

**VILLAGE OF SUSSEX  
SUSSEX, WISCONSIN**

**Minutes of the Village Board Public Hearing of July 26, 2016**

The Public Hearing was opened at 7:00 p.m. by President Greg Goetz.

Members present: Bob Zarzynski, Wendy Stallings, Pat Tetzlaff, Tim Dietrich, Matt Carran, Lee Uecker and Greg Goetz.

Trustees excused: None

Others present: Administrator Jeremy Smith, Attorney John Macy, Assistant Administrator Melissa Weiss, Administrative Services Director Casen Griffiths, Interim Fire Chief Tony Emanuele and members of the press and public.

President Goetz read the notice of public hearing which is to hear comments from citizens on an ordinance to repeal and recreate Section 17.0800 entitled "Signs" of Chapter 17 of the Village of Sussex Zoning Code.

Mr. Smith stated that the proposed changes to the ordinances was the result of a Supreme Court ruling that requires all sign regulations to be content neutral. An ordinance is allowed to regulate signage but it must regulate based upon things such as location, size, materials and lighting. A committee worked on the changes and staff feels that the changes are consistent and compliant with the law. Despite the change there is likely very little expected to change for citizens and businesses.

Mr. Zarzynski questioned the Village's ability to regulate signs that may be vulgar or may state something untrue or derogatory to an individual. Mr. Smith noted that the Supreme Court ruling and prohibits regulations of speech on signage. Mr. Carran asked if there would be some recourse if the signage was creating a public safety hazard or issue. Attorney Macy stated that there has always been the provision on limitation of free speech based upon public safety, for instance an individual is not allowed to yell "fire" in a theater when no such threat exists. There are mechanisms for the individual to seek legal recourse for libel or slander. Mr. Smith noted that If a sign is posted that would have offensive language then the Village would need to look at the governmental interests of public safety versus the rights of the individuals freedom of speech.

President Goetz opened the hearing to take comments from citizen present. There was no one present who wished to be heard.

A motion by Stallings, seconded by Carran to close the public hearing at 7:07 pm. Motion carried

Respectfully Submitted,

Casen J. Griffiths  
Administrative Services Director

**VILLAGE OF SUSSEX  
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**Minutes of the Village Board Meeting of July 26, 2016**

The meeting was called to order at 7:08 p.m. by President Greg Goetz.

Members present: Bob Zarzynski, Wendy Stallings, Pat Tetzlaff, Tim Dietrich, Matt Carran, Lee Uecker and Greg Goetz.

Trustees excused: None

Others present: Administrator Jeremy Smith, Attorney John Macy, Assistant Administrator Melissa Weiss, Administrative Services Director Casen Griffiths, Interim Fire Chief Tony Emanuele and members of the press and public.

A motion by Tetzlaff, seconded by Zarzynski to approve the minutes of the Village Board meetings held on June 28, 2016 and July 12, 2016 with the amendment that Trustee Carran's name be removed from members present list in the July 12<sup>th</sup> meeting minutes as he was not in attendance at the meeting.  
Motion carried.

Village President Report. President Goetz reported on the following. The Lions Daze event was excellent and both groups did a great job with the event. The Sussex 5K run was on July 16<sup>th</sup> and had 304 participants, which is the largest group the race has had. The Board of Fire Commissioners will meet on Tuesday, August 2<sup>nd</sup> at 5:00 pm at the Public Safety Building. Also meeting on August 2<sup>nd</sup> at Village Hall will be The Public Works Committee at 6:00 pm at with the Finance Committee meeting immediately after. The Architectural Review Board will meet Wednesday August 3<sup>rd</sup> at 10:00 am at Village Hall. And National Night Out will also be on Wednesday, August 3<sup>rd</sup>.

A motion by Uecker, seconded by Tetzlaff to accept the change in position of Fire Chief from part time to full time and direct staff to implement the position.  
Motion carried.

A motion by Uecker, seconded by Goetz to direct staff to work with the Board of Fire Commissioners to determine a job description and duties and to table action on a pay range for the position.  
Motion carried.

A motion by Goetz, seconded by Carran to direct staff to place the appropriate wage information into the 2017 budget for a full time Fire Chief position.  
Motion carried.

Trustee Carran reported that the Community Development Authority was scheduled to meet on Thursday, July 18<sup>th</sup>, but was unable to do so due to a lack of quorum. Due to not having a meeting, the CDA was unable to make a recommendation on the design for gateway pillars.

