

VILLAGE OF WRIGHTSTOWN BOARD MEETING MINUTES

The REGULAR MONTHLY MEETING OF THE Village Board of the Village of Wrightstown was held at Village Hall, 352 High St, on **Tuesday, 02/19/2019**

Meeting was called to order at 6:00 p.m. by Village President Dean Erickson and the Pledge of Allegiance was recited.

Roll Call: Present –Village President Dean Erickson, Trustee Sue Byers, Trustee Scott Reignier, Trustee Terry Schaeuble, Trustee Dan Segerstrom and Trustee Keith Wendlandt. Absent – Trustee Andy Lundt

Also present: Ed Byrne (Brillion News), Kaya Guns (Wrightstown Spirit), Village Administrator Travis Coenen, Clerk/Treasurer Michelle Seidl, Public Works Superintendent Andy Vickman, Police Chief Greg Deike, Resident Tim Dole

PUBLIC HEARING

Motion by K Wendlandt with a second by S Reignier to open the Public Hearing, for the purpose of hearing from all persons and/or their agents on Ordinance Amendment 02192019 amending Chapter 102 Fees & Penalties, §102-1 Fee and Penalty Schedule: *Chapter 84 Building Regulations, §84-1E Fees for Plumbing Work; §84-9A Building and Erosion Control Permit Fees, Chapter 155 Sewer Utility, §155-50 Meter Size; §155-58C Reserve Capacity Assessment, Chapter 165 Solid Waste & Recycling, §165-9B Preparation of Garbage & Collective Solid Waste for Collection, Chapter 170 Streets and Sidewalks, §170-3E Right-of-Way Permit Fees, §102-3 Additional Fees and Penalties, §102-3B Equipment or Vehicle and Labor Fees* and Chapter 155 Sewer Utility, §155-46 Residency Equivalency Charges, of the Municipal Code of the Village of Wrightstown, Wisconsin, to reflect the building inspection permit fees and rates outlined in the current contract with Birschbach Inspection Services, LLC and to amend Village permit fees and rate amounts to cover actual expenses. **Motion carried.**

Update of municipal code so permit fees reflect those in Birschbach Inspection Services, LLC inspection contract for 2019, to cover Village labor expenses and to keep permit/fee costs consistent for new commercial/industrial projects.

Three calls made for public input without a response.

Motion made by S Byers with a second made by K Wendlandt to close the public hearing. **Motion carried.**

MINUTES – Motion by S Byers with a second made by K Wendlandt to approve the February 5, 2019 board meeting minutes. **Motion carried.**

VOUCHERS - Motion by S Byers with a second made by K Wendlandt to approve the vouchers, as submitted, totaling \$1,157,420.65 from January 30, 2019 through February 13, 2019. **Motion carried.**

SCHEDULED APPEARANCES – Donald M. Meulemans, 224 Mueller Street, cancelled his scheduled appearance due to pending litigation over his inability to reside in a commercial building. The Village has requested an inspection of the property with a deadline of Friday, February 22, 2019.

WALK-INS – None

CORRESPONDENCE – None

ADMINISTRATOR'S REPORT

- Finalizing date of bus trip around the village with school district officials and the Wrightstown Business Alliance. This is our time to show off what we have accomplished and what we will be working on over the next few years
- Finalizing the 2019 event list
- Working on potential new residential and commercial development
- Updating capital improvement plan and reviewing employee wage step sheets for 2020 with Department Heads
- Will be scheduling one committee meeting a month to keep Village Board commitment to a minimum. The Public Works Committee will be the next to meet with Finance & Personnel after that.

COMMITTEE REPORTS

FINANCE/PERSONNEL - -

- **Bond Trust Services Invoice #48317** – Motion made by S Byers with a second made by K Wendlandt to approve Bond Trust Services Invoice #48317, for \$235,900.00, for principal and interest payments on the Village's \$1,525,000 General Obligation Promissory Notes, Series 2011B. **Motion carried.**
- **Bond Trust Services Invoice #48318** – Motion made by S Byers with a second made by K Wendlandt to approve Bond Trust Services Invoice #48318, for \$110,355.00, for principal and interest payments on the Village's \$1,465,000 General Obligation Promissory Notes, Series 2016A. **Motion carried.**
- **Bond Trust Services Invoice #48319** – Motion made by S Byers with a second made by K Wendlandt to approve Bond Trust Services Invoice #48319, for \$164,421.67, for principal and interest payments on the Village's \$1,960,000 General Obligation Promissory Notes, Series 2018A. **Motion carried.**

