

Approved 3/22/2023
TOWN BOARD MEETING
MONDAY, FEBRUARY 27, 2023
6:00 p.m.
FREEDOM TOWN HALL
W2004 COUNTY RD S

1. CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE

Meeting called to order by Acting Chairman Supervisor Brandon Conrad at 6:04 p.m.

Members present: Supervisor Brandon Conrad, Supervisor Jason Vandenberg, and Supervisor Margo Fox.

Also present: Clerk/Treasurer Colleen Laha, Attorney Steve Frassetto, Diane Wessel Interim Administrator and Shawn Geiger Interim Public Works Director.

Silent Invocation.

Pledge of Allegiance.

2. VERIFICATION OF POSTING/ADOPT AGENDA

Posted on the 2 Boards at the Freedom Town Hall and on the Town website on the 24th of February 2023 at 9:00 a.m. by the Clerk's Office. Also posted at: Dairyland Depot, Freedom Mini Mart and Shop & Save Mart/ Halesi, LLC.

Motion made by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to approve the agenda as posted.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

3. CONSIDERATION OF MINUTES OF TOWN BOARD MEETINGS ON 11/16/2022, 12/21/2022, 1/25/2023 & SPECIAL TOWN BOARD MEETING ON 12/7/2022

Motion made by Supervisor Brandon Conrad with a second by Supervisor Jason Vandenberg to approve the minutes of 11/16/2022, 12/21/2022, 1/25/2023 & SPECIAL TOWN BOARD MEETING ON 12/7/2022. Adding agenda motion to 11/16/2022 minutes. Margo Fox abstained on the 11/16/2022 minutes and Supervisor Brandon Conrad abstained on the 12/21/2022 minutes.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

4. PUBLIC COMMENT SESSION (maximum 15 minutes total)

Two residents stated that the snowplow was four to six feet away from the curb in Woodland Subdivision and on Ranchview Lane.

5. DISCUSSION & POSSIBLE ACTION ON VAN LANEN APPEALS

Motion by Supervisor Brandon Conrad with a second by Supervisor Margo Fox to approve the Settlement Agreement with Jerry Van Lane, for the for a new Commercial Storage/Mini-Storage Establishment; PIN 090-0620-03 (Southeast Corner of Schmidt Rd/County Rd E Intersection); Schmidt Rd. which includes the approval of the modified Site Plan II documents, and a developer incentive of not more than \$650,000 on a Pay-Go basis to facilitate the construction of the commercial building and the storage building upgrades."

Vote: 2 Yea / 0 Nay Motion Carried: Yes Jason Vandenberg - Abstained

6. DENNIS ARNOLDUSSEN – DONATION FOR DELIVERY BAG & PUBLISHING IN THE FREEDOM PURSUIT

Motion by Supervisor Brandon Conrad with a second by Supervisor Margo Fox to approve reimbursement of \$395.56 to Dennis Arnoldussen for the purchase of a delivery bag from the Meals on Wheels Store.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

After a brief discussion about the Town donating funds, it was decided they would not donate \$500.00 for advertising.

7. DISCUSSION & POSSIBLE ACTION OF TID #3 DEVELOPMENT

The Town Board and Plan Commission have discussed creating Tax Increment District #3. Cedar Corporation previously prepared a preliminary TID #3 concept plans and the Town Board had instructed Administrator Diane Wessel continue development of TID #3. MSA's Community Development Specialist Art Bahr gave a virtual presentation.

Motion by Supervisor Margo Fox with a second by Supervisor Brandon Conrad to approve the professional services agreement for TID #3 creation as presented for \$15,000.00 being taken from 56900.0 – Director Eng., Planning & PW.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

The process will take until June 1, 2023 to put together. The resolution will be presented at the June Meeting.

