

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

**Minutes of the Village Board Meeting of
August 22, 2023**

1. Roll Call

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

Members present: Stacy Riedel, Greg Zoellick, Lee Uecker, Ron Wells, Benjamin Jarvis, and President Anthony LeDonne

Members excused: Scott Adkins

Also present: Assistant Village Administrator Kelsey McElroy-Anderson, Administrator Jeremy Smith, Attorney John Macy, Clerk Jennifer Moore, and members of the Public.

2. Pledge of Allegiance

President LeDonne led the pledge of allegiance.

3. Meeting Minutes

A motion by Jarvis, seconded by Zoellick to approve the July 25, 2023 Village Board meeting minutes.

Motion carried 6-0.

4. Communications and Public Hearings

A. Village President Report

The Village President listed several upcoming meetings and events in the Village of Sussex including:

8/24 – Pints in the Park and outdoor movie night at the Civic Center Plaza

9/4 – Civic Center / Yard Waste Site Closed

9/5 – Public Works Committee and Finance and Personnel Committee meetings

9/6 – Architectural Review Board and Budget kick off meeting

9/9 – Touch a Truck

9/12 – Budget Workshop #1

9/14 - Pints in the Park at Village Park

9/19 – Active Aging Committee, Community Development Authority, Plan Commission, and Park & Recreation meetings

B. Public Hearings

1. A public hearing for an above grade permit for We Energies to install one pole between the curb and sidewalk along Maple Avenue about 390 feet south of Good Hope Road.

Public Hearing opened at 6:04. Judy Neu, Village Engineer presented information for this public hearing.

Representatives from WE Energies were also present to answer questions

Richard Vodicka – W239 N7180 Maple Avenue spoke about his concerns on pole location

Sheri Boldt – W239 N7125 Lynn Anne Lane spoke about pole height and concerns on pole location

Steve Boldt – W239 N7125 Lynn Anne Lane spoke about his concerns on pole location.

Nicholas Welch Project Supervisor WE Energies described the pole as located 120' south of the pole due west of the Vodicka home. The automated switch has to be at a certain circuit spot with a certain signal strength and must be on a new pole. Based on that criteria the location was selected. This pole will be approximately 4' taller than the surrounding poles, the cross arms are 8' long. WE Energies will look into placement between property lines or further down the circuit.

Motion by LeDonne, second by Jarvis to adjourn this public hearing to September 26 at 6:00pm for the WE Energies representative to research alternative plans for location.

Motion Carried 6-0

2. A public hearing on Ordinance 891 to Repeal and Recreate the Floodplain Management section of Chapter 14 Stormwater Management of the Village of Sussex Municipal Code.

Public Hearing opened at 6:22pm – Administrator Smith introduced this Ordinance.

No public comments

Motion by LeDonne, seconded by Wells to close the public hearing at 6:23pm. Motion Carried 6-0

3. A public hearing on Ordinance 892 to amend the Village's 2040 Land Use Map, a component of the 2040 Comprehensive Plan for a portion of SUXV0227038007 in the Vista Run Subdivision (Heavenly Court) to change approximately 3.41 acres from Single-Family Attached and Two Family Residential to Medium Density Single Family.

Public Hearing opened at 6:24pm – A representative for the developer was in attendance to present their plan to eliminate nine side-by-side condominium units and build 13 single family homes.

Joan Leiefel – W253N6643 Aspen Lane spoke against single family homes where they were told would be more condominium homes and her concerns about other builder promises that are not going to happen.

Kathy Ermi – N65W25328 Heavenly Court is against changing to single family. Concerned because she purchased her home based on false advertising. The demographic for condominium owners is different than for single family homes. The homes will have different rules, the value of her condo will be reduced.

Cindy Gross – N65W25324 Heavenly Court has the same opinion as Kathy. The purchase was based on a lifestyle and community of cohesiveness of a condominium subdivision. Condo owners don't have a voice in the single family homes. The demographic for condos is very different than for the single family homes.

Uma Bagadia – W253N6633 Aspen Lane recently moved in and purchased because of amenities that are no longer in the plan. Single family homes will block their view. Main concern is that they bought the condo with the understanding that the builder would stick to the original plan.

Marlynn Svitak - W253N6619 Aspen Lane was looking for quiet older people and a little side by side condo community. She doesn't want that to change

The representative for the Developer responded to the comments of the citizens.

Motion by LeDonne, second by Uecker to close the public hearing at 6:48pm. Motion Carried 6-0

4. A Public hearing on Ordinance 893 to Rezone a portion of SUXV0227038007 approximately 3.41 acres in Vista Run Subdivision (Heavenly Court) from SFRD-3 with a PDO to RS-2 Single Family Residential with a PDO.

