

AGENDA: LOMIRA VILLAGE BOARD MEETING
Chamber Room at 425 Water Street, Lomira
August 9, 2023 7pm

Call to Order

Roll Call

President Luedtke
Trustee Jewell
Trustee Kohlmann
Trustee Loomans
Trustee More
Trustee Priesgen
Trustee Ritger

Pledge of Allegiance

Consider agenda as presented

Consider minutes of previous meeting

Appearances and public comment (limited to 2 minutes per person)

Consider bond schedule for Dodge County Sheriff's Office to use within the Village

- Bonds for keeping of vicious dogs, junk vehicles/accessories on public property, junk vehicles/accessories on private property, theft of motor vehicle parts or accessories, depositing materials on streets and sidewalks

Consider a temporary Class B retailer's license to Lomira Fire Department to sell at 275 Pleasant Hill Avenue on Saturday, August 19th

Consider a temporary Class B retailer's license to Theresa Firemen's Park, Inc. to sell at 275 Pleasant Hill Avenue on Saturday, August 19th

Consider an operator's liquor license to Kay Mayer and Jennifer Immel

Consider Ordinance #348, no parking on Church Street

- Need updated ordinance to comply with State regulation

Consider Ordinance #349, creation of Chapter 21 – Modes of Transportation

- Chapter created for easier access for regulations pertaining to bikes, skateboards, etc. and changed regulations for modes of transportation on streets/sidewalks

Consider Ordinance #350, truck traffic

- Updated to include all streets trucks are permitted

Consider Ordinance #351, dangerous dogs

- Updated to include definition of dangerous/vicious dogs and regulations

Consider Ordinance #352, fancier's permit and animal establishment permit

- Updated to include breeding, pet stores, etc.

Consider Ordinance #353, keeping of animals

- Updated to include definition of exotic animals and prohibited animals, regulations

Consider Resolution #1030, ARPA Phase 7 ExpressVote voting machine

- 2023 budget includes an allocation of \$2,200 for this machine

Consider setting a Trick-or-Treat date and time

- Typically the Sunday before Halloween (Sunday, October 29th from 3pm to 5pm)
- Packers play the Vikings at noon on Sunday, October 29th

Consider August bills as listed: General Fund \$70,344.71; Promotional Fund \$622.48; Utility Fund \$16,843.07

Committee Reports:

- PD & FD: monthly report of PD operations
- Library: monthly report of programs, circulation, upcoming events
- Streets: monthly DPW report of maintenance schedule and projects
 - Consider a street sign design for future use (designs provided in monthly report)
 - Keep red signs (\$195.74/intersection)
 - Change to green extruded double-sided signs (\$159.90/intersection)
 - Change to green flat aluminum double-sided signs (\$139.90/intersection)
- Administrator's Report of monthly updates

Adjourn

Jenna Rhein
Village of Lomira Administrator-Clerk-Treasurer

Agendas are posted in the following places: Lomira municipal building and website www.villageoflomira.com at least 24 hours before meeting(s). Persons requiring additional services to participate in any public meeting should contact the Clerk-Treasurer's office at 920-269-4112 option 2 for assistance prior to the meeting.

VILLAGE OF LOMIRA BOARD MEETING MINUTES
AUGUST 9, 2023

This meeting was called to order at 7pm by President Donald Luedtke.

Attendance: Donald Luedtke, Joey Jewell, Eric Kohlmann, Jessica Loomans, Gary More, Jennifer Priesgen, Scott Ritger

Public Attendance: Leah with the Dodge County Pionier, Sgt. Counard, Ashley Gualderama

Motion by Tr. Kohlmann, seconded by Tr. More to approve the agenda as presented. Motion carried.

Motion by Tr. Priesgen, seconded by Tr. Kohlmann to dispense reading of the previous meeting minutes and approve as emailed. Motion carried.

Motion by Tr. More, seconded by Tr. Ritger to approve the bond schedule for Dodge County Sheriff's Office to use within the Village. Motion carried. Sgt. Counard provided an list of bond schedules for approval that were not included in the previous schedule.

Motion by Tr. Ritger, seconded by Tr. Jewell to grant a temporary Class B retailer's license to Lomira Fire Department to sell at 275 Pleasant Hill Avenue on Saturday, August 19th. Motion carried.

Motion by Tr. Ritger, seconded by Tr. Kohlmann to grant a temporary Class B retailer's license to Theresa Firemen's Park, Inc. to sell at 275 Pleasant Hill Avenue on Saturday, August 19th. Motion carried.

Motion by Tr. More, seconded by Tr. Jewell to grant an operator's liquor license to Kay Mayer and Jennifer Immel. Motion carried.

Motion by Tr. Priesgen, seconded by Tr. More to approve Ordinance #348, no parking on Church Street. Motion carried by roll call vote. State of WI DOT mandates there cannot be parking on Church Street due to the narrow driving lanes.

Motion by Tr. More, seconded by Tr. Kohlmann to adopt Ordinance #349, creation of Chapter 21 – Modes of Transportation. Motion carried by roll call vote. The chapter is created for easier access for regulations pertaining to bikes, skateboards, etc. and it also addresses regulations for modes of transportation on sidewalks and streets.

Motion by Tr. Priesgen, seconded by Tr. More to adopt Ordinance #350, truck traffic. Motion carried by roll call vote. This ordinance provides the routes that trucks are permitted within the Village.

Motion by Tr. More, seconded by Tr. Priesgen to adopt Ordinance #351, dangerous dogs. Motion carried by roll call vote. This ordinance defines what a dangerous dog is and regulations thereof.

Motion by Tr. More, seconded by Tr. Kohlmann to adopt Ordinance #352, fancier's permit and animal establishment permit. Motion carried by roll call vote. This ordinance provides regulations and definitions for animal fanciers and boarding regulations.

Motion by Tr. Jewell, seconded by Tr. Priesgen to adopt Ordinance #353, keeping on animals. Motion carried by roll call vote. This ordinance details the definition and regulation for exotic animals and prohibited animals.

Motion by Tr. Ritger, seconded by Tr. More to adopt Resolution #1030, ARPA Phase 7 ExpressVote voting machine. Motion carried by roll call vote. An additional ExpressVote will be available for residents to use on Election Day. \$1,500 will be utilized from the ARPA funds and \$2,200 will be utilized from the 2023 approved budget.

Motion by Tr. Priesgen, seconded by Tr. Loomans to set Village of Lomira trick-or-treat as Sunday, October 29th from 3pm to 5pm. Motion carried.

Motion by Tr. More, seconded by Tr. Jewell to approve the August bills as listed: General Fund \$70,344.71; Promotional Fund \$622.48; Utility Fund \$16,843.07. Motion carried.

Sgt. Counard presented the monthly Sheriff's Office report of police operations within the Village.

The monthly Library report was reviewed.

The monthly Department of Public Works report was reviewed. Motion by Tr. More, seconded by Tr. Jewell to table decision on new street sign design. Motion carried. The Board would like to see a blue option and pricing.

The administrator's monthly report was reviewed.

Motion by Tr. Priesgen, seconded by Tr. Kohlmann to adjourn at 7:53pm. Motion carried.

Jenna Rhein
Village of Lomira Administrator-Clerk-Treasurer

Bond Schedules to be considered August 9, 2023

LM4-2 Keeping Vicious Dogs

1st offense: \$200 deposit; \$389.50 bond

2nd offense: \$300 deposit; \$515.50 bond

LM14-133(c)(1) Junk vehicles / accessories on public property more than 48 hours

1st offense: Warning and 3 days to correct

2nd offense: \$50 deposit; \$200.50 bond

3rd/subsequent offense: \$100 deposit; \$263.50 bond

LM14-133(c)(2) Junk vehicles / accessories on private property more than 5 days

1st offense: warning and 5 days to correct

2nd offense: \$50 deposit; \$200.50 bond

3rd / subsequent offense: \$100 deposit; \$263.50 bond

LM16-2 Theft of motor vehicle parts or accessories

\$200 deposit; \$389.50 bond

LM20-3 Depositing materials on streets and sidewalks prohibited (same as illegal dumping)

1st offense: Warning

2nd offense: \$30 deposit; \$175.30 bond

3rd / subsequent offense: \$50 deposit; \$200.50 deposit

ORDINANCE NO. 348
No parking on Church Street

The Village Board of the Village of Lomira, Wisconsin, hereby ordains to add in Section 22-4(a)(3) as follows:

(3) Church Street. There shall be no parking on Church Street (Highway 67) within the Village between County Road H and East Avenue. Parking is prohibited on the north side and south side of the street. "No Parking" signs are placed in this location.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 348 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2023.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

ORDINANCE NO. 349

Bicycles, Scooters, Skates, Skateboards, Play Vehicles

The Village Board of the Village of Lomira, Wisconsin, hereby ordains Section 22-5 – Bicycles be removed from the municipal code and Chapter 21 – Modes of Transportation be created to read as follows:

Sec. 21-1 (a) Bicycles.

