

## FREDONIA VILLAGE BOARD MEETING

July 23, 2009

The regular village board meeting was called to order at 7:00 p.m. by President Short. Present: Joe Short, Jill Bertram, Fritz Buchholtz, Don Dohrwardt, Mark Edbauer, Sr., Chuck Lapicola, and John Rudolph. Also present: Tracy Kunstmann, Randall Schultz, Sue Siesco, Laurie Susen, Bob Rathsack, Gerald Weiland, Dave Ziehr, Rik Bertin, Craig McCutcheon, Kim Crowley, Amy Schmit, Chuck Schmit, Chris Holdridge, Allen Neumann, Mike Davel, and Jo Ann Wagner. Arriving later: Rick Hughes, Brent Neis, Kendall and Carla Thistle.

### **Pledge of Allegiance**

All stood and recited the Pledge of Allegiance.

### **Approve Minutes**

Minutes of the July 9, 2009 village board meeting were approved as presented on a **MOTION** by Dohrwardt, seconded by Buchholtz, and carried. It was noted that the cooler in the concession stand at Fireman's Park has been repaired.

### **Payment of Bills**

With two additional bills, one for A. N. Ansay in the amount of \$1,721, and one for Associated Bank in the amount of \$726, the general fund, water, and sewer bills were approved for payment on a **MOTION** by Bertram, seconded by Buchholtz, and carried.

### **Treasurer and Utility Reports**

The Treasurer and Utility reports were approved as presented on a **MOTION** by Dohrwardt, seconded by Rudolph, and carried. The second quarter budget comparisons were distributed.

### **Operator License**

An operator's license for Thomas Buskuskie was approved on a **MOTION** by Lapicola, seconded by Buchholtz, and carried.

### **Citizen Questions and Comments**

Kunstmann, representing the Fredonia Area Garden Club, stated that there may have been some miscommunication regarding their use of the Fredonia Government Center in May. She was told the room used was left unacceptable. However, she was told not to clean the room they used as the cleaning crew would be coming in to clean.

Rathsack stated that milling is being done on streets in the village including some on Meadowbrook Drive. He questioned if any additional work was being done on Meadowbrook Drive. Short stated not at this time. Rathsack questioned when work will be done on Meadowbrook as milling will not take care of the problem. The water can't run uphill to get to the catchbasin so the water runs down the street instead. In winter the water freezes on the street causing up to 4" of ice. Storm sewer needs to be added or the street will get worse. The sub basin of the street needs to be addressed. Neumann stated that the drainage issue needs to be addressed. It was proposed in the last budget but did not make the cut. The grind and overlay of a portion of the street is just a temporary fix. Some permits have been issued to allow storm water to drain into the sanitary sewer during the winter months to help alleviate the icing on the streets. Weiland noted that there is a high water level on the street. Short stated that Public Works will review this again at budget time.

Chuck Schmit requested that a crosswalk be added at the intersection of Pine Street and South Milwaukee Street. Neumann stated that striping will be done in mid-August and he will look at it then.

### **Unfinished Business – Stormwater Issue / Village Green Subdivision/Kendall Thistle**

Short stated that he sent a letter to Regency Hills Development about the extension of their letter of credit and about the Kendall Thistle stormwater issue. The letter he

received back stated that the letter of credit has been renewed for one year through September 2010 and “In regards to Mr. Thistle’s question regarding the swale on the north side of his property. The only outstanding item we are aware of is in the ditch area in Hwy. 57. Due to current economic and financial conditions we are unable to complete that at this time.”

### **Report from Fire Chief on Operations of Village**

The report from the Fire Chief was reviewed.

### **Report from Village Marshal on Operations of Village**

The report from the Village Marshal was reviewed. Davel stated that the bond schedule has increased \$5 per state requirements. There is now 106,000 miles on the second squad. Davel thanked trustee Bertram for the improved look of the Marshal’s office. Rath sack asked if any bicycle information was being provided for young people as they are biking on the wrong side of the road. Davel stated that they have in the past presented information at Rosemary School and the Day Care Center, but have not done anything this year.

### **Report from Wastewater Treatment Plant Manager on Operations of Village**

No report.

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

The report from the Director of Public Works was reviewed. The Fire Department has been notified of the paving schedule for South Milwaukee Street.

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

The report from the Clerk-Treasurer was reviewed. The Tax Incremental District audit has almost been completed.

