

**Village of Richfield**  
**4128 Hubertus Road, Hubertus, WI**  
**Village Board Meeting Minutes February 16, 2017**  
**7:00 pm**

**1. Call to Order/ Roll Call**

The meeting was called to order by Village President John Jeffords at 7:00 pm. A quorum of the Village Board was present. Present: Village Board of Trustees; Rock Brandner, Bill Collins, and Dan Neu

Also present: Village Administrator Jim Healy

**2. Verification of Compliance with Open Meeting Law**

Village Administrator Healy verified that the meeting was posted per statute at three local post offices and the Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

**3. Pledge of Allegiance**

**4. REPORT:** Ground Water Monitoring Program Update, Dr. Douglas Cherkauer

Overall, the Village's groundwater are rising and this unseasonably warm winter has provided water level data that is unique to year's past. Dr. Cherkauer's goal is to fully automate the program within three (3) years using the WellIntel devices. This will cut down on travel time and overhead in the long-run.

**5. PUBLIC COMMENTS (Public comments are an opportunity for citizens to voice concerns to the Board regarding reports and discussion/action items on the agenda, only. Public comments are not a public hearing and are typically a one-way conversation from a citizen to the Board. Individual comments shall not exceed 3 minutes, with a total time limit of approximately 20 minutes. Unless part of a Public Hearing, handouts will not be accepted by the Village. Comments beyond 20 minutes will be moved to the end of the meeting at the discretion of the President.)**

Ardie Zimmer, 787 Amy Belle Lake Road, stated the Village needs to protect the groundwater and believes the program needs to be expanded upon.

Ms. Danah Zoulek, 609 Scenic Road, wants the Village to monitor the water quality throughout the Village. She also supports the railroad petition regarding repairs. Ms. Zoulek lastly stated that Wally & Bee's should be preserved because the buildings are historic.

Dennis Rosploch, 4821 Riverview Dr., supports the Wally & Bee's land acquisition by the County.

Gil Frank, 4156 Elmwood Rd., brought up the "Lisbon car wash" and how he believes it will negatively affect the Village. Mr. Frank would like the Village to do more with measuring the quality of water in the area, as well as put \$250,000 into road repairs.

Terry Kohl, 1388 Mayfield Rd., believes that Washington County should not have given out bonuses to employees if they needed \$250,000 for this land acquisition.

Norb Weyer, 4054 Maple Grove Dr., explained the Village Board should not support the County's project with Wally & Bee's land. He also stated that the money would be better spent on roads throughout the Village.

**6. CONSENT AGENDA**

- a. Vouchers for Payment**
- b. Treasurer's Report**
- c. Meeting Minutes:**
  - i. January 19th – Regular Meeting**
- d. New Operator Licenses**
- e. Resolution R2017-02-01, a Resolution to amend the Village's Fee Schedule**
- f. Sobelman's Pub and Grill - Richfield – application for coin machine license**

Motion by Trustee Neu to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from January 19, 2017 regular meeting, New Operator Licenses, Resolution R2017-02-01 and Sobelman's Pub and Grill application for Coin Operated Machine License; Seconded by Trustee Brandner; Motion carried unanimously.

**7. DISCUSSION/ACTION ITEMS**

**a. Discussion/Action regarding the 2017 Groundwater Monitoring Program Contract**

Motion by Trustee Collins to direct the Village Administrator to execute an agreement with Dr. Douglas Cherkauer, to continue the Groundwater Monitoring Program and groundwater permit review for 2017, per the proposed agreement; Seconded by Trustee Neu; Motion carried unanimously.

**b. Discussion/Action regarding the acceptance of bids and awarding of a contract for the 2017 Highway Improvement Program**

Motion by Trustee Neu to award the 2017 Highway Improvement Program contract to Payne and Dolan for the Base Bid of Sherman Road and Friess Lake Road in the amount of \$427,513 and Alternate #2, Hillside Road from Kennedy Circle to CTH Q in the amount of \$163,118 per attached bidding sheets and at a cost not to exceed \$682,000; Seconded by Trustee Brandner; Motion carried unanimously.

