

VILLAGE OF TWIN LAKES JOINT PLAN COMMISSION AND VILLAGE BOARD MEETING MINUTES

February 19, 2024 – 6:30 p.m.

Village Hall, 105 E. Main Street, Twin Lakes, WI

CALL TO ORDER AT 6:30 PM BY TRUSTEE KAROW/PLEDGE OF ALLEGIANCE/ ROLL CALL:

Present: Trustees Barb Andres, Sharon Bower, Kevin Fitzgerald, Aaron Karow, Bill Kaskin, Ken Perl, Absent: President Howard Skinner. Also Present: Administrator Laura Roesslein, Police Chief Katie Hall, Clerk Sabrina Waswo, Attorney Rebecca Shepro

ROLL CALL PLAN COMMISSION: Present: Commissioners Todd Destree, Aaron Karow, Ken Perl, Carl Smith. Absent: Commissioners Bill Busse, Bran Richter, Howard Skinner

Plan Commission/Village Board Public Hearing

Karow/Andres motion to open the Plan Commission and Village Board Public Hearing: Ordinance 2024-2-1 An Ordinance to Amend Chapter 17.37 of the Twin Lakes Code of Ordinances Pertaining to Floodplain Regulations. Motion carried 8-0 to open the Public Hearing at 6:31 p.m.

Attorney Rebecca Sheparo from the Village Attorney's office explained the floodplain ordinance and its changes. Every few years, FEMA modifies the maps delineating where the floodplains are located. The DNR will put forth a model ordinance. With this latest revision, they are trying to standardize floodplain ordinances throughout the state.

Act 175 gives the village an option to include additional language in the floodplain ordinance. The current Village regulation states that any flood damage within a floodplain to a structure that exceeds 50% of the assessed value of that structure will not be allowed to rebuild that structure as a nonconforming use. It must be rebuilt as a conforming building. That only applies to damage created by floods; it does not include non-flood disasters such as fires or tornadoes. This is only for flood damage.

If Act 175 is included, it will allow repair and reconstruction that exceeds 50% of the assessed value of the structure, and that would include conditional uses and nonconforming uses. The 50% threshold is throughout the entire lifetime of that structure.

If the Village opts out of Act 175, it will limit the amount that any structure within the floodplain that sustains flood damage can be rebuilt or repaired. Or if opting in and adding Act 175 to the ordinance, it allows repair and reconstruction that exceeds that 50% assessed value threshold. There are additional requirements that would be placed on a structure in a floodplain that is rebuilding above that 50% threshold that would further protect it from flood, but it would not rise to the level of new building standards like it would if the village were to opt out of Act 175.

Karow/Fitzgerald motion to close the Plan Commission and Village Board Public Hearing. Motion carried 8-0 to close the Public Hearing at 6:40 p.m.

Discussion and possible action by the Plan Commission to approve Ordinance 2024-2-1, An Ordinance to Amend Chapter 17.37 of the Twin Lake Code of Ordinances Pertaining to Floodplain Regulations.

Commissioner Destree would like to exclude Act 175 as we are trying to get buildings out of the floodplains. Commissioners Perl, Smith, and Karow agreed. Trustee Fitzgerald noted three houses south of the boat launch, built on a hill, might face burdensome surveying requirements to prove they are above the floodplain. He questioned why we would want to make them jump through hoops and incur extra costs. Rebecca added that this also applies to accessory structures. Fitzgerald is in favor of including Act 175. Commissioner Destree stated it doesn't affect the homeowners unless it floods. Rebecca clarified it would affect them if they

wanted to do any substantial improvement that would add 50% to the home. Commissioner Destree doesn't feel it is the right approach to allow them to increase the size of their building knowing it could be damaged in a flood. Commissioner Karow was inclined to leave it the way it is.

Karow/Destree motion to recommend approval of Ordinance 2024-2-1, An Ordinance to Amend Chapter 17.37 of the Twin Lake Code of Ordinances Pertaining to Floodplain Regulations excluding Act 175. Motion carried 4-0.

Discussion and possible action by the Plan Commission regarding the use of the property at 100 School Stree that is not specifically allowed in commercial zoning.

