

VILLAGE OF BONDUEL
VILLAGE BOARD MEETING
WEDNESDAY, NOVEMBER 14, 2018

President Sharon Wussow started to call the Village of Bonduel Board meeting to order. Shatters objected because of agenda item number ten, Shatters moved to not have the president preside over the meeting and requested Kevin Bartlett preside over meeting, since K. Bartlett had nothing to do with the president's abuse of power. Wickman stated that once the board reached that agenda item, the board could discuss it and Wussow could recuse herself at that time. Shatters stated she had made a motion. Wickman reminded the board that the meeting was not in session and a motion could not be made. Wussow stated that she would need to call the meeting to order first. Wussow asked for the Pledge of Allegiance and moment of silence. Wussow called the meeting to order at 6:31 p.m.

Once again, Shatters objected due to agenda item number ten, requesting K. Bartlett to run the meeting. K. Bartlett stated he did not feel comfortable running the meeting. Wussow asked for a second to the motion. Motion failed due to no second.

Wussow read the statement regarding the posting of the meeting.

PRESENT: Sharon Wussow, Kevin Bartlett, Renell Bartlett, Tricia Quandt, Gina Shatters, Randy Wenstadt, and Barb Wickman.

AGENDA: Motion by K Bartlett, second by Wenstadt, to approve the agenda and deviate from the order as necessary. Motion carried unanimously.

MINUTES: Motion by Wickman, second by R. Bartlett, to approve the minutes of the October 10 and October 23, 2018 meetings with noted correction. Motion carried unanimously.

ACKNOWLEDGEMENT OF CITIZENS AND OPEN FORUM: Pam Schmidt, Jessica Gehm, Todd Wohlfeil, Justin Shatters, Adam Wussow, Bob Wussow, Chris Gamm, Jason Luepke, Dave Sumnicht, Village Residents; Brenda Rueckert and Rhea Antolec, Operators; Carol Ryczek, Shawano Leader; Lisa Lorbiecki and Olivia Lorbiecki, Landstad 4-H Club; Todd Lorbiecki, Director of Municipal Operations; Robbie Woldt, Fire Chief, and Michelle Maroszek, Clerk/Treasurer.

REPORTS:

Public Safety Committee: Reports on File. Wussow stated they had a meeting and will be having a meeting soon.

Police Department Report. Report on file. Chief Escalante was not in attendance. Shatters objected to many of the statements in the new supplemental report provided at this meeting by Chief Escalante, and expressed that the statements were incorrect. Shatters stated that in the report it

mentions that her son had been blocked in and walked home. Wussow stated that they did not block Alex Boyd in at the site. Wussow said there are issues with Chief Escalante's reports and that these differences will need to be discussed at the next board meeting when Escalante is present. K. Bartlett requested that the police records and voice recording be at the next meeting if possible.

Fire Department Report: Report on File. Chief Woldt reported on suicide training seminar that he attended, stated that the training was done very well and the department has the video if anyone is interested in watching it. The Fire Department Bowling tournament will be January 26, 2019. Chief Woldt stated he will be leaving the meeting tonight to attending air pack training in Navarino. Woldt informed the board that the Fire department budget is final with no where else to cut from.

EMS Report: Report on File.

Administrative Committee: Report on file. Meeting was held to go through 2019 budget.

Clerk Report: Report on file. Maroszek reported on the 2018 General Election that was held on November 6, 2018 and post-election items. Continuing to work on the budget and the various components.

Municipal Operations Committee: Committee is continuing to work with bat and ball clubs on signage. Committee will be starting the review of the Village ordinances with the assistance of Martenson and Eisele.

Municipal Operations Department Report. Report on file. Lorbiecki reported that the sanitary inspection is completed, no deficiencies were found. A copy of the report is included in the board packet. Noted corrections from the DNR well inspection have been corrected.

