

VILLAGE OF TWIN LAKES COMMITTEE OF THE WHOLE MINUTES

August 5, 2024 – 6:30 p.m.

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

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

Present: Trustees Aaron Karow, Bill Kaskin, Kevin Fitzgerald, Ken Perl. Absent: Trustee Barb Andres, Sharon Bower, President Howard Skinner. Also Present: Administrator Laura Jager, Captain Jake Bauer, Clerk Sabrina Waswo.

PUBLIC COMMENTS AND QUESTIONS.

Tim Wetzel, 2332 Haerle Ave, is inquiring about the budget for pickleball at Westside Park, where the only tennis court is overgrown with weeds. Fitzgerald mentioned that a group previously funded a pickleball court at Legion, potentially using their own money. Jager noted there might have been some grant money involved, but it was likely just for adding lines, as the court was already in good condition. Paige Thelen and Mary Brennan were involved in the previous project.

Robert Curtis, 2000 Haegele Dr, and Mr. Walleck, 1231 Lucille Drive. Robert has been trying to reach the building department since December regarding flooding caused by an addition approved at 1237 Lucille, which is causing water to flood his yard. Despite multiple communications, including emails with pictures, there has been no response or solution. The addition's raised foundation has disrupted water flow and landscaping. Robert has noted excessive flooding where he can't cut his grass, and has ducks swimming in his backyard. There was no topographical or plot of survey done for the heights of their yard and drainage. Mr. Walleck used to own that property and told the Building Inspector multiple times that it wouldn't work to build a house on that land. Robert is requesting a remedy, emphasizing that he doesn't want legal action but needs the issue resolved promptly.

Peggy Pytko, 1931 Sunset Drive, lives in Blueberry Hill. She raised concerns about dogs on the beach, stating that dogs shouldn't be allowed because they pee and poop in areas where children play. Despite signs at Musial Park requiring leashes, dogs still relieve themselves there. She requested "no dogs allowed" signs on the beach, citing an incident at Sunset Beach where ten dogs were running loose. She would like owners to be ticketed for violating the 10-foot leash law. She expressed frustration about the excessive and illegal fireworks in Twin Lakes, particularly around the 4th of July. There should be stricter enforcement and limitations on fireworks, especially since they often end up in others' yards and streets.

Alton and Yolanda Zito, 527 Maryknoll Court, are concerned about ongoing issues with the neighboring property at 532 Maryknoll Court. The problems began several months ago with the neighbor allegedly using the property for car sales, including storing a flatbed trailer, boat on a trailer, and a racecar on a trailer. Despite police intervention, the activities continued, and the situation has escalated. The neighbor now appears to be operating a chop shop, with multiple vehicles and a mechanic on-site. A camper is also on the property, where a family of four is reportedly living, despite regulations prohibiting such use. The Zito's have contacted various authorities, including the Zoning Administrator, Municipal Zoning Enforcement, and the police, but no significant action has been taken. Code enforcement has sent letters, but the issues persist. There are also concerns about the property's condition, with debris, junk, and mismatched siding affecting neighborhood property values. The Zito's are frustrated with the lack of progress and are seeking further action, including proof of the violations, potential fines, and stricter enforcement. They also mentioned concerns about speeding in the neighborhood, with a request for more enforcement and a speed limit sign. The authorities have acknowledged the complaints but emphasized the need to follow the process, which involves documenting violations and potentially issuing tickets if ordinances are not followed.

Cindy Mellonig, 511 Maryknoll Court, asked whether the individual responsible for the violations lives in the house or the camper. It was clarified that he doesn't own the house; his girlfriend lives there. The resident questioned who is responsible for the violations, given that the girlfriend isn't the one committing them. Code enforcement is investigating. The Police Captain explained that if a nuisance violation occurs, the property owner would be held accountable, regardless of whether the individual running a business is the owner or not.

Dave Mellonig, 511 Maryknoll Court, expressed frustration that the neighbors are blatantly disobeying the law without being shut down. Although there was some cleanup recently, the resident expects the violations to resume. He emphasized that the laws prohibiting automotive sales and living in a backyard are already established. The process should be quicker, especially since the neighbor's actions are negatively impacting property values. Believes that if the authorities were determined, the issue could be resolved.

Scott Strudeman, 503 Maryknoll Court, asked if they need to keep filing complaints or if there has been enough. Karow advised that the more complaints and documentation they provide, the better, as it helps build a strong record with dates and times.

