

**VILLAGE OF FREDONIA  
VILLAGE BOARD MEETING  
May 17, 2007**

**UNAPPROVED**

The regular village board meeting was called to order at 7:00 by President Short.

### **Pledge of Allegiance and Roll Call**

The Pledge of Allegiance was recited and roll call was taken. Members present: Joe Short, Fritz Buchholtz, Don Dohrwardt, Bruce Laabs, Larry Palm, and Larry Waskiewicz. Arriving later: Jill Bertram. Also present: Allen Neumann, Jo Ann Wagner, Kathleen Schilling, Mark Jaeger, Ardell Bayer, and Ken Leisch. Arriving later: Jason Quade.

### **Approve Board Minutes**

Minutes of the May 3, 2007, village board meeting were approved on a MOTION by Palm, seconded by Dohrwardt, and carried, with Laabs abstaining.

### **Approve Payment of Bills**

Including the return of the fire impact fees and with the additional list presented, the general fund, water and sewer bills were approved for payment on a MOTION by Dohrwardt, seconded by Waskiewicz, and carried.

### **April Treasurer and Utility Report**

The April Treasurer and Utility reports were approved on a MOTION by Waskiewicz, seconded by Dohrwardt, and carried.

### **Operator License**

An operator's license for Jean Franzen was approved on a MOTION by Palm, seconded by Buchholtz, and carried.

### **Ozaukee County Economic Development Corporation Presentation**

Kathleen Schilling, executive director of the Ozaukee County Economic Development Corporation, explained the focus of OCEDC. The primary focus is on business retention, business attraction, entrepreneurship, and regional growth and representation. (Bertram arrived) Schilling explained that OCEDC has access to a revolving loan fund, and can meet with businesses regarding their needs. The state also has training dollars available and can list properties for sale. (Schilling left)

### **Storm Water Issues – Village Green Subdivision**

The response from the village engineer was reviewed regarding the storm water management presentation on May 3, 2007. The engineer, Aaron Groh, concurred with the information provided by Josh Pudelko. Groh also noted that he reviewed the storm water management plan previously and the plan met and/or exceeded Wisconsin Department of Natural Resources and village requirements. Neumann stated that he has been asked to attend a meeting that has been set between the DNR, Kendall Thistle, and the Northern Ozaukee School District for next Thursday, May 24, 2007, at the high school.

### **Clean Up at 139 Wisconsin Street**

Ardell Bayer, property owner of 139 Wisconsin Street, stated that the address of the property has been incorrectly referred to as 135 Wisconsin Street. The village board requested a timeline for completion of the clean up at the property. Bayer stated that the outside is clean, but kids have made a mess in the shed. Dohrwardt thanked Bayer for his effort in cleaning up the property. Bertram noted that it looks much better. Waskiewicz made a motion to send two village representatives, someone from the village marshal's office and the weed commissioner, to view the property and report at the next meeting regarding any ordinance violations. This was seconded by Dohrwardt and carried. Bayer noted that he has some tires piled up and is waiting for Kaiser to pick them up.

### **Deck at 414 Emerald Court**

Jason Quade applied for a building permit for a deck. The deck would encroach on an easement for stormwater. The Board of Appeals cannot grant a variance to an easement.

