

**OFFICIAL PROCEEDINGS
REGULAR VILLAGE BOARD MEETING
Monday, July 18, 2022 – 7:00 PM
Darien Village Hall, 24 N. Wisconsin St.
Darien, WI 53114**

1. **Call to Order.** Village President Jane Stiles called the meeting to order at 7:05 p.m. at Darien Village Hall and via Zoom teleconference.
2. **Roll Call.** Village President Jane Stiles and Trustees Kevin Atkinson, Elizabeth Baumann, Sandi Seefeldt, Greg Epping (via Zoom), Ken Truckey and Will Volmar (via Zoom) were present. Administrator Clerk/Treasurer Lindsey Peterson, Public Works Superintendent Mike Veley, and Village Attorney Brad Lochowicz were also present. Municipal Advisor Brian Roemer with Ehlers was also present.
3. **Pledge of Allegiance.**
4. **Acknowledgement of petitions, memorials, or other communications**
 - A. **Announcement of the Tuesday, August 9, 2022 Partisan Primary Election.** Ms. Peterson announced that the Partisan Primary Election would take place on Tuesday, August 9, 2022. Village of Darien residents will vote at Village Hall with polls open from 7:00 a.m. until 8:00 p.m.
5. **Citizen Comments will only be accepted by email to lpeterson@darienwi.com until 5:00 p.m. on Monday, July 18th. The Village Board President may choose to read written comments at the meeting, otherwise any comments received by e-mail will be provided to Village Board Trustees before the start of the meeting.** President Stiles asked the Administrator to report on what had been submitted for comments. Ms. Peterson stated that the Village had received one email correspondence from Christina Green, one email correspondence from Dan Kilkenny, and had received 586 form letters signed by Walworth County regarding the TID creation. She provided a breakdown of where the signers lived: Village of Darien-90, Town of Darien-83, Delavan-208, Elkhorn-33, Burlington-1, Bloomfield-1, East Troy-5, Richmond-8, Sugar Creek-3, Linn-1, Geneva-2, Fontana-8, Williams Bay-4, Lake Geneva-10, Genoa City-1, Allens Grove-1, Pell Lake-1, Walworth-61, Sharon-65
6. **Approval of Regular and Special Village Board Meeting Minutes**
 - A. **Approval of Minutes from the Regular Village Board Meeting of June 20, 2022.** Trustee Truckey made a motion to approve the June 20, 2022 Village Board Meeting minutes. President Stiles seconded, and the motion carried 7-0.
7. **Agreements**
 - A. **Discussion and possible action regarding an Agreement to Undertake Development in Village of Darien Tax Increment District No. 4 (NewCold Development).** Attorney Lochowicz introduced the proposed developer agreement. He stated this agreement is the product of significant negotiations. He stated that the financial aspect, as has been reviewed by Board members, is the same as has been set forth in the Project Plan for the TID. The rest relates to the construction aspects and who is responsible, as well as the protections in place and the expenses related to the TID.
Trustee Seefeldt stated that this was a lot to read over, dig deep into, and decide on. Trustee Atkinson stated that everyone knows where he stands. He said he is not ready to make a decision without some kind of public vote. Trustee Seefeldt stated that she agrees. She said it

is a lot, and if they are going to be the Village Board, they should take the Village into consideration. President Stiles stated that this agreement has been worked on for months. Trustee Atkinson stated that he has read through it, but he just feels it is more appropriate for a vote. Trustee Seefeldt stated she is a new resident coming into Darien, only elected in April, and this is something big, so she thinks citizens should make a decision.

Attorney Lochowicz stated that if there is going to be a motion to move this to referendum, that the Board refer it to a committee. Otherwise, the Board can table it and come back to it at a later meeting. That way if the preference is to take the item to referendum, then at least the item is still there for the Board to decide on. He stated otherwise they have the option to vote yes or no. It is the Board's decision and it is a policy decision.

President Stiles stated she is on the opposite side. She says she supports this moving forward, and she has done her homework. She stated it will benefit the Village and will not cost the Village. President Stiles made a motion to undertake the developer agreement as presented. Trustee Baumann seconded.

