

## Village of Balsam Lake

Regular Meeting of Trustees Monday, April 7<sup>th</sup>, 2025

Meeting called to order by President James Duncan Jr.

Members present on roll call: James Duncan Jr., Jamey Flaherty, Corby Stark, Kellie Flaherty, Len Manning, Gary Johnson.

Members absent on roll call: Jenna Paquette.

Others present: Lori Duncan, Eric Jorgensen, Robert Peterson, Brina Nelson, Chris Nelson, Curtis Nelson, Rob Carlson, Jeff Reed, Jason Larson, Steve Volgren, Linda Heimstead, Jessy Mattocks, Lauren Hoffius.

Public Comments: Jessy Mattocks was in attendance. Jessy Mattocks stated he has been a renter and does maintenance at 318 Main Street for 25 years. Jessy Mattocks referenced other concerns regarding property maintenance violations for other properties throughout town. Jessy Mattocks stated in 2023-2024 the Balsam Lake Fire Department flunked their 2% audit, hurting the people that live in the Village. Jessy Mattocks stated he doesn't know what the Village Board is doing. Jessy Mattocks stated 318 Main Street isn't a mini storage, there isn't trash all over the place. By not renting out the two garage units, it would hurt the tenants that live in the building by increasing the rental rates. Jessy Mattocks stated a mini storage violation would be the Balsam Lake Brewery having a storage shed in the middle of an alley way. Jessy Mattocks again stated that the situation would not be a zoning violation, however it is the board taking revenge out on him for speaking up about the Fire Department not doing their job, not making this city a better place. Lauren Hoffius was in attendance. Lauren Hoffius stated he rents garage unit number one at 318 Main Street. He stated that he likes the location of the storage unit being close to the municipal police department. He stated he lives in Milltown. Lauren Hoffius stated he would like to find a solution to the situation with the Village Board as he just moved some of his belongings into the storage garage. He stated this situation runs unfair.

To consider and possibly act to approve the April 7<sup>th</sup>, 2025 Regular Board meeting agenda. **Motion by Kellie Flaherty to amend agenda item # 20 to read; To consider and possibly act to approve Poultry Permit #25-02 & 25-03. Second by Corby Stark. All in Favor. Carried. Motion by Corby Stark that at 7:00 p.m. the Village Board will go into closed session for agenda items #42-44. Second by Kellie Flaherty. All in Favor. Carried. Motion by Len Manning to approve the amended agenda as stated. Second by Gary Johnson. All in Favor. Carried.**

Public Protection Committee Report was given by Gary Johnson. In March there were 7 Fire Runs and 6 Rescue Runs. For the Month of April there has been 7 Fire Runs and 2 Rescue Runs. Milltown is having their Fire Department meeting on April 15<sup>th</sup> and Balsam Lake Fire Department is holding a meeting on April 21<sup>st</sup>. Volunteers are needed to help with the Easter Egg Hunt that is being held April 19<sup>th</sup>, 2025. Volunteers can come to the Fire Hall Friday April 18<sup>th</sup> at 5:00 p.m. to fill Easter Eggs with candy and prizes and Come to the Balsam Lake Pine Park on April 19<sup>th</sup> to help set up for the event starting at 8:00 a.m. Any and all volunteers are welcome.

Discussion and possible action to appoint two members to work with Milltown Area Fire Association on Fire Department Merger. No action was taken.

No Fire Chief Report was given

No Police Department Report was given due to a call for service.

Library Report was given by Director Linda Heimstead.

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Chamber of Commerce Report was given by Jeff Reed. Jeff Reed was introduced as the new chamber president. The Chamber is preparing for the 4<sup>th</sup> of July Celebration. This weekend the Chamber is holding a putt-putt golf event throughout town.

Discussion regarding meeting minutes state statute. Wisconsin Statute 19.84(3) requires that every public notice of a meeting be given at least 24 hours in advance of the meeting, unless "for good cause" such notice is "impossible or impractical." If "good cause" exists, the notice should be given as soon as possible and must be given at least two hours in advance of meeting. The open meetings law does not specify a timeframe in which a body must create a record of all motions and roll-call votes.

To consider and possibly act to approve CUP Application #93, 601 Pleasant Avenue, Kristin Kline. **Motion by Gary Johnson to approve CUP Application #93, 601 Pleasant Avenue. Second by Kellie Flaherty. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.**

To consider and possibly act to approve CUP Application #94, Parcel 106-00423-0006, Peter Jordan. **Motion by Corby Stark to approve CUP Application #94, Parcel 106-00423-0006, Peter Jordan, request to construct a garage. Second by Len Manning. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.**

Discussion and possible action regarding pine tree logs, Steve Volgren. It was noted by President James Duncan Jr. that Staab has sold those logs. No action was taken.

