

**FREDONIA VILLAGE BOARD MEETING**  
**Fredonia Government Center**  
**242 Fredonia Avenue, Fredonia, WI**  
**June 16, 2011**

The regular village board meeting was called to order at 7:00 p.m. by President Lopicola. Present: Chuck Lopicola, Jill Bertram, Fritz Buchholtz, Don Dohrwardt, Scott Ehaney, and Mark Edbauer, Sr. Also present: Laura Logan, Tony Randall, Mark Jaeger, Gary Buntrock, and Jo Ann Wagner. Arriving later: Richard Mueller, Bob Lallensack, and Mike Davel.

### [Pledge of Allegiance](#)

All stood and recited the Pledge of Allegiance.

### [Approve Minutes](#)

Minutes of the June 2, 2011 village board meeting were approved as presented on a **MOTION** by Buchholtz, seconded by Dohrwardt, and carried.

### [Approve Payment of Bills](#)

The General Fund, Water, and Sewer bills were approved for payment on a **MOTION** by Bertram, seconded by Buchholtz, and carried. (Mueller arrived).

### [May Treasurer and Utility Reports](#)

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

### [Operator Licenses](#)

None

### [Class B Beer and Liquor License](#)

A Class B beer and liquor license was approved for Frederick Buchholtz, d/b/a Mr. Fritz's, on a **MOTION** by Dohrwardt, seconded by Ehaney, and carried with Buchholtz abstaining.

### [Open Session for Citizen Questions and Comments](#)

Richard Mueller, Town of Fredonia Chairman, stated that the proposed county supervisory re-districting will be splitting Waubeka and Little Kohler from the rest of the Town of Fredonia (District 2) and adding it to a district with most of the Town of Saukville (District 3). He stated a change could be made if a portion of the Village of Fredonia was added to District 3. Currently the whole Village of Fredonia is in District 2. Lopicola stated that the board does not want to see the Village of Fredonia split into two districts either. He felt it was in the best interest of the village to keep it in one supervisory district. (Davel arrived). Dohrwardt commented that the county supervisors did not get involved in the redistricting. Staff created the districts based on a list of priorities. One priority was to have incorporated municipalities within one district if possible. (Mueller left)

### [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 noted that the Police Department is up and running on the Pro Phoenix system. This gives the department a records management system and a link with all other county agencies.

### [Report from Wastewater Treatment Plant Manager](#)

The report from the Wastewater Treatment Plant manager was reviewed. Buntrock stated that the A/C unit went out on the control panel and he has ordered a new one. A new alarm dialer has also been ordered. The time clock at the Wastewater Treatment Plant broke and has also been replaced.

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

The report from the Director of Public Works was reviewed.

## May 2011 DNR Testing – Wage Adjustment

Auer passed the Activated Sludge DNR exam. A **MOTION** was made by Dohrwardt, seconded by Ehaney, to approve the fifteen cent per hour increase for Auer for passing the exam. Motion carried.

## Report from Clerk-Treasurer on Operations of Village

The report from the Clerk-Treasurer was reviewed. Correspondence items on the agenda were emailed to trustees with one item accessed online. More items will be sent electronically in the future.

## Community Garden – Tony Randall

Randall stated he has found private land at the corner of Wheeler and Stoney Creek Lane for a private garden. This has been approved by the property owner. He will need water for the gardens. He stated there is a hydrant 39 feet from the property. The Director of Public Works had expressed concern over running a hose across the street. Randall noted that only three cars used the street in two hours. He has a 275 gallon tank in a steel cage that can be filled with water. He will be responsible for paying for the water. He also asked if the village would be able to provide a truckload of mulch. Trash will be hauled out by the gardeners. Two plots are ready to go. They are modeled after West Bend. Lapicola noted that he has received emails regarding the proposed community garden. He stated that Lundman, who owns the property, said he hadn't given approval for the garden. Lapicola noted that the Stoney Creek Subdivision has Homeowners Association covenants which requires gardens to be on the back half of a lot and not closer than 25 feet from any street. Edbauer commented that this is private property and the village has no ordinance or rules against it. Lapicola asked if a charge is made for the garden plots and what happens to that fee. Randall stated that it is added to the fund for maintaining the garden. Buchholtz requested that Randall get permission in writing from the property owner for use of the lot for a community garden. Randall stated he thought he had approval from Lundman but will give him a call tomorrow. Randall also suggested the land north of the WWTP as an alternate site. Lapicola stated that is village land and the garden would not be on public property. He also stated that water will not be provided for free. Lapicola asked what happens to excess funds. Randall stated it is rolled over to the next season or used for garden tools. It was emphasized that the village is not doing the community garden. Buchholtz commented that if this is approved by the property owner, then it is a private matter. Randall stated that this is not a commercial enterprise and produce from the garden will not be sold. It is all for personal use.

## Plan Commission – June 6, 2011 Meeting

Minutes from the June 6, 2011 Plan Commission meeting were reviewed. It was clarified that Ag use is not allowed in Rs-2 zoning unless it has been continuous Ag use. It would then be considered a legal non-conforming use. If there is a break in Ag use, it could not go back to Ag use. An application could be made for a similar use. The Plan Commission could recommend approval to the village board.

## Ordinance No. 2011-04 Amending Section 13-1-130 Regarding Issuance of Sign Permits

Proposed Ordinance No. 2011-04 amending Section 13-1-130 to allow the Zoning Administrator to issue sign permits was submitted. A public hearing will be scheduled for this possible change to the Zoning Code.

