



NOTICE OF VILLAGE BOARD MEETING

DATE: Tuesday, May 21, 2024

TIME: 6:30pm

LOCATION: Combined Locks Civic Center,
Council Chambers, 405 Wallace Street

AGENDA

VILLAGE BOARD – 6:30pm

- A. Call to order
- B. Pledge of Allegiance
- C. Roll call

1. Public comment for matters not on the agenda
2. Swear in appointed trustee, Al Leicht
3. Fire Chief Year-to Date Report
4. Review and consider approval of committee appointments as recommended by Village President
5. Village Board election of President Pro Tem
6. Review and modify proposed storm water funds policy for private property projects
7. Review and consider approval of “residential area” sign for CTH HH/Ryan Street – County authorization needed
8. Other business, updates and future agenda items
 - a) Share information received regarding companies that monitor their truck drivers
 - b) Joint Review Board decision regarding TID 3 Amendment
9. Consider motion to move into closed session per Wis. Stat. 19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. *Consider wage adjustment*
10. Consider motion to return to open session; action if appropriate
11. Adjourn

Public Notice: Agendas are posted in the following locations: Combined Locks Civic Center main entrance and Village website: www.combinedlocks.wi.gov. 2015 Wisconsin Act 79 allows the publication of certain legal notices on an internet site maintained by a municipality. This law allows these types of legal notices to be posted in one physical location in the jurisdiction (instead of three) if also placed on an internet site maintained by the local government.

Special Accommodations: Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made with as much advance notice as possible to the Clerk's Office at 405 Wallace Street, 920-788-7740 extension 203 or email at gieser@combinedlocks.wi.gov.

Notice of Possible Quorum: A quorum of the Board of Review, Zoning Board of Appeals, Plan Commission, or other Village committee may be present at this meeting for the purpose of gathering information and possible discussion on items listed on this agenda. However, unless otherwise noted in this agenda, no official action by the Board of Review, Zoning Board of Appeals, Plan Commission, or other Village committee will be taken at this meeting.

Item #3

Chief Wiedenbauer will be present to share the Fire/EMS activities for the first quarter.

Item #4

**2024
COMMISSION-COMMITTEE TERMS/ASSIGNMENTS**

PLAN COMMISSION		
MEMBER NAME	TERM	TERM EXPIRATION
Ken Heckner - Chair	3 Years	05/01/27
Jeff Maynard	3 Years	05/01/25
Tim Mulry	3 Years	05/01/26
Nathan Romberg	3 Years	05/01/25
John Weyenberg	3 Years	05/01/26
Deane Mader	3 Years	05/01/26
Kevin Carney	2 Years	05/01/25

Ken Heckner reappointed to 3-year term as Plan Commission Chair.

Boards, Commissions and Committees

2-4-3

Sec. 2-4-3 Plan Commission.

- (a) **Composition.** The Plan Commission shall consist of a chairperson appointed by the Village President and confirmed by the Village Board, a Village Trustee appointed by the Village President and confirmed by the Village Board each year, and up to seven (7), but no less than five, (5) citizens appointed for three (3) years terms. The citizens shall be appointed so that no more than three (3) citizens are appointed annually.
- (b) **Duties.** The Plan Commission shall have such duties as are prescribed by the State Statutes and this Code of Ordinances.

ZONING BOARD OF APPEALS		
MEMBER NAME	TERM	TERM EXPIRATION
Tom Titzkowski	3 Year	05/01/25
Michael Korn	3 Year	05/01/26
Chad Pontow	3 Year	05/01/25
Roger Kirch	3 Year	05/01/26
Dick Janssen	3 Year	05/01/27
Alternate: Mike Rabetski	3 Year	05/01/27

Reappoint Dick Janssen to 3-year term. Appoint Mike Rabetski to 3-year term as alternate.

Boards, Commissions and Committees

2-4-2

Sec. 2-4-2 Zoning Board of Appeals.

- (a) **Establishment.** A Zoning Board of Appeals shall be appointed and governed by the State zoning enabling law as contained in Sec. 62.23, Wis. Stats., the Village Zoning Code and ordinances and this Section. The laws of the State or Village and local ordinances shall prevail in that order. The Zoning Board of Appeals shall consist of five (5) citizen members and one (1) alternate member, appointed by the Village President subject to confirmation by the Village Board, for a three (3) year term of office. The members shall be removable by the Village Board for cause upon written charges and upon public hearing. The Village President shall designate one of the members chairman.