8. DISCUSSION & POSSIBLE ACTION ON RENEWAL OF THE STEWARDSHIP GRANT APPLICATION FOR PARK LAND

The Knowles-Nelson Stewardship Grant application to purchase additional park land submitted in 2022 was unsuccessful. The Town Board discussed resubmitting which would cost approximately \$3,250.00 to resubmit. The board decided not to resubmit.

9. DISCUSSION & POSSIBLE ACTION ON URBAN NONPOINT SOURCE & STORMWATER MANAGEMENT GRANT PROGRAM

The Town of Freedom has experienced stormwater runoff and drainage issues. Administrator Diane Wessel explained that the Urban Nonpoint Source & Storm Water Management Grant Program which reimburses 50% of for planning or construction projects that control urban nonpoint source and stormwater runoff pollution. Planning grants are in odd numbered years and construction grants in even numbered years. Wessel also explained the State Revolving Loan Fund (SRF) and the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Grant Program.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to approve MSA applying for the Urban Nonpoint Source & Storm Water Management Grant for estimated cost of \$3,800.00 coming out of 56902.0 – Cedar Corp Planning & Eng.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

10. DISCUSSION & POSSIBLE ACTION ON REVENUE OPTIONS FOR TRANSPORTATION INFRASTRUCTURE REPAIR/RECONSTRUCTION

Interim Administrator Diane Wessel explored infrastructure revenue options as a way to help the Town with the costs for road repair/reconstruction. The following transportation infrastructure revenue options are available to Wisconsin municipalities: 1. Tax levy, 2. Transportation utility, 3. Municipal vehicle registration fee (Wheel Tax), 4. Special Assessment. Wessel advised that the Transportation Utility is costly to set up and administratively burdensome. Wessel suggested that the Wheel Tax had zero start-up cost, very low administrative cost, no local administrative cost, and no local administrative burden. The Department of Transportation would retain 17 cents per registration for administration. The Town Board asked Interim Administrator Diane Wessel to bring back a Wheel Tax Ordinance for the for the Board.

Wessel also advised the Board to keep an eye on the Promoting Resilient Operations for Transformative, Efficient, and cost-saving Transportation (PROTECT) Grant Program.

11. DISCUSSION & POSSIBLE ACTION ON DNR URBAN FORESTRY START UP GRANT APPLICATION

Supervisor Margo Fox, Park Committee Chairperson explained that at the February 9, 2023 Park Committee Meeting the Committee made a recommendation to apply for the grants in item 11., 12. and 13. Interim Administrator Diane Wessel went on to explain that the DNR Urban Forestry Startup Grant was for the purpose of addressing current Tree

pruning and development of a forestry management plan possibly including staff training and future planting. Grants is up to 50% reimbursement, maximum up to \$5,000.00, up to three times. The start up grant is less competitive.

Motion by Supervisor Margo Fox with a second by Supervisor Jason Vandenberg to apply for the DNR Startup Grant. The Department of Public Works Administrator will apply for the grant by June 1st.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

12. DISCUSSION & POSSIBLE ACTION ON AARP COMMUNITY CHALLENGE – CAPACITY BUILDING GRANT APPLICATION

Supervisor Margo Fox explained that the Park Committee discussed the best use of funds if Diamond #1 does not get turned. Their concern is about people not being able to access Diamond #1. Interim Administrator went on to explain they were looking at this grant for \$2,500.00 to have a walkability audit. The administrator had checked and estimated that the audit could be done for the \$2,500.00. The application is not very complicated. Table this one.