1. Definition. The term “bicycle” as used in this section, has the meaning provided in Wis. Stats. §340.01(5).
 2. Nothing in this section shall be interpreted to prohibit issuance of registration to owners of bicycle-type vehicles having smaller diameter wheels than set forth in Wis. Stats. §340.1(5), upon request, but such registration shall be for the sole purpose of aiding in the recovery of such vehicles in case of loss or theft and shall not be construed as allowing such vehicles to be operated upon the public roadway in violation of Wis. Stats. §346.78.
- (a) Registration application.
- (1) Bicycle registration recommended. Serial number required. If such bicycle has no serial number, a serial number shall be stamped on the frame of such bicycle at the Village Clerk’s office. The Clerk shall write the serial number found or stamped on the bicycle on an application form provided by the Village.
 - (2) Application for a bicycle registration shall be made to the Village of Lomira Clerk who shall provide a proper form therefor. Upon inspection and proper application, the Clerk shall issue, or cause to be issued, a proper bicycle registration sticker, which shall be effective from the date of issue for as long as the registered bicycle remains in that household.
 - (3) Registration display, removal and unauthorized use of bicycle. Bicycle registrations shall be affixed upon the bicycle in a prominent place. No person shall deface or mutilate a registration sticker placed upon any bicycle, nor shall any person take any bicycle from the purpose of riding or propelling the same upon the streets or other public way of the Village without consent of the owner or person in the rightful possession thereof. No person other than the owner shall remove any such registration sticker attached to any bicycle, or upon a change of ownership requiring registration under subsection (b)(2) of this section.
 - (4) Lost or stolen registration. Reissue of lost or stolen registrations will be remade by the Clerk.
 - (5) Change of address. The owner of the bicycle registered in the Village of Lomira shall notify the Village Clerk of any change of address within 30 days of change.
 - (6) Abandoned bicycles. No person shall retain possession of a bicycle found abandoned within the Village of Lomira unless law enforcement is notified by the custodian within 24 hours of the time of discovery.
- (b) Regulation of bicycle operation. The provisions of this section shall apply to all persons operating a bicycle upon the streets in the village, whether such person is a resident of the village or not.
- (1) Carrying passengers. No person shall ride or propel a bicycle on a street of the village with another person upon said bicycle unless such bicycle is so constructed as to be a tandem bicycle. The bicycle shall have a separate seat, separate pedals, and separate handlebars for each additional occupant. The only exception to this subsection shall be to permit more than one person on a bicycle if the operator of the bicycle is 16 years of age or older and the passenger is riding in a carrier equipped as follows:
 - a. Foot stirrup with spoke shields
 - b. Arm rests

- c. Strap going around the waist of the passenger
 - d. Firm seat and back
 - e. Attachment to frame at three points with bolts or nuts
- (2) Lights. Every bicycle operated upon a street between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp on the front thereof exhibiting a white light visible from a distance of at least 500 feet to the front, and with a red reflector on the rear as required by state statutes.
 - (3) Dangerous operation. No person shall operate a bicycle upon the streets without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual or extraordinary skill and involves unnecessary risk.
 - (4) Riding single file. No person shall ride or propel a bicycle upon any street in the village abreast of any other person riding or propelling a bicycle.
 - (5) Right-turning procedure. The operator of a bicycle intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street, and in turning, shall keep as closely as practicable to the right-hand edge or curb of the highway.
 - (6) Left-turning procedure. The operator of a bicycle intending to turn to the left at an intersection or into private driveway shall make such turn from the traffic lane immediately to the left of the center of the intersection, passing as closely as practicable to the left of the center of the intersection, and shall leave the intersection immediately to the right of the center of the intersecting street.
 - (7) Illegal procedure at signal-controlled intersection. At any intersection where traffic is controlled by a traffic control signal or by a traffic officer, it is unlawful for the operator of a bicycle to turn the same at the intersection so as to proceed in the opposite direction.
 - (8) U-turns. It is unlawful for the operator of any bicycle operating on any street in a business district, or upon any artery for through traffic in a residential district, to turn such bicycle so as to proceed in the opposite direction at any place, except at an intersection where such turns are permitted.
 - (9) Passing other bicyclists. The operator of any bicycle overtaking another bicycle proceeding in the same direction shall pass such vehicle at a safe distance to the left thereof, but no person operating a bicycle shall pass or attempt to pass another bicycle proceeding in the same direction unless such passing can be made in safety and at a place on a street other than at an intersection.
 - (10) Obedience to traffic officer. It is unlawful for the operator of any bicycle to refuse or fail to comply with any lawful order, signal, or direction of a traffic officer, and it is unlawful for any such operator of such bicycle upon any street to disobey the instructions of any official traffic sign, or signal placed in accordance with the laws of the state and with this Code.
 - (11) Clinging to other vehicles. No person riding a bicycle shall cling to or attach themselves or a bicycle to any moving vehicle.
 - (12) Contests with other vehicles. No person operating a bicycle shall participate in any race, speed, or endurance contest with any other moving vehicle on a Village street.
 - (13) Stunt riding. No rider of a bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle.
 - (14) Parking. No bicycle shall be parked upon any sidewalk area or upon any roadway area in such a manner as to interfere with free passage of the public.
 - (15) Riding on sidewalks. Bicyclists shall be permitted to ride bicycles on sidewalks, providing they yield to pedestrians.
 - (16) Age limits. No person less than eight years of age shall operate a bicycle on Village streets, except that persons six and seven years of age may operate a bicycle on Village streets during daylight hours if accompanied by an adult also on a bicycle.

Section 21-2 Electric scooter regulations.

- (a) Defined. Electric scooter means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power and has a maximum speed of not more than 15 miles per hour on paved level surface when powered solely by the electric motor.
- (b) State laws applicable. Every person using an electric scooter upon a public roadway shall be subject to the provisions of all ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to the equipment of vehicles and those provisions that, by their nature, would have no application.
- (c) Riding on roadway.
 - (1) Every person using an electric scooter upon a two-way public street shall ride as near as practicable to within five feet of the right curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, users of electric scooters shall ride in single file, except on residential streets which are not divided by painted or other marked extra lines where they may ride two abreast. On one-way roads, the user may ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.
 - (2) Persons using electric scooters shall not impede the normal movement of motor vehicle traffic.
- (d) Bicycle ways. Operation of electric scooters shall be permitted on any ways, lanes, trails, paths, or other property designated for the use and operation of bicycles.
- (e) Clinging to other vehicles. No person using an electric scooter shall cling to or attach themselves or an electric scooter to any moving vehicle.
- (f) Contests with other vehicles; stunt riding. No person using an electric scooter shall participate in any race, speed, or endurance contest with any other moving vehicle on a city roadway or practice any fancy or acrobatic riding or stunts while operating such electric scooter.
- (g) Observance of traffic regulations and speed limits. Every person using an electric scooter upon a public roadway shall obey all the instructions of official traffic-control devices, signs, and signals applicable to vehicles and shall not operate an electric scooter at a speed greater than the speed limit.
- (h) Yielding to traffic. The operator of a vehicle shall yield the right-of-way to a person using an electric scooter in the same manner as for bicyclists and pedestrians. When using an electric scooter, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using an electric scooter shall be subject to the same regulations as bicyclists and pedestrians. Operators of electric scooters shall offer the right of way to bicycles in bike lanes and on bike paths.
- (i) Towing of persons, vehicles, trailers, prohibited. The operator of an electric scooter shall not tow, drag, or caused to be drawn behind the electric scooter any coaster, sled, toy vehicle, trailer, person on in-line skates, or any other type of conveyance.
- (j) Carrying of passengers. No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (k) Age limits. No person less than eight years of age shall operate an electric scooter on Village roadways, except that persons six or seven years of age may do so during daylight hours if accompanied by an adult capable of remaining close enough to ensure the safe operation of the scooter by the six- or seven-year-old, such as by walking or running alongside, using their own electric scooter or bicycle, or engaging in a similar activity. This subsection is intended to permit usage of electric scooters by families.

- (l) Equipment regulations; lamps and reflectors. Every person using electric scooters between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such electric scooter exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three inches in diameter.

Section 21-3 Skateboard regulations.

