

**VILLAGE OF FREDONIA
VILLAGE BOARD MEETING
December 7, 2006**

Board Members present: Bill Hamm, Don Dohrwardt, Joe Short, and Larry Waskiewicz.
Arriving later: Chris Kunstmann, Bruce Laabs, and Larry Palm.

Others present: Bob Weyker, Brian Schommer, Ron Farber, Mark Jaeger, Allen Neumann, and Jo Ann Wagner. Arriving later: Pete Didier.

Public Hearing on Rezoning of Area West of Lots on Wisconsin Street

The public hearing on the proposed rezoning of 113-115 Wisconsin Street from Rs-3 (Single Family Residential) to Rd-2 (Two-Family Residential) and the area behind (west of) 113-115 Wisconsin Street from A-1 (Agriculture) to Rd-2 (Two-Family Residential), the proposed rezoning of the area behind (west of) 121 Wisconsin Street from A-1 (Agriculture) to Rs-3 (Single Family Residential), and the proposed rezoning of the property behind (west of) 123 and 125 Wisconsin Street from A-1 (Agriculture) to Rd-2 (Two Family Residential) was called to order at 7:00 p.m. No comments were received.

Public Hearing on Proposed Change to Masonry Requirements in M-1 and M-2 Zoning

The public hearing on the proposed change to Section 13-1-48 and 13-1-49 of the Village of Fredonia Zoning Code regarding masonry requirements in M-1 and M-2 zoning was called to order. (Didier arrived) Ron Farber questioned if this change would affect all buildings and utility structures. Hamm stated that it would apply to all buildings in the M-1 and M-2 zoning districts. Farber commented that this is an unjustified expense for buildings that cannot be seen from the road. Hamm stated that the ordinance states, "The requirement for decorative masonry shall be a minimum of 50% of the gross area of the wall with the greatest square footage. This decorative masonry can be applied on any or all facades of the building with the discretion and approval of the Architectural Control Board." Kunstmann noted that this is not a change as the ordinance has always applied to all buildings. (Laabs arrived). Didier noted that the current ordinance only applies to the street side of a building. The change will require masonry on every building and also clarifies the amount of brick and where the brick can be applied. No more comments were received.

Adjourn Public Hearing and Call to Order of Regular Village Board Meeting

The public hearings were closed and the regular village board meeting was called to order at 7:08 p.m. by President Hamm.

November 16, 2006, Village Board Minutes

Kunstmann requested two changes on page three of the minutes: the second bullet point should be changed to "All fire department miscellaneous accounts were removed from the budget except for \$50." And the last bullet point should be changed to "The budgeted amount of the Marie Kraus parking lot could be reduced." With these two changes a **MOTION** was made by Kunstmann, seconded by Laabs, to approve the November 16, 2006, village board minutes. Short stated that on page four, first paragraph, he voted against Resolution No. 2006-Q approving the 2007 budget. Waskiewicz stated that on page five under Other Business, when Short requested the change to ordinance 5-2-1(c) he asked that it be addressed at the next meeting. Short stated that he has since decided to submit it to committee. Waskiewicz stated that he also did not see anything in the minutes regarding comments made between village board members. These comments were reported in the newspaper but not in the minutes. It was noted that minutes only need to contain the motions made at the meeting. Kunstmann amended his motion to include the two changes. This was seconded by Laabs. Motion carried approving the minutes as revised.

Payment of Bills

With the additional list presented, the general fund, water and sewer bills were approved for payment on a **MOTION** by Short, seconded by Dohrwardt, and carried with Hamm and Laabs abstaining.

October Treasurer and Utility Reports

Waskiewicz questioned the Ambulance Replacement fund. The general fund has an ambulance reserve account that has \$15,691. This has been funded through tax dollars. The fire/ambulance department has \$69,162.40 in a money market account called Ambulance Replacement. This is generated by revenue from ambulance service. The October treasurer and utility reports were approved on a **MOTION** by Dohrwardt, seconded by Short, and carried, with Waskiewicz abstaining.

Open Session for Citizen Questions and Comments

Kunstmann noted that he was confused by some of the comments made at the end of the last board meeting regarding department heads misrepresenting the name of the department. The village board combined the Fire Department and ambulance, but never changed the name of the department. Kunstmann also stated that comments were made that everyone had the opportunity to come to the Finance Committee meeting. He noted that members from the fire department did attend the Finance Committee meeting to present their budget. They were not at every Finance Committee meeting but felt with three senior members of the village board on the committee they did not need to be at every meeting. He noted that he is associated with the Fire Department and it is well known that he is associated with the fire department. He is a strong supporter of the department and always will be. Yet he found it “almost funny” that the word “hypocrite” would be used. He noted that everybody could be guilty of that. Some have made campaign pledges to work with department heads but then don’t. He also found fault with the comment that the fire department should be treated the same as all other departments of the village. The fire department is made up of volunteers. Will we begin to pay the members of the fire department as employees? Or will other departments be staffed with “volunteers”?