13. DISCUSSION & POSSIBLE ACTION ON MLB MLBPA YOUTH DEVELOPMENT FOUNDATION GRANT

Supervisor Margo Fox explained that this grant is trying to bring in funds to support capital projects, such as field renovations. Interim Administrator explained that this grant is open on a continuous basis. We will need to develop a scope to apply for it first. Supervisor Jason Vandenberg brought up that we may have some of the background information needed from last year's grant application. Supervisor Brandon Conrad was concerned that the program prioritizes projects that are located in under resourced communities. Wessel explained that can also mean more than just low income. It can mean underserved, such as over 60 year olds.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to have Interim Administrator Diane Wessel work on the MLB-MLBPA Youth Development Foundation Grant with the recommendation of the Park Committee.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

14. DISCUSSION & POSSIBLE ACTION ON COUNTRY FIELDS BUILDING HEIGHTS

The Town Board discussed the need to have an engineer to verify heights at the start of a home being built to avoid each person from building higher than the home next to them. It would be a policy or ordinance for everyone, not specific to Country Fields Subdivision that would have an engineer verify the elevations the basements are being poured at. Attorney Steven Frassetto will bring back some examples of ordinances for the next meeting to amend the subdivision ordinance to include building elevation inspections. Frassetto will also check what Outagamie County's process is for checking elevations.

15. DISCUSSION & POSSIBLE ACTION OF ENGINEERING ORDINANCE

Interim Administrator Diane Wessel was not aware that this subject was to be discussed in Item 14.

16. DISCUSSION & POSSIBLE ACTION OF STAFFING ORDINANCE

Interim Administrator Diane Wessel explained that the Town has expressed interest in having a permanent administrator. In order to do that it would be an ordinance change to create the position.

Motion by Supervisor Margo Fox with a second by Supervisor Jason Vandenberg to have Interim Administrator Diane Wessel to proceed with creating an ordinance for the administrator position for the Town of Freedom.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

Wessel will bring a draft ordinance to the March meeting.

17. DISCUSSION & POSSIBLE ACTION ON EMPLOYEE HANDBOOK

At the January 28, 2023 meeting Administrator Diane Wessel presented a draft employee handbook. The Town Board reviewed the handbook. The Town Board recommendations were incorporated into the handbook for final approval.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to approve the employee handbook as presented with the Town Board recommendations.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

18. DISCUSSION & POSSIBLE ACTION ON LAWN MOWER

Public Works Director Shawn Geiger is currently working on getting quotes. Tabled.

19. DISCUSSION & POSSIBLE ACTION ON PURCHASING CHRISTMAS DECORATIONS

Public Works Director Shawn Geiger was getting information from the Town Chairman but had not received it yet. Tabled.

20. DISCUSSION & POSSIBLE ACTION TO AMEND INTERIM MSA ADMINISTRATOR CONTRACT

At the January 28, 2023 meeting the board requested that Interim Administrator Diane Wessel bring back an amended contract for municipal administration services with an end date of August 1, 2023 or 30 days after an administrator is hired.

Motion by Supervisor Margo Fox with second by Supervisor Brandon Conrad to approve amendment to the Professional Services Agreement for municipal administration services with MSA, extending the contract end date of August 1, 2023 or 30 days after an administrator is hired.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

21. DISCUSSION & POSSIBLE ACTION ON TOWN ENGINEER

Interim Administrator Diane Wessel explained that the Town ended its contractual relationship with Cedar Corporation for engineering services effective December 31, 2022. The Town does not have an engineer at this time. There is no engineer for the staff to rely upon to complete engineering related services such as road projects. Interim engineering services through MSA agreement is estimated at \$10,000.00 for general/on-call engineering services. Specialty services such as the stormwater grant application (estimated at \$4,000.00) and VFW Park drainage survey/study (estimated at \$7,000.00) could be contracted but are not included in the estimated cost. Motion by Supervisor Margo Fox with second by Supervisor Brandon Conrad to contract with MSA for general and day-to-day engineering services on a time and material bases.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

22. CONSIDERATION & ACTION ON LIQUOR LICENSE APPLICATION FOR SAL'S FOODS OF FREEDOM, INC.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to approve the liquor license for Sal's Foods of Freedom, Inc.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

23. CONSIDERATION & ACTION ON LIQUOR LICENSE AGENT APPLICATION FOR SAL'S FOODS OF FREEDOM, INC. WITH MICHAEL A. SARVELLO AS THE AGENT

