

FREDONIA VILLAGE BOARD MEETING

August 13, 2009

Present: Joseph Short, Fritz Buchholtz, Don Dohrwardt, Mark Edbauer, Sr., and Chuck Lapicola. Also present: Gary Buntrock, Bill Hamm, Mike Davel, Mark Jaeger, and Jo Ann Wagner. Arriving later: Tracy Kunstmann, John Long, Kendall Thistle, and Kari Dennis.

The public hearing on the proposed rezoning of the area west of 420 Wheeler Avenue from M-2 (General Manufacturing) to I-1 (Institutional) was called to order at 7:01 p.m. No comments were received.

The public hearing was closed and the regular village board meeting was called to order on a MOTION by Lapicola, seconded by Dohrwardt, and carried.

Pledge of Allegiance

All stood and recited the Pledge of Allegiance.

Approve Minutes

Minutes of the July 23, 2009 village board meeting were approved as presented on a MOTION by Lapicola, seconded by Dohrwardt, and carried. It was clarified that it is not two separate groups working on the Celebrate Fredonia event, but the four non-profit groups working as volunteers with the committee to provide, cook and sell the food and beverage. (Thistle arrived)

Approve Payment of Bills

The General Fund, Water and Sewer bills were approved for payment on a MOTION by Lapicola, seconded by Dohrwardt, and carried.

Treasurer and Utility Reports

The July treasurer and utility reports were approved as presented on a MOTION by Dohrwardt, seconded by Lapicola, and carried. The Economic Development account has transferred \$25,401.26 to the Tax Incremental District for proceeds from land sales.

Special Gathering Beer License

The special gathering beer license for Celebrate Fredonia on September 11 and 12 issued to the Celebrate Fredonia Committee was approved on a MOTION by Lapicola, seconded by Buchholtz, and carried.

Open Session for Citizen Comments

Kendall Thistle, Town of Fredonia resident, stated that he asked the village board a month ago about the storm water situation along his north property line. He has subsequently received a copy of a letter from Master Craft stating that they cannot do the project at this time. His second question is if the village will do the work and put it on the tax roll or hold up building permits to force the developer to improve the storm water system along his north property line. Edbauer reported that the Public Works Committee reviewed the situation and decided that the issue is between two private parties and it would not be a good idea to get involved. Thistle questioned how a ditch promised and approved by the village is not village business. Edbauer stated that if the village would now do any work on the property and the storm water system would fail, it would now be the village's responsibility instead of the contractor's responsibility. Thistle then asked if the village could refuse to issue building permits for new construction until the work is done. Buchholtz asked if the developer was ordered to do the work. Short stated that the developer submitted a proposal to alleviate the stormwater issue. He stated that if the developer proposes to expand the development, this stormwater issue could be part of the developer's agreement for the next phase. (Kari Dennis arrived) Thistle stated that when we get heavy rains his property floods and now the village is asking him to wait until the developer starts another phase of his development. Short stated that although the engineering for the storm water is complete, because of changes to the water drainage on the south side of the property, the proposed engineering plans may need to be changed. Thistle stated that a swale was promised and what we have is a ditch above the property.

Short questioned if Thistle was receiving water from the sidewalls of the detention pond. Thistle stated that he hasn't received any water this year, but it does come from the sides and in winter when the ditch is filled with snow and ice and it rains, he receives water. Short stated that he will call Master Craft and ask them to attend the next meeting. His concern is possible "overkill" and the developer may come back with a different plan. Dohrwardt commented that the ditch may not have been designed to be lower than the property. The ditch is perched along the edge of the detention pond. Thistle stated that his property is 600' long and the low spot is 385' back. With heavy rains the one foot deep ditch does not handle the water. Dohrwardt asked if any of the ponding beyond the ditch is caused by ground being placed there. Thistle stated that he is talking about the north side of his property. Dohrwardt stated that plans approved by the DNR and DOT would not be disapproved by the village. He is aware that there were two 500 year storm events within 10 days or so last year and storm water plans are designed for a 100 year storm event. The detention pond held most of it. Your property would also have had 7" of rain on it. Thistle stated that last winter with 1 1/2" of rain, the ditch clearly did not do what it was designed to do. Lopicola commented that no one will stop you from bringing suit against the developer. Thistle asked if the next phase would be when roads are expanded. Short stated that with the next phase the village will again discuss with Master Craft the storm water issue on Master Craft's south property line.