Ordinance No. 2006-14 Changing Speed Limit on South Milwaukee Street

A **MOTION** was made by Dohrwardt, seconded by Kunstmann, to adopt Ordinance No. 2006-14 changing the speed limit on South Milwaukee Street from Industrial Drive south to Meadowlark Road to 35 mph, contingent on the Town of Fredonia also changing the speed limit to 35 mph on their portion of the road. Waskiewicz stated that as a board member and chairperson of the Personnel Committee he has asked the village marshal to reduce speed within the village and curb vandalism and inappropriate conduct. He stated that if the speed limit is increased, nothing slows traffic as it enters the residential area. Hamm stated the speed limit was lowered because of the condition of the road. Now the road is one of the widest in the village. The speed limit will still be 20 mph less than the original 55 mph. Dohrwardt stated that standards for that section of road is 35 mph and that speed limit should be appropriate for that portion of the roadway. Motion carried with Waskiewicz voting nay.

Advanced Life Support Billing Agreement

Fire Chief Schommer explained that about two years ago the Thiensville Fire Department started a paramedic service. They did not bill for the service. Now they feel they have to bill for the service. The Advanced Life Support Billing Agreement itemizes when the Fredonia Fire Department would bill, when the Thiensville Volunteer Fire Department would bill, and what percent would be returned to each department. Waskiewicz questioned if this type of contract should be given to the Public Safety Committee for review. Schommer stated that he did not see the need for an additional committee meeting. After a discussion with the clerk, the contract was sent to the village attorney for review. However, because our village attorney is also the village attorney for Thiensville, he could not comment on the agreement and suggested that it be sent to a different attorney for review. Waskiewicz stated that when our attorney can’t give an opinion because of a conflict, it should not be sent to him. Schommer noted that the same agreement has been sent to every department in the county and most have already signed. Hamm stated that the agreement sounds pretty straightforward. (Palm arrived at 7:50 p.m.) Dohrwardt asked when this type of service happens. Schommer stated that paramedics provide a higher level of service, including administering more pain drugs. It has probably been used two times. If their services are needed they are called and will

either respond to the scene or meet the ambulance in route. The consensus of the board was to send the agreement to Attorney Eric Eberhardt for review (if he does not have a conflict), otherwise to send to a different attorney for review.

Parks Committee – Remove Tornado Slide at Stoney Creek Park

Laabs reported that the Parks Committee had recommended removal of the slide at Stoney Creek Park based on a Safety report. Since then he has researched the safety issues and has spoken with a representative of the equipment manufacturer. The slide has a few deficiencies and would need to be refurbished. A **MOTION** was made by Laabs, seconded by Dohrwardt, to send the item back to the Parks Committee for further review. Waskiewicz asked for a list of the deficiencies. Laabs stated that the height of the equipment is more than the current recommended height, the slope of the ladder, the depth of the steps, the absorbing surface beneath the equipment, the more than 180 degree turns, the lifting of the sliding surface, and the lack of a platform at the top are all now non-compliant with current safety standards. Laabs reiterated that he has contacted the company and would like to have a representative from the manufacturer give recommendations on what can be done. Dohrwardt noted that he has heard many comments about keeping the slide. Kunstmann questioned if keeping the slide is a liability issue. A vote was taken and the motion carried to send the issue back to the Parks Committee.

Ordinance No. 2006-15 Rezoning Portions of Property West of Wisconsin Street

A **MOTION** was made by Waskiewicz, seconded by Palm, to approve Ordinance No. 2006-15 rezoning 113-115 from Rs-3 (Single Family Residential) and A-1 (Agriculture) to Rd-2 (Two-Family Residential), a portion of 121 Wisconsin Street from A-1 (Agriculture) to Rs-3 (Single Family Residential), and a portion of 123-125 Wisconsin Street from A-1 (Agriculture) to Rd-2 (Two Family Residential). Dohrwardt stated that he would like a legal opinion on the proposed zoning changes. He noted that our ordinance does not allow creating additional Rs-3 or Rd-2 zoning districts. He questioned if the Board of Appeals would need to grant a variance for the rezoning. After further review of the zoning code and more discussion, Waskiewicz amended his **MOTION** to approve the reconfiguring of the zoning districts as described in Ordinance No. 2006-15 contingent upon the parcels being combined as shown on the revised zoning map. Motion carried with Waskiewicz, Palm, Kunstmann, and Dohrwardt voting aye, Hamm and Short voting nay, and Laabs abstaining.

Ordinance No. 2006-16 Amending Masonry Requirements for Buildings in M-1 and M-2 Zoning

Dohrwardt expressed concern over a business owner who may want to build half of a building, with the other half being built in the future. The “temporary” wall will have the greatest square footage and will be used to calculate the amount of brick needed. A **MOTION** was made by Palm, seconded by Dohrwardt to adopt Ordinance No. 2006-16 amending the masonry requirements for buildings in the M-1 and M-2 zoning districts. Waskiewicz questioned if this applied to all buildings. Hamm stated that right now it applies to all buildings. Motion carried with Palm, Dohrwardt, Hamm, and Kunstmann voting aye, and Laabs, Short, and Waskiewicz voting nay.

Celebrate Fredonia Committee Meeting – December 4, 2006

Waskiewicz stated that the Celebrate Fredonia Committee meeting on December 4, 2006, was cancelled.

