

FREDONIA VILLAGE BOARD MEETING
Fredonia Government Center
242 Fredonia Avenue, Fredonia, WI
August 18, 2011

Present: Chuck Lapicola, Jill Bertram, Fritz Buchholtz, Don Dohrwardt, Mark Edbauer, Sr., and Scott Ehaney. Also present: Brian Weyker, Michael Davel, Mark Jaeger, Allen Neumann, and Jo Ann Wagner. Arriving later: Kendall Thistle.

Public Hearing on Proposed Change to M-1 and M-2 Zoning Districts

The public hearing on the proposed change to M-1 and M-2 zoning districts to give the Architectural Control Board discretion in implementing the 50% decorative masonry requirement was called to order at 7:00 p.m. No comments were received. The public hearing was closed.

Public Hearing on Proposed Change to Rs-1, Rs-2, Rs-3, Rd-1, Rd-2 and Rd-3 Zoning Districts to Allow Additions to or Replacement of Existing Dwelling to have a Side Yard Setback Equal to or Greater Than the Setback of the Existing Home

The public hearing on the proposed change to Rs-1, Rs-2, Rs-3, Rd-1, Rd-2, and Rd-3 zoning districts to allow additions to or replacement of existing dwellings to have a side yard setback equal to or greater than the setback of the existing home was called to order. No comments were received. The public hearing was closed.

Public Hearing on the Proposed Change to the Zoning Code to Allow the Zoning Administrator to Approve Sign Permits

The public hearing on the proposed change to the zoning code to give the zoning administrator the ability to approve sign permits was called to order. (Thistle arrived). No comments were received. The public hearing was closed.

Call to Order

The regular village board meeting was called to order at 7:05 p.m. by President Lapicola.

Pledge of Allegiance

All stood and recited the Pledge of Allegiance.

Approve Minutes

Minutes of the August 4, 2011 village board meeting were reviewed. Buchholtz stated that he did not question why the village Marshal recommended the operators license. A **MOTION** was made by Edbauer, seconded by Dohrwardt, to approve the minutes with the first sentence of the "Approve Operator License" section deleted. Motion carried.

Approve Payment of Bills

With the additional list presented and two additional bills, one for Judi Maki for \$250, and one for prizes for the Celebrate Fredonia Talent Show for \$270, and a change to the amount for Arndt Tents from \$525 to \$555, the general fund, water, and sewer bills were approved for payment on a **MOTION** by Dohrwardt, seconded by Buchholtz, and carried.

July Treasurer and Utility Reports

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

Operator Licenses

Operator licenses for Krystal Bach, Michael Comerford, Lance Berndt, and Jean Franzen were approved on a **MOTION** by Bertram, seconded by Edbauer, and carried with Buchholtz abstaining.

Special Gathering Beer License

A special gathering beer license for Celebrate Fredonia was approved on a **MOTION** by Dohrwardt, seconded by Buchholtz, and carried.

Use of Fireman's Park by Holy Cross 4-H – August 14, 2011

The application by Holy Cross 4-H for use of Fireman's Park was received in June without the required deposit. Since the deposit was not received, it was not forwarded to the board for approval. On August 9 the Holy Cross 4-H representative contacted the village about the deposit and use of the park on August 14, 2011. After checking with the village president, the 4-H Club was allowed to use Fireman's Park on August 14, 2011 after receipt of the deposit. Use of Fireman's Park by Holy Cross 4-H on August 14, 2011 was approved on a **MOTION** by Dohrwardt, seconded by Bertram, and carried.

Open Session for Citizen Questions and Comments

Kendall Thistle told the board he has spoken with his neighbor about cutting the area next to his property, but the neighbor will not cut the area. He questioned what his next step should be. Lapicola noted that if the property owner is in violation of village ordinance, the village will address. Thistle noted that the developer and Northern Ozaukee School District are his neighbors but he has not been able to contact the developer. Lapicola noted that some areas are not maintainable. He questioned if the area is in a developed subdivision. Thistle stated that he wants the developer contacted about maintaining the area. Dohrwardt commented that some areas may be designated wetlands and could not be cut. He also noted that Thistle has vegetation over three high in front of his house.

