

**VILLAGE OF AVISTON
MINUTES OF SPECIAL MEETING HELD ON:
MONDAY OCTOBER 2, 2023
9 PM**

A special meeting of the President and Board of Trustees was held on Monday October 2, 2023 at 9pm. In attendance were Village President Mike Kampwerth, Trustees Kevin Eversgerd, Matt Kohnen, Curt Albers, Kim Peek, Matt Netemeyer, and Kyle Markus. Guests present included Jeff and Nancy Woltering, Mike Engel and Dale Haukap.

1. Guests:

Dala Haukap was present to listen.

2. Future Development:

Mike Kampwerth introduced Jeff and Nancy to the Board to review the future development of Page Street Extension.

Jeff reviewed the history on the development for the past 10 years. Jeff started with the grant application filed to complete the roadway, but there was a 2-year delay. Jeff purchased additional 14 acres to get another access. Grant application was awarded within 3 weeks of applying, Jeff supplied paperwork in support of his statement. Woltering was not notified of the grant award.

Woltering then negotiated with Kues Brothers to switch ground around. Preannexation agreement was signed with Jeff agreeing to pay for the first part of the road, at \$109K. The Village received a TART Grant in name of the Village and Woltering. Netemeyer did all engineering for the roadway and setbacks for the roadway. Village then stated that Netemeyer could no longer be used by subdivider as he is the Village Engineer. Woltering then went with TWM Engineering. Woltering stated other subdividers were permitted to use Netemeyer, even as he represented the Village.

Lots are then platted and ready for the Village to approve. The Village then forced Woltering to give up all easements east and west for utilities, especially for future development to the west.

Kues then approached Mettler Development to move the ditch, which moved ditch completely onto Woltering property, without permission. Woltering gave three options to remedy this action, Randy Peek stated it was a civil matter and the Village would not get involved.

Woltering sent letter to Kues, per attorney, to get this settled.

Woltering discussed issues with a daycare trying to settle into an industrial area, Nick Rutz, Renee Becker, etc. Discussed the selling of property for a daycare on Commercial Street with Kues Bros being the advertised seller. Woltering discussed Dollar General, Excel, Kapp Storage units, George Hubbard, etc. Discussed storage unit moratorium as well. Jerry Middeke is listed on Village website as commercial developer, Woltering is not.

Discussed liens on properties in the development. Discussed Dollar General not being on a platted map, all of Woltering property is platted for development. Discussed rock being on the roadway, asked to be moved.

Kues was Hubbard's agent to purchase property from him. Woltering was never notified when culverts were taken out as permits are needed to replace them.

Woltering stated there is an agreement with Kues that Woltering finally owns all ground in the area. Finally, the roadway will be completed.

Dale Haukap spoke up to discuss discrepancies in the history. Discussed water tower ground, easements lost for it, etc.

Next steps:

Woltering asked Board to consider the next steps for the development. Woltering to bring a wishlist to the Board and presented the previous agreement.

Grant info,

FOIA info,

Economic Assistance requested from Woltering.

Woltering answered questions from Board members. Documents will be gathered for next meeting with Woltering.

A motion to adjourn was made by Curt Albers, second by Kim Peek. Motion carried 6-0. Time was 9:45pm.

Jennifer Jansen, Village Clerk