

**VILLAGE OF HARRISON  
BOARD MEETING MINUTES  
04/30/19**

A meeting of the Village of Harrison Board was called to order on Tuesday, April 30, 2019 at 7:00pm in the Harrison Municipal Building, W5298 State Road 114. After the Pledge of Allegiance was recited, newly elected officials were sworn in to office, and roll call was taken.

Board present: President Kevin Hietpas, Trustees Lou Miller, Buddy Lisowe, Darlene Bartlein, and Gary Nickel  
Board excused: Tamra Nelson  
Staff present: Clerk Jennifer Weyenberg, Planner Mark Mommaerts, Village Manager Travis Parish, Fire Chief Amos Mikkelson

Correspondence or Communications from Board and Staff

- a) Letter of Resignation from Kevin Hietpas- Village Trustee seat  
Clerk Jennifer Weyenberg shared that the resignation letter had been received.
- b) Doug and Melissa VanOrnum regarding bike trail to High Cliff State Park  
They are asking about a safe access to the State Park.

Trustee Lisowe asked that the board consider doing a live-feed from the meetings. He also requested the board consider purchasing ipads. It was noted that there is no longer a designated space at the Village Hall for elected officials because we are out of space.

Options to Fill Village Office Vacancy in Accordance with Wisconsin Statute §17.24

Discussion: Clerk Jennifer Weyenberg explained that the statutes allow for an appointment or a special election. Staff recommended filling the vacancy by appointment. Trustee Bartlein proposed reducing the number of trustees from 7 to 5 members; this would reduce the annual board pay by \$8,400 (\$4200 each).

Motion: Trustee Nickel with second by Trustee Lisowe to fill the vacancy via appointment by the board.  
Vote: Motion carried 4-1 with Trustee Bartlein opposed.

Public Comments

Those speaking against the Kaukauna Youth Baseball project and other park funding were:

Allison Blackmer, N6791 Harrison Rd  
County Board Supervisor Joe Mueller, W4991 State Hwy 114  
Eric Jones, W6567 Landon Dr  
Jesse Dercks, N8978 Blackoak St  
Steve Bevers, N6991 Ertl Rd  
Krista Polman, W6174 Education Way

Village Manager Travis Parish clarified that the closed session was scheduled to discuss restoring the ball diamond site back to its original state as work had already been completed.

Jim Herrmann, W5414 Amy Ave asked that the pond near his home be better maintained.

2019 State Budget and Legislative Updates by Rep. Ron Tusler (Assembly District 3)

Rep. Tusler highlighted the upcoming budget and took questions from the audience and board members. He is pushing for a second judge in Calumet County to help with Judge Froehlich's workload.

Consent Agenda

Payment of Bills and Claims, Minutes from 03/26/19, Operator Licenses for Jennifer Hills, Kaila Cornell, Darlene Krause, Carter Gehl, Erin Meyerhofer, Ally Isselmann, Macey Herrmann, Jackie Rogers, Permission to Occupy Drainage Easement- W6154 Maple Bluff Lane, Discharge of Firearms- Cathy Ott, N8324 Firelane 13, East Shore Human Assoc. annual donation in the amount of \$1500, Approve List of Surplus Equipment to be sold

Discussion: Trustee Lisowe requested that the Permission to Occupy Drainage Easement be removed.

Motion: Trustee Nickel with second by Trustee Lisowe to approve the remaining items on the consent agenda.

Vote: Motion carried 5-0.

### Items Removed from Consent Agenda

Permission to Occupy Drainage Easement- W6154 Maple Bluff Lane

Discussion: Trustee Lisowe noted that the village has an ordinance prohibiting fences in drainage easements, but the board is reviewing requests from residents to do so at almost every meeting- it may be more practical to amend the ordinance or just allow staff to approve the requests.

Motion: Trustee Lisowe with second by Trustee Nickel to approve the request to place a fence in a drainage easement at W6154 Maple Bluff Lane.

Vote: Motion carried 5-0.

### Appointments

a) Village Trustee (2 year term): *As noted, the board voted to fill the trustee vacancy via appointment earlier in the meeting.* President Kevin Hietpas opened the floor for nominations. Tyler Moore received a nomination from Hietpas and Nickel. With no other nominations, the President called for a motion.

Motion: Trustee Nickel with second by Trustee Moore to appoint Tyler Moore to the Village Board.

Vote: Motion carried 5-0.

*Village Clerk Jennifer Weyenberg administered an Oath of Office and Tyler Moore was sworn into office and seated at the board table.*

b) Weed Commissioner (1 year term)

Motion: Trustee Lisowe with second by Trustee Nickel to reappoint Village Manager Travis Parish to a one year term.

Vote: Motion carried 6-0.

c) Plan Commission (Citizen Member- 3 year term) **and** d) Plan Commission (Citizen Member- 3 year term)

Motion: Trustee Lisowe with second by Trustee Bartlein to reappoint Jim Lincoln and Dennis Reed to the Plan Commission.