Report from Fire Chief on Operations of Village

The report from the Fire Chief was reviewed. Weyker, fire department representative, stated that the generator is tested every week. The doors do not open manually, but the generator on one truck was used to open each door during the recent power outage. One low voltage wire was off the circuit board on the generator. The generator is now working. Lapicola questioned performance of equipment and water supply at the last fire. Weyker stated that the water supply is very good in that area. The fire department pulled water from two hydrants. All equipment worked well. The department had a seven minute response time from the time the call was made until the first truck was on site. The fire started in the attic and chased through the whole house. Lapicola noted that he could see the fire from his house and saw the telesquirt was used. Buchholtz noted that the department did a good job in keeping the fire from spreading. Weyker stated that eight departments had a vehicle there. Weyker noted that 3,000 to 6,000 gallons are used to fight an average fire; however, being it was an attic fire more water was used. Lapicola thanked Weyker for coming to offer insight into the issues.

Report from Village of Fredonia on Operations of Village

The report from the Village Marshal was reviewed. Davel noted that the seven minute response time for a volunteer department is remarkable. He stated that the Fredonia Fire Department does a good job. Davel stated that his department is ready for Celebrate Fredonia and will be closing Fredonia Avenue around 11:40 a.m. Traffic will be detoured onto Martin Drive. Edbauer noted that Wheeler Avenue and part of Stoney Creek Lane will need to be closed off for the fireworks.

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.

Portable Generator Purchase

Four prices have been received for portable generators. Neumann recommended that the bid be awarded to Wester Electric. He stated the Maple Lawn pump house and both lift stations are ready but the village hall well house will need to be set up for the generator. Discussion followed on the appropriate size for a generator. The consensus was a 100kw generator was sufficient. The generator is liquid cooled, trailer mounted, with electric brakes and is easy to pull behind a pick up truck. Based on use of the generator, the cost will be split 40% water, 40% sewer, and 20% general fund. Equipment reserve will be

used for the 20% general fund portion. A **MOTION** was made by Dohrwardt, seconded by Buchholtz, to award the bid to Wester Electric for a Kohler generator as proposed, with funding 40% from water, 40% from sewer, and 20% from general fund. Motion carried. The generator will be tested every six months.

Report from Clerk-Treasurer on Operations of Village

The report from the Clerk-Treasurer was reviewed. Wagner noted work has been started on the 2012 budget and committees should meet to discuss their 2012 budget requests.

Public Works Committee – August 4, 2011 Meeting

The minutes from the August 4, 2011 Public Works Committee meeting were reviewed. Lapicola noted that the long range equipment plan was divided into an equipment replacement schedule and a consumables schedule. Consumables are low cost items that are replaced when needed but not actually on the equipment replacement plan. These items would include lawn mowers, concrete saw, tractors, etc. A separate list has been created for sewer and water. The replacement schedule includes major equipment including fire equipment. The long range street plan was also updated. Lapicola noted that some projects (Emmer, Lawrence, and Edmaro Streets) would have curb and gutter special assessed to the property owners if it is installed. Discussion followed on the benefit of not installing curb and gutter in these areas. A meeting would be held with property owners before the final decision is made on installing curb and gutter. A **MOTION** was made by Dohrwardt, seconded by Buchholtz, to approve the long range equipment and street plans as presented by the Public Works Committee. Motion carried.

Regal Drive / Crestview Drive Paving Projects

Two options were presented for the repair of Regal Drive and possibly Crestview Drive. Included in the 2011 budget is trench repair work on Regal Drive for \$24,000. If the village crew is used for a portion of the project, the trench work, wedge grind, asphalt overlay for Regal Drive, and the trench work, storm sewer, and 10 foot wide full depth grind and asphalt replacement on the west side of Crestview Drive, the cost would be \$54,986 - a difference of \$30,986. This could come from the money budgeted for Fredonia Avenue, or from the reserve account. Lapicola commented that it would be good to increase the scope of the project as it will save the village money in the long run. A **MOTION** was made by Buchholtz, seconded by Edbauer, to proceed with the Regal Drive and Crestview Drive projects and to use some of the money budgeted for Fredonia Avenue for the project. Motion carried. Dohrwardt suggested that the money come from the reserve account. Lapicola noted that an equipment fund will be needed for equipment replacement. He suggested that \$100,000 from the unallocated general fund balance be added to the equipment fund this year and \$100,000 be added next year. A **MOTION** was made by Dohrwardt, seconded by Ehaney, to refer the establishment of a replacement equipment fund to the Finance Committee. Motion carried.

