

Village Board Meeting

Wednesday, January 18, 2023

6:00 p.m.

Members Present: Tom Davies, Steve Fritz Adam Raabe, Gary Wolf, Ross Ballard,
Al Tessmann (arrived at 6:25 p.m.)

Members Excused: Orv Damrau

Other Present: Dan Ault, Steve Kunst, Julia Mann, Karen Swanson, Dominique Swangstu, Joe Terry

1. Mr. Davies called the meeting to order at 6:00 p.m. Pledge of Allegiance.
2. MINUTES
 - ✓ **Mr. Fritz moved to approve the minutes of the meetings of December 21, 2022 and January 5, 2023 as printed. Mr. Raabe seconded and the motion carried.**
3. PERSONS WISHING TO ADDRESS THE BOARD
None.
4. CORRESPONDENCE
None.
5. VOUCHERS
 - ✓ **Mr. Wolf moved to approve the vouchers as presented. Mr. Raabe seconded and the motion carried.**
6. BARTENDER LICENSE
Eli Baumann was not present to explain the inconsistencies between his bartender license application and the police department records check. The Board didn't take any action.
7. SCHIERL SALES CORP. – CHANGE OF RETAIL ALCOHOL BEVERAGE LICENSE AGENT, ANTONIO TUMBARELLO, FOR THE STORE #52 AT 1011 POST RD., PLOVER WI
The Board reviewed the Clerk's memo explaining the appointment of Antonio Tumbarello as the agent for the Retail Alcohol Beverage license for The Store #52 at 1011 Post Rd., copy attached.
 - ✓ **Mr. Ballard moved to approve the Change of Retail Alcohol Beverage License Agent, Antonio Tumbarello, for the Store #52 at 1011 Post Rd., Plover, WI. Mr. Fritz seconded and the motion carried.**
8. RESOLUTION 1-2-23 – BUDGET AMENDMENT – POST ROAD BANNER BRACKETS
Ms. Mann referred to Mr. Hopfensperger's memo, copy attached, requesting the purchase of banner brackets for the street lights along Post Rd. to promote the Village of Plover. The cost of the brackets is \$10,175 plus shipping and handling to be paid for with ARPA funds. Mr. Ault discussed the seasonal banners.
 - ✓ **Mr. Wolf moved to adopt Resolution 1-2-23 approving a budget amendment for the purchase of Post Road banner brackets at a cost of \$10,175 plus shipping and handling to be paid for with ARPA funds. Mr. Raabe seconded and the motion carried unanimously by Roll Call vote.**
9. 2023 AGREEMENT WITH THE AGING & DISABILITY RESOURCE CENTER OF PORTAGE COUNTY – NUTRITION PROGRAM
The Board reviewed the 2023 Agreement with the ADRC of Portage County for use of the Activity Room for their nutrition program, copy attached. Mr. Davies stated that there are not any changes to the agreement.

- ✓ **Mr. Raabe moved to approve the 2023 Agreement with the Aging and Disability Resource Center of Portage County for the use of the Activity Room for their nutrition program. Mr. Fritz seconded and the motion carried.**

10. RESOLUTION 1-3-23 – WORLD MIGRATORY BIRD DAY

Mr. Swangstu reviewed the Resolution proclaiming May 13, 2023 as World Migratory Bird Day in the Village of Plover, copy attached. He stated that adoption of the Resolution is a component of the annual Bird City USA application.

- ✓ **Mr. Ballard moved to adopt Resolution 1-3-23 proclaiming May 13, 2023 as World Migratory Bird day in the Village of Plover. Mr. Raabe seconded and the motion carried unanimously by Roll Call vote.**

11. JOINT TOURISM COMMISSION MEMBER APPOINTMENTS

Mr. Davies stated that he is recommending the appointment of the Village of Plover President, Village of Plover Trustee Ross Ballard, and Josh Patel as members of the Joint Tourism Commission.

Mr. Ault stated that Chris Brooks and Kathryn Lanlois are the Town of Plover appointees.

