

## FREDERIC VILLAGE BOARD PUBLIC HEARING & REGULAR MEETING MINUTES

Village Hall · 110 Oak Street E  
Monday, April 10th, 2023 · 7:00 pm

### **Call to Order by President Harlin Owens at 7:00 pm at the Village Hall and Zoom.**

Present: Harlin Owens, Brad Harlander, Amber Johnson, Jackie Peterson, Patty Swenson and Duane Wisse.

Absent: Rob Lillehaug

Others Present: Janice Schott, Village Clerk/Treasurer; Roxanne Howe, Deputy Clerk/Treasurer; Bill Struck, Director of Public Works; Tamara Larson, Chief of Police; Amanda Blackmon, Library Director; Rebecca Harlander, Park Board Chair; Drew Lindh, MSA Engineer; Dave Rasmussen, MSA Representative; member(s) of the Public; member(s) of the Press.

### **Convene Public Hearing at 7:00 pm**

Motion to convene public hearing by Wisse/Harlander Vote: Carried

### **Birch Street – Permanent No Parking**

No Public

### **Close Public Hearing**

Motion to close the public hearing at 7:02 by Swenson/Peterson Vote: Carried

### **Agenda Approval**

Motion to approve agenda by Harlander/Wisse Vote: Carried

### **Approve Previous Meeting Minutes**

Motion to approve the April 10th, 2023 minutes as presented by Swenson/Peterson Vote: Carried

### **Public Comments**

William Johnson thanked Harlin Owens for serving as President.

Lydell Larson commented on Angel Hands taking too much sidewalk space with the items they're selling, and that it is difficult to get around it.

John Brand asked the Board to remove the disorderly conduct charge and the battery charge against Reba, as he feels she was the victim, and this could keep her from finding/keeping subsidized housing. When informed that it is a legal matter that the Board doesn't control, John informed them it would look poorly on Frederic and they would pay for it.

Reba Boucher told the Board her side of what happened when she was arrested and charged with disorderly conduct and battery.

### **MSA Project Update**

Drew Lindh and Dave Rasmussen updated the Board on the STH 35 Reconstruction Project and different funding scenarios. Decisions need to be made so competitive funding and job planning and alignment with the DOT can progress in the direction we intend to go.

### **STH 35 Utility Replacement Project**

The Public Works Committee recommends MSA to move forward with the STH 35 Utility Replacement Project.  
Motion to approve MSA moving forward with the STH 35 Utility Replacement Project by Harlander/Wisse Vote: Carried

### **STH 35 Complete Reconstruction**

The Public Works Committee recommends MSA moves forward with the STH 35 Complete Reconstruction Project.  
Motion to approve MSA moving forward with the STH 35 Complete Reconstruction Projects by Wisse/Johnson Vote: Carried

### **Third Street Project Update**

The Public Works Committee recommends that the Board choose Engineer MSA for the Third Avenue Project.  
Motion to approve MSA as the Engineer for the Third Street Project by Swenson/Wisse Vote: Carried

### **Birch Street – Permanent No Parking**

Motion to approve changing the south side of Birch Street to permanent no parking from STH 35 to Lake Avenue by Johnson/Harlander Vote: Carried

### **Updated Village Ordinances**

The Governance Committee recommends a few wording changes on ordinances 9.11, 10.10 (1) and (2), 8.04(1b).

- CURRENT

9.11 LITTERING. (1) PROHIBITED. No person shall deposit any mud, glass, refuse or waste, filth or other litter upon the streets, highways, alleys, parks or other property of the Village or upon any private property or into or upon any body of water or stream within the Village.

PROPOSED

9.11 LITTERING. (1) PROHIBITED. No person shall deposit any mud, glass, refuse or waste, animal waste, filth or other litter upon the streets, highways, alleys, parks or other property of the Village or upon any private property or into or upon any body of water or stream within the Village.

- CURRENT

10.10 LAWN CARE. (1) OCCUPIED LOTS. Every owner or occupant of any premises having a lawn consisting of conventional grasses such as Blue Grass, Creeping Fescue, Rye Grass, etc., shall cut and maintain such lawn on such premises as well as the boulevard in front of or along such premises in a neat and orderly manner.

(2) VACANT LOTS. All vacant lots in all residential, business and manufacturing districts shall be kept free of unhealthy and unsightly debris and shall be reasonable maintained. This shall also include the boulevard in front or along such vacant lot.

PROPOSED

10.10 LAWN CARE. (1) OCCUPIED LOTS. Every owner or occupant of any premises having a lawn consisting of conventional grasses such as Blue Grass, Creeping Fescue, Rye Grass, etc., shall cut and maintain such lawn on such premises as well as the boulevard in front of or along such premises in a neat and orderly manner, maintaining a height of less than 8".