SEX OFFENDER RESIDENCE BOARD		
MEMBER NAME	TERM	TERM EXPIRATION
Roger Kirch	5 Year	05/01/25
Justin Krueger	5 Year	05/01/27
Jennifer Pontow	5 Year	05/01/26
Ken Vander Wielen	5 Year	05/01/28
Racquel Shampo-Giese	5 Year	05/01/27

Reappoint Justin Krueger and Racquel Shampo-Giese to 5-year terms.

Ordinance Section 11-2-6

APPOINTMENTS TO SEX OFFENDER RESIDENCE BOARD

The Board shall consist of five citizens, three of whom shall constitute a quorum. The Village President shall annually, between the last Monday of April and the first Monday of May, appoint, in writing to be filed with the secretary of the Board, one member for a term of five years, subject to confirmation by the Village Board. For the initial creation of the Board, the Village President shall appoint one member for a one year term, one member for a two year term, one member for a three year term, one member for a four year term, and one member for a five year term.

Item #5

Trustees will nominate and elect a fellow trustee who will lead the meetings in the Village President's absence.

Item #6

The Town of Buchanan has a well-defined policy for property owners to request storm water funds for erosion problems on their private property. The request is for the Village to consider a similar policy that would be appropriate for each annual budget. This may mean having \$10,000 available each year for these types of projects, but having a cap of \$2,000 per property owner or parcel number.

Town of Buchanan Storm Water Utility

Stream Bank Erosion Control Project Policy – Garner's Creek Watershed

Adopted: 1/9/2020

Updated: 3/11/2021

INTRODUCTION

- Goals of the Storm Water Utility ("Utility") include reducing peak flow rates, reducing stream bank erosion, and improving water quality within the community watersheds.
- The Lower Fox River Total Maximum Daily Load (TMDL) has identified sediment and phosphorus load allocations / percent reductions required for the community watersheds.
- Stream bank erosion control projects reduce the amount of sediment and phosphorus discharged into Garners Creek and the Fox River.
- Stream bank erosion control projects may assist in complying with the Lower Fox River TMDL load allocations / percent reductions.

PURPOSE

- Clarify how potential stream bank erosion control projects are considered, reviewed and added to the Utility's Stream Bank Erosion Control Ranking List.
- To provide consistency in Utility policy over time which anticipates staff and elected official turnover.
- To reduce individual discretion in considering stream bank erosion control projects to ensure equal treatment in decision making.
- Provide public confidence in management of issues and use of Utility funds to construct stream bank erosion control projects.

DEFINITIONS

Area of Control – Area that covers waterways within the Utility District, up to 50' outside the banks of said waterway

Easement – A nonpossessory legal right to enter and/or otherwise use someone else's real property (land) for a specified purpose.

Garner's Creek Watershed – See Appendix C.

Stream Bank Erosion Control Project – A streambank stabilization project to protect the streambanks and correct erosion problems. These methods may include utilizing live plant materials, engineered structural measures, or both.

Total Maximum Daily Load (TMDL) – The amount of a pollutant a waterbody can receive and still meet water quality standards. Section 303(d) of the Clean Water Act requires all states to develop TMDLs for waters on the Impaired Waters List.

PROCEDURE FOR PROPOSED STREAM BANK EROSION CONTROL PROJECTS WITHIN THE GARNER'S CREEK WATERSHED GREATER THAN 1,000 CENTERLINE FEET