A motion by Carran, seconded by Tetzlaff to approve Lannon stone pillars with lit bronze tree logos at two locations, Silver Spring Drive on the North Side of the street and on the south side of Maple Avenue at the intersection of Main Street.  
Motion carried (6-1, Trustee Dietrich opposed).

Trustee Stallings noted that the Parks and Recreation Board met on Tuesday, July 16<sup>th</sup> and discussed the upcoming budget review.

Trustee Dietrich presented the report of the Pauline Haass Library Board, noting that the Board had considerable discussion about the need for a fulltime staff due to increased circulation numbers.

A motion by Tetzlaff, seconded by Dietrich to approve the CSM to combine properties at N64W23661 Main Street and N63W23637 Main Street and grant right-of-way to the Village of Sussex for road improvements.  
Motion carried.

A motion by Tetzlaff, seconded by Uecker to approve the Final Plat for Sussex Preserve located on the west side of Maple Avenue south of Clover Drive. Motion carried

A motion by Tetzlaff, seconded by Carran to approve an Ordinance to repeal and recreate Section 17.0800 Entitles "Signs" of Chapter 17 of the Zoning Code Ordinance of the Village of Sussex Municipal Code. Motion carried.

Trustee Zarzynski noted that the Public Safety and Welfare Committee did not meet this month and that their next meeting is scheduled for Tuesday, August 16<sup>th</sup>.

A motion by Zarzynski, seconded by Uecker to approve monthly payments in the amount of \$3,200,612.71. Motion carried.

A motion by Zarzynski, seconded by Stallings to approve a temporary Class "B" Picnic License for the Sale of Fermented Malt Beverages by the Sussex Area Service Club, Inc. at Sussex Village Park for the Sussex Area Service Club Big Engine Show from August 27-28, 2016. Motion carried

A motion by Zarzynski, seconded Tetzlaff to approve Operator's Licenses for: Melody Wehland, Miranda Frigerio and Solange Kealey subject to the standard conditions of operator approval. Motion carried

A motion by Zarzynski, seconded by Stallings to deny of the license applications for Deatric Jones and Walter Fahey for failure to complete the application process and appear before the committee. Motion carried.

A motion by Dietrich, seconded by Uecker to approve Public Works Bills for payment in the amount of \$1,357,506.70. Motion carried.

A motion by Dietrich, seconded by Carran to approve an Ordinance to repeal and recreate Chapter 7 Subsection 7.54 entitled "OBSTRUCTIONS AND ENCORACHMENTS" of the Village of Sussex Municipal Code. Motion carried.

A motion by Dietrich, seconded by Zarzynski to approve the Developer's Agreement for Sussex Town Center Phase 2. Motion carried.

Mrs. Weiss noted that work is progressing on the Civic Campus and Main Street and that final edits on the Courier were being completed and the newsletter will be out shortly. Mr. Smith noted that staff has been working hard on the 2017 budget, with department heads presenting reasonable requests. The Board will have some policy decisions to make with the budget. Attorney Macy noted that there were a few legal decisions that have come down in the past few weeks but they did not have major implications for municipalities. Mr. Griffiths reported that the Partisan Primary Election will be held on Tuesday, August 9<sup>th</sup>. In office absentee voting has started and we have had a few individuals come in to vote. If someone is not registered to vote yet, there is still time, they may do so until the Friday before the election or they may do so on Election Day. Trustee Carran asked about photo identification requirements. Mr. Griffiths noted that photo identification is still required, even with the recent court decision.

Comments from citizens present: None

Old Business:

A motion by Dietrich, seconded by Zarzynski to approve the awarding of the bid to Jones Sign Company in the amount of \$49,000 for the construction of the new Civic Center monument sign as this was the lowest responsive bid received. Motion carried.

A motion by Goetz, seconded by Uecker to approve option "A" with a metal panel for the new signage in the Board Room of the Civic Campus. Motion carried.

New Business:

A motion by Goetz, seconded by Carran to approve the Articles of Incorporation of the Sussex Civic Campus Condominium Association, Inc., Bylaws of the Sussex Civic Campus Condominium Association, Inc. and Declaration of Condominium. Motion carried.

Consideration and possible action on resignations and appointments:

A motion by Goetz, seconded by Dietrich to approve the nomination of Sandy Schultz to the vacant Library Board position, which was opened by the resignation of Steve Kosta. Motion carried.

A motion by Zarzynski, seconded by Stallings to adjourn the meeting at 8:08 p.m. Motion carried.

Respectfully submitted,

Casen J. Griffiths  
Administrative Services Director