Steven Hicks, 1802 Pheasant Ave, has been dealing with an ongoing issue related to the enforcement of Chapter 10.46, the off-road vehicles code, since 2021. He has repeatedly spoken to Chief Hall but has received no resolution. The issue involves a neighbor's child who frequently harasses Steven's children by riding a dirt bike near their home, revving the engine, and directing exhaust fumes toward their rooms. This situation has escalated to the point where the neighbor's friends have threatened Steven's life. Despite Steven documenting the harassment with videos and installing a fence, the police have not enforced the ordinance. They argue that the operation of the dirt bike doesn't have anything to do with turning it on or revving the engine, as it has to be in motion at all times. This is contrary to the state's definition, which the village adopted. WI State Statute 23.33 defines operation as controlling or moving any part of the accelerator. Steven has tried to resolve the issue peacefully by talking to the neighbor's mother, but the harassment continues. Frustrated, he has approached the village board for help, as the police refuse to enforce the ordinance. He spoke with the village attorney, who advised him to contact Chief Hall, but Hall has not returned his calls. The village board has stated they will look into the matter, but Steven remains frustrated as the police continue to make excuses. He mentioned that an officer involved in the situation was recently promoted despite having multiple complaints against him. Steven feels that the police department is corrupt and is seeking guidance on how to get the ordinance enforced properly.

Peggy Pytko, 1931 Sunset Drive, stated the situation is harassment. She noted that their neighborhood experiences a lot of harassment, often directed at those who call the police. This issue has led to people moving out of the area because it's becoming too noisy and uncontrolled. She believes the situation needs to be managed better.

Mike Fay, 195 Koch Court, stated Yolanda was told by the police department that they couldn't enter someone's property without permission. He questioned whether officers could enter properties in cases like shootings. Captain Bauer clarified that the situation was different and, in this case, the police could not stand in someone's backyard. Fitzgerald added that they are not a police state. Karow acknowledged communication issues but disagreed that people were being ignored, attributing delays to blatant disregard for the code. Fay, who has a law enforcement background, expressed frustration with the process, highlighting that it takes too long for responses and questioned the role of the code enforcer. Karow stated that the board is notified of the code enforcer's progress on complaints and that updates on these issues should be included in village reports.

Steve Weber, 5612 South Street, Richmond, a representative from Garage Lodge 42 from Twin Lakes, thanked the board for allowing them to participate in the car show. The Lodge, which started with 9 members and now has 19, recently held their third annual charity bike run, donating proceeds to the IOOF Museum and Ronald McDonald House. They have a second annual pub crawl coming up in September. He mentioned hearing about efforts to save the caboose and plan to collect pop cans to help with its renovation. They inquired about getting on the village sign for their event, and Laura informed them that they can fill out a form.

Steven Hicks, 1802 Pheasant Ave, also expressed concerns with privacy laws, specifically regarding neighbors who mounted a camera on their gutter, which directly points at his children's play area. This situation makes the family uncomfortable as they feel their children are being recorded. Karow expressed uncertainty about what actions the village board can take to address this concern.

Bill Poetker, 1607 East Lakeshore Drive, has been attending meetings for 4½ years and has repeatedly heard the need for a full-time code enforcement officer, but the municipality couldn't afford one. Experience with water patrol shows that warnings are ineffective and tickets are necessary for changing behavior, and this needs to be consistent. Addressing code enforcement issues can take 6 months to a year. The municipality needs a full-time code enforcement officer for 20-30 hours a week, or a more aggressive police function. There must also be an effective process and communication system to address people's concerns quickly and clearly. Karow mentioned the challenge is balancing that some people feel their rights are being violated while others feel their rights are being violated. How can we be effective without ending up in conflict on the other side? Fitzgerald said the company we hired has shown promising results, as indicated by the latest report. We could consider expanding their hours. They are making progress and taking action in multiple areas of the village.

PRESIDENT AND TRUSTEE REPORTS

TRUSTEE SHARON BOWER - ADMINISTRATION, FINANCE, JUDICIARY, LICENSING

Discussion regarding an Event Permit for the American Legion for a Craft and Vendor Fair on September 14, 2024. There has been no issues in the past.

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

Discussion regarding cameras at West Side Park.

The Board wanted us to reach out to Public Works regarding the power situation. Public Works stated that the power is located at the south parking lot, and trenching a line to the north lot would be very costly. We could install an electric panel by the north lot, which would require work and permitting through Alliant Energy and a licensed electrician. The light poles we have on the north lot are Alliant Energy's poles. Fitzgerald stated he is asking about the pole at the sledding hill between both hills. Consensus was to get pricing for all three options from Stan.

