

VILLAGE OF LYNDON STATION

Board Meeting Minutes

Monday, February 13, 2023

Call to Order/Roll Call

President Welsh called the meeting to order at 6:30pm. Present: President Ed Welsh, Trustee Morgan Place and Trustee Rebecca Coley.

Absent: None

Also Present: Gene Churchill and Steve Klicko from Public Works, Utility Clerk Rachel Dombroski, Police Chief Bonikowski, Fire Chief Madland, Tim Stockman (Davy Engineering), Peter Curran (Village Attorney), J.K. Walsh (President, Bank of Mauston)

Pledge of Allegiance

Discussion and/or Approval of Village Board Meeting Minutes from January 9, 2023

A motion was made by Trustee Coley to approve the Village Board Meeting Minutes from January 9, 2023, seconded by President Welsh. Motion carried unanimously.

Discussion and/or Approval Regarding WWTP Project

Tim Stockman (Davy Engineering) explained that the Village needs to get many of the tasks completed faster so we can stay on track and to meet deadlines.

Discussion and/or Approval of Loan Options for the Water/Sewer Department in Regards to the WWTP-USDA Project

A motion was made by Trustee Coley to approve the loan through the Bank of Mauston for 1.888 million using as a line of credit and not making and payments until the USDA Refinances the loan, seconded by President Welsh. Motion carried unanimously.

Discussion will be Held Regarding Various Property Issues: Village Attorney will be Attending to Explain the Proper Procedure

Peter Curran (Village Attorney) explained the responsibility that the Village has regarding property maintenance issues. The Village is a complaint-based system and doesn't have the resources to go out and look for property violations. Once a complaint is received the village reviews the ordinances that might be applicable and sees if there is indeed a potential violation. As it stands right now there are not many property maintenance standards in the Village of Lyndon Station as far as junk. There has been work towards an ordinance but it hasn't yet been approved or enacted. He explained that why historically the Village did not prioritize junk is because it takes resources and it costs money. The more rules you have the more rules you have to enforce because when they are on the books they have to be enforced equally and uniformly. This has not been a priority of the Village to put the resources in that direction versus other directions. Lately that attitude has changed and there has been some turnover on the board and clerk so those are some reasons that things haven't proceeded with that. But the idea is that it has been becoming more of an issue and is something that the Village needs to start addressing. The process is once you get a complaint, take a look at the ordinances and see if this condition violates any of these ordinances. If the answer is no there is nothing else the Village can do. If there is a condition that is violation of an ordinance the Village has to take steps to enforce it. That first step is to contact the property owner and inform them of the problem, show the ordinance and what is the violation, this is what needs to be fixed and then they have 30 days to comply. The main goal is to get the problem fixed and clarity is the key on this. If after 30 days it hasn't been complied with send another letter stating what they still need to do. If nothing has been done then a final notice stating it needs to be corrected in 30 days otherwise the Village has no choice but to commence legal action. In this process citations can be issued and if that doesn't work then court action will be taken. The ability to do all of this depends on how the ordinance is written. In the ordinance it should state that everyday is a violation setting forth certain penalties of \$10 to \$100 a day. This needs to be stated in the letter that is sent and that each day there is a violation, the penalties will increase. By the time 90 days or so go by these penalties add up. However, as of right now this type of ordinance is not in place. Once this new property ordinance has been passed and condition that exists at the time that the ordinance enacted is essentially grandfathered. That particular condition is not something that can lead to the enforcement of the ordinance. If there are things that the village has been made aware of prior to the enactment of the ordinance it would be important for the Village to have someone go to the property and take specific pictures of how things look the day before or the day of the ordinance is enacted. Any subsequent violations, any new junk, would be

subject to the new ordinance. A new draft of a property maintenance ordinance had been circulated previously. It has not yet been enacted. Ordinance 296 needs to be enacted and then read and posted at 3 separate Village Board Meetings before it can be passed. The proper procedure of passing an ordinance will be reviewed. Some of the notices that Chief Bonikowske has given out are based off of ordinances that are currently on the books.

