

**VILLAGE OF SUSSEX  
SUSSEX, WISCONSIN**

**Minutes of the Village Board Meeting of  
June 9, 2020**

**1. Roll Call**

The meeting was called to order by President LeDonne at 6:02 pm.

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

Members excused: None

Also present: Administrator Jeremy Smith, Attorney John Macy, Assistant Village Administrator Kelsey McElroy Anderson, Village Engineer Judith Neu, Deputy Clerk Linda Steinmetz, Dave Anderson of PFM Financial and members of the Public.

**2. Pledge of Allegiance**

President LeDonne led the pledge of allegiance.

**3. Meeting Minutes**

A motion by Stallings, seconded by Uecker to approve the May 26, 2020 Village Board meeting minutes.

Motion carried 7-0

**4. Communications and Public Hearings**

**A. Village President Report**

President LeDonne stated that the Sussex Area Rummage Sale is June 12 and 13, from 8am to 3pm. On June 16 the Community Development Authority will meet at 3:30 pm, the Board of Fire Commissioners will meet at 5:00 pm, the Public Safety & Welfare Committee will meet at 6:00 pm, the Plan Commission will meet at 6:30 pm and Park & Recreation Board will meet at 7:00 pm. On June 17 the Pauline Haass Library Board will meet at 6:30 pm. On June 18 the Classic Car Cruise Night will begin at 6:00 pm. The route is 12 miles long, from Maple Elementary School through several neighborhoods ending at the Civic Center. There unfortunately is no party or parking of vehicles at the Civic Center due to Waukesha County Mass Gathering guidelines.

**B1 & B2.** President LeDonne opened the Public Hearings on Ordinance No. 868 for Land Use amendment from Low Density Single Family Residential, Medium Density Single Family Residential, Recreational to Medium Density Single Family Residential, Single Family Attached and Two Family Residential, Recreational, Agricultural, Environmental Corridor Isolated Natural Resource Area for the property located west of Hwy 164 and south of Silver Spring more specifically part of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002 and on Rezone Ordinance No. 864 from CR-1 and RS-3 Single Family Residential District to RS-2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays and Agricultural with a Planned Development Overlay District for the Vista Run Development on property located west of Hwy 164 and south of Silver Spring more specifically part of SUXV0227999, SUXV0227999004, SUXV0228996 and SUXV0228996002.

Bryan Lindgren of Neumann Development presented their plan for Vista Run. Vista Run will have six distinct housing types surrounded by open space. 30 two story attached Townhomes, 58 Duplex Ranch Condominiums, 98 single family residential Villas on 10,000 sf lots, 70 single family residential Residences on 12,000 sf lots, single family residential Estates on 15,000 sf lots plus 62 acres of open space. Price points range from \$300K to \$600K.

Development will have a central park, playground, walking trails, community amenities and open space. Increase to tax base of approximately \$115 million.

Trustee Zoellick inquired how many townhomes were two units/ four units. Three four-unit and seven two- unit townhomes are planned.

Public Comments: None.

As there were no objections, President LeDonne closed the public hearing.

## **5. Committee Reports**

### **5.A. Finance and Personnel**

**5.A.1.** A Motion by Bartzten, seconded by Uecker to approve the May Check Register and P-card Statement in the amount of \$2,019,089.28. Motion carried 7-0

**5.A.2.** A motion by Bartzten, seconded by Stallings to approve the May Ace Hardware purchases in the amount of \$205.09. President LeDonne abstained. Motion carried 6-0

**Liquor Licenses Renewals:** Trustee Bartzten proposed that agenda items 5.A.3 through 5.A.5, plus 5.A.7 be considered together and there was no objection.

**5.A.3.** Approval of a Combination Class “B” Retail License for the Sale of Fermented Malt Beverages & “Class B” Retail License for the Sale of Intoxicating Liquors July 1, 2020 to June 30, 2021 to Helen & Quintin LLC, W232N6368 Waukesha Ave, Sussex, WI 53089, Rumors Sports Bar & Grill, Agent: Quintin M. Christensen.

**5.A.4.** Approval of a Combination Class “B” Retail License for the Sale of Fermented Malt Beverages & “Class B” Retail License for the Sale of Intoxicating Liquors July 1, 2020 to June 30, 2021 to the following:

- A. Russell Restaurant Group LLC, N64W23246 Main Street, Sussex, WI 53089, Belfast Station, Agent: Bruce Russell.
- B. Sussex Bowl Inc., N64W24576 Main Street, Sussex, W 53089, Sussex Bowl, Agent: Stephen M. Hoehnen.
- C. Fotron Corp, N64W23300 Main Street, Sussex, WI 53089, Sussex Inn, Agent: David A. Foti.
- D. Ichiban Sussex WI LLC, N64W24838 Main Street, Ste. 7, Sussex WI 53089, Ichiban Sushi & Steak House, Agent: Chuan Qing Dong.

