have a problem, as he is the Village Officer. McLimans advised they can contact Officer Small by emailing him at [police@villageofbloomington.com](mailto:police@villageofbloomington.com) or by contacting the Clerk at the Village Office. McLimans made a motion to grant Fuerstenberg's request for a special license until the end of 2024 barring any further issues, at which time the special licenses will be reviewed. Allen seconded the motion. All in favor. Motion carried. McLimans explained that any further issues could include receiving at least 3 verified complaints in a month. McLimans suggested the Fuerstenbergs make an appointment to get on the calendar for the December meeting. Jason Fuerstenberg claimed that they will be putting up a fence to help reduce barking caused from people walking by. McLimans reminded the Fuerstenbergs that they will need to apply for a Land Use Permit before starting that work.

Larry Reuter stated that he is going to be having loads of dirt delivered to his residence to fix up his yard. He had questions on where his property line is. Discussion was had on an alley that used to be there and the Village sold and now just has a right-of-way. McLimans asked Mark Digman, from Delta 3 Engineering, what the setback from an alley is. Digman suggested Reuter get the property surveyed. The Board suggested Reuter reach out to the owner who sold him the land. In the interest of saving time, McLimans will do some research and reach out to Delta 3 Engineering, and he will get back to Reuter. McLimans asked Reuter to drop off a map at the Clerk's office.

Mark Digman, from Delta 3 Engineering, was present to discuss the proposed 2024 Infrastructure Improvement projects. Digman distributed packets, which included a bid tabulation and itemized bid summary for the utility and street construction project. Digman explained the bidding process and summarized bids received. Five bids were received. JI Construction, LLC from Livingston, WI submitted the lowest bid at \$1,966,270.50. Rule Construction, Ltd from Dodgeville, WI submitted the second lowest bid at \$2,187,533.50. The bid from JI Construction, LLC is approximately 4.5% below the estimated construction budget amount. Therefore, Digman recommended awarding the contract for utility and street construction to JI Construction, LLC in the amount of \$1,966,270.50. McLimans asked Digman about his experience with JI Construction, LLC. Digman explained that they are a smaller company with smaller equipment, but he has had no issues with them. Digman stated that Delta 3 Engineering has worked with them on projects every year, and JI Construction, LLC has always done what was asked and completed projects on time. Digman explained that Dennis LaMere had not signed the easement agreement because of concerns he had with the route for the overflow of the storm water. Digman relocated the end wall so the discharge will be routed to the other side. Motion was made by McLimans and seconded by Daentl to accept the bid received from JI Construction, LLC in the amount of \$1,966,270.50 contingent upon LaMere signing the easement agreement. All were in favor. Motion carried.

Digman distributed a packet which outlined funding options for the utility and street construction project. Digman explained that the Village has already secured a Community Development Block Grant for Public Facilities (CDBG-PF) Award in the amount of \$1,000,000 and has a CD in the amount of \$400,000. Discussion was had. Digman stated that Bart Nies, from Delta 3 Engineering, recommends Option #2 or #3. Clerk will send options to Jay Bennett, the Village Accountant. Delta 3 Engineering will need to have an answer by the May meeting.

The month of April has been designated as Fair Housing Month by the United States Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity. Robert McLimans, Village President of the Village of Bloomington, on behalf of the Village Board and its residents, does hereby proclaim the week of April 8-12, 2024, as Fair Housing Week and encourages all housing providers to support and affirm their commitment to Fair Housing. Motion was made by Senn and seconded by Fox to pass the proclamation. All were in favor. Motion granted.