- (a) Skateboarders to yield. Skateboarding is permitted on sidewalks, provided that pedestrians shall have the right-of-way over skateboarders. Skateboarders shall dismount when meeting or overtaking pedestrians and shall either discontinue skateboarding or walk the skateboard past the pedestrian in such a manner as to ensure the safety of both the skateboarder and pedestrian.
- (b) Private property. It shall be unlawful for any person to skateboard on the private driveway or paved parking lot of another unless said skateboarder has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.
- (c) Riding on roadway. Every person using a skateboard on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using a skateboard upon a one-way public street or alley shall proceed in the direction of the one-way traffic.
- (d) Every person using a skateboard upon a roadway shall ride single file on all public roadways which have centerlines or have lines indicated by painting or other markings. On public roadways and alleys not divided by painted or other marked centerlines or lane lines, skateboarders may ride two abreast.
- (e) Persons using skateboards upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (f) Clinging to moving vehicles prohibited. It shall be unlawful for any person using skateboards to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (g) Observance of traffic regulations. Every person using skateboards upon a public roadway shall stop for all stop signs and traffic signals.
- (h) Yielding to traffic. The operator of a vehicle shall yield the right-of-way to a user of a skateboard in the same manner as for bicyclists and pedestrians. When using a skateboard, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using a skateboard shall be subject to the same regulations as bicyclists and pedestrians.

Section 21-4 In-line skate regulations.

- (a) State laws applicable. Every person using in-line skates upon a public roadway shall be subject to the provisions of all ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicles and those provisions that, by their nature, would have no application.
- (b) Public sidewalks or walkways. Every person using in-line skates upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other person.
- (c) Riding on roadway.
 - (1) Every person using in-line skates on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one-way public street or alley shall proceed in the direction of the one-way traffic.
 - (2) Every person using in-line skates upon a roadway shall ride single file on all public roadways which have centerlines or have lines indicated by painting or other

markings. On public roadways and alleys not divided by painted or other marked centerlines or lane lines, in-line skaters may ride two abreast.

- (3) Persons using in-line skates upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (d) Clinging to moving vehicles prohibited. It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (e) Observance of traffic regulations. Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.
- (f) Yielding to traffic. The operator of a vehicle shall yield the right-of-way to a user of in-line skates in the same manner as for bicyclists and pedestrians. When using in-line skates, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians.
- (g) Private property. It shall be unlawful for any person to in-line skate on the private driveway or paved parking lot of another unless said in-line skater has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.
- (h) Equipment regulations; lamps and reflectors. Every person using in-line skates between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such person exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three inches in diameter.

Section 21- 5 Play Vehicles.

- (a) Defined. Any vehicle powered electrically or through the use of any form of internal combustion engine.
- (b) Vehicles and play vehicles are prohibited from being ridden on any village roadway except those roadways that may be specifically designated by the village board for play vehicle usage. Such designations by the board of the village shall be filed with the village clerk and law enforcement.

Section 21-6 to Section 21-10 RESERVED.

Section 21-11. Penalty.

- (a) First offense. If a juvenile, requires a conference between the police department, the juvenile and the child's parents or guardian. If an adult, the penalty shall be the same as for a second offense
- (b) Second offense. If a juvenile, requires a conference between the police department, the juvenile and the child's parents or guardian, plus \$25.00 penalty and court costs.
- (c) Third offense. If a juvenile, requires a conference between the police department, the juvenile and the child's parents or guardian, plus \$5.00 penalty and court costs.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 349 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2023.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

ORDINANCE NO. 350

Truck Traffic

The Village Board of the Village of Lomira, Wisconsin, hereby ordains to amend Section 22-13(d) as follows:

(d)Village roads open to heavy traffic

- (1) Richard Street;
- (2) Main Street;
- (3) Water Street from Main Street north to Super Drive;
- (4) Water Street from Church St. south to village limits;
- (5) East Avenue;
- (6) Industrial Drive;
- (7) Technology Drive;
- (8) Pleasant Hill Avenue from Church St. south to village limits;
- (9) Milwaukee Street;
- (10) Church Street.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 350 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2023.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

ORDINANCE NO. 351

Dangerous dogs

The Village Board of the Village of Lomira, Wisconsin, hereby ordains Section 4-2 be amended to read as follows:

- (a) Definition and determination. Law enforcement or designee thereof shall investigate every dog complaint and make a determination as to whether or not such dog is dangerous, shall so inform the owner, keeper, or harbinger of such dog, and provide such person with a copy of this division. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning: Dangerous dog means any dog which:
 - (1) Without provocation, while not under the control of its owner, chases, confronts, or approaches a person in a menacing fashion while off its owner's property and it is clear that the dog is not merely being protective in a particular set of circumstances.
 - (2) When unprovoked and while off its owner's property, approaches a domestic animal in a menacing fashion.
 - (3) When unprovoked and while off its owner's property, causes a non-severe, non-bite injury in a menacing fashion to any person or domestic animal.
 - (4) Has been declared dangerous by at least one other municipality.
- (b) Domestic animal means livestock, domesticated dogs and domesticated cats.
- (c) Menacing fashion means demonstrating an intent or desire to cause injury by one or more of the following actions:
 - (1) An attempt to bite a person or another animal in such a fashion as to show plainly to a reasonable person an unfriendly intent and put them in fear of attack.
 - (2) Growling or barking in an unfriendly manner while approaching or chasing a person or another animal.
 - (3) Growling or barking in an unfriendly manner while making physical contact with a person or another animal.
- (d) Officer means any law enforcement officer
- (e) Owner means any person, firm, corporation, or other organization owning, keeping, possessing, harboring, controlling, or having the care or custody, whether temporarily or permanently, of a dog.
- (f) Provoked. Any attack by an animal or physical injury caused by an animal shall be considered provoked if at the time the attack occurs or the injury is inflicted:
 - (1) The person who was attacked or injured was teasing, tormenting, abusing, or assaulting the animal;
 - (2) The animal was protecting a person, itself, its young or another domestic animal from an attack by a human being or another animal; or
 - (3) The person who was attacked or injured was committing a crime on the property of the animal's owner.
- (g) Disposition of vicious dogs. Any law enforcement officer of the village may take custody of an animal if the officer has reasonable grounds to believe the animal is one of the types set forth in Wis. Stats. § 173.13(1)(a)(1)—(9).

- (h) Prohibited in multifamily dwellings. No vicious dog may be kept within any portion of any two-family or multiple-family dwelling.
- (i) Leash and muzzle. No person owning, harboring or having the care of a vicious dog may permit such dog to go outside its kennel or pen unless the dog is securely leashed with a leash no longer than four feet in length. No person may permit a vicious dog to be kept on a chain, rope or other type of leash outside its kennel or pen unless a person is in physical control of the leash. The dog may not be leashed to inanimate objects such as trees, posts and buildings. A vicious dog on a leash outside the dog's kennel shall be muzzled by a muzzling device sufficient to prevent the dog from biting persons or other animals.
- (j) Confinement indoors. No vicious dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit the building on its own volition. No vicious dog may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the dog from exiting the structure.
- (k) Confinement outdoors.
 - (1) All vicious dogs shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled.
 - (2) The pen, kennel or structure shall have secure sides and a secure top attached to all sides. A structure used to confine a vicious dog shall be locked with a key or combination lock when the dog is within the structure. The structure shall have a secure bottom or floor attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet. All structures shall be adequately lighted and ventilated and kept in a clean and sanitary condition.
 - (3) All structures erected to house vicious dogs shall comply with all applicable municipal zoning and building regulations.
- (l) Signs. All owners, keepers, or harborers of vicious dogs shall display in a prominent place on their premises a sign easily readable by the public using the words "beware of dog." A similar sign is required to be posted on the kennel or pen of the dog.
- (m) Insurance.
 - (1) All owners, keepers or harborers of vicious dogs shall provide proof to the police chief of public liability insurance in a single incident amount of \$50,000.00 per incident for bodily injury to or death of any person or for the damage to property owned by any person which may result from the ownership, keeping or maintenance of vicious dogs.
 - (2) The insurance policy shall provide that no cancellation of the policy will be made unless a ten-day written notice is first given to law enforcement.
 - (3) The owner or custodian of the dog shall produce evidence of the required insurance upon request of a law enforcement officer.
- (n) State Law reference— Taking custody of animals, Wis. Stats. § 173.13; restraining action against dogs, Wis. Stats. § 174.01.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 348 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2023.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

ORDINANCE NO. 352

Fancier's Permit and Animal Establishment Permit

The Village Board of the Village of Lomira, Wisconsin, hereby ordains Section 4-8 Fancier's Permit be amended to read as follows:

Sec. 4-8. - Fancier's permit and Animal Establishment Permit.