**5.A.5.** Approval of a Combination Class “A” Retail License for the Sale of Fermented Malt Beverages & “Class A” Retail License for the Sale of Intoxicating Liquors July 1, 2020 to June 30, 2021 to the following:

- A. Navaab LLC, N64W24310 Main Street, Sussex, WI 53089, Sussex Liquor Mart, Agent: Paviter Sangha.
- B. Ultra Mart Foods LLC, P. O. Box 305103 Nashville TN 37230 for Pick ‘n Save #6380, N65W24838 Main Street, Sussex, WI 53089, Agent: Michelle Oster.
- C. The Main Street Pig Inc., N63W23735 Main Street, Sussex, WI 53089, Piggly Wiggly, Agent: Dennis R. Lipofski.
- D. Meijer Stores Limited Partnership, N51W24953 Lisbon Rd, Pewaukee, WI 53072, Meijer Store #275, Agent: Doug Smith.
- E. AM Sussex Inc, W232N6116 Waukesha Ave., Sussex, WI 53089, Sussex Mobil, Agent: Tadbir Dran.

- 5.A.7.** Approval of a Class “A” Retail License for the Sale of Fermented Malt Beverages and Cider July 1, 2020 to June 30, 2021 to the following:
- A. Meijer Stores Limited Partnership, N51W24847 Lisbon Rd, Pewaukee, WI 53072, Meijer Gas Station #275, Agent: Doug Smith.
  - B. Midwest Retail Group One LLC, N64W24925 Main Street, Sussex, WI 53089, 7-Eleven #35844, Agent: Elizabeth Evans.

A motion by Bartzten, seconded by LeDonne to approve agenda items 5.A.3 through 5.A.5, plus 5.A.7 (as listed above), subject to the standard conditions of license approval. Motion carried 7-0.

- 5.A.6.** A motion by Bartzten, seconded by Uecker to deny a Combination Class “A” Retail License for the Sale of Fermented Malt Beverages & “Class A” Retail License for the Sale of Intoxicating Liquors July 11, 2020 to June 30, 2021 to TES-TFS, LLC, N63W23735 Main Street, Sussex, WI 53089, Piggly Wiggly, Agent: Ted Schelonka based on fact that sale fell through and TES-TFS, LLC will not own the business. Motion carried 7-0.

- 5.A.8.** A motion by Bartzten, seconded by Stallings to approve renewal of Dance Licenses July 1, 2020 to June 30, 2021, subject to the standard conditions of license approval for the following:
- A. Kim Starz-Nicholas dba Sussex Bowl Inc. for Sussex Bowl (Class A, B, C).
  - B. Fotron Corp for Sussex Inn (Class A & B)
- Motion carried 7-0.

- 5.A.9.** A motion by Bartzten, seconded by Stallings to approve renewal of Amusement Device Licenses and Arcade License July 1, 2020 to June 30, 2021, subject to the standard conditions of license approval for the following:
- A. Belfast Station – 7 permits
  - B. Sussex Bowl – 54 permits + Arcade License
  - C. Sussex Inn – 8 permits
  - D. Rumors Sports Bar & Grill – 9 permits
  - E. National Entertainment Network (Meijer Store) – 1 permit
  - F. Meijer Stores Limited Partnership – 1 permit
- Motion carried 7-0.

- 5.A.10.** A motion by Bartzten, seconded by Uecker to adopt Resolution 20-19 combining wards for future Elections. Motion carried 7-0.

### **5.B. Public Works**

- 5.B.1.** A motion by Adkins, seconded by Bartzten to approve the Public Works bills for payment in the amount of \$1,503,159.82. Motion carried 7-0
- 5.B.2.** A motion by Adkins, seconded by Zoellick to adopt Resolution 20-18 accepting the Compliance Maintenance Annual Report. Motion carried 7-0
- 5.B.3.** A motion by Adkins, seconded by Zoellick to approve the 2021 annual road program as presented. Motion carried 7-0

### **6. Staff Reports**

Mr. Smith stated that the Village is sending special assessment letters regarding utility extensions to residents along Good Hope Road explaining how these assessments are delayed until the Lisbon properties come into the Village. Staff will meet with those receiving a letter to explain the process. Friday is the opening of The Grove Playground at Village Park. Day Camp starts Monday, June 15 and will be held in the new building. Staff is meeting with the state on Monday regarding licensing for the new splash pad and hopefully that will be opening soon as well as the multi-sport courts. Village Board usually meets the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of each month, however the

Village has a different schedule during the month of July. Committees will meet July 14, Plan Commission will meet July 21 and Village Board will meet on July 28.

