

**MISHICOT VILLAGE BOARD**  
**Regular Meeting**  
**September 6, 2022**

The Mishicot Village Board was called to order by President Samz at 7:00 p.m. at the Village Hall. Roll call indicated Trustees Becker, Beranek, Ferry, Franz, Kliment, Samz, and Wiegert. Chief Granger, John Tulachka, Clerk Reissmann, Rick Schwarz, Mike Koeppel, Brian Witkowski, Melissa Havlovitz and George Krause were also present.

President Samz led everyone in attendance in the Pledge of Allegiance.

A motion was made by Trustee Kliment to approve the August 16, 2022, meeting minutes as presented, seconded by Trustee Wiegert. All in favor, motion carried.

Clerk Reissmann informed the board about the request from Mike Koeppel to have the Village deed over the 30' alley way in the Fox Hills subdivision that should have been done back in 1997 but somehow fell through the cracks at that time but has already been added to the parcel maps of his property. A motion was made by Trustee Ferry, seconded by Trustee Beranek to approve deeding the 30' alley way in the Fox Hills subdivision to Mike Koeppel. All in favor, motion carried. Mike Koeppel will send a legal description so that the deed can be done.

Brian Witkowski from Witkowski Inspection Agency LLC gave an overview of his experience in building inspection. He is an independent agency based in Chilton. He stated he has 3 years of inspection experience and 25 years of building construction experience. He has a background in construction. He has the certifications in plumbing, electrical, and HVAC in residential and is working on the commercial certifications. A few board members asked questions and whether he had any experience in dealing with blighted issues. He indicated that he had and further discussions were held.

Discussion was held regarding the condemnation of 163 S Rockway St. Rick informed the board on where he was at with this. Attorney Lambert's email was read, "that the board needs to make the determination that the home is old, dilapidated or out of repair and consequently dangerous, unsafe, unsanitary or otherwise unfit for human habitation and unreasonable to repair. The board can then issue an order for the owner to raze the building or, if the building can be made safe by reasonable repairs, order the owner to make the building safe and sanitary or raze it at the owner's option. The raze order should have a time limit by which the raze or repairs need to be completed." The board wishes to contact Attorney Lambert when he is back from vacation to proceed on this. It was also discussed that if emergency personnel needed to get in the house, they may not be able to get in. Rick Schwarz gave his opinion on Brian Witkowski and recommends him for the job.

Champs request to close Church Street on October 15<sup>th</sup> was presented. Information from the Village's insurance company as well as the State of Wisconsin Alcohol and Tobacco Enforcement office was shared. The insurance company requested that Champs add the Village as an additional insured for the date of the event. The State suggested that the Village temporarily extend their premises to the area of the street contiguous to Champs for the date of the event only. Discussion was held. A motion was made by Trustee Becker, seconded by Trustee Kliment to approve closing part of Church Street between the hours of 5 pm - 11 pm, temporarily extend Champs premises to the area of the street contiguous to Champs and to require Champs to add the Village as an additional insured for the date of the event, October 15<sup>th</sup>. All in favor, motion carried.

Chief Granger informed the board that he had emailed Attorney Lambert in regards to the ATV/UTV request but has not received a response yet. He also noted that he will be attending the October Manitowoc County Highway Commission meeting as they will be discussing this as well. Chief Granger recommended not allowing the hunting request to hunt on Village property at this time. He indicated that we need to have

things in place before allowing people to hunt on public land. Chief Granger will contact the interested party and let them know that the board is not allowing hunting on public land at this time. Chief Granger presented the board with a Special Permit Request for Amplified Noise. This application is to request permission to allow for the producing of noise in excess of the Mishicot Ordinance 260-21. Trustee Wiegert brought up the issue of speeding vehicles on Main Street and noted that the dump trucks were the main issue. Discussion was held.

John informed the board that he asked the County for a budget estimate for the parking lanes on County Hwy B to Pit Road and they gave him a figure of \$110,000 for 2023 that the Village needs to pay for and whether to budget for it or borrow the money for it. Discussion was held. President Samz asked John about the purple street lights in front of his house. John has already reported it. Trustee Wiegert asked about the double telephone poles on Main Street and why they are still there. John stated that Frontier are the ones who still have their lines on the old poles and it's been very slow/hard to get them to change the lines over.

Trustee Ferry indicated that she was at the Progress Lakeshore meeting and gave them a report about things happening in the Village. She also gave a report to them on Kickin' Addiction. She also asked the board what they wanted to set for Halloween Trick or Treat hours. Discussion was held and it was decided that Trick or Treat hours will be held on Monday, October 31<sup>st</sup> from 4 pm to 6 pm.

Trustee Beranek gave a summary on the Mishicot Concert series and the revenue brought in to MAGIC for the summer. Attendance was up about 1,000 people from last year and noted it was a good season.

President Samz indicated that he received a couple complaints regarding burning barrels on S. Main St and Church St. Discussion was held and it was indicated that a permit is needed for burning in a burning barrel. Chief Granger noted that if someone is complaining, they need to leave a name in order for the police to follow up on the complaint.