Zoning Board of Appeals. Lorbiecki reported that the variance was granted by the Zoning Board of appeals for Mr. Zuleger to use rear yard setbacks for his accessory building. The board will be meeting to review the previous appeal for an after-the-fact fence from Terri Duellman. Next Zoning Board of Appeals meeting will be on Wednesday, November 28 at 6:00 p.m.

Library Board. Shatters reported on the library's need assessment and results of the assessment. Next library meeting on Monday, November 19 at 1:00 pm.

Plan Commission. Committee met to recommend to the board the adoption of the Comprehensive Plan. Public hearing to adopt the plan will be on Wednesday, December 5 at 6:30 p.m.

Fire Commission. No meeting this past month.

Special Joint Board Meeting with School. Board members reported that the meeting was useful and that there will be more meetings like this scheduled.

NEW BUSINESS:

K2. Bench donation from Landstad 4-H Club. Olivia Lorbiecki, Vice President of the Landstad 4-H Club, addressed the board about a community service project the club worked on building benches. The club worked together to construct five benches for area municipalities, in which two of the benches are being donated to the Village of Bonduel. The Board thanked the club for their generous donation.

K3. Liquor licenses for Backpack Blessings holiday wine walk. Jessica Gehm, Backpack Blessings, explained the organization assembles backpacks of food for children who need food on the weekends. The organization works with the school to provide backpacks to those in need weekly. The Holly Jolly Wine Walk event is a fundraiser for Backpack Blessings. Motion by Wickman, second by Shatters, to approve the picnic liquor license for Backpack Blessings event on November 24, from 10:00 a.m. to 3:00 p.m. Motion carried unanimously.

K4. Bonduel Winterfest and use of facilities. Jessica Gehm and Pam Schmidt addressed the board about holding a new event, Bonduel Winterfest, at Village Park on January 19, 2019. The event will be put on by several local clubs and non-profit organizations, to bring people into the community. Gehm and Schmidt asked the Board if the Village would waive the rental fee on the facilities. Motion by Wickman, second by K. Bartlett, to approve the use of Village Park, including the pavilion, and ball field for the Bonduel Winterfest and to waive the facility fee for the event. Motion carried unanimously.

K5. Appeal from Brenda Rueckert and Rhea Antolec of Operator's License Denial. Brenda Rueckert explained her past records in question on her application. Rueckert is currently bartending at the Lumberyard with another licensed operator. Motion by Wickman, second by K. Bartlett, to approve Brenda Rueckert's operator license with a conditional use agreement to be signed by Rueckert, the bar manager, and the Police chief. Motion carried unanimously.

Rhea Antolec asked to receive her operator's license for Gehm's Club 117 and explained the incidents from her background check. Antolec explained she would not jeopardize her job or Gehm's business by getting in trouble with the law again. Motion by Wickman, second by Quandt, to approve Rhea Antolec's operator license with a conditional use agreement to be signed by Rueckert, the bar manager, and the Police chief. Wussow, Wickman, Wenstadt, Quandt, Shatters and R. Bartlett – Aye. K. Bartlett - Nay. Motion carried.

K1. Consideration of resolution precluding hunting within the corporate municipal boundaries of the Village. Wussow explained the background of the ordinance in regards to hunting in the village boundaries. She noted that the ordinance had been changed in 2011 to reflect the concealed carry laws. Prior to this change, hunting was not allowed in the Village, Wussow stated that the hunting portion of the ordinance was omitted in accident. Wussow had contacted the Village attorney and presented the resolution the attorney drafted. Shatters expressed her concerns about this resolution and that it violates village residents' rights to hunt. Wickman explained that this was a clerical error and it was accidentally left out by the attorney. Jason Luepke, owner of 12 acres on west side of the Village, stated he has hunted his land for years. Luepke noted that his property has acreage and not just a lot in the Village. K. Bartlett expressed that the hunting topic should go back to public safety to discuss in greater detail. Todd Lorbiecki, DMO, relayed to the board that Dan Nolan, who was not able to attend, would like to see a public hearing about hunting in the Village. Dave Sumnicht, land owner in the village limits, expressed he is concerned about banning hunting in the village. Sumnicht stated that this decision shouldn't be made overnight. Wickman expressed a map should be drawn up along with a public meeting to be held with Public Safety Committee. Motion by K. Bartlett, second by Shatters, to send the resolution on hunting in the Village back to the Public Safety Committee and to hold a public meeting with residents for feedback. Motion carried unanimously.

