

FREDONIA VILLAGE BOARD MEETING
December 17, 2009

The regular village board meeting was called to order at 7:02 p.m. by the Clerk-Treasurer. A MOTION was made by Edbauer, seconded by Lapicola, to elect Don Dohrwardt as acting president. Motion carried. Present: Don Dohrwardt, Scott Ehaney, Mark Edbauer, Sr., and Chuck Lapicola. Also present: Mark Jaeger, Allen Neumann, Jim and Chris Lohmiller, Amy and Chuck Schmit, Kim Crowley, Rachel Sydorowicz, Mary Ann Wagner, Wayne Casper, and Jo Ann Wagner. Arriving later: Jill Bertram, Joe Short, Fritz Buchholtz, Lisa and Chris Holdridge, and Randall Schultz.

Pledge of Allegiance

All stood and recite the Pledge of Allegiance.

Approve Minutes

Minutes of the December 3, 2009 village board meeting were approved on a MOTION by Lapicola, seconded by Ehaney, and carried.

Approve Payment of Bills

With the additional list presented, the General Fund, Water and Sewer bills were approved for payment on a MOTION by Edbauer, seconded by Lapicola, and carried. It was noted that the loan payment to Port Washington State Bank is for the Martin Drive project. (Bertram arrived)

Treasurer and Utility Reports

The November Treasurer and Utility reports were approved as presented on a MOTION by Edbauer, seconded by Lapicola, and carried.

Open Session for Citizen Questions and Comments

None

Unfinished Business

None

Report from Fire Chief on Operations of Village

The report from the Fire Chief was reviewed.

Fire Department Contract with Newburg Fire Department

The three year contract with the Newburg Fire Department was approved on a MOTION by Lapicola, seconded by Ehaney, and carried.

Report from Village Marshal on Operations of Village

The report from the Village Marshal was reviewed.

Report from Wastewater Treatment Plant Manager

The report from the Wastewater Treatment Plant Manager was reviewed.

Report from Director of Public Works on Operations of Village

The report from the Director of Public Works was reviewed. Neumann reported that the lights are in the new shop building. The gas line was installed to the building today. The drywall work has been postponed. The general contractor will not meet the January 1st deadline for completion and is requesting a two week extension. A MOTION was made by Lapicola, seconded by Edbauer, to extend the completion deadline by two weeks (until January 14, 2010) without penalty. Motion carried.

Purchase of Variable Frequency Drive at Well Houses

Purchase of variable frequency drives at the well houses was postponed until the next meeting on a MOTION by Lapicola, seconded by Edbauer, and carried.

Report from Clerk-Treasurer on Operations of Village

The report from the Clerk-Treasurer was reviewed. The contract with Grota Appraisals for assessment services has been revised to meet the requirements of the village board.

Election Commission for 2010 and 2011

Appointments to the Election Commission for 2010 and 2011 are Arlene Huiras, Ron Schmit, Shirley Mohr, Rosie Waldkirch, Kay Wester, Harvey Wester, and Linda Georgeson, with Sandy Mayer as an alternate. The appointments were approved on a MOTION by Lopicola, seconded by Bertram, and carried.

Plan Commission – December 7, 2009 Meeting

The minutes from the December 7, 2009 Plan Commission meeting were reviewed. The Plan Commission recommended the adoption of an ordinance regarding when an action of a governmental body or agency renders a parcel of land or lot nonconforming, the use and structures shall, for all purposes, be considered conforming and the adoption of an ordinance adding the definition of a private street to the zoning and subdivision code.

Ordinance No. 2009-07 Pertaining to When an Action of a Governmental Body Renders a Lot Non-Conforming

Ordinance No. 2009-07 creating Section 13-1-82 of the Village of Fredonia Zoning Code stating when an action of a governmental body or agency renders a parcel of land or lot nonconforming, the use and structures shall, for all purposes, be considered conforming was adopted on a MOTION by Lopicola, seconded by Bertram, and carried.

Ordinance No. 2009-08 Creating the Definition of a Private Street

Ordinance No. 2009-08 creating Section 13-1-280(108a), Section 14-1-10(41a), Section 14-1-70(e)(5), and Section 14-1-70(j) of the Village of Fredonia Code of Ordinances defining a private street was adopted on a MOTION by Lopicola, seconded by Edbauer, and carried unanimously.