Digman presented and explained the Engineering Services Contract, which is an agreement made between Delta 3 Engineering, Inc., and the Village of Bloomington for engineering services for the Wastewater Treatment Facility Evaluation. The project will generally include the evaluation of the components of the existing Wastewater Treatment Facility (WWTF), including the comminutor, blowers, extended aeration activated sludge process, chemical addition, final clarifier, chlorine disinfection system, flow monitoring and sampling, sludge handling, sludge treatment, sludge storage, electrical, controls, site features, buildings, and other existing appurtenances and associated equipment utilized at the WWTF. A Wastewater Facility Energy Assessment that will satisfy Focus on Energy Standards will also be performed by a Qualified Service Providers required by Focus on Energy. The results of the evaluation and Wastewater Facility Energy Assessment will be summarized and provided in a Wastewater Treatment Facility Evaluation Report, including the analysis of age, structural integrity, efficiency, remaining life expectancy, and opinion of probable costs for replacement (as necessary) for each stage of the treatment process within the WWTF. The evaluation of the WWTF will

be completed in 2024. Motion was made by Daentl and seconded by Allen to approve the Engineering Services Contract. All were in favor. Motion carried.

Discussion was had on holding a public information meeting for residents affected by the utility and street construction project. Meeting will be held at the American Legion Hall located at 122 Congress Street, Bloomington on Wednesday, May 29, 2024, at 6 pm. The purpose of the Public Information Meeting is to discuss the Proposed 2024 Infrastructure Improvements – Bloomington on Spruce Road (Canal Street to Wall Street), Wall Street (Spruce Road to Canal Street), Bluebird Lane (North dead end to Court Street), West Court Street (West intersection with Court Street to East intersection with Court Street), and Court Street (West Court Street to State Trunk Highway ‘133’/State Trunk Highway ‘35’). Delta 3 Engineering will post the notice in the newspaper and provide the Clerk with the information.

Discussion was had on the Proposed Well #2 Project. Digman explained reasons for having a second municipal well, mainly having a back-up well if the main municipal well stopped working. This would be a three-year process or longer. An engineering evaluation would be done to establish where good well sites are. The next step is getting approval from the DNR and then obtaining funding. This project could cost approximately \$1M. Discussion was had. McLimans stated he would rather see this on the Five to Ten Year Plan with all the other projects going on at this time. The Board agreed.

McLimans explained that after the Board approved the proposed building regulations ordinance as advised by Mike Parrott, General Engineering Company, the Clerk emailed the ordinance to Attorney Wood. Attorney Wood’s office emailed a reply with some concerns. McLimans read the email from Attorney Wood, which stated: “Thank you for sending the Ordinance DRAFT and the marked-up version of current code (PDF). You indicated in your email that the Board wants to eliminate all sections of the current code highlighted in yellow. In reviewing everything, we have some concern regarding eliminating the provisions included in Ordinance 2005-01. This Ordinance is specifically regarding the construction of buildings and required setbacks. Also of concern is Ordinance 2022-01 regarding Fencing. This Ordinance was not included in the PDF from Mike. Most municipalities have a chapter dedicated to general Zoning requirements. Information regarding building setback and fencing is usually included in the Zoning Chapter. The restrictions included in Section 13.02(3)(B) Frame Construction Exceptions and 13.02(4) Bulk Oil Tanks Prohibited (or other similar restrictions) are also typically included in a Zoning chapter. It does not appear the Village has a general zoning chapter, only floodplain zoning. Attorney Wood is recommending you either create a Zoning chapter and move these sections into the new zoning chapter OR continue to include these sections in the Building Regulations Chapter 13. The Village particularly needs to have setbacks defined someplace within the municipal code.” Discussion was had. Moris recommended that the Ordinance Committee meet and review the ordinance. McLimans asked the Committee to meet before the next Board meeting and present their suggestions at the May meeting.

McLimans gave an update on the Grant County Communication Tower and the email received from Robert Keeney, Grant County Board Chair. Keeney’s email stated that Grant County has entered into a Contract to have Finish Excavating complete the construction of their next 5 towers. At this time Finish Excavating plans to start construction at the Bloomington Site on April 8, 2024, with a completion of the Civil work by July 1. Walsh received communication that the work was going to start April 9, 2024.

McLimans shared an email from Jay Bennett, Village Accountant, that was sent to the Clerk. Jay stated that after he reviewed the Water PSC annual report, it looked like the Water utility would probably qualify for a SRC (simplified rate case) – which is a 4.1% increase in water rates. After they file the report and if the Village approves, Johnson Block could file an application for the increase, which would cost approx. \$300 to do so and the new rates would take effect at least 45 days after the filing. This would help with any full rate case that the Water utility would need in the future – which is probably needed with the planned projects to be completed. Discussion was had. Motion was made by Moris and seconded by Daentl to approve a Water Simplified Rate Case. All were in favor. Motion carried.