Celebrate Fredonia Committee

Waskiewicz stated that there were nine committee members this past year. He has received correspondence from the Northern Ozaukee Women’s Group stating that they will no longer participate on the committee level for 2007. It was also questioned if it was necessary for the village marshal to be a committee member. This would leave two Lion’s Club members, one Lioness Club member, two Fredonia Fire Fighter and EMS Association members and one village trustee on the committee. Kunstmann stated that the Fredonia Fire Fighter and EMS Association will not have any members on the committee and will not be participating in the event next year. Hamm stated that the

committee was an ad hoc committee under the Parks Committee because the Parks Committee organized the Celebrate Fredonia parade in the past. It was to become self-sufficient and create by-laws for its operation. Composition of the committee and the future of the event will be discussed again at the next meeting. A **MOTION** was made by Waskiewicz, seconded by Short, to comprise and send a letter to all Celebrate Fredonia Committee members, Parks Committee members, and non-profit/not for profit organizations regarding the upcoming 2007 Celebrate Fredonia and notifying them of the non-participation at the committee level by the Northern Ozaukee Women's Group and the Fredonia Fire Fighter and EMS Association and of the non-participation in the event by the Fredonia Fire Fighter and EMS Association and informing them that the event will be discussed at the next village board meeting on how to move forward. Waskiewicz noted that the 2006 event turned out well with more games and more activities; however, he understands it is difficult for organizations with a small number of members to participate. Motion carried to send the letter.

Citgo Fleet Credit Card

A **MOTION** was made by Dohrwardt, seconded by Palm, to apply for the Citgo credit card with guidelines for use to be established by the Director of Public Works. Motion carried.

Appoint Poll Workers for 2007

Pollworkers appointed for a one year term include Arlene Huiras, Shirley Mohr, Ron Schmit, Rosemarie Waldkirch, Harvey Wester, Kay Wester and alternates Sandy Mayer and Effie Johnson. The appointments were approved on a **MOTION** by Waskiewicz, seconded by Short, and carried.

Report from Director of Public Works

The report from the Director of Public Works was reviewed. Kunstmann apologized to the Director of Public Works for comments made at the last meeting regarding correction of a problem that the Director of Public Works was unaware of.

Storm Water Detention Pond

An opinion has been received from Jeffrey Peelen, Quarles and Brady, regarding the stormwater detention pond needed for runoff from the tax incremental district. The email states that per the project plan, the detention pond, even though not located within the TID, would qualify as a project cost. The issue was referred to the Public Works Committee for recommendation on a **MOTION** by Short, seconded by Waskiewicz, and carried.

Report from Clerk-Treasurer

The report from the Clerk-Treasurer was reviewed.

Correspondence

Correspondence received includes:

- Letter from Food Pantry
- Letter from WE Energies
- Letter from American Transmission Company.
- Thank you from Lucy Janke / Fredonia Baseball Association.
- Newburg Plan Commission meeting.
- Christmas card from Village of Belgium.

A **MOTION** was made by Waskiewicz, seconded by Laabs, to return to agenda item 14. Motion carried with Palm voting nay and Dohrwardt abstaining.

Celebrate Fredonia Committee

Waskiewicz stated that he hoped the Fredonia Fire Fighter EMS Association would reconsider participating in 2007 Celebrate Fredonia, as they have been a great addition to the event.

Personnel Committee

The minutes from the November 30, 2006, Personnel Committee were reviewed. The committee recommended that the Chief Operator of the Wastewater Treatment Plant job description and title be changed to Wastewater Treatment Plant Manager. The committee also requested a chart of total percent increase for each employee including benefits for 2007 and that a representative from LOSA attend a future village board meeting. Waskiewicz will be working with the Fire Chief to create a document showing the benefits and responsibilities of a volunteer on the fire department. After the document is created, a recruitment campaign will begin.

Closed Session

Per Wisconsin Statutes 19.85 (1) (c) the village board convened into closed session to discuss employee evaluations and compensation on a **MOTION** by Short, seconded by Waskiewicz, and carried unanimously with a roll call vote.

(At this point in the meeting the clerk left and Waskiewicz was responsible for taking minutes for the remainder of the meeting.)

Adjourn Closed Session and Reconvene into Open Session

MOTION by Short, second by Palm to adjourn closed session and reconvene into open session. Roll call vote: Palm yes, Waskiewicz yes, Kunstmann yes Hamm yes, Laabs yes, Dohrwardt yes, Short yes, and carried.

Job Descriptions

MOTION by Short, seconded by Laabs, to approve and implement as of Jan. 1, 2007 the Wastewater Treatment Plant Manager and Water / Wastewater Associate job descriptions, and carried.

2007 Wages

MOTION by Short, second by Laabs, to approve all wages as presented in the document submitted starting Jan. 1, 2007, and carried. **MOTION** by Short, second by Dohrwardt, to have all department Managers communicate the benefit package Jo Ann Wagner is creating, wage increases, and job description changes to their employees, and carried.

MOTION by Laabs, second by Short to adjourn, and carried.