Motion by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to approve Liquor License Agent Application for Sal's Foods of Freedom, Inc with Michael A. Sarvello as the agent.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

24. CONSIDERATION & ACTION ON APPLICATION OF CIGARETTE LICENSE APPLICATION FOR SAL'S FOODS OF FREEDOM, INC.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Brandon Conrad to approve the cigarette license for Sal's Foods of Freedom, Inc.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

25. DISCUSSION & POSSIBLE ACTION ON CLERK/TREASURER AND DEPUTY CLERK/TREASURER POSITION DESCRIPTIONS
Motion by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to approve the Clerk/Treasurer and Deputy Clerk/Treasurer position descriptions as presented by Administrator Diane Wessel.
Vote: 3 Yea / 0 Nay Motion Carried: Yes

26. DEPARTMENT REPORTS –

- a. ADMINISTRATOR REPORT – ***none (Items were covered individually on agenda)***
- b. PLANNER REPORT – ***Chapter 54 (Vested Rights) written report from Planner Jeff Sanders***
- c. PARK REPORT – ***Supervisor Margo Fox advised that the Park Committee has discussed with Wessel how the capital improvement funds should be spent. These are bonded funds and should be spent on projects that have a longer life span, therefore items that will not outlive the time it takes to pay off the bond are not advisable to use the capital improvement funds on. Fox informed the Town Board the Park Committee has established that they will have a meeting the first Wednesday of each month at 6:00 p.m. Other Park items were covered individually on agenda.***
- d. FIRE DEPARTMENT REPORT – Discussion & Possible Action on Tender Repairs
Glen Gonnering and Jim Garvey representing the Freedom Volunteer Fire Department discussed the final bill for tender #3369 is \$12,853.31 from District 2 Inc. In addition to the repairs on 3369 the Fire Department have an estimate for repairs on 3368 in the amount of \$13,000.00. This is the worst case. 3368 has a tank leak that should be under warranty so they anticipate that it will be several thousand dollars less than the estimate. Also, the 3368 spent most of it's time parked in the old main station under better conditions causing less damage to the frame unlike the 3369 that was parked in the old block building causing damage to the frame.
Motion by Supervisor Brandon Conrad with a second by Supervisor Margo Fox to approve the service estimate from District 2 Inc. in the amount of \$13,000.000 for Tender #3368 and the service bill in the amount of \$12,853.31 for Tender #3369.
Vote: 3 Yea / 0 Nay Motion Carried: Yes

Gonnering and Garvey also asked about putting a streetlight on the corner of Schmidt Road and County Road E. The Town Board will wait to see what the corner looks like with the additional lighting from the Van Lanen storage building project.

Fiber Optics for the Fire Department was questioned. Fire Chief Mark Green was getting quotes to bring back to the Town Board to discuss. Supervisor Brandon Conrad will send Green an email.

The Firefighting Foam Bank Agreement was discussed at the previous meeting. It was being circulated and it would be brought back with any changes.

Motion by Supervisor Jason Vandenberg with a second by Supervisor Brandon Conrad to approve the Firefighting Foam Bank Agreement for the Town of Freedom's portion of \$141.28.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

Attorney Steven Frassetto had the agreement and instructed Supervisor Brandon Conrad to sign as Acting Chairperson.

Gonnering and Garvey questioned if the funds from the storm damage could be used to outfit the new brush truck. Supervisor Jason Vandenberg said most of it was given to the Freedom Sanitary

District. The truck was donated which is a big savings. They will use whatever they can off the old truck. It could be budgeted as part of the Fire Department Budget 2024.