(1) Fancier

- (a) Definition of Fancier: A person who wishes to keep an exotic or wild animal, or who wishes to keep a number of animals in excess of the number allowed under section 4-6(1), may apply for a fancier's permit, which may be granted at the discretion of the village board. The fancier's permit application must be submitted to the village clerk, who shall schedule a public hearing on the matter at the first possible village board meeting. Notice of the public hearing shall be given in accordance with Wis. Stats. § 985.07(1), Class 1 notices, no less than two weeks before the village board meeting at which the public hearing will be held. The village clerk shall also give at least ten days' prior written notice to all property owners within 200 feet of the property for which a fancier's permit is being sought. Failure of any notice to be received by any property owner shall not, however, invalidate the action taken by the village board. A fancier's permit will not be considered for review until the following conditions have been met:
- (1) The owner-keeper has complied with all applicable state and federal importation regulations and permit requirements and possesses any required veterinary health certificate.
 - (2) The owner has submitted to the village clerk a completed application for a fancier's permit, which shall list the type and number of the subject animals and their proposed location within the residence, household or dwelling unit.
 - (3) The animals shall be securely held and maintained in quarters so constructed as to prevent their escape.
 - (4) Should a permit be granted, such permit shall be valid for five years from the date of issuance. The owner may re-apply every five years with updated information on the subject animals by filing a renewal application form at least 30 days prior to the expiration date. If the village board decides not to renew the permit, notice of the nonrenewal shall be provided to the owner, and the owner shall have the option to appeal for a public hearing and reconsideration as described in subsection (c)(3) of this section.
 - (5) Fees for any applications or permits shall be as set by the village board by a duly enacted resolution and may be changed from time to time.
 - (6) Persons living in condominiums or other multifamily buildings must obtain written authorization from their condominium association or building owner to obtain a fancier's permit.
 - (7) The village board has the authority to require additional conditions as it deems appropriate.
- (b) When reviewing an application for a fancier's permit, the village board shall consider, but is not limited to, the following factors:
- (1) Type and number of animals.
 - (2) Size of the subject parcel and proximity to other neighbors.
 - (3) Qualifications of the requester.
- (c) Nonrenewal or revocation of permit.
- (1) Annually prior to renewal of the permit, the village clerk shall inquire of the police department regarding complaints and/or incidents regarding the permittee and the permit address with reference to any of the following:
 - a. Personal injuries or property damages caused by permitted animals.
 - b. Animal noise or animal waste complaints.
 - c. Animals at large.
 - d. Permit violations.

- e. Any other animal-related nuisance or annoyance conditions.
- (2) The presence of three or more separate such incidents within a 12-month period, documented by an investigating police officer and having resulted in a warning or the issuance of a citation to the permittee, shall be presumed to arise to a condition where renewal or continuation of the permit would injure public health, safety or welfare and disrupt the peace and repose of the neighborhood, and shall require nonrenewal or revocation of the permit. The village board also may choose not to renew or revoke a permit for any cause if it finds that the keeping of the animals has an adverse impact upon the health, safety or welfare of the village or the immediate neighborhood where the animals are kept. The village clerk shall promptly notify the permittee of the nonrenewal or revocation by certified mail.
- (3) Any person aggrieved by the nonrenewal or revocation of an animal-related permit may appeal to the village board by submitting a written request to the village administrator within ten days of receipt of the notice of nonrenewal or revocation. The village administrator shall schedule a public hearing on the matter at the first possible village board meeting. Notice of the public hearing shall be given in accordance with Wis. Stats. § 985.07(1), Class 1 notices, no less than two weeks before the village board meeting at which the public hearing will be held. The village clerk shall also give at least ten days' prior written notice to all property owners within 200 feet of the property for which an appeal is being sought. Failure of any notice to be received by any property owner shall not, however, invalidate the action taken by the village board.

Section 4-8 Animal Establishment

(2) Animal Establishment

- (a) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Animal care records means documents which contain any animal medical history, breeder contact information, treatments, acquisitions, disposition, behavior, or any other pertinent information.

Animal shelter means a facility that temporarily houses homeless, lost, abandoned, or seized dogs, cats, or other types of animals until such animals are either reclaimed by an owner, adopted by a new owner, placed with another organization, euthanized, or otherwise removed from the facility.

Breeding dog means any dog which breeds more than once in an 18-month period.

Breeding service means any business where a person causes or allows a dog to breed at least two or more times for compensation within an 18-month period.

Foster home means any place where a person cares for and houses animals upon request by an animal shelter, or by contract with an animal shelter.

Good faith effort means to deliberately act in a manner which a reasonable and diligent person would act to fulfill a duty or follow a guideline.

Grooming service means any business where a person performs cosmetic or cleaning services on animals for compensation two or more times in a two-year period.

Pet shop means any business where a person offers animals for either wholesale or retail sale.

(b) License required. Notwithstanding Wis. Stats. § 173.41, no person may operate a pet shop, grooming service, breeding service, or animal shelter without having first obtained an animal establishment license.

(c) Procedure for obtaining and renewing an animal establishment license.

(1) Any person who seeks to obtain or renew an animal establishment license shall make application to the Village Clerk on a form provided by the Village Clerk and pay a licensing fee as provided in the Village Fee Schedule.

(2) The Village Board shall review the application

(3) The Village Board shall issue or renew an animal establishment license unless the applicant owes a delinquent fee, judgment, or other debt to the Village or the Clerk determines that at least one of the following applies:

a. The applicant has been convicted of any violation under Wis. Stats. Ch. 951, or a local ordinance in conformity therewith.

b. The applicant has been convicted of violating any section of this chapter.

(4) An animal establishment license shall be valid for one year from the date of issuance. A breeding dog registration shall be valid for the life of the dog.

(d) License requirements. Any person who holds an animal establishment license shall

(1) Keep animal care records for at least two years and provide them to any law enforcement officer, or their designee, upon request.

(2) Ensure each dog less than one year of age in their possession wears an identification collar with its USDA official registration number at all times.

(3) Post on the front of all cages/enclosures the following information:

a. Name, business address and phone number of the breeder, broker and facility where the animal was born.

b. USDA License numbers, if any.

c. State license numbers, if any.

d. Whether the animal was purchased from an unlicensed facility.

(4) Ensure that each dog, cat, or ferret at least five months of age is vaccinated for rabies within 30 days of taking possession of the animal or before transferring ownership of the animal, whichever is sooner.

- (e) Specific business requirements.
 - (1) Pet shops shall ensure each dog and cat receives its first set of distemper and parvo vaccinations and testing/treatment for internal parasites from a veterinarian.
 - (2) Grooming services shall maintain records of rabies vaccination and veterinarian contact information for each animal which receives grooming service.
 - (3) Breeding services shall ensure each dog and cat receives its first set of distemper and parvo vaccinations and testing/treatment for internal parasites from a veterinarian.
 - (4) Animal shelters shall keep a record of approved foster homes.
- (f) Breeding dogs.
 - (1) Any person who operates a breeding service shall register all breeding dogs and pay the registration fee as provided in the Village Fee Schedule for each breeding dog in addition to the fee for obtaining an animal establishment license.
 - (2) No dog may be used for breeding before reaching two years of age, nor after reaching eight years of age.
 - (3) No dog may be sold before reaching the age of eight weeks.
 - (4) No person may operate a breeding service without having first obtained a seller's permit from the Wisconsin Department of Revenue.
- (g) Lemon Law. A pet shop operator shall post a copy of this Lemon Law in a conspicuous location on the business premises.
 - (1) The operator of a pet shop shall:
 - a. Provide the purchaser of any animal with spay and neutering information, a copy of animal care records for the particular animal, and name and contact information of the animal's treating veterinarian.
 - b. Guarantee the animal was not unhealthy or injured at the point of sale.
 - c. Reimburse the expense to treat an unhealthy or injured animal up to the purchase price of the animal if within seven days of the sale a veterinarian determines the animal was unhealthy or injured at the point of sale. Reimbursement is limited to treatment for the unhealthy condition or injury present at the point of sale. Upon reimbursement, the purchaser is under no duty to return the purchased animal to the licensee.
 - (2) If a pet shop operator refuses to refund the treatment expense under subsection (g)(1)c of this section, the purchaser may commence a civil action in Circuit Court. If the court finds by a preponderance of the evidence that the animal was unhealthy or injured on the date of sale, the pet shop operator shall reimburse the purchase price of the animal, pay reasonable costs sustained by the purchaser to

commence and litigate the action, and comply with any other orders of the court. Upon reimbursement, the purchaser is under no duty to return the purchased animal to the licensee.

