

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

**Minutes of the Village Board Meeting of
March 9, 2021**

1. Roll Call

The meeting was called to order by President LeDonne at 6:00 pm.

Members present: Greg Zoellick, Lee Uecker, President Anthony LeDonne, Ron Wells, Michael Bartzen, Scott Adkins and Wendy Stallings.

Members excused: None.

Also present: Administrator Jeremy Smith, Attorney John Macy, Assistant Village Administrator Kelsey McElroy-Anderson, Administrative Services Director Samuel Liebert, and members of the Public.

2. Pledge of Allegiance

President LeDonne led the pledge of allegiance.

3. Meeting Minutes

Motion by Bartzen, seconded by Stallings to approve the February 23, 2021 Village Board meeting minutes.

Motion carried 7-0

4. Communications and Public Hearings

A. Village President Report

President LeDonne reported that on Tuesday, March 16, the Senior Citizens Advisory Committee meets at 4:00 pm in the Civic Center Committee Room, the Community Development Authority meets at 5:30 pm in the Civic Center Board Room, the Plan Commission meets at 6:30 pm in the Civic Center Board Room and Parks & Recreation Board meets at 7:00 pm in the Community Room. On Wednesday, March 17, the Pauline Haass Public Library Board meets at 4:00 pm via teleconference (Zoom). Saturday, March 20, the Egg Drop & Story Hop event takes place from 9:00 to 11:00 am at The Grove at Village Park.

Trustee Bartzen stated that the Boy Scouts and Cub Scouts were out across the Village of Sussex and surrounding communities this past weekend handing out flyers for their annual food for good turn project. They will be picking up bags from ends of driveways and front doors this coming weekend. Any citizens wishing to participate should have their bags out by 9:00 am. All food comes back to Sussex Outreach Services food pantry.

5. Committee Reports

A. Finance and Personnel Committee

1. Motion by Bartzen, seconded by Uecker to approval of the February Check Register and P-card Statement in the amount of \$5,754,788.54. Motion carried 7-0

2. Motion by Bartzen, seconded by Zoellick to approve of the February Check Register and P-card Statement in the amount of \$5,754,788.54. Motion carried 6-0
LeDonne abstained.

3. Motion by Bartzen, seconded by Wells to approve of a Temporary Class "B" retail license for the Optimist Club of Sussex-Lisbon-Lannon and Butler for the July 4th Celebration, in Sussex Village Park, N63W24459 Main Street, July 4, 2021, Agent: Diane Matuszak, subject to standard conditions of liquor license approval. Motion carried 7-0

B. Public Works Committee

1. Motion by Adkins, seconded by Bartzen to approve of bills for payment in the amount of \$53,416.48 Motion carried 7-0

2. Motion by Adkins, seconded by Uecker to approve of the West Loop Connection water-main extension per the

Developer's Agreement for Woodland Preserve and Woodland Trails Development and that the Village agree to the price not to exceed \$297,200 for the water main plus the inspection costs. Motion carried 7-0

3. Motion by Adkins, seconded by Bartzen to approve of Resolution 21-05 Closing Roads for various special events. Motion carried 7-0

4. Motion by Adkins, seconded by Stallings to approve of the request by the Lion's Club to utilize Village equipment for the potential use of the Village bucket truck and front-end loader for Lions Daze between July 5 through July 12 by Village personnel subject to Sussex Club providing proof of insurance to the Village Administrator's satisfaction and approval of their application permit to close Main Street for Lions Daze parade on July 11, 2021 from 9:00 am to 12:00 pm. Motion carried 7-0

6. Staff Reports

Mrs. McElroy-Anderson stated that staff ran a successful trial run of recording meetings, including tonight's meeting. We plan to upload and roll out the videos on the website soon. The activity guide and courier will be a combined publication again this year. It should be hitting mailboxes in mid to late March.

Mr. Smith stated that the village and several developers and communities will be sitting down soon to discuss the Builder's Bill of Rights and possible changes that could be made. We are currently working on a developer's agreement and TIF for the Brown Farm property. The egg drop event is sold out and we're excited by the community's energy to attend this event. I met today with Lannon Stone and they're working on a new sliding hill that they will donate and dedicate to the village. It won't be ready until the winter of 2022-2023. There will be about 20 parking spaces as well as a restroom and shelter. In the summer it would be used as a hiking trail.

Mr. Macy stated League of Wisconsin Municipalities is asking their members to support a shared-revenue resolution. The American Rescue Plan has been adopted and there is \$65 billion in the bill for local municipalities. The Supreme Court has refused to hear a case about 'Dark Stores' and this is good news for municipalities.

Mr. Liebert stated that the Egg Drop and Story Hop is Saturday, March 20. We are still looking for volunteers. Tuesday, March 23 we will be doing the Big Egg Hunt again in the Parks, details will be released on social media. Tuesday the 23 is also the first day of in-person absentee voting.

7. Comments from Citizens Present

No one was present who wished to be heard.

8. Old Business

1. Motion by LeDonne, seconded by Adkins to approve of Ordinance 874, approving the direct annexation of property located at N55W25299 Richmond Road, Tax Key No. LSBT0273998 within the Town of Lisbon to the Village of Sussex.

A roll call vote was taken:

Adkins – Aye
Uecker – Aye
Stallings – Aye
Zoellick – Aye
Wells – Aye
Bartzen- Aye
LeDonne – Aye

The motion carried 7-0.

9. New Business

There was no new business to discuss.

10. Consideration on resignation and appointments

10.A. Motion by LeDonne, seconded by Zoellick to appoint Trustee Greg Zoellick to the Plan Commission.

A roll call vote was taken:

Adkins – Nay
Uecker – Nay
Stallings – Nay
Zoellick – Aye
Wells – Aye
Bartzen- Nay
LeDonne – Aye

The motion failed 3-4, due to a super majority of 2/3 of the board not in agreement. Per Village Ordinance, Village Board members appointed to the Plan Commission require a 2/3 vote for approval.

11. Consideration and possible action on a motion to convene into executive session

President LeDonne announced that the Village Board would now consider to convene into executive session under Wis. Stats. 19.85(1)(g) when conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved with respect to the lawsuit with the Wisconsin Builders Association and the request from Carl Tomich to amend the Developer’s Agreement for Hidden Hills Subdivision to reduce the warranty period.

Motion by LeDonne, seconded by Bartzen to convene into executive session under Wis. Stats. 19.85(1)(g) when conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved with respect to the lawsuit with the Wisconsin Builders Association and the request from Carl Tomich to amend the Developer’s Agreement for Hidden Hills Subdivision to reduce the warranty period.

A roll call vote was taken:

Adkins – Aye
Uecker – Aye
Stallings – Aye
Zoellick – Aye
Wells – Aye
Bartzen- Aye
LeDonne – Aye

The motion carried 7-0.

The Village Board entered into Closed Executive Session at 6:27 pm.

The Village Board went back into Open Session at 7:14 pm.

12. Consideration and possible action on an Amendment to the Developer’s Agreement for Hidden Hills Subdivision

Motion by LeDonne, seconded by Uecker to approve the Amendment to the Developer’s Agreement for Hidden Hills Subdivision to reduce the warranty period. Motion carried 7-0

13. Adjournment

Motion by LeDonne, seconded by Stallings to adjourn at 7:15 pm. Motion carried 7-0

Respectfully submitted,

Samuel E. Liebert
Administrative Services Director, Village Clerk/Treasurer