Discussion and/or Approval Regarding Issues of Various Properties

No discussion was held

Public Comments by Non-Board Members during which information may be received from the public for referral to an appropriate committee and/or action at a subsequent meeting

William Blank reported that after a survey of his property lines it was discovered that the garage crosses over the property lines. He is requesting to change the property lines so that that the garage is located on one of them and not in violation of any setbacks. The surveyor asked him to ask the Village Board for approval on this. It was noted by Attorney Curran that the Village isn't required to act on it. The Board would only need to sign off on something if any changes violated zoning ordinances. Juneau County Health Department would like to do an informational meeting at Village Hall on February 28th from 10am – 11am and again at 5:30pm – 6:30pm regarding having an Uber Service in the Village. They will be asking if anyone would like to drive for Uber and also to explain how Uber can benefit the Village. The Village received a letter asking how the Village of Lyndon got the name Lyndon.

Clerk/Treasurer Report - Review of Budget Year to Date and Check Detail

Clerk Klein reviewed the check detail and deposit detail and explained that the Village will not be able to approve the bills each month because they only meet once a month. However the check details will be shared and each Board meeting so see if any action needs to be taken or if there are any questions. The Board is requesting a report that shows beginning balance checks that were paid and then ending balance.

Discussion and/or Approval of Water/Sewer Payables Report January 2023

A motion was made by Trustee Place to approve the water report for January 2023 as read by Rachel Dombroski, seconded by President Welsh. Motion carried unanimously.

A motion was made by Trustee Place to approve the sewer report for January 2023 as read by Rachel Dombroski, seconded by President Welsh. Motion carried unanimously.

Discussion Regarding the Required Sign Permit

A motion was made by President Welsh to Table approving the permit until more information is given, seconded by Trustee Place. Motion carried unanimously.

Discussion Regarding the End Loader

Gene Churchill (Public Works) reported that the End Loader is in need of major repair and that we will need to look into budgeting it for next year. The cylinder is leaking, needs new tires and has no emergency brake.

Discussion Regarding the Required Village Board Member's Training for the WWTP Project

A discussion was held regarding the Board Members training that will be held on Wednesday, February 22nd at 6:00pm.

Discussion Regarding Recycling Data Required by the DNR

A discussion was held regarding the new way the recycling will be reported.

Discussion Regarding 2023 Boundary and Annexation Survey

A discussion was held regarding completing the Annual Response.

Discussion and/or Approval Regarding Juneau Count Petition for County Aid for Highway Road Construction

A motion was made by Trustee Coley to approve to participate in the matching funds of \$500 from the Village and \$500 from the County for County Aid for Highway, seconded by President Welsh. Motion carried unanimously.

Planning Commission Report

Trustee Place reported that the Planning Commission is comparing all of the different sets of ordinances and narrowing it down to the correct set.

Fire Chief Report

Chief Madland explained issues they are having with Verizon and continually being billed for services the Fire Department doesn't use. Chief reported regarding the Village having their own fuel and that it will not be cost effective. He asked to make sure the Village is receiving the proper amount of gas tax refunds from BP.

Police Chief Report

Chief Bonikowske reported he had 14 calls and 1 ordinance citation. He will continue to work on properties issues. We received payment from the Railroad and are looking to use these funds for signs and safety cones for the Village. Working

on a grant for Crime Prevention. Attended Police Chief conference last week. Looking into updating and or revising policies. In the spring getting the sidewalk and the sign redone. Also, looking into businesses donating money to the park and playground. Asked how to get street addresses for the park, dump and pickle factory. Steve will be helping with this.

Motion to Go into Closed Session

A motion was made by President Welsh to go into Closed session, seconded by Trustee Coley. Motion carried unanimously. Present: Trustee Morgan Place, Trustee Rebecca Coley, President Ed Welsh, Fire Chief Madland and Clerk Michelle Klein.

Any Announcements from Closed Session

The board approved the hiring of a new Fire Fighter.

Motion to Adjourn

There being no further business, President Welsh made a motion to adjourn at 8:39pm, Trustee Coley seconded the motion. The motion carried unanimously.

Respectfully submitted,

Michelle L. Klein
Village Clerk/Treasurer