1. Property owner(s) makes formal request to Utility for a stream bank erosion control project. The project area should be greater than 1,000 centerline feet in one direction. Within the request there should be a project location map, site photos, project narrative and plans, a contractor quote on their letterhead and a petition signed by all the adjacent property owner(s) in the defined project area expressing their support for the project. The request should be received by the Utility no later than May 1st of each calendar year.
2. Utility Staff reviews the proposed project submittal. Utility Staff will determine if the location is in an eligible project area. The Utility will utilize the “Area of Control” as the determining factor for whether or not it is an eligible project.
 - a. If project is in an eligible project area, Utility Staff will notify property owner(s) that the project will be considered by the Utility.
 - b. If project is not in an eligible project area, Utility Staff will notify property owner(s) that the project will not be considered by the Utility.
3. All Property Owner’s in the project area shall sign an agreement to provide an easement for the Project and agree to compensate the Utility for the preliminary engineering fee for work described in Step 4. If there is a property owner(s) that does not want to sign an easement and/or take responsibility for the preliminary engineering fee the Utility will notify the property owner(s) that the project will not be considered by the Utility.
4. Utility Engineer conducts site review and prepares Preliminary Project Report. The Preliminary Project Report shall be completed with the following items, as described below:
 - a. Project location map
 - b. Site photos
 - c. Preliminary regulatory agency review
 - d. Complete Preliminary Wisconsin Department of Natural Resources (DNR) Bank Erosion Potential Index (BEPI) Worksheet, see Appendix A
 - e. Stream Bank Erosion Control Review and Scoring, per Ranking Criteria, see Appendix B
 - f. Preliminary cost estimate of proposed work
5. Utility Engineer sends Preliminary Project Report with Stream Bank Erosion Control Ranking and Scoring to the Utility Commission, Property Owner and Utility Manager.

- a. If ranking score is less than 20, the Utility Commission will not pursue the project.
 - b. If ranking score is 20 or greater, the Utility Commission will review whether to add the project to the ranking list of projects to be completed.
6. The Utility Commission determines the annual budget for Stream Bank Erosion Control Projects and selects applicable project(s). The number of projects selected is determined by adding the estimated costs of each eligible project until the allocated budget limit is reached. Projects are not selected in the order they were added to the ranking list, but rather by their associated ranking, estimated costs and financial resources available. The Utility Commission can authorize the construction of a proposed project regardless of its rank if it is determined that the project requires an 'emergency' repair.
 7. Utility Engineer presents project to property owner(s) and discusses amount of funding available, along with payment responsibility agreement for the project. Cost responsibilities* to determine what entity is responsible for the project costs incurred for the project. Property Owner accepts or denies the cost responsibilities to complete the work. If accepted, the project moves forward. If not accepted, the next highest-ranking project is selected.
 8. *The cost responsibility allocation (special assessment) for property owner(s) shall be by stream centerline footage.

The maximum grant the Utility will provide is 50% or up to \$132,000 of the project cost.

9. Utility Engineer completes the necessary regulatory agency reviews, completes a topographic survey, completes a DNR BEPI worksheet based on actual conditions and then completes construction plans with detailed cost estimates.
10. Utility Engineer submits permit applications upon full approval of the project by the Utility Commission.
11. The project is bid out and constructed once necessary permits are secured.
12. The property owner(s) pays their share of the project cost based on the payment responsibility agreement for the project.

Note: The entire project process from submittal to actual construction can take multiple years. The primary drivers behind this timeline are the permitting process and the amount of financial resources available for these projects. The Utility budgets \$55,000 on an annual basis for this program, unless adjusted by the Utility Commission based on funding available.

Typically, a DNR Chapter 30 Waterway/Wetland permit(s), an ACOE Permit (GP-002-WI) and a County Conditional Use Permit are required for these types of projects. Typically, the DNR permit must be obtained prior to applying for a County Conditional Use Permit, if necessary

PROCEDURE FOR PROPOSED STREAM BANK EROSION CONTROL PROJECTS WITHIN THE GARNER'S CREEK WATERSHED LESS THAN 1,000 CENTERLINE FEET

Property owner(s) makes formal request to Utility for a stream bank erosion control project. The project area should be less than 1,000 centerline feet in one direction. Within the request there should be a project location map, site photos, project narrative and plans and a contractor quote on their letterhead. The request should be received by the Utility no later than May 1st of each calendar year.