Discussion and possible action regarding update from property owner of 318 Main Street, regarding zoning violation. An email from Mr. Steve McGrane was received by the Clerk Treasurer on March 26<sup>th</sup>, 2025. President James Duncan Jr. read the letter. In the letter, Steve McGrane states that he has spoke to both tenants. The tenants have been informed that they need to vacate the property by 4/30/2025 in accordance with their leases and federal regulations. Steve McGrane then writes he doesn't foresee any problems with this, but wanted to communicate that one of the tenants is out of state at present and the other will be having surgery and prayed that the Village has some compassion for the level of effort required to remove 25 years of accumulation under those circumstances. James Duncan Jr. addressed that that the Village Board has been working to address zoning violations throughout town over the past two years. James Duncan Jr. gave specific examples of zoning violations that the Board is currently working through. Len Manning stated, he appreciated hearing from both Jessy Mattocks and Lauren Hoffius regarding their concerns. Len Manning stated he would like to share an analogous statement; the speed limit within a town is 30 mph- this speed limit might have been a statute for over 30 years. A man gets pulled over for going 55 in the 30mph speed zone and gets a ticket. In essence, the Village Board is taking responsibility for the zoning violations throughout town and working through addressing public concerns. Lauren Hoffius, stated understands what the Village Board is now doing and requested if there was a way to work through things. James Duncan Jr. Stated mini storages are allowed in other zoning areas throughout town, however the Village does not spot zone, meaning the board would not be able to change the zoning for just 318 Main Street. **Motion by Kellie Flaherty to approve an extension, where both tenants who rent the garages at 318 Main Street, shall have their personal property removed by May 31<sup>st</sup> 2025. Second by Len Manning. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.** It was noted the Village Clerk Treasurer shall inform the property owner of the decision.

To consider and possibly act to approve Poultry Permit #25-02, Elexis Blouin-Potvin. **Motion by Corby Stark to approve Poultry Permit #25-02 for Elexis Blouin-Potvin at 213 Pearl Street. Second by Gary Johnson.** It was

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noted as a statement by Gary Johnson that the applicant should know the 5 hens can not be free range chickens. **All in Favor. Carried.**

Discussion and possible action regarding Poultry Permit #25-03, Emily Measner. **Motion by Kellie Flaherty to approve Poultry Permit #25-03, Emily Measner at 105 Pine Crest Road. Second by Corby Stark. All in Favor. Carried.**

Discussion and possible action regarding cameras at the Balsam Lake Beach and Highway 46 Boat Landing, BLPRD. There was no representative from the BLPRD present, no action was taken.

Discussion and possible action regarding input from BLPRD on the Lower Dam Spillway Improvement Plant. There was no representative from the BLPRD present, no action was taken.

Discussion and possible action to attain bids for updating the Village of Balsam Lake Zoning Map. **Motion by Corby Stark to attain two bids for updating the Village of Balsam Lake Zoning Map. Second by Kellie Flaherty. All in Favor. Carried.**

Discussion and possible action regarding proposed resolution, establishing fees for the Vacant Building Registration Program. The Deputy Clerk Treasurer, developed a vacant building letter to send to property owners regarding the new zoning code for vacant buildings. Upon review, it was noted, the Village Board did not establish a schedule of fees. It was also noted that the Village Zoning and Building Administrator stated he would not be conducting the vacant building inspections for the Village of Balsam Lake or other communities he represents. Chris Nelson was in attendance and stated, he would be interested in being the vacant building inspector upon review of the ordinance to verify the inspector would not have to hold any certifications. **Motion by Len Manning to approve the proposed schedule of fees as presented and move forward with publication and notice of the upcoming resolution. Second by Corby Stark. All in Favor. Carried.**

Discussion and possible action regarding Revision 1, State HWY 46 project. Director of Public Works DPW, David Patterson was in attendance. DPW received an update from WisDOT regarding revision 1. The estimated cost for the parking lanes is \$212,681.70 and the estimate for the utility adjustments is \$26,829.24. The amount in the agreement also includes an estimated amount for construction engineering (just over 6%). **Motion by Corby Stark to approve Revision 1, for project 8030-00-70 on STH 46 to add the adjustments of sanitary sewer manhole covers and water valves/ utility adjustments to the bid for \$26,829.24 and approve the estimate for parking lanes of \$212,681.70.0 Second by Len Manning. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.**

Sewer/Water/M&C Committee Meeting Report was given by Len Manning.