Forest Glen Homeowners Association Request to Dedicate Streets to Village

The request from the Forest Glen Homeowners Association to dedicate streets within the subdivision to the Village of Fredonia was discussed. Dohrwardt stated that he would recommend that this is referred to the Public Works Committee to complete the “package”. Streets have depreciated and a contribution from the Homeowner’s Association to cover the cost of depreciation should be considered. Lopicola stated that the federal government uses deferred maintenance and for the first few years of a new street there is not much deferred maintenance. The village has been using the streets to access a village park and should just accept the streets. (Short arrived and took over as president) Dohrwardt noted that the Homeowner’s Association was receiving a contribution from each homeowner for repair of the streets and a reasonable sum of money should be transferred to the village for the age of the streets. Crowley noted that although contributions were received from property owners most was used to pay for snowplowing, insurance, etc. Dohrwardt noted that this needs to be done in a legal and binding way. There is a process that needs to be followed. Short noted that ownership of the road needs to be given to the village. Schultz stated that this could be done with a quit claim deed. Dohrwardt explained that road aids received by the village can be determined either by mileage or by cost share. Village road aids have been based on costs, not on mileage, therefore there was not benefit to the village for the Forest Glen Subdivision streets. Short stated the village board needs a legal document submitted by the Forest Glen Homeowners Association to transfer ownership of the streets to the village. The consensus of the village board was to continue with the process. More discussion followed on possible required contribution for deferred maintenance, lot previously donated to the village for park purposes, private versus public roads to village parks, need for a legal document to convey ownership, and payment of legal costs. Lopicola stated that the quit claim deed should be prepared by the attorney for the Forest Glen Homeowner’s Association and reviewed by the village attorney. Bertram suggested that the Forest Glen Homeowner’s Association pay both sides of the legal costs, including preparation of quit claim deed, any survey that may be needed, and any recording fees. A MOTION was made by Lopicola, seconded by Ehaney, to have the Forest Glen Homeowner’s Association prepare a quit claim deed transferring ownership of

Outlot 2 in the Forest Glen Subdivision to the Village of Fredonia with the Forest Glen Homeowner's Association responsible for all costs associated with the quit claim deed including attorney fees for the association and the village and any recording fees. Motion carried. (Buchholtz arrived)

Fredonia Government Center Commission –

The report from the Fredonia Government Center Commission was postponed until the next meeting.

Correspondence

The letter from S.E.W.R.P.C. regarding Technical Report No. 39 *Water Quality Conditions and Sources of Pollution in the Greater Milwaukee Watersheds* was reviewed and referred to the Plan Commission.

Personnel Committee Meeting – November 5, 2009 and December 10, 2009

The minutes from the November 5, 2009 Personnel Committee meeting were reviewed. Bertram noted that most of the meeting was in closed session.

A MOTION was made by Lapicola, seconded by Dohrwardt, to move to agenda item 19. Motion carried.

Offer to Purchase Property

The letter from Gloria Casper was discussed. Casper will be selling her house which is located adjacent to Stoney Creek Park and asked if the village would be interested in purchasing it. Mary Ann Wagner (representing Casper) stated the property has not yet been listed with a realtor. She noted that the property is surrounded by village property. Wayne Casper stated they are not looking to make a profit but willing to sell according to assessment and market value. Short stated the village board will discuss the offer in closed session and contact them regarding their decision.

Closed Session

Per Wisconsin Statutes 19.85 (1)(c) and 19.85 (1)(e) the village board will convene into closed session to discuss employee evaluations and compensation and possible purchase of property on a MOTION by Lapicola, seconded by Buchholtz, and carried unanimously on a roll call vote.

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

Adjourn Closed Session and Reconvene into Open Session

A MOTION was made by Lapicola, seconded by Edbauer, to adjourn closed session and reconvene into open session. Motion carried unanimously on a roll call vote.

2010 Wages

Motion by Dohrwardt, seconded by Edbauer to adjust wages as discussed in closed session including Doris Dommer. Motion carried.

Purchase of Property

Motion by Dohrwardt, seconded by Lapicola, to send a letter to the property owners thanking them for giving the Village the first offer to buy and letting them know that we do not want to purchase the property. Motion carried.

Items for Future Consideration

The item of increasing fines sent to be sent to Public Safety.

The meeting adjourned at 10:10 p.m. on a MOTION by Lapicola, seconded by Bertram, and carried.