

FREDONIA VILLAGE BOARD MEETING
October 22, 2009

The public hearing on the proposed rezoning of 305 South Milwaukee Street from Rs-1 (Single Family Residential) to Rd-1 (Two Family Residential) was called to order at 7:00 p.m. No comments were received.

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

The public hearing was closed and the regular village board meeting was called to order on a **MOTION** by Lapicola, seconded by Edbauer, and carried. Present: Joe Short, Jill Bertram, Fritz Buchholtz, Don Dohrwardt, Scott Ehaney, Mark Edbauer, Sr., and Chuck Lapicola. Also present: Mike Davel, Gary Buntrock, Bill Hamm, Mark Jaeger, Allen Neumann, and Jo Ann Wagner.

Pledge of Allegiance

All stood and recited the Pledge of Allegiance.

Approve Minutes

Minutes of the October 8, 2009 village board meeting were approved as presented on a **MOTION** by Lapicola, seconded by Buchholtz, and carried.

Approve Payment of Bills

With the additional list presented and the change to \$115.79 due to Tom Sheppard, the General Fund, Water and Sewer bills were approved for payment on a **MOTION** by Dohrwardt, seconded by Edbauer, and carried.

September Treasurer and Utility Reports

The September treasurer and utility reports were approved as presented on a **MOTION** by Dohrwardt, seconded by Bertram, and carried.

Operator Licenses

An operator's license for Tracy Baumann was approved on a **MOTION** by Lapicola, seconded by Buchholtz, and carried. Since Abagayle Bruce is no longer employed within the village, the operator's license for her was not approved on a **MOTION** by Short, seconded by Buchholtz, and carried.

Open Session for Citizen Questions and Comments

Bill Hamm stated that when traveling north on South Milwaukee Street at the intersection with Fredonia Avenue, you are unable to see to the east. There is no vision triangle. He presented a picture taken through his car window. This was referred to the Public Safety Committee on a **MOTION** by Dohrwardt, seconded by Edbauer, and carried.

Unfinished Business – Committee Appointments

Committee appointments appointing Scott Ehaney to Public Safety, Parks and Utilities with Ehaney being chairperson of Public Safety were approved on a **MOTION** by Buchholtz, seconded by Bertram, and carried.

NIMS

Short reminded board members that NIMS certification should be completed before the end of the year. Buchholtz and Edbauer both stated that they are working on it.

Report from Fire Chief on Operations of Village

The report from the Fire Chief was received but the clerk was unable to print it.

Report from Village Marshal on Operations of Village

The report from the Village Marshal was reviewed. The squad car is now in operation with one minor computer problem still needing repair. The old car is now parked outside. This vehicle will be moved inside the fence at the WWTP.

Report from Wastewater Treatment Plant Manager on Operations of Village

Buntrock reported that the Park Avenue sanitary sewer project is operational. This project increased the size of pipe from ten inches to fifteen inches. Restoration is still needed on the project. The Cured in Place Pipe crew has started working. Regal Avenue and some sections on Fredonia Avenue have been completed. Laterals are televised for thirty to fifty feet. The first three feet of each lateral will be grouted. Some additional areas may also be grouted.

Agreement with NOSD for Sanitary Sewer Improvements

The estimated cost to line two sections of pipe at the Northern Ozaukee School District would cost approximately \$13,086. This would be an addition to the existing contract. NOSD would re-pay the village next July. Buntrock stated if the contractor has to come back a different time, the price will increase \$8 per foot. After discussion a **MOTION** was made by Dohrwardt, seconded by Lapicola, to add an additional 552 feet to the CIPP contract to line two sections of sanitary sewer at the NOSD at a cost of \$13,086 with the village being re-imbursed by the Northern Ozaukee School District on July 1, 2010.

Report from Director of Public Works on Operations of Village

The report from the Director of Public Works was reviewed. The Public Works Department will add an additional clear seal on the concrete at the Fire Department. The material has been ordered, we now need dry concrete and the manpower to apply.

Extension of Temporary Help

Neumann submitted a list of jobs to be completed before the snow flies. He stated he originally requested that employment be extended to the end of leaf collection. A **MOTION** was made by Dohrwardt, seconded by Buchholtz, to extend temporary employment an additional four weeks. Motion carried.

Report from Clerk-Treasurer on Operations of Village

The report from the Clerk-Treasurer was reviewed. Wagner noted that the back up power supply for the phone system failed on Monday. The back up power supply has been temporarily by-passed with installation of a new unit scheduled for Monday. Wagner requested permission to contact the village attorney regarding bankruptcy laws and how they currently pertain to adding delinquent utility bills to the tax roll. After discussion a **MOTION** was made by Dohrwardt, seconded by Ehaney, to allow the Clerk-Treasurer to contact the village attorney regarding bankruptcy laws and adding delinquent utility bills to the tax roll if satisfactory information cannot be obtained from other communities. Lapicola stressed that the attorney should be used as a last resort for an answer. Motion carried. The Utilities Committee will be asked for a recommendation on policy to allow shut off of water to delinquent utility accounts.

