

**OFFICIAL PROCEEDINGS
REGULAR VILLAGE BOARD MEETING
Monday, September 19, 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 7:00 p.m. at Darien Village Hall and via Zoom teleconference.
2. **Roll Call.** Village President Jane Stiles and Trustees Elizabeth Baumann, Sandi Seefeldt and Ken Truckey were present. Trustees Kevin Atkinson, Greg Epping and Will Volmar (Trustee Volmar arrived later via Zoom for agenda item G. 2) were absent. Administrator Clerk/Treasurer Lindsey Peterson, Public Works Superintendent Mike Veley, and Attorney Brad Lochowicz were also present.
3. **Pledge of Allegiance.**
4. **Acknowledgement of petitions, memorials, or other communications**
 - A. **Thank you to George and Rosemary Travis for their years of service to the Darien Public Library.** The Village Board thanked the Travis' for their service to the Darien Library and their numerous volunteer hours installing the beautiful landscaping there. Certificates were made to be provided to the Travis' as well.
5. **Citizen Comments will only be accepted by email to lpeterson@darienwi.com until 5:00 p.m. on Monday, September 19th. 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.** There were none.
6. **Approval of Village Board Meeting Minutes**
 - A. **Approval of Minutes from the Regular Village Board Meeting of August 22, 2022.** Trustee Truckey made a motion to approve the minutes from August 22, 2022. Trustee Seefeldt seconded, and the motion carried 4-0.
7. **Public Hearings, Ordinances, Resolutions-none.**
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 4-0.
 - 2) **Review and possible action relating to Invoices over \$500.** Trustee Baumann presented the invoices over \$500. She asked if Ms. Peterson would explain the Sharon Telephone bill for \$3,864.88. Ms. Peterson stated that Sharon Telephone had installed a modem at the Public Works shop back in 2017. The internet service was being provided since then, but somehow Sharon Telephone never billed the Village for providing the service. Last month, a representative from Sharon Telephone came out to replace the modem and then the Village received a call from Sharon Telephone stating that we should have been paying them for internet service at the shop since 2017. The Village was unaware that we were not being billed, as we were receiving bills for internet service from Sharon Telephone that were not

itemized. Trustee Truckey asked if the Village had any choice in the matter. Attorney Lochowicz stated that since the service was provided, we were still obligated to pay, even though they had made a billing error. Trustee Truckey asked if Sharon Telephone would consider taking some responsibility for the mistake, and reduce the Village's payment. Ms. Peterson stated they did not seem interested in compromising at all. President Stiles made a motion to approve all invoices over \$500. Trustee Truckey seconded, and the motion carried 4-0.

- 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 prepaid and regular bills. Trustee Seefeldt seconded, and the motion carried 4-0.
- 4) **Discussion and possible action on a new three-year audit services proposal from KerberRose.** Trustee Baumann and Ms. Peterson presented the new three-year audit services proposal. Ms. Peterson explained that the Village has been happy with the services KerberRose has provided, and feels that with the Village's Deputy Clerk/Treasurer retiring, continuing with the same auditor who knows our budget and financials would be helpful. Trustee Baumann made a motion to approve the new proposal from KerberRose for continuation of audit services. President Stiles seconded, and the motion carried 4-0.
- 5) **Review and possible action on a Draft 2023-2024 Banking Services Agreement from First National Bank & Trust Co.** Trustee Baumann presented the Draft Banking Services Agreement from First National Bank. She stated this was a renewal and explained the changes from the previous agreement. President Stiles made a motion to approve the agreement for 2023-2024. Trustee Seefeldt seconded, and the motion carried 4-0.
- 6) **Review and possible action on a proposal from John's Disposal Service, Inc. to increase the 2023 monthly curbside recycling collection rates to the Village of Darien from \$4.90 per month to \$5.32 per month.** Ms. Peterson explained that each year during the budget process the Village contacts John's Disposal Services to find out the recycling collection rates for the upcoming year. She stated that next year is the final year of our current seven-year agreement with John's and they provided us two options as far as next year's rate goes. If the Village agrees to enter into a new five-year agreement with John's, we will see no recycling collection rate increase for 2023. If we decide to make 2023 the last year with John's and seek another provider for recycling collection, we will see an 8.6% rate increase for 2023. Ms. Peterson explained that she had reached out to Neiuwenhuis Bros. who currently provides the Village's trash collection services to see if they could give us a quote for recycling collection as well. She stated she was told that at this time, Neiuwenhuis was not even able to provide a quote, as they do not have the staff to take on additional routes. She also sent a request for a quote to GFL environmental for a potential quote, but did not hear back yet.
Ms. Peterson stated it was a bit frustrating that this decision on whether or not to enter into a new agreement with Johns needed to be made now, since the agreement didn't end for more than a year. Attorney Lochowicz asked how much time we had to provide a decision to John's. Ms. Peterson stated that the contract says we have 30 days to approve or deny a rate increase request from Johns. The rate increase information had been provided to the Village on September 12th. Trustee Truckey stated that we might end up being in a situation where we decide not to enter into a new agreement with John's and take the rate increase, and then end up having to go back to John's anyway, if the Village doesn't find another