The village attorney stated that the easement could be modified or an encroachment agreement could be signed. Information reviewed includes the ordinary water line, which is 828, a cross section of the detention pond, the top of pipe elevation of 830 and the elevation of 832 for the spillway. The backyard of the proposed property is two feet higher than the spillway. The actual footprint of the house was reviewed. It was noted that the rear of the house is set back farther than the building pad shown on the master grading plan. By choosing this design for the house, it limited the back yard. Neumann explained that the backyard elevation is 833.5, the normal water line is 827.5. The deck would not have any posts in the water and it would not be a hindrance to sediment removal. The property owner would need to pay for a new easement exhibit and recording. The master grading plan has been adhered to with the exception of some steeper than proposed embankments, with the distance from the back of the house to the drop off being approximately ten feet, not 7.14 feet as shown on the survey. This was probably a result of final grading. (Quade arrived). Discussion followed on modifying the easement area, requiring the property to conform to the master grading plan, and checking the final grading on new lots. Quade noted that he mows the easement area as it is a regular part of his lot. The easement is for maintenance of the pond. The deck will allow him to enjoy his property. A MOTION was made by Waskiewicz, seconded by Dohrwardt, to amend the easement to ten feet from the northeast corner of the house to intersect with the point where the easement is now on the northwest corner of the house contingent on the lot being re-graded to meet the master grading plan, with all costs born by the property owner. A friendly amendment offered by Laabs requested the easement to be ten feet from the rear of the house and parallel to the house until it meets the adjacent property easement. Waskiewicz agreed with the amendment. Laabs then requested a second amendment removing the contingency to re-grade the property. Waskiewicz did not agree to this amendment. Laabs noted that the intent of the grading plan is a general plan to provide for water drainage. Neumann agreed that the proposed floor elevations set by the master grading plan sometimes get altered. The steep slope is a possible safety issue. A vote was taken on the motion with Waskiewicz, Short and Palm voting aye, and Dohrwardt, Laabs, Bertram, and Buchholtz voting nay. Motion failed. A MOTION was made by Dohrwardt to alter the easement to ten feet north of the northeast corner of the house then extending to the east and west lot line to intersect with the current easement at that point with all costs of surveying and amending the easement description, including recording with the Register of Deeds, to be paid by the property owner. Motion carried with Short and Waskiewicz opposed.

### **Concrete Repairs at 201 South Milwaukee Street**

Five bids were received for the concrete work at 201 South Milwaukee Street. Also included as alternates were unfinished sidewalk replacement at 43 different locations, bollards on either side of the overhead doors and a richer concrete mix to accelerate cure time. After discussion, the base bid and alternate 1 was awarded to Neumann Construction in the amount of \$28,273.40 on a MOTION by Waskiewicz, seconded by Dohrwardt, and carried.

### **Computer System – Police Department**

A MOTION was made by Dohrwardt, seconded by Waskiewicz, to instruct staff to prepare a resolution in favor of proceeding with upgrading our communications system. Motion carried.

### **Insurance Renewal**

A MOTION was made by Waskiewicz, seconded by Laabs, to approve the renewal of the property, inland marine, crime, liability, auto, boiler and machinery and workers compensation insurance at a cost of \$50,383.70. Motion carried.

### **Parks Committee Meeting – May 9, 2007**

The minutes from the May 9, 2007, Parks Committee meeting were reviewed. Four groups have confirmed they will help, with three groups already paying their upfront money. Some donations have been received. The committee would like the village president, and any trustee not involved elsewhere to be part of the parade.

### **Electric Service Upgrade at Fireman's Park**

The Parks Committee suggested that a service panel be placed on the back corner of the fire department building and also that the outlets in the concession stand be changed to only two outlets per circuit. The service on the corner of the building should be 200 amp, five 20 amp service needs to be available on the pole. These improvements will be made if approved by the electrician.

### **Celebrate Fredonia – Checking Account**

A MOTION was made by Laabs, seconded by Palm, to approve \$500 of general fund monies be moved to the Celebrate Fredonia checking account to prevent any fees being charged on the account. This money will not be available for Celebrate Fredonia and will be returned to the general fund when the account is closed. Motion carried. Waskiewicz suggested that \$101 be added to the account.

### **Celebrate Fredonia – 2007 Donation**

A MOTION was made by Dohrwardt, seconded by Palm, to move the budgeted amount of \$1,500 and the \$37.87 remaining from last year to the Celebrate Fredonia account and to use this account for any donations received and expenses related to Celebrate Fredonia. Motion carried.

### **Plan Commission**

The minutes from the May 7, 2007, Plan Commission meeting were reviewed. The twelve condominiums on Meadowbrook Drive will be changed back to three 4-family apartment units. The site plan was approved for 100 Martin Drive and it was recommended that the east portion of the property at 242 Fredonia Avenue be rezoned to I-1 Institutional. The Plan Commission also met on May 14, 2007, and reviewed the Land Use Section of the Ozaukee County Comprehensive Plan.