Ordinance No. 2009-06 Re-zoning 305 South Milwaukee Street from Rs-1 to Rd-1

Dohrwardt recused himself from the board for this issue. Dohrwardt (speaking from the audience) stated that the property at 305 S. Milwaukee Street has been a duplex for many years. Edbauer stated he lived there 40 years ago and it was a duplex then. Dohrwardt stated that the zoning change would reflect the current and past use. He stated the actual use was overlooked with the original comprehensive plan and also with the recent revision of the comprehensive plan. He requested that because of this oversight the \$150 fee for the zoning change application be waived. Dohrwardt stated that this would not be without precedent as a duplex property on Fredonia Avenue was changed to duplex zoning with the fee being waived a few years ago. A **MOTION** was made by Edbauer, seconded by Buchholtz, to approve Ordinance No. 2009-06 rezoning the property at 305 South Milwaukee Street from Rs-1 (Single Family Residential) to Rd-1 (Two Family Residential) and to waive the \$150 application fee. Short asked how the rezoning would affect the business on the property, if a residential business requires the property owner to be on site and if the problem could be rectified by re-platting. Dohrwardt stated that the business is a legal non-confirming use and is grandfathered in. The business was established prior to the ordinance making it non-confirming. The duplex is also a legal non-confirming property. The property currently has two legal non-confirming uses. The change would result in the elimination of one legal non-confirming use. It would

still have the legal non-conforming business use. Short questioned if the village can change one non-conforming use without requiring the lot to be brought into full compliance with current ordinances and suggested that the business be added to the adjacent lot. Dohrwardt explained that his business is a legal con-conforming business use and is not restricted in any way. It does not require that the owner reside on the premises. A residential business is a different category of business. He stated that the duplex will be there for many years to come, but the business use will eventually cease. The motion to re-zone the property to Rd-1 carried with Ehaney, Edbauer, Buchholtz, Lopicola, and Bertram voting aye, and Short voting nay. (Dohrwardt returned to his seat on the board.)

Policy for Disbursement and Return of Keys for Fredonia Municipal Buildings

The policy for disbursement and return of keys for Fredonia municipal buildings was reviewed. Buchholtz suggested that locks on the concession stand at Fireman's Park be changed as many people have had keys to that building that have not been returned. At times items have been removed from the concession stand. Neumann noted that the policy is for village officials and staff but the problem will be with sports teams that use Fireman's Park. They obtain keys and then make copies. Hamm suggested that locks be installed with keys that cannot be copied. Buchholtz stated that he will add to the policy that keys cannot be duplicated. With that change Buchholtz made a **MOTION** to adopt the policy for disbursement and return of keys for Fredonia municipal buildings. This motion was seconded by Dohrwardt. Short asked if a time frame will be given for returning keys. Bertram suggested that all keys be stamped with a number. Lopicola stated that we should hold off on adopting the policy and add a citizen portion to the policy. Buchholtz agreed and rescinded his motion to adopt the policy. The option of a key pad was also discussed.

Proposed 2010 Budget for Fredonia Government Center

The proposed 2010 Fredonia Government Center budget was approved on a **MOTION** by Dohrwardt, seconded by Lopicola, and carried. Neumann asked if the FGCC will be soliciting bids for snow plowing this winter. Short stated that he will check with Lance Leider. Lopicola questioned what the \$1,000 reserve amount was for. Short stated that it is for any large expenses. The reserve amounts cannot be used without approval from the town board and village board.

Plan Commission – October 12, 2009 Meeting

The minutes from the October 12, 2009 Plan Commission meeting were reviewed. The Plan Commission denied the rezoning request for a Wenzel Avenue property. They also discussed public and private streets for possible code changes.

Architectural Control Board – October 7, 2009 Meeting

The minutes from the October 7, 2009 Architectural Control Board meeting were reviewed. Dohrwardt reported that the revised plans for the Public Works building were approved and a new home at 445 North Milwaukee Street.

Celebrate Fredonia Committee – September 24, 2009 Meeting

Edbauer reported that they did not have a quorum at the meeting but did discuss various comments received about the Celebrate Fredonia event. He stated that the monies collected from food and beverage sales were deposited into the Fredonia Garden Club account, not into village accounts. He stated, at the board meeting when it was approved that the four non-profit groups would manage the food and beverage sales, everything was to be handled the same as last year. All monies were deposited into village accounts last year. Edbauer stated that guidelines will be created for next year and any group involved will need to follow the guidelines. A letter will be sent to all community groups to see if they are interested in being a part of next year's event. The current balance in the Celebrate Fredonia account is \$1,202.88. The profit from the pig roast was \$596.

Assessor Contract

The proposal from Grotta Appraisals was reviewed. The increase is \$100 per year from the last contract. An unsolicited proposal was received from Associated Appraisal. The

proposals were referred to the Finance Committee for recommendation on a **MOTION** by Dohrwardt, seconded by Buchholtz, and carried.

Correspondence

Correspondence received and reviewed include:

- Town of Saukville Comprehensive Plan: 2035
- Mid-Moraine Municipal Association dinner meeting – October 28, 2009 (Edbauer will attend)
- Ozaukee County Health Department flu clinic schedule
- Countywide used tire collection, November 7, 2009
- Minutes from September 17, 2009 Public Works meeting

The meeting adjourned at 8:52 p.m. on a **MOTION** by Lopicola, seconded by Buchholtz, and carried.