

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes April 20, 2017
7:00 pm

1. Call to Order/ Roll Call

The meeting was called to order by Village President John Jeffords at 7:01 pm. A quorum of the Village Board was present. Present: Village Board of Trustees; Dan Neu, Bill Collins, Rock Brandner, and Tom Wolff.

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. 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.)

5. CONSENT AGENDA

- a. **Vouchers for Payment**
- b. **Treasurer's Report**
- c. **Meeting Minutes:**
 - i. **March 16th – Regular Meeting**
- d. **New Operator Licenses**
- e. **Resolution R2017-04-01, a Resolution to amend the Village's Fee Schedule**
- f. **Appointment of Board of Review members as presented**

Motion by Trustee Neu to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from March 16, 2017 regular meeting, New Operator Licenses, Resolution R2017-04-01, and Appointment of Board of Review members; Seconded by Trustee Brandner; Motion carried 4-0-1, Trustee Wolff abstained.

6. DISCUSSION/ACTION ITEMS

- a. **Discussion/Action regarding request to seek proposals for Richfield Historical Society for the Messer Mayer Mill**

Motion by Trustee Dan Neu to authorize Village Staff to enter into an agreement with Bloom Companies for an amount not to exceed \$7,100, plus reimbursable expenses pursuant to the terms and conditions of the contract, subject to the following specific conditions of approval:

1. Bloom Companies provides assurances to Village Staff and the Historical Society that the provided contract can be segregated into costs for pre-construction bidding, awarding of contract, and on-site construction inspection.
2. Prior to the awarding of the contract during the month of May, the Richfield Historical Society will donate the required sum of money to the Village of Richfield in its totality.

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- based on the results of the bids, pursuant to the terms and conditions of the Village of Richfield's Donation Policy.
3. Prior to the awarding of the contract during the month of May, the Richfield Historical Society and the Village of Richfield will enter an agreement regarding the expenses related to the reconstruction efforts of the Mill.
 4. Subject to any other questions, comments or concerns by Village Attorney John Macy.

Seconded by Trustee Collins; Motion passed without objection.

b. Discussion/Action regarding a proposed lot combination to create a One-Lot Certified Survey Map (CSM) for properties identified by Tax Keys: V10_0916018 and V10_091600A, 639 Highland Dr.

Village Administrator Healy discussed the proposed land combination which included a parcel with a single-family residence and a vacant, adjoining parcel.

Motion by Trustee Wolff to approve the proposed One-Lot CSM, for properties located at 639 Highland Drive (Tax Keys V10_0916018 and V10_091600A), subject to the Specific Conditions and General Conditions of Approval listed below which must be satisfied before the CSM is released for recording by Washington County:

Specific Conditions of Approval:

1. If a "Utility Easement" does exist on the property, it should be noted on the face of the CSM along with the document number recorded at the Washington County Register of Deeds.

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; 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 Neu; Motion carried unanimously

c. Discussion/Action regarding a Preliminary Plat for Bridlewood Estates Subdivision
Motion by Trustee Neu to approve the Preliminary Plat for Bridlewood Estates subdivision, subject to the Specific and General Conditions of Approval listed below:

Specific Conditions of Approval:

1. Redesign Lot 14 so there is a 50-foot separation to the wetland located in Outlot 2.
2. The plat must show all required features listed in the Village's land division regulations (Chapter 330), including but not limited to the following:
 - a. signature blocks for surveyor, property owner, village clerk-treasurer, county treasurer, and village board.
 - b. mortgagee certification block if the property owner has a mortgage on the property.
3. The subdivider shall provide documentation from Washington County to the Village Administrator indicating that each residential lot has a suitable site for a septic system.
4. The subdivider shall comply with the requirements in Section 70.193(J) of the municipal code with respect to "open space area ownership and maintenance requirements."
5. Prior to any land-altering activity, the subdivider shall submit a stormwater management agreement to the Village Board and obtain approval of the same. Any necessary access easements shall be described with a legal description acceptable to the Village Engineer.
6. Prior to any land-altering activity, the subdivider shall submit to the Village Board and receive approval for a Developer's Agreement.
7. Prior to any land-altering activity, the subdivider shall submit to the Village and receive approval for Deed Restrictions.
8. Prior to any land-altering activity, the subdivider shall submit approval from the Department of Administration for the Preliminary Plat approval.
9. Prior to any land-altering activity, the subdivider shall submit all required plans (e.g., construction plans, stormwater management, and erosion control) to the Village Engineer and obtain approval of the same.
10. Prior to any land-altering activity, the subdivider shall submit an application for a groundwater permit to the Village Administrator as set forth in Article III of Chapter 167 of the municipal code and obtain approval of the same.
11. The subdivider shall install all improvements prior to submitting the final plat as required by Chapter 330 of the municipal code sections 330-60 and 330-60A.
12. The subdivider provide all financial guarantees for any improvements as may be required by Chapter 330 of the municipal code.
13. A note shall be added to the face of the plat indicating that all private driveways shall be designed and constructed in compliance with Village standards, including a maximum grade of 12 percent.
14. A notation shall be added to the wetland in Outlot 2 stating who made the delineation and when, and that such delineation was approved by the US Army Corps of Engineers with a reference to the letter dated February 17, 2015.