[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 reported that the Village of Fredonia had the high bid for the squad car being sold by Newburg. (Davel left)

[Report from Wastewater Treatment Plant Manager on Operations of Village](#)

The report from the Wastewater Treatment Plant Manager was reviewed. Buntrock reported that the village did not receive any stimulus funds.

[Report from Director of Public Works on Operations of Village](#)

The report from the Director of Public Works was reviewed.

[Clarification of Water and Wastewater Certifications Obtained](#)

Short stated that one employee took four tests and passed three. The Personnel Committee will review.

[Report from Clerk-Treasurer on Operations of Village](#)

The report from the Clerk-Treasurer was reviewed.

[TID Closing – Approve Disbursement of Funds](#)

A MOTION was made by Lopicola, seconded by Buchholtz, to approve the closing of the tax incremental district including distribution of funds to other taxing districts with the village portion to be deposited in the General Fund account with the Finance Committee to review and make a recommendation on the use of the funds. Motion carried.

[Report from McMahon Engineers on Wastewater Projects](#)

Dennis reported that bid openings on the Park Avenue project and CIPP project were held today. Bid tabs and recommendations were presented to the village board. The village did not receive any stimulus funding but is still eligible for Clean Water Fund loans for the project. The current rate is 2.6 to 2.7%.

CIPP PROJECT: Four bids were received for the project:

Michels Corporation	\$212,624.00
Visu-Sewer, Inc.	227,250.50
Terra Engineering	227,484.25
Insituform Technology	247,554.80

McMahon recommended awarding the bid to Michels Corporation. Lopicola questioned if this project will make Fredonia Avenue ready for reconstruction. Buntrock stated it

would regarding the sanitary sewer main. The elevation of the manholes may need to be changed if the profile of the street changes. Dohrwardt suggested that an extra ring be installed so it could be lowered if needed. A MOTION was made by Lapicola, seconded by Dohrwardt, to award the bid for the CIPP project to Michels Corporation in the amount of \$212,624 with funding from the Sewer Debt Retirement fund. Motion carried.

PARK AVENUE SANITARY SEWER RECONSTRUCTION: Thirteen bids were received for the Park Avenue project ranging in price from \$130,216.50 to \$231,674. Both projects will help reduce I/I. McMahon recommended awarding the bid to the low bidder PTS Contractors, Inc. A MOTION was made by Lapicola, seconded by Dohrwardt, to award the Park Avenue Sanitary Sewer Reconstruction project to PTS Contractors in the amount of \$130,216.50 with funding from the Sewer Capital account. Motion carried.

STATUS OF SCADA PROJECT: Dennis reported that the SCADA system has not been bid. No grant dollars will be received. The project could be “shelved” for now, or they can move forward with it. Because no funding was received, there are no longer any time restraints on the projects. The project could also be staged, with some improvements now, and some improvements at a later date. The engineering is not complete at this time. They are still under the design budget. The design can be completed but it will not have an infinite shelf life. John Long stated that he has worked with SCADA upgrades in the past and projects are often phased. It does cost more to do in stages. He would like to review the plans when they are complete. The current system still works but some aged components may need replacing. Long stated that the SCADA upgrades will automate the plant and could save hours of manpower. Components may change, but the design wouldn’t change. A MOTION was made by Dohrwardt, seconded by Edbauer, to complete the engineering for the SCADA design but not to advertise for bids. Lapicola asked that the design be written so it will be easily phased. Dennis stated that she would like to have a meeting to discuss the phasing before the design documents are finished. Short stated that it could be discussed at a Water and Sewer Committee meeting. Buntrock stated that part of the SCADA system and alarms are part of the Water Utility and some of the money should come from there. Motion carried.

[Re-Zoning Request – Area West of 420 Wheeler Avenue](#)

The rezoning request for the area west of 420 Wheeler Avenue was reviewed.

[Ordinance No. 2009-04 Rezoning the Area West of 420 Wheeler Avenue](#)

Ordinance No. 2009-04 rezoning the area west of 420 Wheeler Avenue from M-2 (General Manufacturing) to I-1 (Institutional) was adopted on a MOTION by Edbauer, seconded by Dohrwardt, and carried.