K9. & K10. Roles and Duties of the Village of Bonduel President and Village Board Trustee and Abuse of power and position by Village of Bonduel's president. Shatters explained that the Village ordinances and state statues state that the president and trustees are equal members with equal powers and the president presides over the meetings. Shatters felt that agenda items K9 and K10 should be handled together. Motion by Shatters, second by R. Bartlett to combine K9 and K10. Motion carried. Wickman, Wenstadt, Quandt, K. Bartlett, R. Bartlett, and Shatters – Aye. Wussow – Nay.

Shatters recused herself from the table stating that her opinions and viewpoints to be presented have no reflection on the board, the other trustees or the president. Wickman noted Wussow had recused herself, by stepping away from the table. Clerk Maroszek called for a chairperson to continue with the meeting. Motion by K. Bartlett, second by Wenstadt, to appoint Wickman as chairperson to facilitate the meeting. Motion carried. Wickman, Wenstadt, Quandt, K. Bartlett, and R. Bartlett – Aye.

Wickman addressed the Wussow and Shatters informing them that each would have a chance to speak. Shatters expressed that since her voting against the sex offender moving into the Village, herself and her family's integrity, character, reputation and her board position have been compromised by Wussow's abuse of power. Shatters stated that her minor son is embarrassed because he was accused by Wussow of violating the Village ordinance on hunting, even though the

Police said he had not. Shatters pointed out that Wussow rushed to agenda item K1 at this meeting, similar to what she had done with the sex offender issue to obtain board approval this summer. Shatters expressed that Wussow does not do her own research and is quick to call the Village attorney without board approval, how can the board ensure Wussow hasn't racked up attorney bills based on her own personal issues with out approval. Shatters mentioned that if K1 would have been passed, the school district's archery program which is mandatory curriculum, could be in jeopardy of funding.

Shatters presented that Wussow has been on the board as Trustee from 1997 to 2003, again from 2010 to 2014, and has served as Village President from 2015 to present day. Shatters pointed out that Wussow states she has the most experience, serves as chairperson on most committees, and is the longest standing board member. Shatters stated that Wussow should have known the law for K1. Shatters pointed out that Wussow holds more meetings than past presidents at both board and committee level, these are paid meetings and Wussow has the most financial gain and growth from these meetings.

On October 28, 2018, Wussow accused Shatters minor son of breaking Village ordinance, which he had not. Wussow gave directive to a village employee to call the police. With her actions she has compromised Shatters' family and her board position, leaving residents to believe that Trustee Shatters is above the law. During the same incident, Wussow allowed her son and herself to act on behalf of the village without Board approval.

Shatters stated in another incident, Wussow gave directive to the Village Clerk to do two different appraisal evaluations on her direct report, when the directive was to use one form per the Administrative committee and was approved by the Village board. No other department head was instructed to conduct two evaluations on their employees.

It was noted that Wussow purchased two parcels of land from the village way under the current value, and that this year when it was assessed for tax, and was not assessed at the purchase price, Wussow demanded the tax assessor change the value. Shatters stated that this could affect the value of properties within the village causing budgeting issues in the future for the Village.

During the last snowstorm in April, Wussow took it upon herself without consulting with the Director of Municipal Operations to post on Facebook that Village residents did not need to remove the snow from their sidewalks. At this same time, Wussow had a family emergency and appointed Wickman as acting president. Shatters pointed out that this is a violation of Village ordinance and that the Board is to suppose to meet and vote on an acting president.