- (h) Revocation of license. The Village Board shall revoke an animal establishment license if the law enforcement officer reports any of the following to the Village Clerk:
 - (1) The licensee was convicted of any violation under Wis. Stats. Ch. 951, or a local ordinance in conformity therewith.
 - (2) The licensee was convicted of violating any provision of this section.
 - (3) The licensee refused to allow a law enforcement officer, or their designee, to enter the property.
 - (4) The licensee ceased operation of any pet shop, grooming service, breeding service or animal shelter for 12 consecutive months.
- (i) Appeal. A licensee may appeal any revocation under subsection (h) of this section to the Board of Appeals. The Board of Appeals shall conduct a hearing and shall recommend to the Village Board that the license be revoked if it finds that the licensee committed a violation. The Village Board shall consider and take action on the recommendation of the Board of Appeals within 45 days after the Commission adjourns the hearing. The Village Board may uphold the revocation order or reinstate the license. Appeal from a decision of the Village Board shall be to the Municipal Court.
- (j) Penalties. Any person convicted of violating any provision of this section shall forfeit no more than \$500.00 for each violation.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 352 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2023.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

ORDINANCE NO. 353

Keeping of Animals

The Village Board of the Village of Lomira, Wisconsin, hereby ordains Section 4-7 – Keeping of Exotic or Wild Animals be amended to read as follows:

Sec. 4-7 Keeping of Animals

- (a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Exotic animal means those species of animal that are not domesticated by humans. Exotic animals include but are not limited to, animals belonging to any or all of the orders and families on the Prohibited Animal List as adopted by the Village Board.

Possess means to own, possess, keep, harbor, bring into the Village, act as a custodian, or have custody or control of an animal.

- (b) Village of Lomira Prohibited Animal List. The following orders and families, whether bred in the wild or in captivity, and any or all hybrids shall be defined as "exotic animals" pursuant to this section. The animals listed in parentheses are intended to act as examples and are not to be construed as an exhaustive list or to limit the generality of each group of animals unless otherwise specified.

(1) Class Mammalia.

a. Order Chiroptera. (Any bat species.)

b. Order Artiodactyla. (Hippopotamuses, giraffes, camels, deer.) Excludes domestic cattle, swine, sheep, goats, alpaca, and llama.

c. Order Carnivora.

1. Family Felidae. (Lions, tigers, cougars, leopards, ocelots, servals.) Excluding domestic cats.

2. Family Canidae. (Wolves, coyotes, foxes, jackals.) Excluding domestic dogs.

3. Family Ursidae. (All bears.)

4. Family Mustelidae. (Weasels, skunks, martins, minks.) Excluding ferrets.

5. Family Procyonidae. (Raccoons, coatis.)

6. Family Hyaenidae. (Hyenas.)

7. Family Viverridae. (Civets, genets, mongooses.)

- d. Order Edentalia. (Anteaters, armadillos, sloths.)
 - e. Order Marsupialia. (Opossums, kangaroos, wallabies, sugar gliders.)
 - f. Order Perissodactyla. (Rhinoceroses, tapirs.) Excluding horses, donkeys and mules which are permitted in Agricultural zoned properties.
 - g. Order Primates. (Lemurs, monkeys, chimpanzees, gorillas.)
 - h. Order Proboscidae. (Elephants.)
 - i. Order Rodentia. (Squirrels, beavers, porcupines, prairie dogs.) Excluding guinea pigs, rats, mice, gerbils, and hamsters.
 - j. Order Capra Hircus (goats); permitted in Agricultural and Exclusive Agricultural zoned properties. Refer to Sec. 135-76.
 - k. Order Ovis Aries (sheep); permitted in Agricultural and Exclusive Agricultural zoned properties. Refer to Sec. 135-76.
- (2) Class Reptilia.
- a. Order Squamata.
 - 1. Family Helodermatidae. (Gila Monsters and Mexican beaded lizards.)
 - 2. Family Varanidae. (Any monitor which will normally grow over two feet in length.)
 - 3. Family Iguanidae. (Only green iguanas and rock iguanas.)
 - 4. Family Boidae. (All species whose adult length may exceed eight feet.)
 - 5. Family Colubridae. (Boomslangs and African twig snakes.)
 - 6. Family Elapidae. (Coral snakes, cobras, mambas.)
 - 7. Family Nactricidae. (Only keelback snakes.)
 - 8. Family Viperidae. (Copperheads, cottonmouths, rattlesnakes.)
 - b. Order Crocodilia. (Crocodiles, alligators, caimans, gavials.)
- (3) Class Aves
- a. Order Falconiformes. (Eagles, hawks, vultures.)
 - b. Order Rheiformes. (Rheas.)
 - c. Order Struthioniformes. (Ostriches.)

- d. Order Casuariiformes. (Cassowaries and emus.)
 - e. Order Strigiformes. (Owls.)
- (4) Class Arachnida.
- a. Order Scorpiones, Family Buthidae.
 - 1. Arabian fat-tailed scorpion - *Androctonus crassicauda*.
 - 2. Arizona centruroides scorpion - *Centruroides exilicauda*.
 - 3. Death stalker - *Leiurus quinquestriatus*.
 - 4. Egyptian yellow scorpion - *Androctonus amoreuxi*.
 - 5. Israeli black scorpion - *hottentotta judaicus*.
 - 6. S.A. giant fat-tailed scorpion - *Parabuthus transvaalicus*.
 - 7. Sinai desert scorpion - *Androctonus bicolor*.
 - 8. Yellow desert scorpion - *Androctonus Australia*.
 - b. Order Araneae, Family Therididae.
 - 1. Argentina red widow spider - *Latrodectus coralinus*.
 - 2. Brown widow spider - *Latrodectus geometricus*.
 - 3. Red-black widow - *Latrodectus hasselti*.
 - 4. Red widow spider - *Latrodectus bishop*.
 - 5. Southern black widow spider - *Latrodectus mactans*.
 - 6. Western widow - *Latrodectus Hesperus*.
 - c. Order Araneae, Family Loxoscelidae, Brown recluse spider - *Loxosceles reclusa*.
- (5) Class Chilopoda.a.Order Scolopendromorpha, Family Scolopendridae.
- a. Amazon giant banded centipede - *Scolopendra gigantea*
 - b. Arizona Tiger Centipede - *Scolopendra viridis*
 - c. Florida Keys centipede - *Scolopendra alternans*.
- (6) Any federal or state endangered or threatened species.
- (7) Class Columidae (pigeons).

- a. Definition: Homing or carrier pigeons are exempt when such birds fly for training purposes and races. The harboring of pigeons other than in an approved pen or coop is a public nuisance. The person in charge of any building or structure harboring pigeons other than under approved conditions shall remove such pigeons from the structure in a humane manner.
- (8) Class Gallus Domesticus, Gallus Gallus, and Gallus Galliformes- roosters, chickens, turkeys, quail
 - a. Permitted in Agricultural and Exclusive Agricultural zoned properties. Refer to Section 135-76.
 - (9) Class Apoidea – bees.
 - a. Permitted in Agricultural and Exclusive Agricultural zoned properties. Refer to Section 135-76.
- (c) Keeping of exotic animals.
 1. Permit required. No person shall possess an exotic animal without first obtaining an exotic animal permit.
 2. Exceptions. This subsection (c) shall not apply to institutions accredited by the American Zoo and Aquarium Association, licensed veterinary hospitals or clinics, licensed or accredited research or medical institutions, licensed or accredited educational institutions, including museums, an animal certified as having been specially trained to assist an individual with impaired vision, hearing, or mobility, any government-owned or -operated facility, volunteers working on behalf of a government-owned or -operated facility, or a person temporarily transporting an exotic animal through the Village if the transit time is not more than 24 hours and the animal is at all times maintained within a confinement sufficient to prevent the exotic animal from escaping.
 - (d) Exotic or excess animal permit.
 1. Applications.
 - a. Application for an exotic or excess animal permit shall be made to the Village Clerk on a form supplied by the Village Clerk's Office.
 - b. Upon receipt of an application, the Clerk shall forward the application to law enforcement for verification of the veracity of the application as well as research into the qualifications of the applicant in accordance with the requirements of this section.
 - c. All applications shall be accurately completed in its entirety or shall be rendered void by the Village Clerk.
 - d. A permit may be granted without further review by the Village Board in the event law enforcement approves of the application.

- e. Each permit shall expire upon the death of the animal which is the subject of the permit

(2) Factors to be considered. In determining whether a permit under this section shall be granted, law enforcement shall consider the number and type of animals to be possessed, the applicant's criminal record, including any animal-related police calls for service, known prior history of the animals, health of the animals, whether proper licenses and vaccinations have been obtained, the condition of the applicant's residence where the animals will be kept, the likelihood of a public or private nuisance being created, and any other factors determined to be relevant

(3) Denial.

a. If the Humane Officer determines that any portion of the application is false or that the applicant does not possess the necessary qualifications, the application may be denied by law enforcement.

b. Law enforcement shall notify any applicant so denied.

c. Any applicant whose application has been denied by law enforcement may appeal such determination to the Board of Appeals. Upon appeal, the Board of Appeals shall determine if the applicant possesses the qualifications of this section. After making such determination, the Board of Appeals shall forward its recommendation to the Village Board.