(2) VACANT LOTS. All vacant lots in all residential, business and manufacturing districts shall be kept free of unhealthy and unsightly debris and shall be reasonable maintained, any grass, weeds, etc. will be maintained at a height of less than 8". This shall also include the boulevard in front or along such vacant lot.

- CURRENT

8.04 OBSTRUCTIONS AND ENCROACHMENTS. (1) PROHIBITED. (a) No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in sub. (2) below.

(b) No person shall rake leaves onto a Village Street.

PROPOSED

8.04 OBSTRUCTIONS AND ENCROACHMENTS. (1) PROHIBITED. (a) No person shall encroach upon or in any way obstruct or encumber any street, alley, sidewalk, public grounds or land dedicated to public use, or any part thereof, or permit such encroachment or encumbrance to be placed or remain on any public way adjoining the premises of which he is the owner or occupant, except as provided in sub. (2) below.

(b) No person shall rake leaves or deposit yard debris onto a Village Street.

Motion to approve the above changes to ordinances 9.11, 10.10 (1) and (2), and 8.04(1b) by Harlander/Johnson Vote: Carried

### **Mobile Food Truck Permit & Public Nuisance Penalty Fee Change**

The Governance committee is recommending the annual cost of a mobile food truck permit increase to \$50, and the creation of an event or one-time Mobile Food Vendor permit for \$10. This change has no bearing on the Chamber of Commerce vendor fee for Family Days.

Motion to approve the Governance Committee's recommendation to increase the annual Mobile Food Vendor License Fee to \$50, and create a one-time event license for \$10 by Swenson/Peterson Vote: Carried

Currently, the penalty for an unabated public nuisance is the standard \$235 municipal ticket. The Governance Committee is recommending that the fee be set at \$50 for the first offense. This penalty will be a hand written ticket. If the public nuisance is still not abated following the first penalty, the second penalty will be the \$235 municipal ticket. Motion to approve the Governance Committee's recommendation to decrease the first offense penalty for an unabated public nuisance to a \$50 handwritten ticket by Swenson/Peterson Vote: Carried

### **Employee Handbook Update**

The Personnel/Finance Committee is recommending the following change to the Vacation Carryover policy and wording in the Employee Handbook.

- CURRENT

The vacation year is defined as the calendar year. Vacation taken in the current year shall be the amount earned in the preceding calendar year. Vacation to which the employee is entitled, but not taken, shall be forfeited. However, if it can be demonstrated that the vacation could not be taken at the behest of the Village, then the employee shall receive a cash payment representing unused vacation at the end of the calendar year.

PROPOSED

The vacation year is defined as the calendar year. Vacation taken in the current year shall be the amount earned in the preceding calendar year. Vacation to which the employee is entitled, but not taken, shall be forfeited. However, if it can be demonstrated that the vacation could not be taken at the behest of the Village, then the employee shall have the option to carryover up to 40 hours of unused vacation time or receive a cash payment representing unused vacation at the end of the calendar year.

Motion to approve the above Employee Handbook change regarding vacation carryover recommended by the Personnel/Finance Committee by Peterson/Wisse Vote: Carried

### **Flail & Riding Mower Purchases**

A new flail mower is needed. The cost of the mower would be split by thirds between the Sewer Department, Public Works, and the Park budgets. A new riding mower is needed and the cost would be split between the Sewer Department and the Park budgets.

Motion to approve the Personnel/Finance Committee recommendation to purchase a new flail mower and a new riding mower by Wisse/Swenson Vote: Carried

### **Library Building Agreement Update – Apartment Rental**

Originally, the Library Building agreement contained a line item regarding the apartment above the library and the library having control over the maintenance expense and revenue. This was removed from the agreement at the request of the previous library director. The Personnel/Finance committee is recommending that the line item regarding the apartment be put back into the formal agreement.

- **CURRENT**

4. The library shall use the main level of the contracted premises for Library purposes only as authorized by Wisconsin Statute sec. 43.58 (1).

(1) The Library board shall have exclusive control of expenditure of all moneys collected, donated or appropriated for the Library, and of the purchase of a site and the erection of the Library building whenever authorized. The Library board also shall have exclusive charge, control and custody of all lands, buildings, money or other property devised, bequeathed, given or granted to or otherwise acquired or leased by, the municipality for Library purposes.

5. The Library shall carry out and be financially responsible for all necessary and appropriate upkeep, repair and maintenance of the library portion of the building.