PARKS, RECREATION & REGIONAL PLANNING - -

- **Ordinance Amendment No. 02192019** – Motion made by S Reignier with a second made by K Wendlandt to approve Ordinance Amendment No. 02192019, amending Chapter 102 Fees & Penalties, §102-1 Fee and Penalty Schedule: *Chapter 84 Building Regulations, §84-1E Fees for Plumbing Work; §84-9A Building and Erosion Control Permit Fees, Chapter 155 Sewer Utility, §155-50 Meter Size; §155-58C Reserve Capacity Assessment, Chapter 165 Solid Waste & Recycling, §165-9B Preparation of Garbage & Collective Solid Waste for Collection, Chapter 170 Streets and Sidewalks, §170-3E Right-of-Way Permit Fees, §102-3 Additional Fees and Penalties, §102-3B Equipment or Vehicle and Labor Fees* and Chapter 155 Sewer Utility, §155-46 Residency Equivalency Charges, of the Municipal Code of the Village of Wrightstown, Wisconsin, to reflect the building inspection permit fees and rates outlined in the current contract with Birschbach Inspection services, LLC and to amend Village permit fees and rate amounts to cover actual expenses. **Motion carried.**
- **Progressive Designers, LLP Site Plan Design Review** – Recommendation from the Planning Commission is to approve the addition of 12,000 sq. ft. to the current Retroflex building upon receipt of the colored exterior renderings, proof of adequate parking and confirmation that the Village's current regional storm water pond size can handle the amount of impervious surface. The new façade will mimic the current building design and will allow Retroflex to add an additional 30 staff members. Motion made by S Reignier with a second made by K Wendlandt to approve the site plan design for Progressive Designers, LLP (Retroflex addition) 1205 Broadway St., parcel VW-188-1. **Motion carried.**
- **Chapter 75, Article II Vicious Dogs** – Question raised as to what regulations would have the most beneficial effect. If the current ordinance does not get changed, procedures would need to be put into place to make sure that requirements, such as ownership of a muzzle and a four foot leash, are being followed. This could potentially be done through a site visit in which the temperament of the dog could

also be determined. However, even with these rules, the Village is unable to protect the public when dog owners choose to not comply with the safeguards.

The Public Safety Committee, at their February 12, 2019 meeting, moved the discussion back to the Village Board since no clear path as how to proceed, could be determined.

Trustee Andy Lundt was not in attendance but provided a letter indicating that he is in favor of revising the existing ordinance and making sure all regulations are enforceable while not being a burden on our lean staffed police force. He believes there is no value in home visits as family pets have been known to turn vicious when they otherwise would have been known as lovable and kind. A home visit in which a pet is deemed friendly could relay that no caution is needed and give the public a false sense of safety. Could an incident with a pet that has had a positive home visit open the Village up to liability if an incident later occurs? The most fair, enforceable option would be to treat all the dogs the same and rely on the community to report dogs of concern to the police who would then be required to respond. Only then could a dog be deemed vicious and additional ownership requirements be made mandatory.

Research done by Trustee Sue Byers revealed that the United States Armed Forces ban pit bull breeds from their bases. Delta Airlines will not allow pit bulls on their airplanes due to a 2018 bite incident. If the US branches of service as well as a commercial airline see these animals as vicious, why would we, the Village, discount their potential to harm.

Trustee Terry Schaeuble does not believe in banning pit bull breeds from the Village and thinks that home visits would be subjective. Most pet owners are responsible and unfortunately these rules need to be made for the small handful that are to not properly monitor their dogs.

Trustee Sue Byers feels that the current ordinance should stand as it is since a pit bull that is not muzzled, could maul anyone.

Trustee Keith Wendlandt stated that the Village's current vicious dog ordinance is a result of a 1995 incident, in the Village, between a runner and a pit bull and was established to be proactive rather than reactive. Research shows that pit bulls are excluded from many municipalities and many government agencies, more than any other species combined, due to the number of pit bull fatalities recorded. He believes there is enough justification to leave Chapter 75, Article II Vicious Dogs, as it is.