(4) Issuance of license. The Village Clerk shall not issue any exotic or excess animal permit until all the requirements above have been satisfied.

(e) Construction of animal structures. All stables, coops, yards, pens, or other structures wherein any animal is kept shall be constructed so as to be easily cleaned and kept in good repair. The inside and outside of such structures shall be washed as often as necessary to keep them clean or finished with such material as can be easily cleaned. All such structures shall be kept clean and sanitary and shall not cause any objectionable odor.

(f) Removal of animal waste. No person who possesses an animal shall permit such animal to defecate upon any property other than that of its owner or custodian unless the custodian immediately thereafter cleans up and removes such animal excreta from such property.

(g) Accumulation of animal waste. No person possessing an animal shall permit more than 72 hours' accumulation of such animal's feces to remain on property under the possessor's control.

(h) Controlling animals. No person who possesses an animal shall walk or escort such animal off the property under the possessor's control unless the person is in possession of equipment to clean up any defecation which may be deposited by such animal.

(i) Harvesting animals. No person may slaughter any animal unless specifically allowed to slaughter animals as regulated.

(j) Penalties. Any person who shall violate this section shall forfeit not less than \$100 nor more than \$1,000.00 for each offense. Each violation of this section shall be considered a separate offense, and any violation continuing more than one day shall be considered a separate offense.

(e) - Animals to be confined.

(1) No person, owner, or custodian shall permit any animal to be at large within the Village. Any animal shall be deemed to be at large when it is off the premises owned or leased by its owner or custodian unless crated, penned, or under the control of a person able to control the animal by means of a leash of sufficient strength to control the action of the animal, or such other personal attention as will reasonably control the conduct and actions of the animal.

(2) No person, owner, or custodian shall permit any animal to be left unattended within five feet of a public right-of-way.

(a) Such public rights-of-way include, but are not limited to, sidewalks, streets, alleys, and parking lots.

(b) Unattended animals shall include those animals which are crated, penned, or leashed but which are without personal supervision or control sufficient to properly restrain the animal.

Moved by Tr. _____, seconded by Tr. _____,

to adopt Ordinance No. 353 as presented.

Roll call showed the following results: Ayes: _____

Nays: _____ Absent: _____

Motion carried.

Passed and adopted this _____ day of _____, 2023.

ATTEST:

Donald Luedtke
Village President

Jenna Rhein
Village Administrator-Clerk-Treasurer

RESOLUTION #1030 ARPA FUNDS – PHASE 7

WHEREAS, the American Rescue Plan Act (ARPA) established State and Local Coronavirus Fiscal Recovery Funds; and

WHEREAS, the Village of Lomira is a recipient of \$256,437.96; and

WHEREAS, the Board of the Village of Lomira will allocate ARPA funds in phases; and

WHEREAS, categories of eligible uses of the Fiscal Recovery Funds are for government services as allowed by the ARPA Final Rule published by the U.S. Department of the Treasury on January 6, 2022.

NOW THEREFORE, BE IT RESOLVED, the Board of the Village of Lomira shall implement Phase 7 and allocate ARPA funds for the following eligible purpose:

One ExpressVote election machine system in an amount not to exceed \$1,500 utilizing ARPA funds. The machine total cost is \$3,700, of which \$2,200 is supported by the 2023 General Fund budget.

SO BE IT RESOLVED AND EFFECTIVE, this ____ day of _____, _____.

Motion by _____, seconded by _____
To approve Resolution #1030 as presented.

Aye: _____

Nay: _____ Absent: _____

Donald Luedtke, President

ATTEST: _____
Jenna Rhein, Administrator-Clerk-Treasurer

8/04/2023 8:10 AM

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ALL Checks by Payee

ACCT

VILLAGE POOLED CHECKING

Dated From:

From Account:

Thru:

Thru Account:

Voucher Nbr	Check Date	Payee	Amount
<hr/>			
	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4967
900-00-64000-000-000		WAT-SUPPLIES & EXPENSES	14.51
		Total	14.51
<hr/>			
	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4968
900-00-82100-000-000		SEW-POWER & FUEL FOR PUMPING	12.59
		Total	12.59
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	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4969
100-00-51600-300-000		MB GAS FUEL	17.19
100-00-55110-200-004		LIBR GAS FUEL	17.19
100-00-52100-200-003		PD ELEC/HEAT	17.19
		Total	51.57
<hr/>			
	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4970
900-00-64000-000-000		WAT-SUPPLIES & EXPENSES	51.57
		Total	51.57
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	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4971
100-00-52200-200-009		FD BLDG MAINT & UTIL EXP	28.22
		Total	28.22
<hr/>			
	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4972
100-00-55400-200-001		POOL SUPPLIES & MAINT	13.75
		Total	13.75
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8/04/2023 8:10 AM

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ALL Checks by Payee

ACCT

VILLAGE POOLED CHECKING

Dated From:

From Account:

Thru:

Thru Account:

Voucher Nbr	Check Date	Payee	Amount
<hr/>			
	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4973
100-00-53311-300-002		SHOP HEATING FUEL	13.75
		Total	13.75
<hr/>			
	8/09/2023	ALLIANT ENERGY / WPL	
		Manual Check Nbr:	AW# 4974
900-00-82100-000-000		SEW-POWER & FUEL FOR PUMPING	15.23
		Total	15.23
<hr/>			
	8/09/2023	CARLIN SALES CORPORATION	
100-00-53640-000-000		WEED CONTROL	153.95
		3042030-00	
		Total	153.95
<hr/>			
	8/09/2023	CASON & ASSOCIATES LLC	
		CRYSTAL SPRINGS PARK	
100-00-55200-200-004		POND MAINTENANCE	896.50
		14196	
100-00-55200-200-004		POND MAINTENANCE	637.09
		14173	
		Total	1,533.59
<hr/>			
	8/09/2023	CHASE CARD SERVICES	
		Manual Check Nbr:	AW# 4975
100-00-53311-200-001		MAINT SUPP/MATERIALS FOR STREE	4.21
900-00-68200-000-000		WAT-OUTSIDE SERV EMPLOYED	118.25
900-00-82700-000-000		SEW-OTHER OPER SUPP & EXP	4.21
100-00-53311-300-007		GAR TELEPHONE	81.79
100-00-55400-200-001		POOL SUPPLIES & MAINT	28.01
100-00-51600-100-000		MB MAINT & BLDG SUPPLIES	16.83

8/04/2023 8:10 AM

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ALL Checks by Payee

ACCT

VILLAGE POOLED CHECKING

Dated From:

From Account:

Thru:

Thru Account:

Voucher Nbr	Check Date	Payee	Amount
100-00-52200-200-002		FD VEH MAINT/REPAIRS	139.55
100-00-52200-200-001		FD SUPPLIES/EQUIP	1,152.00
100-00-55110-200-001		LIBR BOOKS & SUPPLIES	39.60
100-00-53311-200-003		MOTOR FUEL	282.23
900-00-82800-000-000		SEW-TRANSPORTATION EXP	135.08
900-00-66000-000-000		WAT-TRANSPORTATION EXPENSE	135.08
Total			2,136.84

8/09/2023 CINTAS CORP

Manual Check Nbr:

AW# 4976

100-00-51600-100-000		MB MAINT & BLDG SUPPLIES	147.58
	JULY 23		
		4161895693	
Total			147.58

8/09/2023 CORE & MAIN LP

900-00-64000-000-000		WAT-SUPPLIES & EXPENSES	4,000.00
		T167149	
Total			4,000.00

8/09/2023 CREXENDO

Manual Check Nbr:

AW# 4977

100-00-51600-200-000		MB TELEPHONE	64.95
		112269	
100-00-52100-200-002		PD TELEPHONE / COMPUTER	64.94
		112269	
100-00-52200-200-003		FD TELEPHONE	64.94
		112269	
100-00-53311-300-007		GAR TELEPHONE	64.94
		112269	
100-00-55110-200-002		LIBR TELEPHONE	64.94
		112269	
Total			324.71

8/04/2023 8:10 AM

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ALL Checks by Payee
VILLAGE POOLED CHECKING

ACCT

Dated From:

From Account:

Thru:

Thru Account:

Voucher Nbr	Check Date	Payee	Amount
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8/09/2023 DETF

Manual Check Nbr: AW# 4978

100-00-21900-000-000	HEALTH & LIFE INS. PAYABLE		3,245.16
	SEPTEMBER 2023		

Total 3,245.16

8/09/2023 DODGE COUNTY SHERIFF'S OFFICE

100-00-52100-100-001	POLICE WAGES & TAXES		24,084.28
	COUNTY CONTRACT	JULY 2023	

Total 24,084.28

8/09/2023 EFT

Manual Check Nbr: AW# 4979

100-00-21800-000-000	STATE TAXES W/H		565.74
	7.21.23		

Total 565.74

8/09/2023 EFTPS

Manual Check Nbr: AW# 4980

100-00-21700-000-000	FEDERAL TAXES W/H		1,430.26
		8.4.23	

100-00-21500-000-000	SOC SEC TAXES W/H		1,401.09
		8.4.23	

100-00-21500-000-000	SOC SEC TAXES W/H		1,401.09
		8.4.23	

Total 4,232.44

8/09/2023 FRONTIER

100-00-53311-300-007	GAR TELEPHONE		30.50
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900-00-85100-000-000	SEW-OFFICE SUPP & EXP		30.51
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Total 61.01

8/09/2023 GORDON FLESCH CO., INC.