Public hearing opened 6:49pm

No public comments

Motion by LeDonne, second by Uecker to close the public hearing at 6:50 pm. Motion Carried 6-0

5. Committee Reports

A. Board of Fire Commissioners Report

Met on August 17 where they interviewed two candidates for full time paramedic/firefighter positions.

B. Community Development Authority

No August meeting

C. Finance and Personnel Committee Report

1. Motion by Jarvis, seconded by Zoellick to approve the July Check Register and P-card Statement in the amount of \$941,493.26. Motion carried 6-0
2. Motion by Jarvis, seconded by Riedel to approve the June Ace Hardware purchases in the amount of \$1,364.76. (LeDonne Abstained) Motion carried 5-0

D. Park & Recreation Board Report

1. Motion by Wells, seconded by Jarvis to approve the Coldwater Creek Park Updated **plan for** construction as presented. Motion Carried 6-0

Trustee Wells noted that the Cardinals baseball coach is of the opinion that raising the price to rent baseball diamonds is reasonable.

E. Pauline Haass Library Board Report

Trustee Zoellick presented an update from the Library Board.

1. Motion by Zoellick, seconded by Uecker to approve Resolution 23-27 Providing for the Exemption from the 2023 Waukesha County Library Tax. Motion Carried 6-0

F. Plan Commission Report

1. Motion by LeDonne, seconded by Wells to approve Ordinance 891 to Repeal and Recreate the Floodplain Management section of Chapter 14 Stormwater Management of the Village of Sussex Municipal Code. Motion Carried 6-0

2.A. Motion by Wells, Seconded by Uecker to deny Ordinance 892 to amend the Village’s 2040 Land Use Map, a component of the 2040 Comprehensive Plan for a portion of SUXV0227038007 in the Vista Run Subdivision (Heavenly Court) to change approximately 3.41 acres from Single-Family Attached and Two Family Residential to Medium Density Single Family based on information from the public hearing and the desire to retain the original intent of the subdivision. Motion Carried 6-0

2.B. Motion by Jarvis, seconded by Uecker to deny Ordinance 893 to Rezone a portion of SUXV0227038007 approximately 3.41 acres in Vista Run Subdivision (Heavenly Court) from SFRD-3 with a PDO to RS-2 Single Family Residential with a PDO for failure to approve the comprehensive plan amendment and therefore the rezoning would not be consistent with the comprehensive plan. Motion Carried 6-0

2.C. Motion by LeDonne, seconded by Jarvis to deny A Preliminary Plat for Single Family Lots Phase V of Vista Run for failure to approve the comprehensive plan amendment and failure to approve the rezoning. Motion Carried 6-0

2.D. Motion by Uecker, seconded by Jarvis to deny a Final Plat for Single Family Lots Phase V of Vista Run for failure to approve the comprehensive plan amendment, failure to approve the rezoning, and failure to approve the preliminary plat. Motion Carried 6-0

G. Public Safety and Welfare Report

No August meeting

H. Public Works Committee Report

1. Motion by Uecker, seconded by Zoellick to approve the July invoices in the amount of \$1,260,461.96. Motion carried 6-0

2. Motion by Uecker seconded by Zoellick to table until after the public hearing the above grade right of way permit for WE Energies to install one pole between the curb and sidewalk along Maple Avenue about 390 feet south of Good Hope Road. Motion carried 6-0

6. Staff Reports Semiannual Strategic Plan Progress Report

Ms. McElroy-Anderson: The semiannual Strategic Plan Progress Report is included in the packet and the budget kick-off meeting is scheduled for September 6 at 5:30pm.

Mr. Smith: Nothing to report

Atty. Macy: Nothing to report

Ms. Moore: Nothing to report

7. Comments from Citizens Present

No one was present who wished to be heard.

8. Old Business

None

9. New Business

10. Consideration on resignation and appointments

11. Closed Session

President LeDonne announced the closed session as required for Consideration and possible action on a motion to convene into executive session under Wis. Stats. 19.85(1)(c) when considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility with respect to a potential contract amendment with the Village Administrator.

Motion by Jarvis, seconded by Zoellick to convene into executive session under Wis. Stats. 19.85(1)(c) when considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility with respect to a potential contract amendment with the Village Administrator. On roll call, all voted Aye; Motion Carried

Motion by LeDonne, seconded by Jarvis to adjourn the executive session at 8:33pm. Motion Carried 6-0

12. Adjournment

A motion by Jarvis, seconded by Uecker to adjourn at 8:33PM. Motion carried 6-0

Respectfully submitted,
Jennifer Moore
Village Clerk