- e. FIRST RESPONDER REPORT – written report in packets. Interim Administrator is still working on getting a credit card for the First Responders.
- f. HIGHWAY DEPARTMENT REPORT – Public Works Director, Shawn Geiger reported that Mike Brown was hired as the Public Works Foreman. A Public Works Laborer has been hired, but we are not ready to release the name due to the person giving notice to his employer. Geiger reported that he is still working on the lawnmower replacement. Mike Brown took a look at the lawnmower and thought he might be able to fix it. Geiger is getting quotes for the light poles at Citizen Park. Geiger gave the contract and ordinance to the resident that had previously questioned the width of Bell Court. Supervisor Jason Vandenberg questioned who was doing the Paser Ratings. The 5-Year Road Plans are based on the Paser Ratings. Geiger is working on what roads should be done in 2023.
- g. ATTORNEY REPORT – The Van Lanen Appeal that was handled earlier. There have been a lot of records request that he will be following up on.

27. OPERATOR LICENSES

Motion by Supervisor Jason Vandenberg with second by Supervisor Brandon Conrad to approve operator licenses for Rebecca A. Konrad and Thomas J. Lemmers.

Vote: 3 Yea / 0 Nay Motion Carried: Yes

28. DISCUSSION & POSSIBLE ACTION ON SANITARY DISTRICT CHARGES

Attorney Steven Frassetto described how title companies send the Town real estate inquiries at a cost of \$35.00 to the Town. The Town completes the form checking for outstanding taxes and special assessments owed. The Freedom Sanitary District checks for outstanding fees and special assessments and bills the Town \$10.00 for each. Attorney Frassetto will check with title companies to see how other municipalities are handling these requests for information. Another administrative cost to the Town is entering the special assessment charges for delinquent sewer and water bills from the Freedom Sanitary District to the property tax bills each year. Deputy Clerk Jennifer Andersen talked with Terri Romitti regarding the Town charging an administrative fee for entering those. Romitti explained it is in the State Statutes and advised Andersen not to look at utilities for ways to find additional funding for the Town. Attorney Frassetto will get some information and we'll get it worked out.

29. DISCUSSION & POSSIBLE ACTION ON COUNTRY FIELDS INVOICE

Attorney Steven Frassetto explained that Country Fields developers have a developer's agreement that they agreed that they would pay certain charges from Cedar for inspections and other services. Cedar went out and did an inspection based on a complaint. Frassetto could not find anything from the Town Board instructing them to do this. Frassetto tabled the discussion until he obtains further information.

30. CONSIDERATION OF VOUCHERS/DIRECT DEPOSITS

Motion by Supervisor Brandon Conrad with second by Supervisor Margo Fox to approve vouchers numbered 33005 through 33074, 18 EFT's and E-pay 10762 – 10772.

3 Yea / 0 Nay Motion Carried: Yes

31. MOVE TO CLOSED SESSION PER WI STATS 19.85 (1) (c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (clerk/treasurer position)
Motion by Supervisor Jason Vandenberg with second by Supervisor Brandon Conrad to move to close session at 9:09 p.m.
3 Yea / 0 Nay Motion Carried: Yes
Brandon Conrad – Yea, Jason Vandenberg – Yea, Margo Fox – Yea
32. RETURN TO OPEN SESSION
Motion by Supervisor Jason Vandenberg with second by Supervisor Margo Fox to return to open session at 9:35 p.m.
3 Yea / 0 Nay Motion Carried: Yes
Brandon Conrad – Yea, Jason Vandenberg – Yea, Margo Fox – Yea
33. ANY ACTION AS A RESULT OF THE CLOSED SESSION
Motion by Supervisor Brandon Conrad with second by Supervisor Jason Vandenberg to advertise Clerk/Treasurer position.
3 Yea / 0 Nay Motion Carried: Yes
34. IDENTIFY FUTURE AGENDA ITEMS
Purchasing Policy
35. ADJOURN
Motion made by Supervisor Jason Vandenberg with a second by Supervisor Margo Fox to adjourn at 9:36 P.M.
3 Yea / 0 Nay Motion Carried: Yes

***Respectfully submitted,
Colleen M. Laha, Clerk/Treasurer***