### **Forest Glen Homeowners Association – Request for Dissolution of Association**

Randall Schultz, representing the Forest Glen Homeowners Association, stated that the association wants to dissolve. They have submitted a letter and signatures to the village requesting this. Short asked

- If 50% of the association members were at the meeting when they established the Dissolution Committee.
- Who was elected to represent the Homeowner’s Association?
- Does that person have the authority to make decisions?
- Are 90% of the property owners in favor of the dissolution?
- Do the residents understand the control the Homeowner’s Association has over architectural design and restrictive covenants for the subdivision? The village does not enforce subdivision covenants.
- The owner occupancy of units is controlled under the covenants enforced by the association.
- Current restrictions limit the number of pets to two.
- By dissolving, the Association will lose control over certain requirements of the subdivision.
- What will happen to the outlot? Who will maintain?
- Will new CSM’s be presented combining two lots into one on the south side of Forest Street where houses were built over the lot line?
- Will association pay for all legal costs incurred by village?
- If village were to accept the road, would the association pay the village for the depreciation of the road?
- What would happen to existing association funds?
- Are all members currently in good standing?

Schultz responded that the Homeowner’s Association hoped the village would take the outlot. The association did not see it as a problem to lose control of standards in the subdivision. Discussion followed on what items would need to be completed and if the village board was in favor of moving forward. The consensus of the board was to move

forward working with the Homeowner's Association. Kunstmann stated that as a taxpayer, she questions what the cost is to the village and asked that the board consider how this will affect other taxpayers.

### **Award Bid for Construction of Village Shop**

Edbauer reported that the Public Works Committee opened the bids received for construction of the village shop. All bids were over the budgeted amount. The low bidder has been contacted to provide manufacturers certifications and specifications. The committee will discuss this at their meeting scheduled for August 4, 2009 at 7:00 p.m.

### **Resolution No. 2009-N Supporting 2010 Census**

Resolution No. 2009-N supporting the 2010 Census count was adopted on a **MOTION** by Dohrwardt, seconded by Rudolph, and carried.

### **Resolution No. 2009-O Recognizing Nicholas Bohn for Obtaining Rank of Eagle Scout**

Resolution No. 2009-O recognizing Nicholas Bohn for obtaining rank of Eagle Scout was adopted on a **MOTION** by Edbauer, seconded by Lapicola, and carried.

### **Resolution No. 2009-P Approving Use of Volunteer Employees for Celebrate Fredonia**

Resolution No. 2009-P approving use of volunteer employees for Celebrate Fredonia was adopted on a **MOTION** by Dohrwardt, seconded by Lapicola, and carried. It was explained that this resolution ensures village insurance coverage for volunteers working the food and beverage stand at Celebrate Fredonia.

### **Plan Commission**

Minutes from the July 6, 2009 Plan Commission meeting were reviewed. Short reported that the Plan Commission completed the annual review of the conditional use permit for 240 Highland Drive, recommended rezoning the property west of the village shop at 420 Wheeler Avenue, approved the site plan for the proposed shop building, and received the request from Didier to review the masonry requirements for M-1 zoning. Dohrwardt stated that we should stick with the original agreement and made a **MOTION** to recommend to the Plan Commission that we adhere to the original agreement and stay with the existing masonry requirements for M-1 zoning. The motion was seconded by Rudolph, and carried.

### **Architectural Control Board – July 8, 2009 Meeting**

The minutes from the July 8, 2009 Architectural Control Board meeting were reviewed. Dohrwardt reported that a new home was approved for 510 Emerald Hills Drive and the additional shop building for 420 Wheeler Avenue.

### **Celebrate Fredonia – July 14, 2009 Meeting**

The minutes from the July 14, 2009 Celebrate Fredonia Committee meeting were reviewed. Edbauer reported that Budweiser will give them a \$6 per barrel price break to offset the cost of the trailer. Currently they are looking at a horseshoe tournament. Contracts for the entertainment have been approved. Lakeside Pepsi will donate all the Mountain Dew and sell the other soda at \$8 per case. Any unopened cases can be returned. The pig roast was discussed. The committee had previously agreed to have the pig roasted onsite and had already discussed this with the vendor. The four non-profit groups involved now want the time changed for roasting the pig or the pig roasted offsite. Wine coolers no longer come in quarter barrels. A cost analysis will be done on using one vendor Sysco Foods or buying from various vendors. Joe Lopera will again help with the parade which starts at noon on Saturday. Marshal Davel will notify the county of the parade date and time. Tracy Kunstmann, speaking as representative of the four non-profit groups involved, stated that the groups are concerned with some of the decisions being made by the committee which may reduce their profits. Suggestions were made to roast the pig off site to save \$200. Hames stated that the committee had decided at the previous meeting to roast the pig on site. A verbal commitment had been made to the vendor. The four groups came to the next meeting and wanted to change it. Kunstmann stated that the four non-profit groups want to take over the food and beverage