Shatters stated that Wussow does not conduct orderly meetings and does not follow Roberts Rules of order, including not taking attendance at meetings. Wussow does not allow residents who are present to speak and rushes through agenda items to keep them from speaking. Wussow has made discriminatory and derogatory remarks to Shatters in regard to her having children and being pregnant. She allows board members to miss meetings on her own, when it states in Village ordinances that the board is to decide.

Shatters believes that Wussow has abused her power and her position and role as president, in which she has had personal financial gain and personal growth. Wussow has compromised the integrity, character, and reputation of Shatters, her family, her 16-year-old son, village employees, department heads, the Village Board and the entire Village of Bonduel. Shatters called for Wussow's resignation and made a motion that she be removed as Village President.

Wickman interjected stating that Shatters could not make a motion and was not allowed to since she had recused herself from the meeting as a board member.

Justin Shatters expressed concern about several of the items that Gina Shatters had presented. Meetings having no roll call taken, which does not let anyone know who is present. Justin Shatters feels that Wussow should have board approval when contacting the Village Attorney since it is tax payors money being used to pay the attorney. In regards to the incident of October 28th involving Shatters minor son, there was an abuse of power by the Village President. Wussow acted on behalf of the Village abusing her power as president. Wussow acted as Village President when going down to Cedar Park, what if Wussow, her son or her husband would have been shot, would the Village have been liable for her actions.

Wickman stated that Wussow was acting out of the scope of her duties as an elected official, if something would have happened to Wussow it would have been her personal responsibility not the responsibility of the Village. She noted that if any trustee acting outside the scope of their duties as an elected official would not be a liability of the Village, it would fall on the individual personally.

Justin Shatters added that him and his wife have chosen to have a large family, and that Wussow's remarks to his wife are uncalled for. He included that his wife has been at all meetings except for one where she was in labor with their child.

Wickman confirmed with the board that the proper protocol would be to hear Wussow's statement in regards to the comments from Shatters.

Wussow handed out and read the state statute on the role of the Village president. Wussow read her statement of events from October 28th. Wussow stated she received a phone call at 4:54 p.m. from the Deputy Clerk. The Deputy had received a phone call from a village resident that there was a person with a bow and arrow on Village property near Cedar Park. At the time it was Wussow's understanding there was no hunting allowed in the Village of Bonduel. Wussow directed the Deputy to call Shawano County dispatch to log the call. Wussow was on her way home from Appleton with her husband and son. Wussow directed her husband to drive to Cedar park. Wussow's husband pulled up behind a red ford truck approximately 10 to 15 feet behind the truck. Shatters son, Alex, got out of the truck, Wussow's son asked him what he was doing. Wussow stated at this point herself and family members left the park. At 5:09 p.m., Wussow contacted the Village Deputy Clerk letting her know that it was Shatters son and there was nothing to worry about. At 5:11 p.m. the Deputy Clerk, let Wussow know that an officer was on the way. Wussow tried calling Shatters repeatedly but did not reach her. Wussow stated that she knows Shatters son has had some trouble with the police and did not want to see him get in trouble again.

Shatters commented that her son was a minor and his dealings should not be discussed. Wickman interjected that this was Wussow's time to talk and that Shatters had already had her time.

Wussow then called Justin Shatters, she stated she had his personal number and shouldn't have called, but she was concerned for their son Alex. Wussow wanted to warn Shatters that the police were on their way so that Alex could leave before the police arrived. In speaking to Shatters, Wussow was told their son had permission to hunt on private property behind Cedar park. Wussow told Shatters sternly that there was no hunting in the Village and end the phone call. Wussow stated that in the past hunting had not been allowed in the Village. Later that evening the officer involved contacted Wussow to let her know that in the Village ordinances there in nothing stating that hunting isn't allowed. Wussow commented that she believed there was an ordinance stating that there was no hunting in the Village and that this must have changed. In researching the ordinance, the next day, Wussow found that in 2011 the ordinance was changed with the concealed carry laws and the hunting in the village was removed.