Vote: Motion carried 6-0.

e) Plan Commission (Village Board Representative- follows board term)

Motion: Trustee Lisowe with second by Trustee Miller to appoint Trustee Darlene Bartlein to the Plan Commission.

Vote: Motion carried 6-0.

f) Fire Commission (5 year term)

Motion: None made. This item is postponed until all applications can be reviewed.

Vote: None.

g) Zoning Board of Appeals

Motion: Trustee Lisowe with second by Trustee Nickel to reappoint Craig Majewski to ZBA.

Vote: Motion carried 6-0.

### Unfinished Business from Previous Meetings for Consideration or Action

a) None

### New Business for Consideration or Action

a) Discuss Farmers Field Improvements and Timeline

Discussion: The village has completed a majority of the grading and installation of the stormwater pond and soccer fields at Farmers Field. The Board needs to decide whether or not to move forward with the remaining improvements. Trustee Lisowe spoke in favor of moving forward and President Hietpas suggested the project be completed in phases. It was unknown at the time of the meeting what the total costs for electrical work would be.

Motion: Trustee Nickel with second by Trustee Lisowe to delay action on agenda items 13a, 13b, and 13c so that staff can get costs for the electrical work.\*

Vote: Motion carried 6-0.

b) Discuss Method of Borrowing and Interest Rates for Farmers Field Improvements

\*See minutes above

c) Resolution V2019-05 Providing for the Sale of Approx. \$1,520,000 General Obligation Promissory Notes (Farmers Field Improvements)

\*See minutes above

d) Request to Fix/Replace Driveway Apron- Jeffrey Melin, W5560 Sumac Lane

Discussion: The owner's driveway was put in with the Sumac Lane stormsewer project in 2015. He is upset that the apron is now scaling and cracking. He is asking the village to replace the apron.

Motion: Trustee Nickel with second by Trustee Miller to deny the owner's request.

Vote: Motion carried 6-0.

e) Ordinance V19-04 Amending Official Zoning Map (Mader)- S. Coop Road

Discussion: The owner requests a zoning map amendment to rezone a portion of General Agricultural property (parcel #33574) to Single-Family Residential (Suburban) [RS-1] for future land division.

Motion: Trustee Lisowe and second by Trustee Nickel to approve Ordinance V19-04.

Vote: Motion carried 6-0.

f) Certified Survey Map- Ken Mader- S. Coop Road

Discussion: The applicant is proposing a 4-lot CSM for property at N8838 S. Coop Rd. Lot 1 will contain the existing house and garages with 160-feet of road frontage. Lots 2-4 will be new single family lots.

Motion: Trustee Bartlein with second by Trustee Nickel to approve the CSM with the Plan Commission's requirement to add a drainage easement to Lot 1 and staff's requirement to provide drainage/grading plan for Lots 2-4.

Vote: Motion carried 6-0.

g) Certified Survey Map- Don Mielke- State Park Road

Discussion: The applicant is proposing to subdivide a portion of the property fronting State Park Rd into a single-family lot. This is his fourth lot created in the last five years, which is the maximum number of splits allowed. Access will come from State Park Road via culvert and private driveway.

Motion: Trustee Moore with second by Trustee Lisowe to approve the CSM.

Vote: Motion carried 6-0.

h) Final Plat for Creekside Estates

Discussion: Planner Mark Mommaerts requested that this item be postponed.

Motion: None.

Vote: None.

i) Development Agreement in TID #1 (Gregorski)

Discussion: The agreement includes language that Mr. Gregorski must payback all payments made to him should the property become tax-exempt, and the incentive amount was adjusted from \$100,000 to \$81,000 to account for payment previously made to the former owners of Lake Park Sportzone.

Motion: Trustee Nickel with second by Trustee Moore to approve the agreement.

Vote: Motion carried 6-0.

j) Discuss Policy for Future Subdivision Development Agreements

Discussion: Planner Mark Mommaerts requested that this item be postponed.

Motion: None.

Vote: None.

k) Installation of Lights at CTH LP and Manitowoc Rd. Roundabout

Discussion: Calumet County is upgrading CTH LP and as part of the project a roundabout will be added at Manitowoc Rd and CTH LP. The roundabout requires lighting. It will be the village's responsibility to

pay for the lighting. The proposed contract with WE Energies is \$49,922.62 upfront and then approx. \$121.77 monthly.

Motion: Trustee Nickel with second by Trustee Miller to accept the installation of lights and approve the contract with WE Energies.

Vote: Motion carried 6-0.

l) Cost Share Agreement with Village of Sherwood for Reconstruction of Kesler Road and State Park Road

Discussion: The roads are boundary roads and the board previously approved the use of Sherwood's engineer to provide design and reconstructions costs for these roads. The agreement sets forth the terms and conditions for the cost sharing of the project.

Motion: Trustee Lisowe with second by Trustee Nickel to approve the agreement.

