

**OFFICIAL PROCEEDINGS
REGULAR VILLAGE BOARD MEETING
Monday, February 21, 2022 – 7:00 PM
Darien Village Hall, 24 N. Wisconsin St.
Darien, WI 53114**

- 1. Call to Order.** President Jane Stiles called the meeting to order at 7:00 p.m. at Darien Village Hall.
- 2. Roll Call.** President Jane Stiles and Trustees Kevin Atkinson, Elizabeth Baumann, Cheryl Kaufenberg (via Zoom), Ken Truckey and Will Volmar (via Zoom) were present. Also in attendance was the Village's Attorney Brad Lochowicz (via Zoom), Village Engineer Jason Feucht, Public Works Superintendent Greg Epping, Public Works Operator Mike Veley and Village Administrator/Clerk-Treasurer Lindsey Peterson.
- 3. Pledge of Allegiance.**
- 4. Acknowledgement of petitions, memorials, or other communications**
 - A. Appointment of Jane Stiles to serve on Darien Fire Chief application review panel.** Trustee Baumann made a motion to approve the appointment of Jane Stiles to the panel. Trustee Truckey seconded, and the motion carried 6-0.
 - B. Appointment of Jim McKinney to serve on Darien Fire Chief application review panel.** Trustee Kaufenberg made a motion to appoint Jim McKinney to the panel. Trustee Truckey seconded, and the motion carried 6-0.
 - C. Appointment of Michael Veley to the position of Village of Darien Public Works Superintendent, beginning March 31st, 2022.** Trustee Truckey made a motion to approve the appointment of Michael Veley to the position of Public Works Superintendent beginning March 31st. Trustee Atkinson seconded, and the motion carried 6-0.
- 5. Citizen Comment** – Mr. Dean Truckenbroad, W9047 Creek Road, Darien, introduced himself and stated he is the owner of the property being considered in extraterritorial review for item 7F. He apologized for missing the Plan Commission meeting where this item was considered, but stated he is available to address any questions tonight.
- 6. Regular and Special Village Board Meeting Minutes (may be approved with one action if there are no changes)**
 - A. Review and possible action relating to the Minutes from the Regular Village Board meeting of January 17, 2022.**
 - B. Review and possible action relating to the Minutes from the Joint Village & Town Board meeting of January 19, 2022.**

Trustee Truckey made a motion to approve the minutes from the January 17th and 19th meetings. President Stiles seconded, and the motion carried 6-0.

C. Review and possible action relating to the Minutes from the Special Village Board meeting of February 9, 2022.

Trustee Truckey made a motion to approve the minutes from February 9th. Trustee Atkinson seconded, and the motion carried 6-0.

7. Public Hearings, Ordinances, Resolutions

- A. Ordinance No. 317 – An Ordinance amending Section 18 of the Village of Darien Municipal Code, relating to Floodplain Zoning.** Ms. Peterson reported that this ordinance amendment was being required by the federal and state government. Trustee Kaufenberg made a motion to approve Ordinance No. 317, amending Section 18 of the Village of Darien Municipal Code, relating to Floodplain Zoning. Trustee Truckey seconded, and the motion carried 6-0.
- B. Resolution No. 2022-01 a resolution approving the Village of Darien to join the National Flood Insurance Program (NFIP).** Ms. Peterson stated that with the ordinance change, the Village had the opportunity to join the NFIP. She stated joining the program is of no cost to the Village and provides Village residents the opportunity to purchase flood insurance if they desire to do so. She stated that there are requirements to be a part of the program, but the requirements are the same as those with the ordinance itself. President Stiles made a motion to approve the Village of Darien apply to join the NFIP. Trustee Atkinson seconded, and the motion carried 6-0.
- C. Resolution No. 2022-02 – A resolution authorizing a Conditional Use Permit to allow for outdoor display for the property located at 690 Gerry Way, in the SC, Suburban Commercial Zoning District (CUP-2022-01).** Ms. Peterson stated this application came from Geneva Motorcars, the new owner of the property at 690 Gerry Way, that was previously owned by Maxxx Motorsports. She stated Maxxx Motorsports held the same CUP, and Geneva Motorcars planned to use it to display vehicles for sale outside their building. She stated the resolution had 9 conditions listed that the applicant will have to abide by to keep the Conditional Use Permit. Trustee Kaufenberg made a motion to approve Resolution 2022-02 for a CUP for outdoor display at 690 Gerry Way. Trustee Truckey seconded, and the motion carried 6-0.
- D. Resolution No. 2022-03 -- A resolution authorizing a Conditional Use Permit to allow for outdoor storage for the property located at 690 Gerry Way, in the SC, Suburban Commercial Zoning District (CUP-2022-02).** Ms. Peterson stated this was also an application from Geneva Motorsports, and Maxxx Motorsports also held the same Conditional Use Permit when they owned the property. She stated the resolution had 9 conditions listed that the applicant will have to abide by to keep the Conditional Use Permit. Trustee Truckey made a motion to approve Resolution No. 2022-03 granting a CUP for outdoor storage at 690 Gerry Way. Trustee Baumann seconded, and the motion carried 6-0.
- E. Resolution No. 2022-04 – A resolution approving a one lot Extraterritorial Certified Survey Map for the Property located at W9047 Creek Road, in the Town of Darien (CSM-2022-01).** Ms. Peterson stated that this land subdivision falls within the Village’s 1.5-mile extraterritorial review. She stated that staff reviewed the CSM and there are no concerns about approval. Trustee Baumann made a motion to approve the CSM for W9047 Creek Road, in the Town of Darien. Trustee Truckey seconded, and the motion carried 6-0.