Clerk Reissmann stated she emailed the invite for the Manitowoc County Village Association meeting information and asked for a count in who was going to attend. RSVP's are due by October 5<sup>th</sup>. She also informed the board that Krissy Miller from The Detour is requesting to borrow tables and chairs from the VFW for a birthday party they are having for 100-200 people. Discussion was held and the board decided not to allow this due to the liability involved and then it would set a precedent of allowing everyone to use them. The Clerk also noted that she received a request for paperless billing from a customer so she created two new forms for the water & sewer bills, one for paperless billing and another for direct payment for the utility bills. Trustee Ferry asked how the delinquent water & sewer bills were going. The forms will be put on the village website for residents to download.

Discussion was held again in regards to the building inspector position and the board indicated they would like the Public Works Committee along with Rick Schwarz, the Clerk and President Samz to meet with Brian Witkowski again and go over more details and a contract with him. It was discussed to maybe make some calls for references. The Clerk will set up a meeting with Brian for next week.

A motion was made by Trustee Kliment to approve the Class "B" Picnic license #4 for the Indian Diamond Club and operator licenses #72, Erica J Greinier; #73, Megan Victoria Marsh; #75 and Colleen Homb, seconded by Trustee Becker. All in favor, motion carried.

President Samz introduced general fund claims in the amount of \$82,372.91, water utility fund claims in the amount of \$7,067.67 and sewer utility fund claims in the amount of \$33,057.01 for Board action. A motion was made by Trustee Beranek to accept the claims as presented and posted, seconded by Trustee Ferry that claims totaling \$64,395.76 to be approved and the Treasurer to be authorized the same. Roll call indicated as follows: Ayes-7; Nays-0; Absent-0, motion carried.

A motion was made by Trustee Kliment, seconded by Trustee Franz to approve the Mishicot Park Rental Guidelines form. All in favor, motion carried.

A revised fee schedule was presented with the addition of the annual golf cart registration fee of \$35. Discussion was also held on the water connection fee for a new home. It was decided to combine the water and sanitary connection fee at the current fee of \$350. A motion was made by Trustee Becker, seconded by Trustee Wiegert to add the golf cart registration fee and combine the water & sewer connection fee. Roll call indicated as follows: Ayes-7; Nays-0; Absent-0, motion carried.

The Cooperative Recycling Agreement with Manitowoc County was presented for renewal. A motion was made by Trustee Becker, seconded by Trustee Kliment to renew the Cooperative Recycling Agreement with Manitowoc County. All in favor, motion carried.

Chief Granger presented Ordinance 2022-06 Parking Ordinance, which is amended to add item G. (13). A motion was made by Trustee Beranek, seconded by Trustee Franz to approve Ordinance 2022-06 as presented. Roll call indicated as follows: Ayes-7; Nays-0; Absent-0, motion carried.

Clerk Reissmann presented a Street Closure Application noting that there needs to be a procedure for these requests so that they can be tracked and approved. Discussion was held on whether to charge a fee or if the village is providing the barricades. It was decided to not charge a fee at this time. A motion was made by Trustee Becker, seconded by Trustee Kliment to approve the Street Closure Application without a fee. All in favor, motion carried.

Clerk Reissmann also presented a Sign Permit Application noting that the current village ordinance states that no sign shall be erected without a permit and there is currently no application for a permit. This form provides an avenue for someone to apply for a sign permit. A motion was made by Trustee Beranek, seconded by Trustee Franz to approve the sign permit application form. All in favor, motion carried.

The condemnation procedure of 163 S. Rockway was discussed. The process is started so we have to keep going on it. The matter will be turned over to the Village Attorney Mike Lambert for action.

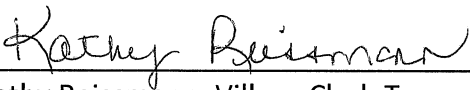
A discussion was held on whether the Village should charge MAGIC for labor reimbursement on labor used for MAGIC activities. The collection of room tax was also discussed and noted that we will not be receiving the amount that was budgeted and will therefore be a shortfall in revenue thereby being a shortfall in the amount that is paid to MAGIC. Further discussions were held.

Trustee Wiegert left at 9:00 pm.

President Samz read an email received by Lee Brocher thanking the police department for the prompt response to the traffic speed on Randolph St.

A motion was made by Trustee Kliment, seconded by Trustee Beranek to adjourn at 9:12 pm until the next meeting on September 20, 2022. All in favor, motion carried.

Respectfully Submitted by:

  
Kathy Reissmann, Village Clerk-Treasurer



**ORDINANCE 2022-06**  
**VILLAGE OF MISHICOT**

AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF MISHICOT BY ADDING ITEM G. (13) TO CHAPTER 336-6 THEREOF, "PARKING LIMITATIONS", WHICH CHAPTER PROVIDES FOR RULES AND REGULATIONS REGARDING PARKING WITHIN THE VILLAGE LIMITS.