1. Utility Staff reviews the proposed project submittal. Utility Staff will determine if the location is in an eligible project area. The Utility will utilize the “Area of Control” as the determining factor for whether or not it is an eligible project.
 - If project is in an eligible project area, Utility Staff will notify property owner(s) that the project will be considered by the Utility.
 - If project is not in an eligible project area, Utility Staff will notify property owner(s) that the project will not be considered by the Utility.
2. Utility Engineer ranks all submitted projects using the Stream Bank Erosion Control Ranking Criteria, see Appendix B. Utility Staff may conduct a physical inspection based on the project conditions. The Stream Bank Erosion Control Ranking and Scoring is sent to the Utility Commission.
 - If ranking score is less than 20, the Utility Commission will not pursue the project.
 - If ranking score is 20 or greater, the Utility Commission will review whether to fund the project.
3. The Utility Commission determines the annual budget for Stream Bank Erosion Control Projects and selects applicable project(s). The number of projects selected is determined by adding the estimated costs of each eligible project until the allocated budget limit is reached. Projects are not selected in the order they were added to the ranking list, but rather by their associated ranking, estimated costs and financial resources available. The Utility Commission can authorize the construction of a proposed project regardless of its rank if it is determined that the project requires an ‘emergency’ repair.
5. Utility Engineer presents project to property owner(s) and discusses amount of funding available, along with payment responsibility agreement for the project. Cost responsibilities to determine what entity is responsible for the project costs incurred for the project. Property Owner accepts or denies the cost responsibilities to complete the work. If accepted, the project moves forward. If not accepted, the next highest-ranking project is selected.
 - *The cost responsibility allocation (special assessment) for property owner(s) shall be by stream centerline footage.

The maximum grant the Utility will provide is 50% or up to \$66,000 of the project cost.

6. Utility Engineer completes the necessary regulatory agency reviews, completes a topographic survey, completes a DNR BEPI worksheet based on actual conditions and then completes construction plans with detailed cost estimates.
7. Utility Engineer submits permit applications upon full approval of the project by the Utility Commission.
8. The project is bid out and constructed once necessary permits are secured.
9. The property owner(s) pays their share of the project cost based on the payment responsibility agreement for the project.

For any project over \$100,000, the Town will not move forward until an Urban Nonpoint Source and Storm Water Management Grant has been secured. After applying the grant amount to the project costs the remaining project cost shall be split 50/50 between the Utility and property owner(s).

The Urban Nonpoint Source and Storm Water Management Grant Program is administered by the Wisconsin Department of Natural Resources and provides grants up to \$150,000 at a 50%

cost share. Streambank and shoreline stabilization projects are an eligible project for this program. After signing a payment responsibility agreement if a property owner(s) would like to move forward with a project the Utility will evaluate this request and may or may not approve it.

Note: The entire project process from submittal to actual construction can take multiple years. The primary drivers behind this timeline are the permitting process and the amount of financial resources available for these projects. The Utility budgets \$55,000 on an annual basis for this program, unless adjusted by the Utility Commission based on funding available.

Typically, a DNR Chapter 30 Waterway/Wetland permit(s), an ACOE Permit (GP-002-WI) and a County Conditional Use Permit are required for these types of projects. Typically, the DNR permit must be obtained prior to applying for a County Conditional Use Permit, if necessary.

Item #7

Following a resident concern about semis and other large trucks driving without consideration for a residential neighborhood, I found sample signs for the Village Board to consider using. Installation of this type of sign will need authorization from the Outagamie County Highway Department.



Item #8

Sgt. Ross had mentioned that many trucking companies monitor their drivers' driving habits by using GPS or similar technology. I asked the logistics person at McKinley Paper what she might know about it. She then asked the mill's four largest carriers. Each replied in the affirmative. These are a few of the responses from the carriers:

- I can not speak for all trucking companies but Karl's Transport Inc. trucks are equipment with ELDs (Electronic Logging Devices) that monitor speed and safety events such as following distance, harsh brakes, harsh turns, and rolling stops.
- To answer your question below, trucking companies use several methods to track speeds and hard brakes: ranging from onboard (GPS) logging devices and tablets, to onboard cameras (inward and outward facing). Cameras work well because they can tell you the "why and how" of a speeding incident (including hard brakes), while GPS can provide trucking companies with a precise location of where the event occurred. Typically, someone in the safety department monitors camera and GPS tracking – modern technology is making it extremely easy to catch speeding and hard brakes. I can't speak for all trucking companies, but generally, the person responsible for monitoring the onboard technology, at a minimum, has a duty to make the driver and company leadership aware of events that are dangerous, negligent in nature, and pose risk to the community. Our team takes complaints seriously and provides immediate corrective action.
- Great questions on an important topic in our industry and in the best interest of public safety. Fleets equipped with intelligent dash cameras and robust safety teams manage all of those behaviors and to ensure safety as the #1 priority within their operations. Veriha Trucking has been using this type of technology for over a decade - please see the below link for more information on the hardware and service we use.