- F. **Resolution No. 2022-05 – A resolution authorizing the issuance and sale of not to exceed \$734,264 Water System and Sewerage System Revenue Refunding Bonds.** Lisa Trebatoski from Ehlers presented the refunding opportunity stating the Village of Darien would be able to refund the 2013 Water & Sewer Revenue Bonds. She stated there were no new moneys being borrowed with this issuance. She stated the Village was estimated to save approximately \$250,000 over the seven years before the bonds are paid off. President Stiles made a motion to approve Resolution No. 2022-05. Trustee Truckey seconded, and the motion carried 6-0.

8. Reports from Committees

A. Finance Committee, Trustee Baumann

- 1) **Review and possible action relating to Contractual Invoices.** President Stiles made a motion to approve the Contractual Invoices. Trustee Truckey seconded, and the motion carried, 6-0.
- 2) **Review and possible action relating to Invoices over \$500.** Trustee Kaufenberg made a motion to approve the invoices over \$500. Trustee Atkinson seconded, and the motion carried 6-0.
- 3) **Review and possible action relating to the Treasurer’s Report, Monthly Invoices, Prepaid Bills, and Regular Bills.** Trustee Truckey made a motion to approve the Treasurer’s Report, Monthly Invoices, Prepaid Bills, and Regular Bills. Trustee Baumann seconded, and the motion carried 6-0.
- 4) **Review of possible action relating to an invoice from Lane Tank Company Inc. for temporary repair of water tower leak, \$3,200.** Trustee Baumann presented the invoice stating that it was not received in time to be included on the February Finance Committee agenda. Trustee Kaufenberg made a motion to approve the invoice. President Stiles seconded, and the motion carried 6-0.
- 5) *Next meeting: Wednesday, March 16, 2022 at 5:15 p.m. at Village Hall*

B. Public Works, Streets, Water & Sewer Systems Committee, Trustee Kaufenberg

- 1) **Discussion and possible action on a street striping estimate from Walworth County Public Works.** Trustee Kaufenberg presented the item. Public Works Operator Mike Veley stated the County has the necessary equipment to stripe double yellow lines, thus the Village was requesting they complete the work for approximately \$700.00. President Stiles made a motion to approve the work for \$700.00. Trustee Kaufenberg seconded, and the motion carried 6-0.
- 2) **Discussion and possible action to renew annual software and maintenance support for our GIS system for \$500.00 from Environmental Systems Research Institute, Inc.** Trustee Kaufenberg presented the item, stating that this was an annual renewal for the GIS. Trustee Truckey made a motion to approve the renewal payment. President Stiles seconded, and the motion carried 6-0.
- 3) **Discussion and possible action on a quote from Johnson Tractor for a Land Pride Ball Diamond Drag DRG08 8’.** Mr. Veley stated that this was a replacement for the old Ball Diamond Drag. He stated that this drag could be used with a newer tractor. Trustee Truckey made a motion to approve the purchase of the Ball Diamond Drag. Trustee Atkinson seconded, and the motion carried 6-0.
- 4) *Next meeting: Tuesday, March 15, 2022 at 8:30 a.m. at Village Hall*

C. Library Board Report, Trustee Baumann.

Trustee Baumann stated there was nothing to bring before the Board at this time.