Wussow responded to the statements made earlier by Shatters. Wussow's interests are for the Village, she has not charged the Village for various items knowing that the money is not there. She serves as chairperson on some committees because of ordinance. The other committees she serves as chair due to lack of experience of new trustees. She stated by policy she can contact the Village Attorney because she is the president. As for the property she purchased it was on bids and that she had already been investigated for financial gain. Wussow responded to the roll call at meetings stating she didn't feel it was a big deal since the minutes reflect who is present. Wussow felt this

was a personal attack on her and that she is not going to resign as President because she has done nothing wrong. Her heart is for Bonduel.

Wickman asked Wussow's husband, Bob Wussow, if he had anything to add. Wussow stated that they went to Cedar Park to get the license plate of the person hunting. Once they got to the park, they realized it was Shatters son. Bob Wussow told the Shatters that they should be ashamed of themselves for what they had presented.

Wickman stated that discussion would be kept to the Village Board. Wickman addressed several of the statements giving her own opinion and past knowledge of items from being the past Village Clerk. Since the Board is missing the statements of Shatters son, Alex, and that Chief Escalante was not present, there isn't much we can conclude for sure. Wickman stated that this item was not on the agenda to be addressed, at this point the board could make a recommendation for the next meeting. Recommendation by K. Bartlett, second by R. Bartlett, that all parties of the Wussow and Shatters families involved should meet with Chief Escalante to resolve issues and to report back to the board at the next meeting in December.

Justin Shatters addressed the posting, on Wussow's personal Facebook page, in regards to the cleanup of sidewalks after the snow storm in April. Shatters stated that Wussow had made the decision on her own and posted information telling village residents that the 24-hour sidewalk snow removal ordinance would not be enforced due the amount of snow. Todd Lorbiecki, Director of Municipal Operations, commented that he had assessed the snow situation and initially waived the 24-hour snow removal on sidewalks to give residents additional time to remove the snow. Wussow stated that she had spoken with Lorbiecki in regard to the sidewalk snow removal before posting on Facebook. Wussow's main reason for posting on Facebook was to let residents know how dedicated the Employees of the village are. She added that one employee spent the night in his truck knowing that if he had gone home, he would not have been able to get back to the Village to remove snow the next day. Wickman stated that employees of the Village need a point of contact and someone to communicate with when issues arise, which in most cases is the president. When Wickman was clerk, she stated that she was constantly in contact with president for direction.

Further discussion was held on other situations that were brought to the board. Both Shatters and Wussow returned to the table, Wussow resumed facilitation of meeting.

K11. 2019 Proposed increase of residential refuse rates. Lorbiecki explained that the increase to refuse rates is for residential pick up in the village only. Motion by Wickman, second by Wenstadt, to approve the residential increase in refuse rates from \$15.00 to \$17.50 per month for single family homes and \$30.00 to \$35.00 per month for duplexes. Motion carried unanimously.

K18. Closed Session. Motion by K. Bartlett, second by Shatters, to move to closed session for approximately five minutes, to discuss employee evaluation. Inviting Michelle Maroszek, Todd Lorbiecki, and Katrina Schroeder. [Pursuant to Wis. State Statutes, Chapter 19, General Duties of Public Officials, subchapter V, 19.85 exemptions (1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.] Roll call vote was taken. Motion carried unanimously. Board moved to closed session at 9:08 p.m.

Motion by K. Bartlett, second by R. Bartlett, to return to open session. Roll call vote was taken. Motion carried unanimously. Board returned to open session at 9:59 p.m.

[Quandt Left meeting at 10:00 p.m.]