### **Schedule Public Hearing on Rezoning of 242 Fredonia Avenue**

A MOTION was made by Waskiewicz, seconded by Dohrwardt, to schedule a public hearing on the proposed rezoning of the property at 242 Fredonia Avenue currently zoned Rs-1 Single Family, to be rezoned to I-1 Institutional. Motion carried.

### **Land Use Section – Ozaukee County Comprehensive Plan**

A MOTION was made by Waskiewicz, seconded by Bertram, to accept the minutes of the May 14, 2007, Plan Commission meeting, as revised, including approving the four motions in the minutes. Motion carried. The four motions are:

- To include the Primary Environmental Corridors, Secondary Environmental Corridors and the Isolated Natural Resource Areas in the Planned Land Use Map for 2035 for the Village of Fredonia as contained in the Ozaukee County Multi-Jurisdictional Comprehensive Plan.
- To include on the Comprehensive Plan Map entitled “Other Environmentally Sensitive Lands” the following information:
  - Primary Environmental Corridors
  - Secondary Environmental Corridors
  - Isolated Natural Resource Areas
  - Natural Areas
  - Critical Species Habitat Sites
  - Sand and Gravel Resource Areas
  - Surface Water
  - Wetlands
  - Woodlands
- To include on the Comprehensive Plan Map entitled “Natural Limitations for Building Site Development” the following information:
  - 100-year Floodplain
  - Floodway
  - Hydric Soils
  - Nonmetallic Mining Sites (existing)
  - Surface Water
  - Wetlands
  - Woodlands
  - Stormwater Ponds

- Steep Slopes
- To use the Village of Fredonia Planning Area portion of the Ozaukee County Map created using the LESA methodology for the “Productive Agricultural Lands Map.”

### **Architectural Control Board Meeting – May 2, 2007**

The minutes from the Architectural Control Board were reviewed. A new home at 454 Emerald Hills Drive and an addition to the building at 100 Martin Drive were approved.

### **Proclamation Supporting the Safe Boating Campaign**

The proclamation supporting the goals of the Safe Boating Campaign and urging all those who boat to wear a life jacket and practice safe boating habits was approved on a MOTION by Short, seconded by Laabs, and carried.

### **Report from Manager on Operations of WWTP**

The report on the operations of the Wastewater Treatment Plant was reviewed.

### **Report from Director of Public Works on Operations of Village**

The report from the Director of Public Works on the operations of the village was reviewed.

### **Report from Clerk-Treasurer on Operations of the Village**

The report from the Clerk-Treasurer on the operations of the village was reviewed. Board and committee members should review the Ethics Code and sign the statement noting they have reviewed it.

### **Correspondence**

Correspondence reviewed include:

- Time Warner certificate of gross revenues.
- Thank you from Eagle Scout Jake Lange.
- Guide to Wisconsin Cities and Villages.
- American Diabetes Association’s Tour de Cure bike ride.
- NIMS training ICS-300.
- Mid-Moraine Municipal Association meeting on May 23, 2007.

### **Items for Future Consideration**

Bertram asked if the village has considered disc golf at the parks. This is becoming very popular. This was referred to the Parks Committee.

### **Closed Session**

Per Wisconsin Statutes 19.85 (1)(e) the village board convened into closed session to discuss possible purchase of land for stormwater detention pond on a MOTION by Dohrwardt, seconded by Palm, and carried unanimously with a roll call vote.

### **Adjourn Closed Session and Reconvene into Open Session**

The village board adjourned the closed session and reconvened into open session on a MOTION by Dohrwardt, seconded by Palm, and carried unanimously with a roll call vote.

### **Possible Land Purchase**

A MOTION was made by Dohrwardt, seconded by Palm, to instruct staff to proceed as directed in closed session. Motion carried.

The meeting adjourned at 9:45 p.m. on a MOTION by Palm, seconded by Waskiewicz, and carried.