- 1) *Next meeting: Thursday, March 10, 2022 at 4:30 p.m. at the Darien Public Library*

D. Plan Commission, President Stiles

- 1) **Discussion and possible action to grant a Public Sidewalk Easement at 500 N. Walworth Street.** Ms. Peterson stated that the public sidewalk easement was being granted by Kwik Trip on their property at 500 N. Walworth Street. She stated that the easement was accidentally excluded from the approved Certified Survey Map, so this agreement was drafted for the Village Board's approval to rectify this. President Stiles made a motion to approve the agreement. Trustee Atkinson seconded, and the motion carried 6-0.
- 2) *Next meeting not currently scheduled*

E. Public Safety, Police, Fire, and Building Regulation Committee, Trustee Truckey. Trustee Truckey stated the Committee had not met.

- 1) *Next meeting not currently scheduled*

F. City of Delavan General Operations Committee Updates, Trustee Truckey

- 1) **Review of January 2022 Police Department Monthly Report.** Trustee Truckey stated that the report was in the packet, and that there was nothing to bring before the Village Board currently.
- 2) *Next meeting: Tuesday, March 1, 2022 at 5:30 p.m. at Delavan City Hall*

G. Parks, Recreation, and Facilities Committee Report. President Stiles stated that the Committee did not meet in February, but was set to meet again in March.

- 1) *Next meeting scheduled for March 16, 2022 at 5:45 p.m. at Village Hall*

H. Personnel Committee, President Stiles. President Stiles stated the Committee had not met.

- 1) *Next meeting not currently scheduled*

I. Darien Fire/EMS Department Liaison Update, President Stiles.

- 1) *Next meeting: Monday, March 7, 2022 at 7:00 p.m. at the Darien Fire/EMS Station*
- 2) *Next meeting of the Joint Commission of Fire and EMS Commissioners: Closed Session-March 8, 2022 at 4:00 p.m. at Darien Town Hall*

9. Licenses

- A. Review and possible action relating to a 2021-2022 Operator License Application for Christine Waddell.** Trustee Kaufenberg made a motion to approve the license for Christine Waddell. Trustee Truckey seconded, and the motion carried 6-0.

10. The Village Board will adjourn into closed session pursuant to Wis. Stats. 19.85(1)(e) to negotiate the purchasing of public properties, investing of public funds, or conducting other specified public business [Discuss Draft Project Plan for potential TID creation]. At 7:52 p.m., Trustee Baumann made a motion to adjourn into closed session for agenda items 10 and 11. Trustee Truckey seconded, and the Village Board adjourned into closed session by unanimous roll call vote.

11. The Village Board may remain in closed session pursuant to Wis. Stats. 19.85(1)(e) to negotiate the purchasing of public properties, investing of public funds, or conducting other specified public business [Review proposals for 2 N. Wisconsin Street Property, QFR 00022].

12. The Village Board will reconvene in open session and may take action regarding matters discussed in closed session. At 9:49 p.m., Trustee Baumann made a motion to return to open session. Trustee Truckey seconded, and the motion carried 6-0. No action was taken on agenda item 10.

On item number 11, regarding 2 N. Wisconsin Street property, Trustee Truckey made a motion (stated by Attorney Lochowicz) to provide a counter offer to the offer provided by Mr. Steve Fettig (Buyer), related to paragraph 8. This counter offer would clarify the language in paragraph 8, making it consistent with the Buyer's letter attached to his proposal, stating that Buyer will not be responsible for any fees or costs associated with Village staff related to this redevelopment, but that Buyer will be responsible for all permit fees, hookup fees, demolition fees, and any or all other costs generally borne by the buyer during construction related to the redevelopment of 2 N. Wisconsin St.; and that said costs and fees will be provided by the Village to the buyer as done in the normal course of business during this project, as they become known to the Village. Trustee Baumann seconded, and the motion carried 6-0.

13. Adjourn. At 9:55 p.m., Trustee Truckey made a motion to adjourn the meeting. Trustee Baumann seconded, and the motion carried 6-0.

Respectfully Submitted,

Lindsey Peterson, Administrator/Clerk-Treasurer

Date approved by Village Board: March 21, 2022