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

Discussion regarding Resolution R2024-8-1 Adopting the Kenosha County Hazard Mitigation Plan

Link to Plan: [CAPR No. 278 \(4th Edition\) - Kenosha County Hazard Mitigation Plan Update: 2023-2028 \(sewrpc.org\)](#)

Sgt. Chris Hannah from the Kenosha County Director of Emergency Management spoke about reaching out to all municipalities to adopt an updated emergency management plan. No funding will be required. Hannah noted this is his first meeting and that the plan, adopted by the county board, is the fourth update since its inception. The previous plan expired in 2022 and is updated every five years by SEWRPC. This revision focuses solely on natural disasters, removing references to manmade disasters. The village contributed to the plan with former Police Chief Adam Grosz's involvement. As updates occur, we will need to reapprove them; changes are not automatic.

Discussion regarding Ordinance 2024-8-1 Pertaining to Boating.

This update involves adding fire extinguishers to the boats in accordance with state statute NR5, as implemented by water patrol.

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

Discussion regarding Ordinance 13.04.230 Sewer Service Charges, New Construction.

The village's ordinance states that sewer service charges start 4 months after the date a building permit is issued or upon occupancy, whichever occurs first. Fitzgerald understands that it takes much more than 4 months to build a home these days. He is concerned about changing the policy, as everyone who has built over the past several years has already been paying into this system. Changing it now would affect those who have already contributed to the fund. This policy has been in place for as long as he can remember.

Administrator Jager stated that we received a complaint to Trustee Andres, the sewer liaison, from a resident who believes that the 4-month period is too short to start charging for the sewer bill. They felt that charges should only start once the property is hooked up to the sewer line.

Karow suggested that the only change he would propose is moving the period to 6 months. For a quarter, 2 months amounts to \$60. The Board was not in favor of changing the start time to the hookup date, as properties could be using the sewer during construction, as sewer lines are often installed during excavation. Karow stated that it does not have a significant impact either way. This is the only complaint they have ever received about this ordinance.

Bill Poetker stated that from the consumer's perspective, everyone is paying for something they are not using. Since no one builds a house in 4 months, he suggested extending the period to 6 months. He noted the permitting process can be somewhat onerous.

Administrator Jager mentioned that the village engineer indicated that 4 months was probably appropriate at the time the ordinance was written. Karow suggested extending it to 6 or 8 months. He does not think it makes a significant difference to the village either way. The ordinance was established years ago, and the reasoning is unclear now.

Steven Hicks suggested pulling statistics on the average time it takes to build a home in the village over the last 10 years rather than making assumptions.

Fitzgerald pointed out that the building permit duration was changed from 12 months to 2 years because a year was no longer feasible. He added that changing this might upset those who obtained permits within the last year. This issue will be brought to the Board as an ordinance change.

Discussion regarding a quote from Great Lakes TV/Seal for Sewer Main Repairs.

We originally approved the quote from Visu-Sewer; however, they are unable to complete the project. Karow sees no issue with moving forward with Great Lakes. They do have a clause that they would perform the work in conjunction with other tasks.

VILLAGE PRESIDENT HOWARD SKINNER

Discussion on appointing Jordan Cates to the Board of Appeals and Park Commission.

No discussion.

Discussion regarding Ordinance 20224-8-2 Pertaining to All-Terrain Vehicles and Utility-Terrain Vehicles.

Attorney Geary attended the last meeting and incorporated public and board comments into the ordinance. This updated ordinance is more restrictive than the initial version presented to the board. It includes age restrictions and insurance requirements. The board reviewed all the changes under section 10.45.070, Requirements for Use of Routes. Golf carts were discussed, and should be addressed in a separate ordinance. Part of the adoption process involves sending the updated ordinance to the DOT and the Sheriff's Department. The issue of sign funding remains to be resolved, with President Skinner opposing village funding.

Peggy Pytko does not believe ATVs are necessary, as they are designated for trails up north. She is also not in favor of allowing golf carts on the roads.

Bill Poetker expressed concern about potential alcohol use while operating these vehicles.

Mike Fay suggested simplifying the rules and emphasized that law enforcement should consider both the rules and their realistic enforcement capabilities.

Bryan Neal, 142 W Park Drive, did not have an opinion on the issue but recommended reviewing item “d” regarding the use of “shall” versus “may” and considering a sunset clause to automatically end the ordinance unless it’s approved again by vote.

ADJOURN – *Fitzgerald/Karow motion to adjourn at 9:13 p.m. Motion carried 4-0.*

/s/Sabrina Waswo, Village Clerk