Vote: Motion carried.

m) Contract with PSI Intertek for Geotechnical Soil Borings for Schmidt Rd. Bridge Project

Discussion: The village has been working to replace the Schmidt Rd. bridge since 2018 and needs to obtain soil borings to determine the stability and composition of the soil around the bridge. The village received three quotes:

PSI Intertek: \$3650 (include two additional borings)

ECS Midwest: \$4750

American Engineering Testing: \$5900

Motion: Trustee Moore with second by Trustee Nickel to approve the contract with PSI Intertek.

Vote: Motion carried 6-0.

n) Proposed Agreement for City of Menasha's Delinquent Fire Protection Charges and Remedies

Discussion: Harrison Utilities (formerly Waverly Sanitary District) is required by the Public Service Commission (PSC) to charge a fire protection charge to all municipalities it serves. Each year, Harrison Utilities certifies with each municipality the amount of charges to be placed on the annual tax roll. This past year, City of Menasha refused to place their portion of \$79,143.28 on their 2018 tax roll. The PSC clearly stated Menasha was still responsible to pay their fire protection charges whether they placed it on their rolls or not, and that Harrison Utilities could file for a hearing in front of the PCS to get the City to pay. Months ago, City of Menasha's Attorney and Director of Administrative Services agreed to begin the process of collecting the charges and paying Harrison Utilities. However; to date, no money has been collected. Harrison Utilities has sent emails to the City stating that no connections, extensions, or hook-ups to Harrison Utilities sewer or water system will be allowed until the charges are paid. City of Menasha has countered with a proposed agreement that would require Harrison Utilities to collect the fire protection charges. The PSC says this is not allowed. They say Harrison Utilities would first need to complete a case rate study which could take 6-8 months. Therefore, staff recommends that the Harrison Utilities file for the regulatory hearing in front of the PSC.

Motion: Trustee Lisowe with second by Trustee Nickel to give City of Menasha 30 days to pay the \$79,143.28 after which time interest and attorney fees will be applied; Harrison Utilities should apply for the regulatory hearing in front of the PSC; and Harrison Utilities shall not allow extensions, connections, stubs, or hookups to their sewer and water system by the City of Menasha or residents in the City of Menasha until the fire protection charges have been paid.

Vote: Motion carried 6-0.

o) Lease of Village Owned Land on CTH N

Discussion: Last year the village had a lease with Mr. Ken Mader to maintain and cultivate the village's land located on CTH N. The terms of the lease were for one year with the rent being \$160.00 per acre annually resulting in a yearly total of \$4,160.00 to the village.

Motion: Trustee Nickel with second by Trustee Moore to renew the lease agreement with Ken Mader with the same terms.

Vote: Motion carried 6-0.

## Reports

Activity reports for Calumet Co. Sheriff's Department, Zoning Permits, Harrison Fire Rescue and the Treasurer's Statement of Income and Expenses were distributed.

Closed Session

Motion by Trustee Lisowe with second by Trustee Nickel to enter closed session.

Roll Call Vote: Miller- aye  
Lisowe- aye  
Bartlein- aye  
Hietpas- aye  
Moore-aye  
Nickel- aye

Pursuant to Wis. Stats §19.85(1)(e) the board met in closed session to deliberate or negotiate the purchase of public property, investment of public funds, or conduct other business when competitive or bargaining require a closed session. Discussions held in closed session were:

*\*Discussions regarding possible development agreement for Northshore Apartments Phase II*

*\*Negotiations regarding development agreements for Hidden Pines and Creekside Estates*

*\*Discussions regarding potential bargaining strategy to use in possible negotiations regarding possible resurrection of baseball project and discussion regarding bargaining strategy to use in negotiations regarding responsibility for third parties' existing obligations stemming from canceled project*

*\*Purchase Property (Halverson)*

At 11:30pm, Trustee Lisowe made a motion with a second by Trustee Nickel to reconvene in open session. Motion carried 6-0.

In open session, Trustee Lisowe made a motion with a second by Trustee Nickel to approve the agreement/conditions with Steve and Laura Halverson as stated in the email to Planner Mark Mommaerts dated April 29, 2019. The village board authorizes the village attorney to draft an official agreement with the Halversons with the following:

- The Village will construct a 5-foot berm north of the creek with evergreen plantings for privacy.
- The berm is to run the distance of the property following the contour of the creek from the east end of the property to the wood line on the west.
- The deed for the property is to include a covenant that the berm must remain intact.
- The village must plant two rows of staggered fast growing evergreen saplings with a minimum height of 3' tall hillside of berm.
- Trees to be spaced at a distance to create a privacy barrier.
- Berm and planting to be completed no later than July 1, 2019.
- Village to pay for CSM for splitting the property.
- Village to pay for all legal fees to transfer said property.
- Closing to be on July 31, 2019
- Village shall be allowed to begin construction prior to closing for sewer, water, and berm.
- Purchase not to exceed \$245,000.

There being no other business, a motion was made by Trustee Nickel with second by Trustee Moore to adjourn the meeting at 11:35pm. Motion carried 6-0.

---

Jennifer Weyenberg, Village Clerk-Treasurer  
Dated April 30, 2019  
Approved by the Village Board on May 14, 2019