company to provide the service. Trustee Truckey made a motion to approve the option to enter into a new agreement with John's. Trustee Seefeldt seconded, and the motion carried 4-0.

7) *Next meeting: Wednesday, October 12, 2022 at 5:15 p.m. at Village Hall*

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

- 1) **Review and possible action regarding a resident's request for a utility bill adjustment.** Mr. Veley stated that the resident had filled their pool and was not aware that they would also be charged for sewer usage too. The resident requested a credit for the sewer cost of filling the pool. Trustee Truckey made a motion to approve the request. Trustee Baumann seconded, and the motion carried 4-0.
- 2) **Discussion and possible action to join the Wisconsin PFAS Cost Recovery Program.** Mr. Veley stated that Rural Water was recommending communities with water utilities enter into this free cost recovery program. He stated that Rural Water was filing a law suit against the companies who used PFAS and caused the contamination. Ms. Peterson stated that if their lawsuit was successful, there would be an opportunity for communities who had joined to recover costs related to testing and treating water systems for PFAS contamination. President Stiles made a motion that the Village enter into the Wisconsin PFAS Cost Recovery Program. Trustee Truckey seconded, and the motion carried 4-0.
- 3) **Discussion and possible action on an annual maintenance agreement from Corpro for the cathodic protection corrosion system for Tower #2.** Mr. Veley stated that this was the annual agreement the Village enters into every year with Corpro for maintenance on Tower #2's system. President Stiles made a motion to approve the agreement. Trustee Truckey seconded, and the motion carried 4-0.
- 4) *Next meeting: Tuesday, October 4, 2022 at 3:00 p.m. at Village Hall*

C. Library Board Report, Trustee Baumann. Trustee Baumann stated there was not much to report currently. The Darien Library is preparing for the Trunk or Treat on Saturday, October 29th.

- 1) *Next meeting: Thursday, October 13, 2022 at 4:30 p.m. at the Darien Public Library*

D. Plan Commission, President Stiles. President Stiles stated that the next meeting is not currently scheduled.

- 1) *Next meeting not currently scheduled*

E. Public Safety, Police, Fire, and Building Regulation Committee, Trustee Truckey

- 1) **Review and possible action relating to activation of Optional Coverage Alternative in the Police Services Contract with the City of Delavan for 2023.** Trustee Truckey presented the optional coverage alternative in the police services contract. He stated that this option, if enacted, would mean that police services would no longer be 24 hours within the Village. Trustee Truckey stated that the Village has never actually activated this option. We discuss each year during the budget process. Trustee Truckey asked Attorney Lochowicz if it was necessary to bring this to the Board each year, or if they could let it automatically renew with full coverage unless there were concerns brought forth. Attorney Lochowicz stated because of the way the agreement was written, it was better to bring the optional coverage alternative to the Board each year. Trustee Truckey stated he understood. The Village Board took no action on the optional coverage alternative.
- 2) *Next meeting not currently scheduled*

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

- 1) **Review of August 2022 Police Department Monthly Report.** Trustee Truckey stated there was nothing to bring before the Board, but the City was discussing the radio replacement through Walworth County again. He stated it may be good to reach out to the County to get an update.
- 2) *Next meeting: Tuesday, October 4, 2022 at 5:30 p.m. at Delavan City Hall*

G. Parks, Recreation, and Facilities Committee Report

- 1) **Update relating to Darien's Fourth Annual Tree Lighting Festival on Saturday, December 3, 2022.** Trustee Baumann stated the Committee had begun planning for this year's Tree Lighting Festival. She stated the Committee members would hold workshops to prepare for the event, with the first workshop being Wednesday, September 21st at 5:00 p.m.
- 2) **Discussion and possible action on a request from the Class of '82 to extend West Park hours from 10:00 p.m. to 11:00 p.m. to allow for clean up following the class reunion scheduled for Saturday, September 24, 2022.** Trustee Truckey made a motion to approve the extension of park hours on September 24th. Trustee Seefeldt seconded, and the motion carried 5-0 (Trustee Volmar entered the meeting via Zoom, at this time and was included in the vote).
- 3) *Next meeting scheduled for Wednesday, October 12, 2022 at 5:45 p.m. at Village Hall*