[Celebrate Fredonia Committee – July 30, 2009 and August 6, 2009](#)

Edbauer reported on the July 30, 2009 and August 6, 2009 Celebrate Fredonia Committee meetings. The Celebrate Fredonia posters and pig roast tickets have been received. The tickets are \$9 in advance and \$10 the day of the event. The four non-profit groups are now in charge of the food and beverage with Tracy Kunstmann as the spokesperson. It was clarified that the four groups are working as volunteers to handle the details of the food and beverage purchase and sale. The pricing of the beverages was discussed. The clowns and Discovery World have been booked. The layout at the park was discussed. Pat Galvin will use his own generator for karaoke with re-imbusement for the gasoline used for the generator. A \$25 gift certificate was received from Wal-Mart and will probably be used for the pig roast. They are still working on getting pony rides for the event. Last night the committee met and discussed a possible percent of the food and beverage net proceeds to be used to help offset the cost of the Celebrate Fredonia event. Last year 5% was applied to the event. Because of the economic situation it was felt that 2 ½% would be appropriate this year. As spokesperson for the four non-profit groups, it was felt Tracy Kunstmann should be on the committee. Ryan Bartel has been unable to attend meetings because of his work schedule. Short clarified that the four groups are not acting as a separate committee but as volunteers helping the Celebrate Fredonia Committee. A MOTION was made by Short, seconded by Dohrwardt, to appoint Tracy Kunstmann as a replacement for Ryan Bartel as a voting member on the Celebrate Fredonia Committee. Motion carried. Kunstmann stated that there will be clear

documentation of how the funds are raised and used. The committee has also agreed that they will meet after the event and make notes and critique any possible changes that may be needed. They have also discussed having a survey of what people like and don't like about the event. A MOTION was made by Dohrwardt, seconded by Lapicola to have 2½% of the net profit from the food and beverage sales used to offset the cost of the Celebrate Fredonia event. Buchholtz questioned why it would not be 5%, the same as last year. All along the committees have discussed making a fund so taxpayer money would not be needed for the event. Kunstmann stated that at the last village board meeting it was stated that all of the funds would come back to the committees. There was no mention of 5% being used for the event. No other vendors are being asked to contribute a percent. Edbauer stated that it is something that is being discussed for next year either requesting a percent of profits or charging a fee for participation. After more discussion the motion carried.

[Plan Commission – August 3, 2009 Meeting](#)

Minutes from the Plan Commission meeting were reviewed. No change was recommended to the exterior brick requirements in M-1 zoning although some clarification may be needed on the definition of Public Street versus private street. Dohrwardt stated that one issue was the comments by the residents in the town that faced the storage buildings. The Plan Commission also discussed dissolution of the Forest Glen Homeowners Association but requested additional information and asked that the village board not make any decisions before the Plan Commission can review the request and make a recommendation. They also discussed how this may affect other associations in the village (i.e. storm water associations). The next Plan Commission meeting is September 14, 2009.

[Public Works Committee – August 4, 2009 Meeting](#)

The Public Works Committee had a lengthy discussion regarding the low bidder for the village shop meeting all requirements of the bid. The contractor stated that it meets all state requirements. The contractor was asked for manufacturing certifications and additional information on some items. The Public Works Committee also discussed the possible need for larger truck route signs in the industrial park.

[Architectural Control Board – August 5, 2009 Meeting](#)

Minutes from the August 5, 2009 Architectural Control Board meeting were reviewed. Dohrwardt stated that he recused himself from the discussion regarding the addition to his duplex at 305 South Milwaukee Street. The Architectural Control Board approved the addition contingent on the south setback being verified that it meets the sideyard setback requirement and that a final plan be submitted showing elevations for the house including windows, doors and second-story deck. The building permit fees were also reviewed and will be discussed again. The committee may recommend a fee per square foot.

[Economic Development Committee – July 22, 2009 Meeting](#)

The minutes from the July 22, 2009 Economic Development Committee meeting were reviewed. Goals discussed by the committee include:

- Roundtable luncheon with area business owners (village will pay for lunch)
- Revolving loan fund (partner with county and state)
- Farmer's Market (move oversight from Parks Committee to Economic Development)
- Creation of a Chamber of Commerce or Business Association
- Change of ordinance regarding Economic Development grant for Reserve liquor license to allow "up to" a \$10,000 grant and to have final approval by the village board. Establish a small application fee for the grant.