McLimans shared the bid of \$1,250 for the Community Park concession stand for the summer of 2024 submitted by Travis and Kelly Copsy. Motion was made by Senn and seconded by Fox to approve the bid of \$1,250 for the summer of 2024. All were in favor. Motion carried.

Drew explained that they are waiting to go forward with their project until Hermsen can clear up some legalities. Discussion was had. Motion was made by McLimans and seconded by Moris to grant a Land Use Permit to D’Lish, Dawn Drew, pending the resolution of legalities. All were in favor. Motion carried.

McLimans presented the Land Use Permit application submitted by Sara Hampton. Required paperwork has been submitted to the Clerk and the building inspector. Discussion was had. Motion was made by Moris and seconded by Drew to grant a Land Use Permit to Sara Hampton. All were in favor. Motion carried.

Land Use Permit application was submitted by Scott and Lori Daentl to remodel their existing shed. Daentl explained the work to be done. Motion was made by Senn and seconded by Allen to approve the Land Use Permit to Scott and Lori Daentl. All were in favor. Motion carried.

Walsh was present to give the Maintenance report. McLimans asked Walsh to explain the health issues he is currently going through and shared that he discussed the best way to handle this situation with Larry Gates. It was decided that the best option would be to have Walsh on light duty in which he would spend time working on things such as studying for his certification exams, updating the Emergency Response Plan and Operating Plan. McLimans also shared that the comp time that Walsh had accumulated covered most of his absence. Walsh explained that he received a quote of \$4,518.11 for the generator upgrade. If the power goes off, it will automatically turn on with the upgrade. Discussion was had. Motion was made by Fox and seconded by Daentl to approve the quote of \$4,518.11 for the generator upgrade. All were in favor. Motion carried. Walsh explained that the warning bell at the plant is not operable. Larry Gates recommended purchasing a new bell, and Walsh received a quote of \$1,785. Motion was made by McLimans and seconded by Moris to purchase a new warning bell. All were in favor. Motion carried. McLimans shared that he received a call from the Village of Patch Grove Clerk regarding use of the Village's sweeper vacuum. Larry Gates advised that the City of Prairie du Chien charges \$100/hr just for the machine. Discussion was had on the number of man hours and the cost of fuel. It was decided to quote the Village of Patch Grove \$200/hr. McLimans will contact the Village of Patch Grove Clerk. Walsh stated that there are some trees in the Village that need to be trimmed. Moris stated that he'd been approached by Warco Transportation because they are having issues with getting their buses close to the curb on Mill Street because of the trees and the Village trucks have issues getting close to the curb when plowing snow because of the trees on Prospect Street. McLimans asked Walsh to make a list of areas that need to be trimmed with Mark and get a quote to present at the May meeting. Walsh explained that he received a letter from the State that the salt shed is noncompliant because of the apron skirt at the bottom. The State advised that the options are either building a new salt shed or repairing the apron. Discussion was had. The Board decided to repair the apron. Walsh asked about replenishing the wood chips at the park. McLimans suggested Walsh get the tree trimming company's opinion on where to get wood chips. Walsh explained that the parking lot at the park needs one or two loads of gravel. Walsh will contact someone and get that scheduled. Walsh asked the Board about purchasing a sign at the ball field to sponsor or advertise for Andrew Nicholas' business since he is rolling the ball field for free. The cost would be \$450 for 5 years, totaling \$1,250. Discussion was had. The Board decided to pass at this time. Walsh asked if the Little League could help with striping on the fields since the Village does not charge them a fee for park usage, and it takes 2 ½ hours each for Walsh and Moris to do. Discussion was had. The Board decided that this was the Village's way of giving back to the community and Little League should not be asked to help. Walsh would like the Copeys to throw the empty boxes from the concession stand in the dumpster and not leave them outside the concession stand door at the end of the night. The Clerk will email Kelly.