Discussion and possible action regarding the 2024 Consumer Confidence Data Report for Balsam Lake Waterworks. **Motion by Gary Johnson to approve the 2024 Consumer Confidence Data Report for the Balsam Lake Waterworks. Second by Kellie Flaherty. All in Favor. Carried.**

Discussion and possible action to attain bids for Public Works computer program. **Motion by Kellie Flaherty to have the Director of Public Works, David Patterson, attain bids for a new Public Works computer program. Second by Corby Stark. All in Favor. Carried.**

To Consider and possibly act to go into closed session pursuant to Wisconsin Statute 18.85 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. 1. Northwestern Wisconsin Electric project proposal within the Village. 2. Discussion and possible action regarding purchasing land. 3. Proposed engineering plan for property near the Balsam Lake Beach. **Motion by Corby Stark to go into closed session pursuant to Wisconsin Statute 18.85 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. 1. Northwestern Wisconsin Electric project proposal within the Village. 2. Discussion and possible action regarding purchasing land. 3. Proposed engineering plan for property near the Balsam Lake Beach. Second by Gary Johnson. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.**

**Motion by Corby Stark to go into open session. Second by Gary Johnson. All in Favor. Carried.**

**There was no statement made from any closed session items.**

To consider and possibly act to approve extending blacktop area at Municipal Sewer Plant. **Motion by Corby Stark to approve extending the blacktop area at the municipal sewer plant and to hire Monarch Paving Company to complete the project costing \$11,217.22. Second by Kellie Flaherty. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.**

Discussion and possible action regarding Contractor's Applications for Payment No. 7 & No. 8, Staab. **Motion by Corby Stark to approve the Contractor Payment Application No. 7 for a total payment of \$44,198.75 and to approve Contractor Payment Application No 8 upon approval of SEC for a total payment of \$7,410.00. Second by Kellie Flaherty. On Roll Call: Corby Stark, yes; Gary Johnson, yes; Len Manning, yes; Jamey Flaherty, yes; Kellie Flaherty, yes; James Duncan Jr., yes. Carried.**

Discussion and possible action regarding color selection for WTP. **Motion by Corby Stark to approve the ceiling material for the water treatment plant be white. Second by Kellie Flaherty. All in Favor. Carried.** It was noted David Patterson will work with SEH for selecting a handful of colors for the walls within the chemical room, etc. Some of the HVAC and water lines will already come with preselected colors based on the engineering plans. The recommendation from SEH would be to stick with those colors as it matches the plans for future repairs.

Water Treatment Plant update. DPW, David Patterson stated the temporary power has been installed by NW Electric. Construction startup will commence the end of April.

Discussion and possible action regarding Zoning and Planning Commission meeting procedure. Per the Village code, under Chapter 300 Zoning, Article IV. Administration and Enforcement 300-30 Zoning permits for permitted use, it states; No structure, water or land will be erected, moved or altered without being issued a zoning permit. A zoning permit will not be issued unless all the terms of this chapter have been met. Under subsection A. Application and plan. All applications and plans for a zoning permit must be submitted to the Zoning Administrator and Building Inspector and should be accompanied by two copies of the plan. The zoning chapter goes on to explain what must be completed within the project plans. Moving Forward, residents shall complete a building permit and submit that to the Village Zoning and Building Administrator. The Zoning and Building administrator shall review the building permit and project plans. Upon review, if the building inspector states the application shall require a zoning or conditional use permit application, the applicant will complete the appropriate documents and submit those to the Village Zoning and Building Administrator. Upon Review, the Zoning and Building Administrator shall verify the exceptions to the code

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and communicate the applicable exceptions to the clerk to be published in the Paper. The Zoning and Building Administrator must also provide a staff report. Once the Application is reviewed by the Zoning and Building Administrator and staff report is submitted to the Clerk, the Clerk will then create the meeting agenda, post the proper publications, and work with the Building Inspector to set a meeting date. The Zoning and Building Administrator shall be present at all future Zoning Commission meetings. It was noted that a request for a Zoning Variance was submitted to the Clerk- however the application is incomplete. The Clerk will work with the Zoning and Building Administrator to create a letter illustrating all of the incomplete sections on the application and to send the application back to the applicant.

To consider and possibly act to approve original operator's license #1577-1581. **Motion by Len Manning to approve original operator's license #1577-1581. Second by Kellie Flaherty. All in Favor. Carried.**

Finance Committee Report.

Discussion and possible action regarding maturing CD at Marine Credit Union. **Motion by Corby Stark to recommend to the Village Board closing the CD & savings account at Marine Credit Union and enrolling those estimated funds of \$130,000.00 into a 12-month CD with WESTconsin Credit union. Second by Jamey Flaherty. On Roll Call: Corby Stark, yes; Jamey Flaherty, yes; James Duncan Jr, yes. Carried.**

To consider and possibly act to approve March 31<sup>st</sup>, 2025, Treasurers Report. **Motion by Corby Stark to approve March 31<sup>st</sup>, 2025, Treasurers Report. Second by Kellie Flaherty. All in Favor. Carried.**

The 2024 preliminary budget worksheet was reviewed by the Village Board.

**Motin by Corby Stark to adjourn. Second by Jamey Flaherty. All in Favor. Carried. 5:37p.m.**

Amy VanDeBrake, Clerk Treasurer

Ann Ball, Deputy Clerk Treasure