[Ordinance No. 2009-05 Revising Section 7-2-5 \(g\)\(3\) Regarding Grants for Reserve Liquor Licenses](#)

Review of Ordinance No. 2009-05 was postponed until after it is reviewed by the Economic Development Committee.

[Award Policy](#)

The award policy presented is as follows:

This award policy is binding upon all employees, committee members, board members, and the village president. It shall not be deviated from by any other organization, individual, or governmental body while the individual is acting for or as an agent of the Village of Fredonia.

- 1) All awards/bonuses/gifts whether monetary or non-monetary shall have a written justification which includes the special action or actions, money savings, or any other pertinent facts precipitating the award recommendation.
- 2) The recommending individual shall present the board with the justification and the recommended kind and amount of award.
- 3) If the award involves another board member or the village president and the requestor wishes for the award to remain secret from the individual, because this is a personnel action, the board can go into closed session to discuss the award with the receiving individual excluded from those discussions.
- 4) Guidance for the amount of a monetary award shall come from previous awards for similar actions in neighboring communities or this community. The award in no case shall be more than 5% of any savings realized by the Village.
- 5) There shall not be awards given for actions which are part of the individuals recognized regular job and for which the individual already has been paid by the village to do (unless very extraordinary or a non-monetary award).
- 6) The board shall make all award decisions no matter the type, whether called gifts, bonuses, awards, unwanted/needed materials, anything of any value shall be decided by the Village Board.
- 7) Non-monetary awards shall not exceed \$50.00 in value.
- 8) There is an exception to the prior approval policy for instances involving a death in the family of a member of the village board or an employee of the Village of Fredonia. The purchase of flowers or a plant and a card in the case of the death of an immediate member of the family in an expression of sympathy is pre-approved. The Clerk shall be able to buy and send a plant or flowers and a card with a total value of \$85 to \$100 upon the death of a brother, sister, mother, father, spouse, or child of the above mentioned individuals. At the next board meeting the board will approve of the expenditures.

MATERIALS POLICY: No village employee/board member/village president/committee member shall be allowed to accept any gift, reward, bonus, object, or anything else of any value even if it is no longer wanted or needed by the village unless the board votes to allow that person to take such property. Requests for excess property shall be agenda and discussion items for the Village Board.

This policy was approved on a MOTION by Edbauer, seconded by Dohrwardt, and carried.

[League of Wisconsin Municipalities Article Regarding Meeting Agendas](#)

The article from the League of Wisconsin Municipalities regarding meeting agendas, including that the presiding officer can take items off the agenda, unless it was directed by the board at the previous meeting to include an item on the agenda was presented for reference. Lapicola noted that Section 2-2-14 and 2-2-15 of the Village Ordinance also discussed village board meeting agendas.

[Trick or Treat 2009](#)

Current Trick or Treat hours in the Village of Fredonia were set by the village board in 2005 as the Saturday before October 31st from 4:00 p.m. until 7:00 p.m. This year October 31 is a Saturday and per the village board motion Trick or Treat would be on October 24th. Short stated that he does not think government should regulate any holiday. Lapicola stated that he would like input from the Village Marshal. After discussion a MOTION was made by Dohrwardt, seconded by Lapicola, to have Trick or Treat hours the Saturday before October 31 from 4:00 p.m. until 7:00 p.m. unless October 31 is a Saturday, then Trick or Treat hours are 4:00 p.m. until 7:00 p.m. on October 31st. After more discussion a vote was taken with Dohrwardt and Lapicola voting aye, and Short,

Edbauer, and Buchholtz voting nay. Motion failed. The Village Marshal will be asked for input.

Correspondence

Correspondence received and reviewed:

- Zoning Workshop for Boards of Adjustment/Appeals brochure for September 24, 2009
- Information on State Clean Energy Manufacturing Projects eligible for federal funds
- Mid-Moraine Municipal Association dinner meeting – August 26, 2009

The meeting adjourned at 9:18 p.m. on a MOTION by Lapicola, seconded by Buchholtz, and carried.