K6. Operator's License application. Motion by K. Bartlett, second by Shatters, to approve Maggie Hunt's operator's license. Motion carried unanimously.

K7. Administrative and Municipal Operations Committee description. Motion by Wickman, second by K. Bartlett, to approve the revision to both the Administrative and Municipal Operations committee job descriptions. Motion carried unanimously.

K8. Comprehensive Plan Payment. Maroszek asked for direction from the Board on how to split up the bill for the Comprehensive Plan expense. Motion by Wickman, second by K. Bartlett, to charge 10% to Sewer, 10% Water, 10% TIF, 70% to outside services. Motion carried unanimously.

K12. 2019 Budget for Publication. Wickman explained that in order to stay in the 2.5% expenditure restraint we would need to cut an additional \$42,000 from the budget to meet the restraint. Board discussed skipping the 2.5% expenditure restraint payment for 2020 and leaving the budget as presented. Motion by Wickman, second by R. Bartlett, to approve the proposed General Fund Budget for publication. Motion carried unanimously.

K13. 2019 TIF Budget for Publication. Wickman went through the TIF District and the numbers with the board. Motion by K. Bartlett, second by Wickman, to approve the proposed TIF Budget for publication. Motion carried unanimously.

K14. 2019 Water Budget. Motion by Wickman, second by R. Bartlett, to approve the water budget with Todd and Michelle to work with Schenck on the Bond requirement. Motion carried unanimously.

K15. 2019 Sewer Budget. Motion by Wickman, second by K Bartlett, to approve the 2019 sewer budget as presented. Motion carried unanimously.

L1. Kobussen Bus VHF antenna. Lorbiecki continues to work through the details of the contract with the Village attorney. Kobussen will pay for the additional contract agreement legal fees. The VHF antenna was postponed by consensus.

L2. Appointments of Commissions and Committees. Still need to set up the TIF Joint Review Board for 2018.

L3. Building at 101 E. Green Bay Street. Email has been sent to Village attorney to review feedback from Village Building Inspector. Waiting on response.

L4. Building at 129 N. Cecil Street. Nothing new at this time.

M. Approval of Payments. Motion by Wickman, second by K. Bartlett, to approve accounts payable for the Village, Fire Department and EMS as presented with additions. Motion carried unanimously.

N. Treasurer's Report. Maroszek explained the additional report for the Water Tower project. Motion by Wickman, second R. Bartlett, to approve the treasurer's report as presented. Motion carried unanimously.

Announcements:

Public Safety: TBD

Municipal Operations – Tuesday, November 27 at 5:00 p.m.

Zoning Board of Appeals – Wednesday, November 28 at 6:00 p.m.

Village Board – Wednesday, December 5 at 6:30 p.m.

Municipal Operations/Plan Commission – Thursday, Dec. 6 at 6:00 p.m.

K17. Closed Session. Board would like Chief Escalante present to discuss. Move to next board meeting by consensus.

K16 and K19. Closed Session. Motion by K Bartlett, second by R Bartlett, to move to closed session for approximately five minutes combining K16 and K19 closed sessions to discuss 2019 Addendum A and public business. Inviting Michelle Maroszek and Todd Lorbiecki. [Pursuant to Wis. State Statutes, Chapter 19, General Duties of Public Officials, subchapter V, 19.85 exemptions (1)(c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.] and [Pursuant to Wis. State Statutes, Chapter 19, General Duties of Public Officials, subchapter V, 19.85 exemptions (1)(e): 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] Roll call vote was taken. Motion carried unanimously. Board moved to closed session at 11:18 p.m.

Motion by K. Bartlett, second by Wenstadt, to return to open session. Roll call vote was taken. Motion carried unanimously. Board returned to open session at 11:51 p.m.

Motion by K. Bartlett, second by Wenstadt to adjourn. Motion carried unanimously. Meeting adjourned at 11:53 p.m.

Respectfully submitted,
Michelle Maroszek, Clerk