PROPOSED

4. The library shall use the main level of the contracted premises for Library purposes only as authorized by Wisconsin Statute sec. 43.58 (1).

(1) The Library board shall have exclusive control of expenditure of all moneys collected, donated or appropriated for the Library, and of the purchase of a site and the erection of the Library building whenever authorized. The Library board also shall have exclusive charge, control and custody of all lands, buildings, money or other property devised, bequeathed, given or granted to or otherwise acquired or leased by, the municipality for Library purposes.

5. The Library shall carry out and be financially responsible for all necessary and appropriate upkeep, repair and maintenance of the contracted premises, the entire building, including the apartment upstairs.

6. The library shall carry out and be financially responsible for all necessary and appropriate upkeep, repair and maintenance of the upstairs apartment in the building. They will be solely responsible for the lease agreement with the tenant, and will collect all monies due from tenant.

Motion to approve the Personnel/Finance Committees recommendation to restore the Library Building Agreement to the original agreement that includes the section regarding the apartment above the library by

Harlander/Peterson Vote: Carried

### **Frederic Arts Temporary Class B Retail License Request**

Frederic Arts is requesting a Temporary Class B Retail License for events on May 25<sup>th</sup>, June 29<sup>th</sup>, July 27<sup>th</sup>, August 31<sup>st</sup> and September 14<sup>th</sup>, 2023.

Motion to approve Frederic Arts to have a temporary Class B Retail License at 310 Lake Ave S, parcel #'s 126-000-470000 and 126-001-110000, for events on May 25<sup>th</sup>, June 29<sup>th</sup>, July 27<sup>th</sup>, August 31<sup>st</sup>, and September 14<sup>th</sup>, 2023 by Harlander/Swenson Vote: Carried

## **Committee and Department Head Reports**

- a) Public Works – Bill Struck: Pothole filling and street sweeping will begin this week. The process of getting bids for bigger projects has begun.
- b) Park Board – Rebecca Harlander: The skating rink was not open this year. The trails were great and heavily used. The Park Board met with the consulting company researching atv/utv use of the Gandy Dancer Trail and submitted their position statement. Spring/Summer projects are being planned, including Community Give Back Day, a sock hop fundraiser dance and several other things. We are working with a doner to have a swing set put at the new playground on the west side of town. R Howe drafted a new ball field rental contract for the Park Board in hopes of alleviating a couple problems we have had.
- c) Library – Amanda Blackmon: A summary report was handed out to the Board. Library happenings include a staff member that goes to Roots and Branches daycare and reads to the kids, a play group for kids at the library, a Friends of the Gandy event planned, a 5-year-old kids birthday party at the library and many other fun events.
- d) Law Enforcement – Tamara Larson: There were 236 calls of service – so very busy. An ad was put out for a new officer. The old squad car needs to be stripped, but there is no time for that, and it could be sold after that. The 2 officers killed in the line of duty in Pierce County were acknowledged.
- e) Clerk/Treasurer – Janice Schott: The property tax open book is April 12<sup>th</sup>, and the Board of Review is May 8<sup>th</sup> before the regular Village Board meeting.
- f) Personnel/Finance Report – Patty Swenson No report given – covered in line items above.
- g) Public Works – Duane Wisse – No report given – covered in line items above.
- h) Governance Committee – Brad Harlander – No report given – covered in line items above.
- g) Upcoming Meetings and Events: Public Works on Thursday at 4:30.

### **Approval of Check Register – Check #192633 – 192692**

Motion to approve check register as presented by Harlander/Swenson Vote: Carried

### **Items for Future Agendas**

The paperwork on the 2 lots owned by the Frederic Development Corp have been signed and is in the process of being given back to the Village with the dissolution of the group.

**Convene into Closed Session** pursuant to Wisconsin State Statute 19.85(1)(e) for the purpose of 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, specifically in regards to the Polk/Elm parking lot, and Wisconsin State Statute 19.85(1)(c) for the purpose of discussing the consideration of employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically regarding an employee's 2022 unused vacation hours.

Motion to convene into closed session at 8:14 pm by Peterson/Wisse Vote: Carried

### **Action Taken from Closed Session, if Any**

Motion to approve employee vacation rollover from 2022 into 2023 by Swenson/Peterson Vote: Carried

Motion to accept the \$10,000 offer from Traditions of Frederic for the lot they currently use for parking, parcel #126-00047-0000 by Harlander/Wisse Vote: Carried

**Adjourn**

Motion to adjourn at 8:28 pm by Johnson/Peterson Vote: Carried

Respectfully submitted,

Roxanne Howe  
Deputy Clerk/Treasurer