Manual Check Nbr: AW# 4981

100-00-51400-400-000	OFFICE SUPPLIES		132.01
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Total			132.01

8/09/2023 GORDON FLESCH CO., INC.

100-00-55110-200-007		LIBR TECHNICAL SERV/EQUIP	29.84
		IN14296741	
Total			29.84

8/09/2023 GORDON FLESCH CO., INC.

			Manual Check Nbr: AW# 4990
100-00-52100-200-001		PD SUPP & EQUIP	125.04
		IO0842160	
Total			125.04

8/09/2023 GRAND VALLEY INSPECTION SERVICES

100-00-52400-000-000		BUILDING INSPECTIONS	2,082.18
	JULY 2023	2023-124	
Total			2,082.18

8/09/2023 HARLAN, SANDI

100-00-46743-000-000		MB ROOM & STERR PARK RESERVATN	100.00
		STERR PARK DEPOSIT	
Total			100.00

8/09/2023 HH&J AGGREGATE LANDSCAPE

900-00-65000-000-000		WAT-REPAIRS OF WATER PLANT	1,170.00
		CUST JOB: 2023 LANDSCAPE FOB	3643222
Total			1,170.00

8/09/2023 J & H CONTROLS INC

100-00-51600-100-000		MB MAINT & BLDG SUPPLIES	1,470.46
		10000024991	
Total			1,470.46

8/09/2023 JOHNSON CONTROLS FIRE PROTECTION LP

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100-00-51600-100-000		MB MAINT & BLDG SUPPLIES	1,861.62
		51087242	
		Total	1,861.62

8/09/2023 KNOWLES PRODUCE & TRADING CO

100-00-55200-200-003		LAWNMOWER/SNOWBLOWER REPAIR	136.50
		CT 27906	
		Total	136.50

8/09/2023 LANGE ENTERPRISES

100-00-53311-200-001		MAINT SUPP/MATERIALS FOR STREE	1,277.58
		84330	
		Total	1,277.58

8/09/2023 LEE RECREATION, LLC

100-00-55200-200-001		STERR PARK	125.00
		SWING MAT	
		15761-23	
		Total	125.00

8/09/2023 LEMKE CONSULTING, LLC

100-00-51600-100-000		MB MAINT & BLDG SUPPLIES	52.00
		20100	
		Total	52.00

8/09/2023 LUEDTKE LUMBER INC

100-00-51600-100-000		MB MAINT & BLDG SUPPLIES	13.49
100-00-52200-200-009		FD BLDG MAINT & UTIL EXP	1.99
100-00-55200-200-003		LAWNMOWER/SNOWBLOWER REPAIR	13.98
900-00-65000-000-000		WAT-REPAIRS OF WATER PLANT	74.71
100-00-53311-300-004		SHOP SUPPLIES	43.79

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Voucher Nbr	Check Date	Payee	Amount
200-00-59100-000-000		PROMOTIONAL EXPENSES	372.48
100-00-55400-200-001		POOL SUPPLIES & MAINT	224.91
100-00-53311-200-001		MAINT SUPP/MATERIALS FOR STREE	3.98
900-00-66000-000-000		WAT-TRANSPORTATION EXPENSE	22.25
Total			771.58

8/09/2023 LUEDTKE, DONNA

100-00-46743-000-000		MB ROOM & STERR PARK RESERVATN STERR PARK DEPOSIT	100.00
Total			100.00

8/09/2023 MARTELLE WATER TREATMENT, INC.

100-00-55400-200-001		POOL SUPPLIES & MAINT 25449	1,150.00
900-00-82600-000-000		SEW-OTHER CHEM FOR TREATMENT 25449	1,099.00
900-00-63000-000-000		WAT-CHEMICAL EXP 25449	460.15
Total			2,709.15

8/09/2023 MAXWELL PLUMBING & HEATING

100-00-55200-200-008		ATHLETIC FIELD 023-735	200.00
Total			200.00

8/09/2023 NEHLS, TERRA

100-00-46743-000-000		MB ROOM & STERR PARK RESERVATN COMMUNITY ROOM DEPOSIT	100.00
Total			100.00

8/09/2023 PACE ANALYTICAL SERVICES INC

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Voucher Nbr	Check Date	Payee	Amount
900-00-85200-000-000		SEW-OUTSIDE SERV EMPLOYED 2340134945	95.00
Total			95.00
8/09/2023 PIGGLY WIGGLY			
100-00-55400-200-001		POOL SUPPLIES & MAINT POOL SUPPLIES	179.27
Total			179.27
8/09/2023 PJ KORTENS & COMPANY, INC.			
900-00-85200-000-000		SEW-OUTSIDE SERV EMPLOYED 10024398	1,559.50
Total			1,559.50
8/09/2023 SCHRAUFNAGEL IMPLEMENT INC.			
100-00-53311-200-001		MAINT SUPP/MATERIALS FOR STREE EL02377	100.00
200-00-59100-000-000		PROMOTIONAL EXPENSES WL05436	250.00
Total			350.00
8/09/2023 SHERWIN INDUSTRIES, INC.			
100-00-53311-200-001		MAINT SUPP/MATERIALS FOR STREE SS098918	2,812.50
100-00-53311-200-001		MAINT SUPP/MATERIALS FOR STREE SS099153	125.00
Total			2,937.50
8/09/2023 SJE			
900-00-68200-000-000		WAT-OUTSIDE SERV EMPLOYED S622979	276.00
Total			276.00
8/09/2023 SUMMERS, BRIANA STERR PARK DEPOSIT			

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Voucher Nbr	Check Date	Payee	Amount
100-00-46743-000-000		MB ROOM & STERR PARK RESERVATN STERR PARK DEPOSIT	100.00
Total			100.00

8/09/2023 TSB BANK

100-00-51400-400-000		OFFICE SUPPLIES RDC	44.30
Total			44.30

8/09/2023 U.S. CELLULAR

100-00-52100-200-002		PD TELEPHONE / COMPUTER	59.05
		Manual Check Nbr: 0591886894	AW# 4987
Total			59.05

8/09/2023 USA BLUE BOOK

900-00-64000-000-000		WAT-SUPPLIES & EXPENSES INV00056795	449.99
Total			449.99

8/09/2023 WASTE MANAGEMENT

100-00-53620-000-000		REFUSE COLLECTION & DISP 189784523210	5,977.31
100-00-53635-100-000		RECYCLING CONTRACT SERVICES 189784523210	2,410.56
Total			8,387.87

8/09/2023 WE ENERGIES

100-00-51600-400-000		MB ELECTRICITY	526.31
100-00-52100-200-003		PD ELEC/HEAT	526.31
100-00-55110-200-005		LIBR ELECTRICITY	526.31
Total			1,578.93

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Voucher Nbr	Check Date	Payee	Amount
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	8/09/2023	WE ENERGIES	
			Manual Check Nbr: AW# 4984
100-00-53420-000-000		STREET LIGHTING	37.19
			Total 37.19
<hr/>			
	8/09/2023	WE ENERGIES	
			Manual Check Nbr: AW# 4985
900-00-62000-000-000		WAT-POWER PURCH FOR PUMPING EX	320.66
			Total 320.66
<hr/>			
	8/09/2023	WE ENERGIES	
			Manual Check Nbr: AW# 4988
900-00-82100-000-000		SEW-POWER & FUEL FOR PUMPING	130.88
900-00-82200-000-000		SEW-POWER & FUEL FOR AERATN EQ	4,044.83
900-00-62000-000-000		WAT-POWER PURCH FOR PUMPING EX	1,642.45
900-00-82100-000-000		SEW-POWER & FUEL FOR PUMPING	154.39
100-00-52900-000-000		EMER GOVT EXP	18.93
900-00-62000-000-000		WAT-POWER PURCH FOR PUMPING EX	826.23
			Total 6,817.71
<hr/>			
	8/09/2023	WE ENERGIES	
			Manual Check Nbr: AW# 4989
100-00-55200-200-008		ATHLETIC FIELD	413.81
100-00-55200-200-006		OAK SPRINGS PARK	18.29
100-00-55200-200-001		STERR PARK	346.98
100-00-53420-000-000		STREET LIGHTING	14.54