Celebrate Fredonia Committee – August 3 and 16, 2011 Meeting

Edbauer reported that the committee has ordered the food, created the list of volunteers, set up times for meeting at the park, and pressure washed the concession stand. Some tents were set up tonight, with the large tent coming tomorrow morning. Final set up will be done Friday night.

Ordinance No. 2011-04 amending Section 13-1-48(f)(2) and 13-1-49(f)(2) of the Zoning Code to allow the Architectural Control Board Discretion in Implementing the 50% Masonry Requirement in M-1 and M-2 Zoning Districts

Lapicola explained that this will allow the Architectural Control Board discretion to make decisions on the masonry requirements in M-1 and M-2 zoning districts. Dohrwardt agreed that the spirit is to enforce the 50% masonry requirement but to have the ability to change it when it makes sense to do so. Buchholtz commented that he does not want to cause business owners to spend more money. A **MOTION** was made by Ehaney, seconded by Edbauer, to adopt Ordinance No. 2011-04 (with the correction to the typo changing “of” to “off”). Motion carried.

Ordinance No. 2011-05 amending Section 13-1-34, 13-1-35, 13-1-36, 13-1-39, 13-1-40, and 13-1-41 to Allow Additions to or Replacement of Existing Dwellings in the Rs-1, Rs-2, Rs-3, Rd-1, Rd-2, and Rd-3 Zoning Districts to have a Side Yard Setback Equal to or Greater than the Setback of the Existing Home

Lapicola explained that this will allow additions to or replacements of homes to follow the same setback as currently exist. A **MOTION** was made by Dohrwardt, seconded by Ehaney, to adopt Ordinance No. 2011-05 amending Section 13-1-34(e), 13-1-35(e), 13-1-36(e), 13-1-39(e), 13-1-40(e), and 13-1-41(f) to allow additions to or replacement of existing dwelling in the Rs-1, Rs-2, Rs-3, Rd-1, Rd-2, and Rd-3 zoning districts to have a side yard setback equal to or greater than the setback of the existing home, but not less than three feet, with the approval of the Architectural Control Board. Motion carried.

Ordinance No. 2011-06 amending Section 13-1-130 of the Zoning Code giving the Zoning Administrator the Ability to Approve Signs

This ordinance will allow the Zoning Administrator (Building Inspector) to approve sign permit applications. If the sign permit is of an unusual nature the Zoning Administrator may refer it to the Plan Commission for approval. A **MOTION** was made by Buchholtz, seconded by Edbauer, to adopt Ordinance No. 2011-06 amending Section 13-1-130 of the zoning code to allow the Zoning Administrator to approve, deny, or forward to the Plan Commission sign permit applications. Motion carried.

Proposals from Attorneys for Municipal Services

Two proposals were received for municipal services. Lapicola noted that both replies were good and felt the village's current attorney was competitive in pricing and knowledgeable in village business. After discussion a **MOTION** was made by Dohrwardt, seconded by Ehaney, to abstain from making any changes to the village's municipal attorney at this time. The village will continue with Houseman and Feind as the village attorney. Motion carried with Buchholtz voting no.

Endorsement of Amendment to Natural Areas and Critical Species Habitat Protection and Management for Southeastern Wisconsin Region

Dohrwardt reported that he is not aware of any effort by the Town of Fredonia to make any changes to the *Natural Areas and Critical Species Habitat Protection and Management for Southeastern Wisconsin Region* at this time. A **MOTION** was made by Dohrwardt, seconded by Ehaney, to endorse the amendment to the *Natural Areas and Critical Species Habitat Protection and Management for Southeastern Wisconsin Region* plan as adopted by the Southeastern Wisconsin Regional Planning Commission. Motion carried.

Correspondence

Correspondence received and reviewed include:

- Wisconsin Department of Administration preliminary estimate of January 1, 2011 population.
- Department of administration Local Government Report August 2011.
- WE Energies time of use information for 246 Fredonia Avenue.

Items for Future Consideration by the Village Board

None.

The meeting adjourned at 8:24 p.m. on a **MOTION** by Edbauer, seconded by Buchholtz, and carried.