Trustee Scott Reignier understands that muzzling a dog will make it more defensive. He feels that if the Village is trying to be proactive, the focus should be on owners having their dogs leashed rather than muzzled. Fewer dogs attack when leashed than those that are left running loose. He also stressed that all dog owners, not just pit bull owners, need to have control.

Trustee Dan Segerstrom believes our current ordinance does not keep the public safe from pit bull attacks. He thinks a good step would be to implement home visits. These visits would be a requirement prior to an annual license being issued. He is against muzzling requirements.

Chief Deike's experience is that a dog that normally has a friendly demeanor can be set off under the right circumstances and is unsure if home visits will identify potential attacks. He will, however, check to see what resident's rights are in regards to spot visits based on a dog simply being identified as a pit bull.

Suggestion by Clerk/Treasurer Michelle Seidl that a compromise be made. Dogs of any breed must be tied or fenced when outdoors on the owner's property and leashed, at all times, when out and about the Village. Breed specific language would remain in the ordinance but only to outline a few additional steps that need to be taken by owners of pit bull or pit bull mix breeds: 1. "Beware of Dog" sign must

be displayed in a prominent place on the premises as well as on the outdoor kennel or pen of the dog (if there is one) 2. Proof of \$50,000 liability insurance policy for bodily injury to or death of any person or for the damage to property. 3. Home visit scheduled prior to issuance of the license or annually, prior to renewal. It could be decided to remove the muzzling requirement since several of the board members seem opposed to this rule.

President Dean Erickson believes adding additional regulations for pit bull/pit bull mix owners will convey the level of watchfulness that the Village demands with these breeds. The public, as an extension of Village policing, could assist by alerting the Police Department when violations are occurring.

Chief Deike feels that the best avenue may be to schedule home visits for dogs of concern, when the dog owner comes in to license as it asks permission to enter the property. Owners refusing to schedule these visits will be unable to license their dog and will therefore be in violation of the Village ordinance and can be penalized accordingly.

Brillion News Reporter Ed Byrne recommended that Village Attorney Robert Gagan look into the Village's ability to withhold licensing based on non-compliance of the above listed steps, so a resident's constitutional rights are not violated.

Resident Tim Dole noted that regulations that establish security requirements within the home need to be removed (kennel locks, no window or door screens etc...) because they are not enforceable.

Administrator Coenen stressed that any regulations outlined in Chapter 75, not enforceable, must be removed. A home visit must be completed or majority of what is required of pit bull/mix owners in Chapter 75 cannot be verified.

President Erickson noted that ordinances are established to be a deterrent against violating Village regulations.

Decision made to move item back to the Public Safety Committee to modify the ordinance to include a home visit prior to licensing. In the meantime, Administrator Coenen will consult with Attorney Gagan regarding Village's ability to withhold dog license until proof of all requirements being met is received. The Board feels that the muzzle requirement should be removed from the current wording and that the term "vicious" be changed to "dangerous" in Chapter 75. A request was also made that a single bite not warrant a dog being deemed vicious or dangerous, that the circumstances of the incident be checked into before labeling.

PUBLIC SAFETY - -

Fire Department – No comments or questions.

Municipal Court – No comments or questions.

Police Department – Trustee Byers complimented Chief Deike on the Police Chaplain program that he is a member of. Great organization to assist officers with handling stress associated with high intensity calls. Brown County CAD project is at a standstill and the previous version is being temporarily brought back because the new system is not working as expected. Approximately \$83,000 of \$1.2 million has been paid out so far for services rendered for the new platform. By August 2020, the original version will no longer be supported and a new program must be in place. Spillman software is now being considered. Chief Deike will be on the law enforcement panel at the CP Telethon on Sunday, March 3rd. Donations are welcome ☺

PUBLIC WORKS & UTILITIES - -

Public Works – One lateral leak found in a new construction in the Fox Shores subdivision. Original contractor is taking responsibility for the repairs and they will be done on Thursday. DPW Staff completing Emergency response plan tabletop exercise in the event that a true incident would occur. New leased public works vehicle is expected to arrive at the end of March.

ADJOURN - - Motion made by S Reignier with a second made by S Byers to adjourn. (7:44 p.m.) **Motion carried.**

Michelle Seidl

Clerk/Treasurer