John Economo, 68450 Double Eagle Drive, Woodridge, IL, is a local building owner and developer in Twin Lakes. He owns the property at 100 School Street and is considering converting it into an indoor climate-controlled self-storage facility. He is seeking clarification on zoning regulations and aims to ensure this use is acceptable. This would be indoor storage only, there are no plans to have outdoor storage. The building has been vacant for an extended period and has undergone basic cleanup following damage and vandalism. The previous tenant had outdoor storage, but that has been cleaned up. Commissioner Perl supports the indoor storage idea. Commissioner Smith asked for clarification on whether this use aligns with our commercial zoning regulations. Administrator Roesslein provided Chapter 17.32 and explained that indoor storage is not currently listed in the commercial district. John said this is for personal self-storage. Karow has seen many retail businesses being repurposed into indoor, climate-controlled storage facilities. John stated any necessary modifications to entrances and exits will comply with building regulations. The footprint will remain the same.

Karow/Perl motion to allow the indoor storage use at 100 E. School Street. Motion carried 4-0.

ADJOURNMENT BY PLAN COMMISSION

Karow/Destree motion to adjourn Plan Commission at 6:55 p.m. Motion carried 4-0.

Discussion and possible action by Village Board regarding Ordinance 2024-2-1 An Ordinance to Amend Chapter 17.37 of the Twin Lakes Code of Ordinances Pertaining to Floodplain Regulations.

Trustee Fitzgerald is standing by his case, stating that if something happens to the house, the homeowner would not be able to repair it. Rebecca explained that the repairs have to be related to flood damage. Substantial alteration involves changing the building in a way that increases its assessed value by over 50%. This doesn't necessarily mean doubling its size, as one must consider the cost of building materials. It could be easy or difficult.

Excluding Act 175 language limits repairs to structures in floodplains to 50% or below the assessed value. Anything exceeding 50% would have to comply with new building standards. If Act 175 is included, homeowners have slightly more freedom. They can repair and substantially alter their properties by 50% or more of the assessed value, but there are additional requirements, though not overly burdensome.

Rebecca questioned how much freedom the board wants to grant owners of homes that are now nonconforming due to being in a floodplain. She asked the board if they want homeowners to preserve their homes as best they can, or does the board want them to demolish and rebuild to conform to flood standards that were not in place when their 100-year-old house was constructed.

If you have an existing building damaged by a flood and the insurance company determines it's damaged beyond 50% of its assessed value, with Act 175 language in your ordinance, owners would have the option to upgrade floodproofing and rebuild to the same footprint. Without Act 175, they would have to demolish and rebuild to current building codes, different from those for nonconforming uses, and meet setbacks unless they obtain a variance. Fitzgerald remarked that, in essence, they would no longer have a house.

They discussed the few houses in the floodplain. Karow was inclined to reconsider the inclusion of Act 175, as he doesn't see these properties as posing a significant risk. They are only in the floodplain by a few inches or feet of water depth.

Fitzgerald added that there wouldn't be anything wrong with including Act 175, as it would then require building above the floodplain but in the same spot, saving these homeowners years of FEMA regulations.

Karow/Fitzgerald motion to approve Ordinance 2024-2-1 An Ordinance to Amend Chapter 17.37 of the Twin Lakes Code of Ordinances Pertaining to Floodplain Regulations and include Act 175. Motion carried 6-0.

Discussion and possible action by the Village Board regarding the use of the property at 100 School Street that is not specifically allowed in commercial zoning.

Fitzgerald asked whether it would be possible to stipulate a time limit for accessing the premises. It's a residential area, and he would dislike the idea of someone arriving at 1:00 am to load their locker. John is aware that the building is zoned for both commercial and residential purposes, and neighboring units are also zoned commercially. The tenant mentioned they have already discussed this matter.

Karow/Andres motion to allow indoor storage at 100 E. School Street within the commercial zoning. Motion carried 6-0.

APPROVAL OF MINUTES: Karow/Fitzgerald motion to approve the October 16, 2023 Regular Board Meeting, October 30, 2023 Special Board Meeting, November 6, 2023 Special Board Meeting, November 20, 2023 Regular Board Meeting, December 4, 2023 Special Board Meeting, December 18, 2023 Regular Board Meeting, January 15, 2024 Regular Board Meeting, January 2, 2024 Special Board Meeting. Motion carried 6-0.

APPROVAL OF VOUCHERS FOR PAYMENT: Karow/Bower motion to approve the Corporate Checking (including General Fund, Sanitation, Capital Projects-E/M, Sewer Utility, Lake Rehab, Sewer Hook-Up, Sewer Replacement, and Tax Account): 35955-36037, 1430-1557, Payroll Related Checking and State/Federal Tax Wires: 183418-183424 Expenses – \$337,019.16. Motion carried 6-0.