Trustee Truckey stated this item has been worked on for quite a while, to ensure the wording was right. President Stiles said a lot of people have been working hard on this project for the Village of Darien. She stated that the Walworth County Economic Development Alliance has spent significant time researching and reviewing the company to ensure they are legitimate. The Village's engineer, along with the Planning and Development consultants have reviewed all applications as well as site plans to ensure they meet all state requirements and Village Codes. SEWRPC reviewed extending sewer service to the parcel and approved it. The Walworth County Finance Committee voted in favor of the TID, the Delavan-Darien School Board voted in favor of the TID last week, legal counsel has worked numerous hours on the developer's agreement, so all taxing jurisdictions including the Village are protected. So her question is, why would all these entities recommend approval, if they didn't see the benefits and the positive outcome to the Village?

At this time, public attendees began shouting over the Village President. Attorney Lochowicz stated there was a motion and a second on the table.

Trustee Truckey stated that every development affects someone. President Stiles stated she would ask the question and asked for a roll call vote. Attorney Lochowicz agreed with the roll call vote. The motion to enter into the developer agreement passed with a roll call vote of 5-2. Trustees Atkinson and Seefeldt voted in opposition.

8. Public Hearings, Ordinances, Resolutions

- A. **Resolution No. 2022-18 – Consideration and possible action on a “Resolution Creating Tax Incremental District No. 4, Approving its Project Plan and Establishing its Boundaries.”** Ms. Peterson stated Brian Roemer from Ehlers was in attendance if there were any additional questions or anyone would like more specific information.

President Stiles made a motion to adopt Resolution No. 2022-18. Trustee Truckey seconded, the motion. Trustee Truckey asked if they should have the presentation from Ehlers again. Trustee Baumann stated she was totally clear on the TID creation. Trustee Truckey stated he was also clear on it, but wanted to make sure that everyone had seen it. There were no requests for the presentation. President Stiles called for the vote. The motion to adopt the resolution passed with a vote of 5-2. Trustees Atkinson and Seefeldt voted in opposition.

9. Appointments

- A. Discussion and possible action to appoint Steve Kastning to fill the vacant seat on the Village of Darien Plan Commission for a three-year term ending April 2025.** Ms. Peterson stated that the appointment of Mr. Kastning was to fill the seat vacated by Trustee Epping when he was appointed to the Village Board to fill the vacancy from former Trustee Kaufenberg's resignation. She stated it was brought to the Village's attention that Mr. Kastning was interested in potentially serving on the Plan Commission, so his name was included for possible Board approval tonight. President Stiles made a motion to appoint Steve Kastning to fill the vacancy on the Village of Darien Plan Commission. Trustee Atkinson seconded, and the motion carried 7-0.
- B. Review and possible action to appoint Greg Epping to the following Village Commissions, Committees and Boards: Board of Review; Personnel Committee; and Public Works, Streets, Water, and Sewer System Committee.** Trustee Baumann made a motion to approve the appointment of Trustee Epping to the committees listed. Trustee Truckey seconded and the motion carried 7-0.

10. 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 Seefeldt seconded, and the motion carried 7-0.
 - 2) **Review and possible action relating to Invoices over \$500.** Trustee Seefeldt made a motion to approve the invoices. Trustee Truckey seconded, and the motion carried 7-0.
 - 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 report, invoices and bills. Trustee Atkinson seconded, and the motion carried 7-0.
 - 4) *Next meeting: Tuesday, August 9, 2022 at 5:15 p.m. at Village Hall*
- B. Public Works, Streets, Water & Sewer Systems Committee, Trustee Volmar.** Trustee Volmar stated there was nothing to bring before the Committee at this time.
 - 1) *Next meeting: Tuesday, August 9, 2022 at 3:00 p.m. at Village Hall*
- C. Library Board Report, Trustee Baumann.** Trustee Baumann stated that the summer program is up and running, and the ice cream program which offers a free ice cream cone from the Darien Ice Cream Shoppe with book checkout for children and adults is also happening.
 - 1) *Next meeting: Thursday, August 11, 2022 at 4:30 p.m. at the Darien Public Library*
- D. Plan Commission, President Stiles.** President Stiles stated there was nothing scheduled at this time.
 - 1) *Next meeting not currently scheduled*
- E. Public Safety, Police, Fire, and Building Regulation Committee, Trustee Truckey.** Trustee Truckey stated there was nothing to bring before the Board at this time.
 - 1) *Next meeting not currently scheduled*
- F. City of Delavan General Operations Committee Updates, Trustee Truckey.** Trustee Truckey stated that there was nothing to bring to the Board at this time. He stated the Committee continues to discuss ATV/UTV/ golf cart routes in the city.