It is hereby ordained by the VILLAGE OF MISHICOT, Manitowoc County, Wisconsin, as follows:

**§ 336-6 Parking limitations.**

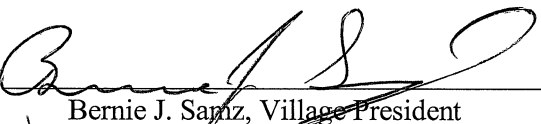
- A. Parallel parking. No person shall park any vehicle upon the streets in the Village if such vehicle is not parked parallel to the right-hand curb not more than 12 inches from the curb, except where appropriate markings on the Village streets have been placed which indicate a different angle of parking.
- B. Not to use more than one space. No person shall use more than one parking space to park a vehicle in the Village if such parking space has been indicated by appropriate markings.
- C. Posted limitations. The Village Board may designate certain streets or portions of streets as no parking or no stopping or standing zones or as zones for parking by physically handicapped persons and may limit the hours in which the restrictions apply. The Village shall mark, by appropriate signs, each zone so designated in accordance with the provisions of § 349.13, Wis. Stats. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device, no person shall stop or park a vehicle in an established no stopping or standing zone when stopping or standing is prohibited. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except physicians on emergency calls or as permitted by state law or elsewhere by this Code. The Chief of Police is hereby granted the authority, within the reasonable exercise of police power, to prohibit, limit the time or otherwise restrict the stopping, standing or parking of vehicles beyond the provisions of Ch. 346, Wis. Stats., and shall also have the authority to restrict the turning or movement of heavy traffic and to impose special weight limitations on any highway or portions thereof which, because of the weakness of the roadbed due to deterioration or climatic conditions or other special or temporary conditions, would likely be seriously damaged or destroyed in the absence of any restrictions on heavy traffic movement or special weight limitations. No prohibition, restriction or limitation on parking or restriction on movement or turning of heavy traffic and imposition of special weight limits is effective unless official traffic control devices have been placed or erected indicating the particular prohibition, restriction or limitation.
- D. Seventy-two-hour limitation. No person shall park or leave standing any vehicle on any street in the Village for a period of 72 or more consecutive hours in the same location at any time. When any police officer shall find a vehicle standing upon a street in violation of the provisions of this section, he is authorized to move such a vehicle or require the operator in charge thereof to move such vehicle to a position permitted under this chapter. The police officer may cause said vehicle to be removed to a proper impoundment and storage area within the Village where storage space is available, and in such case the owner shall pay the costs of removing said vehicle and the storage fees on said vehicle before he may recover the possession thereof.
- E. Night parking limitations. Except for physicians on emergency calls, no motor vehicle shall be left unattended or parked on any Village Street on any day between the hours of 2:00 a.m. and 7:00 a.m. during the months of December 1 through March 31.

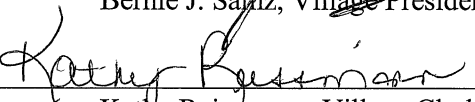
- F. No trailer unit of any type shall be left on any roadway at any time unless it is attached properly to a towing vehicle unless authorized by the Police Department (example: boat trailer, utility trailer, horse trailer, etc.).
- G. Parking prohibited. No person shall stop, park or leave standing any vehicle, whether attended or unattended and whether temporarily or otherwise, in any of the following places:
- (1) Within an intersection.
  - (2) On a crosswalk.
  - (3) On a sidewalk or sidewalk area, except when parking in such place is clearly indicated by official traffic signs or markers or parking meters.
  - (4) Alongside or opposite any highway excavation or obstruction when such stopping or standing would obstruct traffic or when pedestrian traffic would be required to travel in the roadway.
  - (5) On the roadway side of any parked vehicle unless double parking is clearly indicated by official traffic signs or markers.
  - (6) Within 20 feet of the driveway entrance to a fire station or as otherwise posted.
  - (7) Upon any portion of a highway where and at the time when stopping or standing is prohibited by official traffic signs indicating the prohibition of any stopping or standing.
  - (8) In any place or manner so as to obstruct or hinder traffic.
  - (9) More than 12 inches from the curb.
  - (10) On the wrong side of the street, facing oncoming traffic.
  - (11) On any Village-owned area where lawn has been planted without permission.
  - (12) Within four feet of a driveway entrance.
  - (13) No person shall, without the permission of the owner or lessee of any private property, leave or park any vehicle on said private property.

This ordinance shall take effect the day after posting.

Passed and adopted this 6<sup>th</sup> day of September, 2022.

Vote For: 7      Vote Against: 0      Not Voting: 0

Signed by:       Date: 9-6-22  
Bernie J. Sanz, Village President

Attest:       Date: 9/6/22  
Kathy Reissmann, Village Clerk-Treasurer

Date adopted: 9/6/22  
Date posted: 9/7/22  
Date effective: 9/8/22