**c. Discussion/Action regarding the configuration of substandard lots pursuant to Section 330-11-A for property at 1559 Lake Drive (Tax Key: V10\_0679)**

Motion by Trustee Neu to accept the recommendation of the Plan Commission for the acceptance of the petition for the configuration of substandard lots via a CSM pursuant to Section 330-11-1 for 1559 Lake Drive (Tax Key: V10\_0679) subject to the following Specific and General Conditions of Approval:

**Specific Conditions of Approval:**

1. The following notations be added to the face of the CSM:
  - “Outlot 1 and Outlot 2 are substandard lots and were approved by the Village of Richfield under authority of Section 330-11-A of the Richfield Code of Ordinances. Such parcel shall comply with all applicable regulations relating to legal, non-conforming lots which may now exist or which may be established by the Village of Richfield.”
  - “Lot 1 contains an existing structure that does not comply with setback standards in the Village’s Zoning Regulations in effect on this dates this Certified Survey Map was approved by the Village of Richfield. Such structure shall comply with all applicable regulations relating to legal, non-conforming structures which may exist or which may be established by the Village of Richfield”.

**General Conditions of Approval:**

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; of for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Brandner; Motion carried unanimously.

**d. Discussion/Action regarding a One-Lot and Two-Outlot CSM for properties identified by Tax Keys: V10\_0679 and V10\_0685**

Motion by Trustee Brandner to accept the recommendation of the Plan Commission for the approval of the proposed One-Lot and Two-Outlot CSM, for properties identified by Tax Keys V10\_0679 and V10\_0685, subject to the Specific Conditions and General Conditions of Approval listed below:

**Specific Conditions of Approval:**

1. The following language be added to the face of the CSM:
  - “Various buildings and other improvements existed on the subject property on the date of the survey which may or may not comply with the Village’s Zoning regulations in effect on the date the Village Board approved this CSM. Approval of this CSM does not waive any zoning requirement. Therefore, all building, improvements, and uses are subject to applicable zoning regulations that are in effect.”
  - “Any land below the ordinary high-water mark of a lake or navigable stream is subject to the public trust in navigable waters that is established under Article IX, Section 1, of the State Constitution”.
  - “This CSM merges two (2) existing parcels to form one (1) Lot and creates two (2) Outlots”.
  - “Outlot 1 and Outlot 2 may only be transferred with Lot 1 and may not have any constructed improvements thereon”.

**General Conditions of Approval:**

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Collins; Motion carried unanimously.

**e. Discussion/Action regarding railroad crossing repairs throughout the Village and submitting a petition to the State of Wisconsin’s Office of the Commissioner of Railroads for repair of the same**

Motion by Trustee Neu to direct Staff to prepare a resolution for the Village Board’s consideration in March regarding the condition of railroad crossings in the community; Seconded by Trustee Collins; Motion carried unanimously.

**f. Discussion/Action regarding Washington County Planning and Parks- potential land acquisition of “Wally and Bees Last Stop Resort”, located at 1571 Lake Drive**

The Village Board discussed the comments from the public during the Public Comments portion of the agenda, the proposed site plan, some of the ambiguities the County was making assumptions with, and the timelines by which they must decide.

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Village Administrator Healy stated that he has been working in close concert with the Friess Lake Advancement Association, property owners around the lake, and business owners in the area regarding the proposed development.

Concerns were voiced by Trustee Neu regarding the amount of money the County was seeking from the Village.

**8. PUBLIC COMMENTS (...CONTINUED)**

Karl Glunz, 4695 N. Friess Lake Dr., believes more input by the public should be included in the process of Village consideration of Wally & Bee's land acquisition by Washington County.

**9. CLOSED SESSION**

- a. Discussion /Action to enter into Closed Session under Wis. Stats. 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. – Potential financial commitment to Washington County to assist County in land acquisition of 1571 Lake Drive**

Motion Trustee Neu to enter into closed session; Seconded by Trustee Collins; Motion carried unanimously by voice vote.

**10. RECONVENE IN OPEN SESSION**

- a. Discussion/Action regarding matters addressed in Closed Session outlined above**

Motion by Trustee Collins to reconvene in open session; Seconded by Chairman Neu; Motion passed by voice vote.

Motion by Trustee Collins to authorize the Village Administrator to draft a letter to Washington County Planning and Parks to extend an offer of \$50,000 paid over the course of five (5) years, for the land acquisition of Wally and Bee's, located at 1571 Lake Dr. for the continuation of a public boat launch, subject to the following conditions of approval:

1. The sale of the subject land to Washington County takes place.
2. Payment be accepted in \$10,000 increments each year, beginning in 2018.

Seconded by Village President Jeffords, Motion carries 2-1.

**11. ADJOURNMENT**

Motion by Trustee Neu to adjourn the meeting at 9:45 PM; Seconded by Trustee Collins; Motion carried unanimously.

Respectfully Submitted,

Jim Healy  
Village Administrator