H. Personnel Committee, President Stiles

- 1) *Next meeting scheduled for Tuesday, October 4, 2022 at 4:00 p.m.*

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

- 1) **Review and possible action on 2023 Metro Contract Options for year three of the Darien-Sharon-Walworth Shared Paramedic Services.** Ms. Peterson presented the memo outlining the three Metro contract option for 2023. She stated that representatives from the Towns and Villages Darien, Sharon and Walworth met to review the 2023 Budget formula and contract options for next year. She stated that at that meeting after some discussion, the group decided to return to their Boards and recommend Option #1. She stated that the reasons behind this option are that the wages for Paramedics and EMTs are still a bit low compared to other municipalities. In addition, some municipalities have hired these individuals as municipal employees and they are now eligible for WRS, so the Metro group has seen some turnover. The belief is that the proposed wages under option 1 will make the Darien/Sharon/Walworth group under Metro more attractive and allow the group to retain the good employees they currently have. Trustee Baumann asked why the group uses a third party to provide the services. Trustee Truckey stated that after years of work and discussion, it was determined that a third party was the best option at the time. Trustee Baumann stated the group may have to look at alternatives like providing the service ourselves and allowing employees to enroll in the Wisconsin Retirement System. President Stiles stated this was a pretty large cost increase. After some discussion, President Stiles made a motion to approve Metro contract Option #1. Trustee Baumann seconded, and the motion carried 5-0.
- 2) *Next meeting: Tuesday, October 4, 2022 at 7:00 p.m. at the Darien Fire/EMS Station*
- 3) *Next meeting of the Joint Commission of Fire and EMS Commissioners not currently scheduled*

9. Licenses

A. Review and possible action relating to a 2022-2023 Operator License Application for Christian Bentley and Rebecca Alfredson. Ms. Peterson stated that these applications were sent to the Police Department, Municipal Court, and Utility Clerk, and there were no concerns about issuance of the license. Trustee Baumann made a motion to approve the licenses. Trustee Truckey seconded, and the motion carried 5-0.

B. Review and possible action on a 12-month Direct Seller's Permit for Anthony McElwaine. Ms. Peterson explained that the individual had applied for a license to sell frozen meat from a freezer truck at the Darien Mobil station. This license application was sent to the Police Department to complete a background check and potential approval. The background check was completed and the Police Chief did sign off on the approval of the license. Trustee Truckey made a motion to approve the Direct Seller's Permit. President Stiles seconded, and the motion carried 5-0.

10. Review and possible action on a TID #4-County Highway X Project Funding Agreement between the Village of Darien and Walworth County. Ms. Peterson presented the agreement stating that the proposed agreement between the Village and Walworth County memorializes the payment from TID #4 for County Highway X improvements. She stated the County Corporation Counsel drafted the agreement and the Village's attorney reviewed it and had no concerns about approval. Trustee Baumann asked if the Village would still be held to the agreement if the development did not occur. Attorney Lochowicz stated the Village would, but the developer's agreement ultimately made NewCold responsible for the payments, so they would be required to ensure the Village had the funds to make any necessary payments. Trustee Truckey made a motion to approve the agreement between the Village and Walworth County for TID #4 County Highway X Project Funding. President Stiles seconded, and the motion carried 5-0.

11. The Village Board will adjourn into closed session pursuant to Wis. Stats. 19.85(1)(c) for consideration of compensation for the Municipal Court Clerk. At 8:04 p.m., President Stiles made a motion to adjourn into closed session. Trustee Truckey seconded, and the motion carried 5-0 by roll call vote.

12. The Village Board will reconvene in open session and may take action regarding matters discussed in closed session. At 8:26 p.m., President Stiles made a motion to reconvene in open session. Trustee Truckey seconded, and the motion carried 5-0 by roll call vote.

Trustee Truckey made a motion to increase the hourly rate for the Village's municipal court clerk to \$20.00 per hour beginning with the current pay period. Trustee Baumann seconded, and the motion carried 5-0.

13. Adjourn. At 8:28 p.m., President Stiles made a motion to adjourn the meeting. Trustee Seefeldt seconded, and the motion carried 5-0.

Respectfully Submitted,

Lindsey Peterson, Administrator/Clerk-Treasurer