Mrs. McElroy-Anderson stated that there have been a lot of vehicles, pedestrians, and bicyclists moving through the Maple Avenue construction zone between Champeny and Main Street. This additional traffic is creating a serious safety issue for the construction crews, including a few near accidents. Staff has been educating the public through social media and with help from Waukesha County Sheriff's Department about the no traffic zone. The concrete paving of Maple Avenue from Clover Drive intersection to the south project limits starts Friday, June 12, 2020. The concrete pavement in the south section of Maple Avenue located north of Clover Drive will start on Monday June 15, 2020, weather permitting.

Mr. Macy stated that he had nothing to report.

Mrs. Steinmetz stated that she had nothing to report.

### **7. Comments from Citizens Present**

Chuck Vojtas, W233N6466 Kneiske Drive Sussex, expressed his displeasure with design of intersection at Main St and Silver Spring Dr and its lack of a left turn lane onto Silver Spring. He was almost been hit head on by an inattentive driver. Wait time to turn left onto Silver Spring is very lengthy due to no left lane and no turn arrow. Mr. Vojtas stated the intersection is dangerous and something must be done to correct the issue.

### **8. Old Business**

#### **8.A. & 8.B. Sale of Bonds, Series 2020A and 2020B:**

Dave Anderson, PMF Financial gave a sale results presentation regarding General Obligation Street Improvement Bonds, Series 2020A and Sewerage System Revenue Bonds, Series 2020B. The Village anticipates borrowing for the Maple Reconstruction project and the Plainview Road water loop in 2020. The Village's GO credit received a rating of Aa2 which is the third highest rating one can get (Presentation attached).

**8.A.** A motion by LeDonne, seconded by Uecker to adopt resolution 20-20 Awarding the Sale of \$8,000,000 General Obligation Street Improvement Bonds, Series 2020A.

A roll call vote was taken:

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

The vote was 7-0, motion carried.

**8.B.** A motion by LeDonne, seconded by Uecker to adopt resolution 20-21 Awarding the Sale of \$1,040,000 Sewerage System Revenue Bonds, Series 2020B of the Village of Sussex, Waukesha County, Wisconsin and providing for the payment of the Bonds and other details with respect to the Bonds.

A roll call vote was taken:

Zoellick – Aye  
Uecker – Aye

LeDonne – Aye  
Adkins – Aye  
Stallings – Abstained  
Wells – Aye  
Bartzen – Aye

The vote was 6-0, motion carried.

**8.C. Vista Run Development:**

**8.C.1.** A motion by Uecker, seconded by Stallings to approve Ordinance 868 for Land Use amendment from Low Density Single Family Residential, Medium Density Single Family Residential, Recreational to Medium Density Single Family Residential, Single Family Attached and Two Family Residential, Recreational, Agricultural, Environmental Corridor Isolated Natural Resource Area. Motion carried 7-0

**8.C.2.** A motion by Zoellick, seconded by Wells to approve Ordinance 864 from CR-1 and RS-3 Single Family Residential District to RS-2 Single Family Residential District, SFRD-3 Single Family Attached District, Park, with Environmental Overlays and Agricultural with a Planned Development Overlay District. Motion carried 7-0

**8.C.3** A motion by Zoellick, seconded by Bartzen to approve the Preliminary Plat for Vista Run conditioned upon final review by the Village Engineer, standard conditions of Plat approvals and Exhibit A. Motion carried 7-0

**8.C.4.** A motion by LeDonne, seconded by Wells to approve Developer’s Agreement for Vista Run as presented. Motion carried 7-0.

**9. New Business**

None

**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.

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

The motion failed, due to a super majority of 2/3 of the board not in agreement. Due to state law, members appointed to the Plan Commission require a 2/3 vote for approval.

**11. Executive Session**

President LeDonne read the notice 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 arbitration with the Town of Lisbon and under 19.85(1)(e) when 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 with respect to a settlement between the Village of Sussex and Town of Lisbon.

A motion by Uecker, seconded by Adkins 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 arbitration with the Town of Lisbon and under 19.85(1)(e) when 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 with respect to a settlement between the Village of Sussex and Town of Lisbon.

Upon a roll call vote being taken, the vote was: Aye - 7 Nay - 0.  
The Board entered into executive session at 7:06 pm.

Motion carried 7-0

**12. Action resulting from Executive Session**

No action was taken after the executive session.

**13. Adjournment**

A motion by Uecker, seconded by Adkins to adjourn at 8:03 pm.

Motion carried 7-0

Respectfully submitted,

Linda Steinmetz  
Deputy Clerk