- 1) **Review of June 2022 Police Department Monthly Report.** Trustee Truckey stated this report was in the packet.
- 2) *Next meeting: Tuesday, August 2, 2022 at 5:30 p.m. at Delavan City Hall*

G. Parks, Recreation, and Facilities Committee Report

- 1) **Discussion and possible action to extend West Park hours of operation for the 2022 Movie in the Park (August 5, 2022; rain date August 12, 2022).** Trustee Truckey made a motion to extend the hours for the Movie in the Park. Trustee Seefeldt seconded, and the motion carried 7-0.
- 2) **Discussion and possible action to extend the West Park hours of operation on September 9 and 10, 2022 for Cornfest.** President Stiles stated that the request to extend park hours had been until 11 p.m., but she stated there is significant clean up with Cornfest, so she recommended park hours be extended these nights until 12 a.m. Trustee Baumann made a motion to extend park hours for Cornfest to 12 a.m. Trustee Truckey seconded.
President Stiles stated that the Parks Committee had also discussed having a field trip to Wildwood Park before the next Parks meeting to observe the improvements that had been made there, and get ideas for possible future improvements.
- 3) *Next meeting scheduled for Tuesday, August 9, 2022 at 5:30 p.m. at Village Hall*

H. Personnel Committee, President Stiles. President Stiles stated there was no committee meeting currently scheduled, but she requested that one be scheduled soon.

- 1) *Next meeting not currently scheduled*

I. Darien Fire/EMS Department Liaison Update, President Stiles. President Stiles stated that the monthly report had been handed out by the Chief. She stated that the department was hoping to purchase a new RIT pack and Lucas CPR machine with donated money. They wanted to also purchase some Milwaukee Tool and Batteries tools with donations as well. President Stiles stated that there were several EMS and Fire grants the Chief was applying for. Chief Fisher stated they have already received one award letter for \$28,143. Chief Fisher stated as of now they planned to use these funds for a powerlift for the cot. He stated they were waiting to hear on grants written for a new ambulance, radios, equipment, training and staffing. Approximately \$300,000.

- 1) *Next meeting: Monday, August 1, 2022 at 7:00 p.m. at the Darien Fire/EMS Station*
- 2) *Next meeting of the Joint Commission of Fire and EMS Commissioners not currently scheduled*

11. Licenses

A. Discussion and possible action on a 2022-2023 Operator License Application for Sandra Gonzalez. Trustee Atkinson made a motion to approve the Operator License for Sandra Gonzalez. Trustee Truckey seconded, and the motion carried 7-0.

B. Discussion and possible action on 2022-2023 Operator License Applications from Kwik Trip for: John Jurasevich, Joaquin Alonzo, Xavier Bullock, Heidi Dowell, Julie Wellnitz, Ty Adams, Larry Wilson, Deborah Nardini, Nancy Migasi, Mary Gibbs, Page Stageman, Candy Juhnke. Ms. Peterson stated the Police Department was still completing their review, so she recommended that if there was a motion to approve, it was contingent upon Police Department approval. Trustee Truckey made a motion to approve the licenses, contingent

upon approval from all other reviewers. President Stiles seconded, and the motion carried 7-0.

C. Discussion and possible action on an application for a Temporary Class “B” Beer and “Class B” Wine Retailer’s License for Darien Cornfest on September 9-11, 2022 at Darien West Park.

President Stiles made a motion to approve the Temporary Class “B” Beer and “Class B” Wine Retailer’s License for Darien Cornfest. Trustee Baumann seconded, and the motion carried 7-0.

12. Permits

A. Review and possible action relating to the request from Darien Cornfest, Inc. for the Display of Fireworks on September 9, 2022, at 9:00 p.m. at Darien West Park during Cornfest.

President Stiles made a motion to approve the permit for the fireworks display. Trustee Truckey seconded, and the motion carried 7-0.

13. Adjourn. At 7:37 p.m., President Stiles made a motion to adjourn the meeting. Trustee Baumann seconded, and the motion carried 7-0.

Respectfully Submitted,

Lindsey Peterson, Administrator/Clerk-Treasurer

Date approved by Village Board: August 22, 2022