part of the event. The Celebrate Fredonia Committee would keep the profits from the pig roast, but the four non-profit groups would split the net profit from the food and beverage sales. Edbauer noted that the Celebrate Fredonia Committee met, discussed and made decisions. The non-profit groups would then come back at the next meeting and want things changed. Currently the non-profit groups do not have a vote on the committee. Edbauer expressed concern that two groups would be in charge of the event. Dohrwardt stated that each group would have separate responsibilities. After discussion a **MOTION** was made by Bertram, seconded by Rudolph, to allow the four non-profit groups to take over the food and beverage sales for Celebrate Fredonia including purchasing, cooking and selling, with net profits from the food and beverage split between the four groups, and the profits from the pig roast going towards the Celebrate Fredonia event, with all records kept together and submitted to the village. Hames stated that pork left from the pig roast was going to be sold as sandwiches on Saturday. Kunstmann stated that the groups will sell the pork sandwiches on Saturday with all proceeds going to the Celebrate Fredonia event. Edbauer stated that contracts have been signed for beer. Kunstmann stated that anything with a signed contract would be honored. If there is not a contract, it will be reconsidered. Motion carried with Edbauer abstaining.

### **Economic Development Committee – July 15, 2009 Meeting**

The minutes from the Economic Development Committee meeting were reviewed. Dohrwardt reported that the committee appropriately awarded an Economic Development grant to Fredonia Family Restaurant. They also explored options for helping businesses in town and have discussed holding a modest luncheon to invite business owners to discuss ways the village may be able to help them. The committee also discussed forming a Chamber of Commerce or local business association. The Economic Development grant application was also reviewed and the committee may be making some suggestions for changes to the application and ordinance to allow the committee to recommend to the board. The committee also discussed switching the Farmer's Market to the Economic Development Committee instead of the Parks Committee. Dohrwardt asked if the Economic Development Committee should host a luncheon for area businesses. The consensus of the village board was that the committee should proceed. Dohrwardt requested that the Clerk-Treasurer or Deputy Clerk-Treasurer attend the meeting to take minutes.

### **Fredonia Government Center Commission – July 8, 2009 Meeting**

The minutes from the Fredonia Government Center Commission meeting were reviewed. Short reported that Dave Gorton has been elected Secretary and has been appointed to the committee by the town to replace Rich Mueller. The commission is working on making use of the parking lot and land a separate section of the policy.

### **Personnel Committee – July 13, 2009 Meeting**

Bertram reported that the Personnel Committee met in closed session.

### **Closed Session**

Per Wisconsin Statutes 19.85 (1)(c) and 19.85 (1)(e) the village board convened into closed session to discuss employee compensation, purchase of a squad car, and storm water negotiations on a **MOTION** by Dohrwardt, seconded by Edbauer, and carried unanimously on a roll call vote.

(At this time the Clerk-Treasurer left the meeting and the village president took the remainder of the minutes.)

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

The board adjourned closed session and reconvened into open session on a **MOTION** by Dohrwardt, seconded by Bertram and carried unanimously on a roll call vote.

### **Employee Compensation**

**MOTION** by Dohrwardt, seconded by Buchholtz, to go as discussed in closed session for both items A and B. Motion carried.

### **Bid on Purchase of Squad Car**

**MOTION** by Rudolph, seconded by Buchholtz, to put in a bid for squad car as proposed in closed session. Discussion point: Lapicola was concerned about buying a used car. Motion carried. Lapicola voted no.

### **Storm Water**

**MOTION** by Rudolph, seconded by Edbauer, to proceed as discussed in closed session. Motion carried.

### **Items for Future Consideration**

Lapicola passed out two documents for the board members to read and have on the next agenda. Award Policy for the Village of Fredonia and Article from League of Municipalities.

The meeting adjourned on a **MOTION** by Rudolph, seconded by Buchholtz, and carried. Meeting ended at 10:18 p.m.