PUBLIC COMMENTS & QUESTIONS: None.

PRESIDENT AND TRUSTEE REPORTS

TRUSTEE SHARON BOWER - ADMINISTRATION, FINANCE, JUDICIARY, LICENSING

Karow/Fitzgerald motion to approve the Short Term Rental renewal applications for:

- 612 Highland Dr., Highland House LLC/ John Economou
- 405 Waldeck Dr., Emma Patridge & Jason Rienks
- 420 W. Park Dr., Molly & Victor Vizzuett
- 1763 E. Lakeshore Dr., Patrick Liberg
- 950 Rhyners Lane, Patrick Liberg
- 1770 E. Lakeshore Dr., Patrick Liberg
- 1231 Lance Dr., Jeff Martin
- 1505 Sunset Dr., Gerald & Shelly Thompson

Motion carried 6-0.

Karow/Bower motion to approve a new Short Term Rental application for 705 Hickory Rd., Cobblestone Square, LLC/Tom & Natalie Hartman. Motion carried 6-0.

Karow/Bower motion to approve a renewal Short Term Rental application for 1611 Sunset Drive, JNCJ Rentals, John Hoban. Motion carried 6-0.

Karow/Bower motion to approve Ordinance 2024-2-2 An Ordinance Amending Chapter 5.40 of The Twin Lakes Code of Ordinances Pertaining to Short-Term Rentals.

The fees for new applications have been increased from \$150 to \$300, while renewals will continue with the \$150 fee. Renewals will now be processed by the Clerk's Office rather than the Village Board, provided that inspections and approvals are completed. Submission of digital home and parking layouts will be required.

Motion carried 6-0.

Discussion and possible action regarding Resolution No.2024-2-2 Resolution of the Village Board of the Village of Twin Lakes to vote to approve the Second Amended Joint Chapter 11 Plan of Reorganization of Endo International PLC and its Affiliated Debtors as Recommended by the Official Committee of Opioid Claimants.

There have been national opioid lawsuits circulating in the last couple of years. Some communities have opted to either remain in negotiations or pursue independent legal action. Twin Lakes chose to stay engaged in the class action lawsuit. We have received notifications regarding defendants settling out or filing for bankruptcy. Endo International is currently undergoing bankruptcy proceedings, and they are undergoing restructuring. The objective is to maintain Endo's operations to fulfill the pending claims. Governments are also included in the payouts due to their expenditures on opioid-related incidents, whether it involves law enforcement or EMS services. Attorney Rebecca Shepro recommends voting in favor of the proposed plan to enable the disbursement of funds. This action would entail relinquishing the ability to pursue individual legal action.

Karow/Fitzgerald motion to approve Resolution No.2024-2-2 a Resolution of the Village Board of the Village of Twin Lakes to vote to approve the Second Amended Joint Chapter 11 Plan of Reorganization of Endo International PLC and its Affiliated Debtors as Recommended by the Official Committee of Opioid Claimants.

Motion carried 6-0.

TRUSTEE KEVIN FITZGERALD - STREETS & ROADS, EQUIPMENT, STREET LIGHTS, WEEDS, LAKE PLANNING AND PROTECTION

Fitzgerald/Karow motion to approve a quote from Century Traffic for centerline painting in the amount of \$12,540.00. Motion carried 6-0.

Fitzgerald/Andres motion to approve Resolution R2024-2-1 Approving the Village of Twin Lakes Adjusted Urban Area Boundary. Motion carried 6-0.

TRUSTEE AARON KAROW - BUILDING AND ZONING, PLAN COMMISSION, AND PUBLIC BUILDINGS

January 2024 Building Permits: 18; Valuation: \$1,003,467.00; Fees Collected: \$9,891.66.

TRUSTEE KEN PERL - POLICE, FIRE, LAKE CONTROL, PARKS AND BEACHES

Discussion and possible action regarding purchasing Police Department phones.

At the last meeting, the Village's IT, Jeff Miskie, discussed the possibility of going with the RingCentral phone system. However, he found Zoom to be much cheaper and it operates on the same system. Zoom also doesn't require a contract. The optional services listed were not included in the pricing. Jeff mentioned that including these services would be a luxury; however, he is capable of doing the work himself. The recommendation is to go with the Zoom system, which could be implemented within one month.