- ✓ **Mr. Raabe moved to appoint the Village of Plover President, Village of Plover Trustee Ross Ballard, and Josh Patel as members of the Joint Tourism Commission. Mr. Fritz seconded and the motion carried.**

12. REVOCATION OF CONDITIONAL USE PERMIT FOR JOE FISCHER – PEDDLER'S COLLECTIVE AT 1901 POST RD.

Mr. Kunst stated that the revocation of the Conditional Use Permit (CUP) for Joe Fischer for Peddler's Collective at 1901 Post Rd. is a follow up to staffs' code enforcement efforts. The CUP was approved in 2020 to allow for outdoor display along 30% of the entire business frontage, which did not include the north or west sides of the building. The property has not been maintained and does not comply with the permit or Village ordinances. Mr. Fischer was notified three times for non-compliance and the Village Board has the authority to revoke the CUP and not allow the outdoor display of items.

Mr. Ault discussed the citations issued and meeting with Mr. Fischer, who was friendly and cooperative. Village staff and board members have received numerous complaints from the public about the various vehicles and other items stored on the north and west sides of the building. The police, fire, and building inspection departments have viewed the building and have found numerous code violations.

Mr. Fisher addressed the board. He stated that he first heard about the revocation this past Monday. He stated that he will be working to getting the items moved from the north side of the building, but the back side of the building needs more conversation with Village staff. He stated that he is not trying to disregard the non-compliance issues and is open to discuss a timeline of compliance.

Mr. Davies discussed the on-going issues since he opened. Village staff has been trying to get something done and it's not happening.

Mr. Raabe felt that revoking the CUP would not result in the removal of the items on the north side. He questioned if additional citations would spur improvement. Mr. Kunst discussed his conversations with the Village's legal counsel.

Mr. Ault discussed the various communications from the Village of Plover's attorney and the expectations were crystal clear. He feels that the Village's credibility with the public would suffer if they chose to do nothing.

Mr. Kunst discussed the north side of the building being needed for parking to comply with Village ordinances and discussed the lack of access for public safety vehicles on the west side of the building. He stated that the items in front of the building are in compliance, i.e. that is not the issue.

- ✓ **Mr. Raabe moved to revoke the Conditional Use Permit for Joe Fischer for Peddler's Collective at 1901 Post Rd. Mr. Fritz seconded the motion.**

Mr. Ballard questioned the process to reinstate a Conditional Use Permit. Mr. Kunst stated that he would have to go through the application and public hearing process again.

Motion carried.

13. ENGINEER'S REPORT

Mr. Terry presented his Engineer's report, copy attached.

- ✓ **Mr. Fritz moved to accept the Engineer's report as presented. Mr. Tessmann seconded and the motion carried.**

14. ADMINISTRATOR'S UPDATE

Mr. Ault reported on the following:

1. Completion of the Village Board room. Commended staffs' involvement.
2. Joint Tourism Commission. The Village had good conversations with the Town of Plover and are working on a job description for an Executive Director.
3. The new phone system was put into service this morning.

Mr. Kunst discussed the Sewer Service Area plan and the City of Stevens Point's planned extension of Badger Ave.

15. CONSIDERATION OF A MOTION TO GO INTO CLOSED SESSION

- ✓ **Mr. Wolf, at 6:38 p.m., moved to go into Closed Session under WI State Statute 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and under WI State Statute 19.85(1)(e) for the purpose of 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. Mr. Raabe seconded and the motion carried unanimously by Roll Call vote.**
- ✓ **Mr. Raabe, at 7:04 p.m., moved to reconvene into open session. Mr. Fritz seconded and the motion carried.**

16. POSSIBLE DISCUSSION AND POSSIBLE ACTION ON THE CLOSED SESSION

- ✓ **Mr. Wolf moved to accept Mr. Ault's retirement effective March 2, 2023 and approve the hiring terms of the successor Administrator, Steve Kunst, as discussed in closed session. Mr. Raabe seconded and the motion carried.**
- ✓ **Mr. Raabe moved to fill the Community Development Manager position. Mr. Fritz seconded and the motion carried.**

17. Mr. Ballard moved to adjourn at 7:06 p.m. Mr. Fritz seconded and the motion carried.

Karen Swanson, Village Clerk