Clerk gave an update on the first utility billing that was processed in the new software, Workhorse. There were a couple of small issues but for the most part it went very well. Clerk gave an update on the election held on April 2, 2024. There was a total of 219 voters, 13 absentee ballots, and 13 election day registrations. An election inspector came to our polling place on election day looking for accessibility compliance. The report has not been received yet. Clerk stated that she is concerned with the boards used for the voting "tables" as they are not very stable. Clerk also received feedback that the boards were too high for some people, and it's an inconvenience for Kathy to have to remove the books from the shelf each election. Clerk would like to purchase two regular voting booths and a wheelchair accessible booth, some "I Voted" stickers, and sign holders to make the polling place more aesthetic. Clerk estimated that it would cost approximately \$500. Motion made by Daentl and seconded by Moris to grant approval for the Clerk to purchase what is needed for elections. All were in favor. Motion carried. Clerk explained that election workers are required to be approved by the governing body for a period of two years. This is supposed to happen every odd year in December and was overlooked in December 2023. Motion was made by Senn and seconded by McLimans to approve the list of poll workers submitted by the Clerk for the 2024-2025 term. All were in favor. Motion carried. Clerk would like to attend the Clerks, Treasurers, & Finance Officers Institute on June 5 and 6, 2024, which is a webinar hosted by the League of Wisconsin Municipalities. The cost of attendance is \$155. Motion was made by McLimans and seconded by Moris to approve the Clerk's attendance of the

webinar. All were in favor. Motion carried. Clerk has been asked to make a “Call to Action” post on Facebook for the West Grant Rescue Squad to help recruit new members. Clerk will include the Bloomington Fire Department in that post.

McLimans explained that with two new board members coming in and being uncertain as to when the responsibilities of board members had last been reviewed, he would like to have Attorney Wood attend the May meeting to present a brief orientation. Attorney Wood needs to be in Boscobel by 7 pm on May 6, 2024, so McLimans proposed to move the May meeting to 6 pm. Motion was made by Moris and seconded by Daentl to move the May meeting to 6 pm on May 6, 2024. All were in favor. Motion carried. McLimans shared that Jay Bennett, Village Accountant, will also be present at that meeting.

McLimans gave a personal thank you to Tim Senn and Bob Fox for their many years of service to the Village of Bloomington, not just as Village Trustees, but as part of a team that has developed over the years as a Board. McLimans also thanked them for the countless hours, and effort they have put back into a place that they appreciate and what they have done to help the Village of Bloomington grow. McLimans presented Senn and Fox with a gift of appreciation. Senn and Fox thanked everyone.

Moris discussed locking the quarry gate with Al Kirschbaum, and that is not a possibility. Kirschbaum stated that all he can do is watch it. Moris advised that the Sidewalk Committee and the Cemetery Committee need to set a date to meet. Moris was approached by EMT members with concerns that some of the houses in the Village do not have a house number displayed. Moris asked if Walsh and Moris could make a list of those houses as they are collecting yard waste.

McLimans suggested holding off on setting dates for Committee meetings until the new trustees have been sworn in and those committees have been reassigned. McLimans also suggested holding the meetings on the same date to save time for everyone.

Drew was informed by a client that took yard waste to the quarry that a black Pontiac Alero was parked there and seemed suspicious. McLimans advised Drew to notify Officer Small of that. Drew spoke with RJ Osterhaus regarding some signs that have yet to be put up at the park and have been at Grantland Graphics for a year. The delay was due to the stability of the fences. Nick Steiger Fencing has secured the fences at the top and bottom. Steiger advised that the fences will need to be better stabilized in a couple of years.

Senn questioned the alley between Dave Cooley’s and Larry Reuter’s properties and if the Village abandoned that property. Moris thought all the Village had was a right-away through there. Senn suggested checking into that.

There being no additional business to come before the board, McLimans moved to adjourn the meeting and was seconded by Moris. All were in favor. Motion carried.

Clerk/Treasurer  
Shawna Atterbury