## Trustee Vacancy

One additional trustee application was received after the May 19, 2011 board meeting. Lapicola questioned if this application should also be considered. He noted there is no requirement to fill the vacant position. Edbauer agreed it could be held open until the spring election. Ehaney stated that the village board solicited applications and it seems disingenuous if the position is not filled. Lapicola noted that there may be reasons to delay or to not fill the position. Discussion followed on accepting additional

applications; and on the public perception of filling the position with a previous board member that was not re-elected or filling the position with a family member of a board member. A **MOTION** was made by Dohrwardt to not fill the trustee position at this time. Ehaney asked for clarification. Dohrwardt stated that the board is always looking for the “right person”, either to serve on a committee or to volunteer for something. Bertram noted that on a previous board there was often a member missing. Applications would still be accepted. Lapicola again asked for a second. The motion was seconded by Buchholtz. A vote was taken with Dohrwardt and Buchholtz voting aye, and the remainder of the board voting nay. Motion failed. Bertram suggested that each applicant be interviewed by the board as they may all be qualified. (Buntrock left) After more discussion a **MOTION** was made by Edbauer, seconded by Dohrwardt, to hold the trustee seat open until the Spring election. Motion carried with Ehaney voting nay. Lapicola recommended that a letter be mailed to each applicant stating that the board was uncomfortable filling the position at this time and encouraging them to file nomination papers for the Spring Election.

### [Architectural Control Board – June 8, 2011 Meeting](#)

The minutes from the June 8, 2011 Architectural Control Board meeting were reviewed. Dohrwardt stated that applications have been received for two more storage buildings on the parcel at 117 Meadowlark Road. This parcel has had more than one owner, with buildings added periodically. After the first ten buildings were built, the village changed its ordinance for M-1 zoning and now requires decorative masonry equal to 50% of the gross area of the wall with the greatest square footage. This requirement was targeted at buildings in the industrial park. Storage buildings are allowed as a conditional use in M-1 zoning. The last time buildings were approved for this lot, the Architectural Control Board required brick on the entire north side of one building. After discussion the Architectural Control Board agreed that clusters of trees would be more attractive and consistent looking than the brick and recommended that the village board allow the storage buildings without decorative brick. Discussion followed on the ability of the village board or Architectural Control Board to vary the requirements. Dohrwardt suggested that the ordinance be changed to allow the Architectural Control Board the ability to vary the brick requirement. Lapicola noted that perhaps vinyl and aluminum siding should also be allowed as an exterior building material. This material should be able to be used on a wood frame. (Lallensack arrived) After more discussion the matter was referred to the Architectural Control Board to rewrite the ordinance to allow the Architectural Control Board some judgment in determining the decorative masonry requirement on a **MOTION** by Edbauer, seconded by Ehaney, and carried. Dohrwardt noted that the Architectural Control Board chair will re-write and forward to the Plan Commission. (Logan left)

### [Personnel Committee – June 8, 2011 Meeting](#)

The minutes from the June 8, 2011 Personnel Committee meeting were reviewed. Bertram noted that the proposed Memorandum of Understanding for Neumann was reviewed. She stated that this is for salaried employees only. Each salaried employee will have an individual contract. The Memorandum of Understanding is not set in stone yet as there are a few items to discuss including payment of health insurance for the employee’s spouse. Lapicola explained the employee’s spouse could only be covered for six months after the employee turns 65 or until the funds are expended, whichever comes first. A **MOTION** was made by Dohrwardt, seconded by Buchholtz, to approve the Memorandum of Understanding for Neumann. Motion carried. Lapicola noted that the committee wants to be sure that what was proposed can be done. If any changes are needed they will be brought back to the board.

### [Celebrate Fredonia – June 13, 2011 Meeting](#)

Edbauer reported that all equipment has been rented, refreshments, including beer, has been ordered, the fireworks are set, and the parade is being finalized.

### [Proposal for Attorney Services](#)

A draft document requesting proposals for legal services was reviewed. Although the village board was disappointed in one attorney, that attorney is no longer with the firm.

Other attorneys will be contacted for proposals. Input was solicited from village board members. This will be discussed again at the next meeting.

### Correspondence

Correspondence reviewed includes:

- Ozaukee County Economic Development *2011 Economic Indicator Report*.
- Public Service Commission Statement of Scope *Applications for Service and the Fair and Accurate Credit Transaction Act*.
- Public Service Commission Notice of Hearing on Water Conservation and Construction Rules.

### Items for Future Consideration by Village Board

Edbauer requested that the \$3,000 donation for Celebrate Fredonia be approved at the next meeting.

Lallensack stated that the Architectural Control Board makes people put swales between houses for drainage. Here at the Fredonia Government Center ice forms on the sidewalk in winter. He suggested that a swale be put on the east side of the parking lot blacktop. The water could follow the swale to the sidewalk where a “V” in the sidewalk would allow the water to run to the other side. He stated the ice is a safety hazard. Lapicola stated the board is aware of the problem. The village is planning to reconstruct Fredonia Avenue and will be adding storm sewer at that time. The drainage issue at the Fredonia Government Center will be coordinated with that project. Lallensack stated that a catch basin could be put on this side of the sidewalk. Lapicola noted that anything done at the Fredonia Government Center also needs Town of Fredonia approval. Lallensack stated that a swale is needed now. Dohrwardt stated that storm sewer is not available in the street at this time.

The meeting adjourned at 9:00 p.m. on a **MOTION** by Dohrwardt, seconded by Buchholtz, and carried.