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15. Include a copy of the Wetland Delineation Report dated October 29, 2014 with the final plat

General Conditions of Approval:

1. The developer shall satisfy all comments, conditions, and concerns of the village engineer, the village planner, the village attorney, 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. Prior to the Village signing the final plat, the developer shall submit to the village administrator and receive approval as to form the village attorney and as to the amount from village engineer, a letter of credit or cash.
3. The developer 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 application

Seconded by Trustee Brandner; Motion carried unanimously.

d. Discussion/Action regarding a Preliminary Plat for Bark Lake Estates Subdivision

Motion by Trustee Collins to approve the Preliminary Plat for Bark Lake Estates subdivision subject to satisfying the Specific and General Conditions of Approval set forth below:

Specific Conditions of Approval:

1. The developer shall submit deed restrictions for the subdivision to the Plan Commission and Village Board for review and approval. Such deed restrictions shall address rights of the property owners to access Bark Lake. Any such use shall be in compliance with all state laws and in particular all laws regarding the joint use of lake frontage by multiple property owners. In no event shall pyramiding or joint use by any or all of the lot owners of the lake frontage be allowed.
2. The developer shall add/revise notations on the face of the plat as required by the village planner and village engineer with regard to the stormwater management pond and access to the same, ownership and future potential uses of outlots, and other matters deemed necessary.
3. The developer shall provide all necessary dedications to the village as may be required by the village engineer.
4. The final plat shall comply with all requirements in chapter 330 of the village code (subdivision regulations).
5. In addition to other required information, the final plat shall include the boundary of the 100-year floodplain in effect on the date of this approval along with a notation as to the source and the basis for establishing the base flood elevation.
6. The final plat shall include the remainder of the subject property as an Outlot.
7. The final plat shall include the remainder of the subject property as an Outlot.
8. Prior to any construction or any land-altering activity, the developer shall comply with all of the following:

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- a) The Wisconsin Department of Natural Resources must certify the wetland delineation conducted by Stantec.
 - b) The developer shall obtain all necessary approvals for onsite septic systems meeting village, county, and state requirements.
 - c) The developer shall obtain all necessary permits and approvals from the Village of Richfield, Washington County, the state of Wisconsin, or the federal government as may be required for any construction or land-altering activity.
 - d) The developer shall apply for a groundwater permit pursuant to the requirements and procedures in Chapter 167 of the municipal code and obtain approval of the same from the village administrator.
 - e) The developer shall submit a developer agreement to the Village Board and obtain approval of the same from the Village Board. Such agreement shall address the improvements and other matters and shall be based on the most current version of the model agreement as prepared by the village attorney.
 - f) The developer shall submit a letter of credit or cash for the improvements in an amount as approved by the village engineer and in a form as approved by the village attorney.
 - g) The developer shall submit a landscaping plan to the Plan Commission and obtain approval of the same from the Plan Commission. Such landscaping plan shall address usage of the open space, lake frontage, piers on Bark Lake, and structures and other site amenities planned for the common area. With regard to the piers on Bark Lake, the developer shall provide details regarding the number of piers allowed by state law, their location and length, usage, and any other matters deemed appropriate by the Plan Commission. In no event, shall pyramiding of the permitted pier(s) be allowed.
 - h) The developer shall submit a stormwater management plan to the village engineer and obtain approval of the same from the village engineer.
 - i) The developer shall submit an erosion control plan to the village engineer and obtain approval of the same from the village engineer.
 - j) The developer shall submit all construction plans for the cul-de-sac road and the accel and decel lanes on Bark Lake Road to the village engineer and obtain approval of the same from the village engineer.
9. The final plat shall show public access from the end of Tranquility Court to Bark Lake as required in s. 236.16(3), Wis. Stats.

General Conditions of Approval:

1. The developer shall satisfy all comments, conditions, and concerns of the village engineer, the village planner, the village attorney, 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. Prior to the Village signing the final plat, the developer shall submit to the village administrator and receive approval as to form the village attorney and as to the amount from village engineer, a letter of credit or cash.
3. The developer 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
4. 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

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5. Prior to the signing of the final plat all of the conditions of approval for the preliminary plat must be satisfied.

Seconded by Trustee Wolff; Motion carried unanimously.

e. Discussion/Action regarding a Developer's Agreement for Bridlewood Estates Subdivision

Motion by Trustee Neu to authorize the Village President and Village Administrator to execute the Developer's Agreement for Bridlewood Estates subdivision subject to the final review and approval by the Village Attorney; Seconded by Trustee Brandner; Motion carried unanimously.

f. Discussion/Action regarding a Developer's Agreement for Bark Lake Estates Subdivision

Motion by Trustee Wolff to authorize the Village President and Village Administrator to execute the Developer's Agreement for Bark Lake Estates subdivision subject to the final review and approval by the Village Attorney; Seconded by Trustee Neu; Motion passed unanimously.

g. Discussion/Action regarding the release of Letter of Credit funds for Lakeview Ridge Subdivision

Motion by Trustee Brandner to authorize the Village's Deputy Treasurer to release the established Letter of Credit in the amount of \$59,800 to D&S Weyer No. II, LLC subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. Payment be received by the Village for the cost of installing the street signs, materials and labor.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, the Village Attorney, 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

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subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Neu; Motion carried unanimously.

h. Discussion/Action regarding the acceptance of low bid for deer carcass removal with Mr. Wayne Wehrwein

Motion by Trustee Brandner to authorize the Village Administrator to execute an agreement with Mr. Wayne Wehrwein for the removal of car-killed deer on local roads in the Village of Richfield at a rate not to exceed \$30.00 per deer, subject to the review and approval by the Village Attorney; Seconded by Trustee Wolff; Motion carried unanimously.

i. Discussion/Action regarding the scheduling of the May Village Board meeting May 25th at 7:00 PM

Motion by Trustee Brandner to reschedule the next Village Board meeting to Thursday, May 25th at 7:00 PM; Seconded by Trustee Collins; Motion carried unanimously.

7. PUBLIC COMMENTS (...CONTINUED)

8. ADJOURNMENT

Motion by Trustee Neu to adjourn the meeting at 8:00 PM; Seconded by Trustee Wolff; Motion carried unanimously.

Respectfully Submitted,

Jim Healy
Village Administrator