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Voucher Nbr	Check Date	Payee	Amount
100-00-53420-000-000		STREET LIGHTING	362.04
100-00-53311-300-003		SHOP ELECTRICITY	309.06
100-00-53420-000-000		STREET LIGHTING	16.39
100-00-52200-200-001		FD SUPPLIES/EQUIP	16.39
100-00-53420-000-000		STREET LIGHTING	6,164.14
100-00-52200-200-009		FD BLDG MAINT & UTIL EXP	247.28
100-00-52200-200-001		FD SUPPLIES/EQUIP	15.75
100-00-55200-200-002		CRYSTAL SPRINGS PARK	70.85
Total			7,995.52

8/09/2023 WI RETIREMENT SYSTEM

Manual Check Nbr:

AW# 4986

100-00-21600-000-000		RETIREMENT W/H	3,492.32
		JULY	
Total			3,492.32

Grand Total 87,810.26

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Total Expenditure from Fund # 100 - GENERAL FUND	70,344.71
Total Expenditure from Fund # 200 - PROMOTIONAL FUND	622.48
Total Expenditure from Fund # 900 - SEWER & WATER FUND	16,843.07
Total Expenditure from all Funds	87,810.26



CALLS FOR SERVICE IN LOMIRA - REPORT TO VILLAGE BOARD

CALLS FOR SERVICE JULY 2023

INCIDENT CALL TYPES	NON-CONTRACT	CONTRACT	TOTAL CALLS FOR SERVICE	YEAR TO DATE
ABUSE/NEGLECT			0	0
ACCIDENT DEER			0	2
ACCIDENT FATAL			0	0
ACCIDENT INJURY	1		1	6
ACCIDENT PROPERTY DAMAGE	1	1	2	16
ALARM	5	2	7	22
ANIMAL		3	3	14
ASSIST AGENCY		3	3	28
ASSIST MOTORIST	4	6	10	34
BAR CHECK			0	12
BATTERY/ASSAULT			0	1
BOMB THREAT			0	0
BUILD/AREA CHK	19	86	105	554
BURGLARY			0	0
CHILD CUSTODY	1	3	4	6
CIVIL MATTER		1	1	18
CONTROLLED BURN			0	3
DEATH INVESTIGATION	1		1	3
DISORDERLY CONDUCT	4		4	16
DNR COMPLAINT			0	0
DNR INJURY CRASH			0	0
DNR PDO CRASH			0	1
DNR FATAL CRASH			0	0
DOMESTIC DISTURBANCE	1		1	2
DRUGS		1	1	4
EMERGENCY DETENTION			0	2
EMS REQUEST		10	10	48
ESCAPE			0	0
EXPLOSION			0	0
FAMILY TROUBLE	2	2	4	15
FIGHT			0	1
FIRE ALARM			0	2
FIRE REQUEST			0	1
FIREWORKS	4		4	5
FORGERY			0	1
FOUND ITEM		1	1	3
FRAUD			0	5
FRAUD WELFARE			0	0
GAS DRIVE OFF	3	2	5	30
HANG UP	6	13	19	104
HARASSMENT			0	3
HIT AND RUN	1		1	3
HOMICIDE			0	0
INFORMATION		1	1	4
INTOX DRIVER		1	1	4
INTOX PERSON			0	1
JUVENILE ALCOHOL			0	0
KIDNAPPING			0	0
LITTER			0	0
LOCKOUT			0	6
LOST ITEM	1		1	3
MISCELLANEOUS	10	5	15	110
MISSING ADULT			0	0
MISSING JUVENILE			0	1
NEIGHBOR DISPUTE			0	4
NOISE COMPLAINT	1	1	2	5
OPEN DOOR			0	2
ORDINANCE VIOLATION	1	1	2	15
PAPER SERVICE	2	1	3	17
PARKING COMPLAINT		1	1	16
PERSON WITH GUN			0	0
PLI HOME VISIT			0	0
PORNOGRAPHY			0	2
PRISON INVESTIGATION			0	0
REPOSSESSION	1		1	6
ROBBERY			0	0
SCHOOL COMPLAINT			0	16
SEX OFFENSE			0	1
SHOTS FIRED			0	0
SUBJECT STOP			0	0
SUICIDAL			0	0



CALLS FOR SERVICE IN LOMIRA - REPORT TO VILLAGE BOARD

CALLS FOR SERVICE JULY 2023

INCIDENT CALL TYPES	NON-CONTRACT	CONTRACT	TOTAL CALLS FOR SERVICE	YEAR TO DATE
SUSPICIOUS	4	1	5	26
THEFT		2	2	9
THEFT OF VEHICLE			0	0
THEFT - RETAIL		1	1	1
THREAT	1	1	2	6
TRAFFIC COMPLAINT	2	14	16	43
TRAFFIC PURSUIT			0	0
TRAFFIC STOP	8	39	47	287
TRANSPORT			0	1
TRESPASS	1		1	1
TRAFFIC STOP - ATV			0	0
TRAFFIC STOP - BOAT			0	0
TRAFFIC STOP - READER			0	0
TRAFFIC STOP - SNOW			0	0
UNWANTED SUBJECT			0	2
VANDALISM		2	2	5
VEHICLE RUNOFF			0	2
VIOLATE RESTRAINING ORDER			0	0
WALK AND TALK	1	7	8	123
WARRANT CHECK			0	5
WELFARE CHECK	4	2	6	29
TOTALS	90	214	304	1718

July SRO Hours

0

Department of Public Works Report

July 13, 2023 – August 9, 2023

Long term outlook

Major long-term projects/update

- Church St./ Hwy 67 reconstruction MOVED TO 2026

Need to know:

- Street sign replacement – red not recommended per the DOT.

A final decision is needed to move forward to rep

Our current signs to replace are \$195.74 per intersection w/hardware.



Extruded double sided per intersection \$159.90 w/hardware.



Flat aluminum double sided per intersection \$139.90 w/hardware.

With or without the white border decision is need. cost is the same.

Equipment Watch list:

2008 F250 has a possible rear main seal or oil pan leak – we would have to outsource if confirmed.

Month in Review

Dog park fence installation!!! Dog park sign!
Build 2 benches for Dog park.
Watermain break landscaping Milwaukee St.
Changed oil on Well #2 pump motor.
Watermain valve exercising
Cleaned street catch basins.
Replaced 2 signposts.
Added 2 35 mph on Technology Dr.
Pool beach sand maintenance
Mowing of Village property
Weekly brush chipping/pickup
Diggers tickets

Shop repairs on equipment

Monthly inspections, maintenance, and cleaning of Equipment

Administrator's Report – July

Mission: For each department continually operate economically while building savings, develop an operating budget that can be financially sustainable, give the public the best value for their tax dollar, maintain services, and provide an enriched quality of life for residents and businesses.

General Fund Revenues YTD:	\$1,644,019.51	90%
General Fund Expenditures YTD:	\$ 906,815.06	50%
Water Fund Revenues YTD:	\$232,088.72	52%
Water Fund Expenditures YTD:	\$315,342.44	66%
Sewer Fund Revenues YTD:	\$543,821.05	49%
Sewer Fund Expenditures YTD:	\$754,196.28	68%

Greatest Successes this month: held the Coffee and Conversation event with Donald Luedtke, held the annual Joint Review Board meeting for the TIF districts, met with building inspector, continued working on the comprehensive plan and future development for the Village, met with YMCA of Dodge County to discuss pool operations, met with Ehlers financial advisor to discuss conventional water rate case, virtually met weekly with Paya to collect receivables (payments) online, daily deposits, monthly bank reconciliations, website maintenance, weekly leak-logger meeting and notices mailed, created more social media posts throughout the month, Ashley attended the UW-Green Bay Clerk's Institute

Greatest Challenge this month: began working on 2024 budget

Looking Ahead: Modern Woodmen will be hosting their annual regional service project and meeting at Sterr Park in September and with this, the organization will be volunteering at all the parks to perform light maintenance and may provide a donation to the Friends of Lomira Parks; we will be conducting employee reviews; Village of Lomira will celebrate 125th anniversary in 2024; the Comprehensive Plan; collaborate with the Friends of Lomira Parks to update the Parks and Open Space Plan; continue monthly "Coffee & Conversation" with the public; attend and provide training for Badger Books so we may use them at the elections beginning in 2024.

Contact Info:

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