Administrator Roeslein stated that Village Hall will consider switching from RingCentral to Zoom when our contract expires. Chief Hall mentioned that the current first shift dispatcher has used this system in Walworth County for many years. Jeff will look into pricing for dispatcher training.

Karow/Bower motion to approve purchasing the Zoom phone system for the Police Department including the cost of \$9,456.78 with training to be determined at a later date and including the annual recurring fees of \$2,850. Motion carried 6-0.

Discussion and possible action regarding Water Patrol pay for the 2024 season.

The Police Department is struggling to find water patrol officers. The current pay scale from \$20 to \$27 per hour for both non-sworn and experienced sworn officers. Comparatively, other departments offer \$29 to \$32 per hour. To attract more water patrol officers, Chief Hall proposed a pay scale of \$22 for non-sworn officers, matching the current rate for part-time patrol officers at \$33.36, one step below full-time officers. This would provide consistency and avoid annual modifications. The aim is to maintain top pay consistent with part-time patrol wages. Looking to attract sworn officers, as their wage is reimbursed at 70% by the DNR, whereas non-sworn is not reimbursed. The difference between paying \$27 compared to \$33 is significant. Training involves approximately 8 shifts, 4 weekends, 6 hours per day.

Karow/Fitzgerald motion to amend the water patrol pay for the 2024 season to range from \$22 per hour for non-sworn officers up to and including the top patrol wage rate based on experience. Motion carried 6-0.

TRUSTEE BARB ANDRES - SEWER, HEALTH AND ENVIRONMENT, YOUTH, LIBRARY

Andres/Fitzgerald motion to approve a quote from Sabel Mechanical for Digester Wall Repair for \$34,644.05. Motion carried 6-0.

VILLAGE PRESIDENT HOWARD SKINNER

Karow/Fitzgerald motion to approve the Aquanuts Annual Agreement and Compliance Statement.

Three new provisions concerning the sign were added to the contract: The sign cannot be used for advertising purposes due to its location in a public area, the village is permitted to display official public information upon request, and Aquanuts are responsible for covering the cost of electricity for their electronic sign. Administrator Roesslein noted these provisions were verbally tentatively approved last year with the Aquanuts. Motion carried 6-0.

Karow/Bower motion to approve an Event Permit for Business in the Park & Car Show on May 18th from 9 a.m. to 3 p.m. Motion carried 6-0.

Karow/Bower motion to approve an Event Permit for Rock the Lake on June 15th from 1 p.m. to 11 p.m. Motion carried 6-0.

Karow/Fitzgerald motion to approve a Temporary Class “B” / “Class B” Retailer’s License to the Twin Lakes Chamber for Rock the Lake on June 15, 2024 from 11 a.m. to 11 p.m. Motion carried 6-0.

Karow/Bower motion to approve an Event Permit for Libertyfest on July 6th from 11 a.m. to 11 p.m. Motion carried 6-0.

Karow/Bower motion to approve a Temporary Class “B” / “Class B” Retailer’s License to the Twin Lakes Chamber for Libertyfest on July 6, 2024 from 3 p.m. to 10 p.m. Motion carried 6-0.

CLOSED SESSION

Karow/Fitzgerald motion to go into closed session for the following reasons:

- 1.) pursuant to Wis. Stat. s. 19.85(1)(c) and (e) related to employment, compensation, promotion, or performance evaluation for the purposes of conducting an annual performance evaluation of the Village Administrator
- 2.) pursuant to Wis. Stat. s. 19.85(1)(c) and (e) related to employment, compensation, promotion, or performance evaluation for the purposes of conducting a compensation evaluation of the Village Clerk

Roll Call: Trustees Barb Andres, Sharon Bower, Kevin Fitzgerald, Aaron Karow, Bill Kaskin, Ken Perl.
Motion carried 6-0 at 8:08 p.m.

OPEN SESSION

Karow/Bower motion to return to open session pursuant to Wis. Stat. 19.85(2) and take action on any items discussed in closed session. Motion carried 6-0.

Karow/Fitzgerald motion to adjust the Village Clerk's wages to match that of the Public Works Foreman's wage scale. Motion carried 6-0.

ADJOURN – Karow/Fitzgerald motion to adjourn at 8:41 p.m. Motion carried 6-0.

/s/Sabrina Waswo, Village Clerk