

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 15, 2018
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; Bill Collins, Tom Wolff and Rock Brandner.

Also present: Village Administrator Jim Healy and Deputy Clerk Donna Cox

Excused Absent: Trustee Dan Neu

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:

Danah Zoulek, 609 Scenic Road, Comment regarding Item 7b. Ms. Zoulek asked the Board how a Conditional Use Permit can be repealed but also issue one.

5. PUBLIC HEARINGS

President Jeffords read aloud

Motion by Trustee Wolff to open the public hearings for agenda items 5a, 5b., and 5c. Seconded by Trustee Brandner; Motion carried without objection.

Danah Zoulek, 609 Scenic Road, Comments regarding Item 5a. Ms. Zoulek stated the Village is still spending \$10k in legal fees on the Scenic Pit case and she believe this money can be spent wiser. Ms. Zoulek commented that the legal fees are excessive and Village Staff salaries are too high for what tax payers receive. Ms. Zoulek questioned the cost increased for the Sheriff's Department budget and did not believe the Village should be spending money on the groundwater monitoring program.

Danah Zoulek, 609 Scenic Road, Comments regarding Item 5b. Ms. Zoulek asked to see a copy of Act 67 and asked the Board if they were considering repealing it to make Conditional Uses more stringent on the property owners.

Motion by Trustee Wolff to close the public hearings for agenda items 5a, 5b., and 5c. Seconded by Trustee Brandner; Motion carried without objection.

6. CONSENT AGENDA

- a. Vouchers for Payment
- b. Treasurer's Report
- c. Meeting Minutes:
 - i. October 11, 2018 – Annual Budget Workshop
 - ii. October 18, 2018 – Regular Meeting
- d. New Operators License Applications

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 15, 2018
7:00 pm

- e. Resolution R2018-11-01, A Resolution Honoring the Public Service of Sheriff Dale K. Schmidt

Motion by Trustee Brandner to approve the Vouchers for Payment, Treasurer's Report, Minutes of the October 11th Budget Workshop Special Meeting and October 18th, 2018 Regular Meeting, New Operators License Applications per the attached list and Resolution R2018-11-01, A Resolution Honoring the Public Service of Sheriff Dale K. Schmidt.; Seconded by Trustee Wolff; Motion carried without objection.

7. DISCUSSION/ACTION

- a. Discussion/Action regarding Resolution R2018-11-02, a Resolution adopting the 2019 Village Budget and Establishing the Property Tax Levy**

Village Administrator Healy gave an overview of the Budget, the approximately \$2M in roadwork proposed for 2019, major capital expenditures, and revenues in the proposed budget. Village Staff, elected officials, and the public were all thanked for their involvement in the process.

Motion by Trustee Brandner to adopt Resolution R2018-11-02, a Resolution adopting the 2019 Village Budget and Establishing the Property Tax Levy as published in the West Bend Daily News 'Notice of Public Hearing' for the Village of Richfield; Seconded by Trustee Wolff; Motion carried without objection.

- b. Discussion/Action regarding a Conditional Use Permit application for Mr. and Mrs. Paul Craig for a ground-mounted solar panel array pursuant to Sec. 70.241(E)(2) for property located at 501 Scenic Road (Tax Key: V10_116400B)**

Administrator Healy discussed the proposed CUP for Mr. and Mrs. Paul Craig as well as the municipal preemption regarding solar panel arrays.

Motion by Trustee Brandner to approve the proposed Conditional Use Permit for a ground-mounted solar panel array for Mr. and Mrs. Paul Craig for property located at 501 Scenic Road (Tax Key: V10_116400B) subject to the terms and conditions contained therein; Seconded by Trustee Collins; Motion carried without objection.

- c. Discussion/Action Discussion regarding a tabled petition from Mr. Steven Schmidt to rezone a portion of property identified by Tax Key: V10_008800D from A-1, Exclusive Agricultural District and F-1, Floodland District to Rs-1, Country Estates District and F-1 Floodland District – Ordinance 2018-05-01**

Administrator Healy gave a brief overview of the subject property and the petition that has been at the Plan Commission level for the last several months.

Motion by Trustee Collins to approve Ordinance O2018-05-01, an Ordinance to rezone property identified by Tax Key: V10_008800D, as described in the attachment subject to the following Specific Conditions of Approval:

Specific Conditions of Approval

- 1) The applicant receive approval from the Village Board regarding the proposed land division for the rezoning ordinance to be ratified.

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 15, 2018
7:00 pm

- 2) The applicant shall satisfy all the concerns of the Consultant Planner and Consultant Engineer related to Specific Condition of Approval No.1.
- 3) The applicant shall pay all professional fees related to the application.

Seconded by Trustee Wolff; Motion carried without objection.

d. Discussion/Action regarding a proposed Two-Lot and One Out-Lot Certified Survey Map (CSM) for Steven Schmidt involving Tax Key: V10_008800D

Motion by Trustee Wolff to approve the Two-Lot and One Out-Lot Certified Survey Map (CSM) for the property indicated by Tax Key: V10_008800D subject to the General Conditions of Approval listed below:

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 Brandner; Motion carried without objection.

e. Discussion/Action regarding a proposed One-Lot CSM for Kenneth Schmidt involving Tax Key: V10_008800C

Motion by Trustee Wolff to approve the One-Lot Certified Survey Map (CSM) for the property indicated by Tax Key: V10_008800C subject to the General Conditions of Approval listed below:

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

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 15, 2018
7:00 pm

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 without objection.

f. Discussion/Action regarding a proposed Three-Lot CSM for the Germantown School District and Ralmar Properties, LLC, involving Tax Keys: V10_0914, V10_138600A, and V10_138600Z

Administrator Healy discussed the proposed project and how it had received approval at the Plan Commission level. Concerns regarding the septic system were brought up by the Plan Commission. It was stated that the Germantown School District was advised by their contractors that the Village would not allow the expansion of the current system on their property and that it was necessary to install the system on the south side of Willow Creek Road which necessitated the creation of this CSM. It was further discussed that the Village does not have jurisdiction in this regard and the County Sanitarian provided written documentation that those statements regarding the permissibility of the expansion of the septic system also did not come from his Office which is the permitting governmental body.

Jeff Holmes, Germantown School District Superintendent, Mr. Holmes responded to President Jeffords comment that the County would have been the one to determine the septic system. Mr. Holmes stated the school district was relying on receiving correct information from their consultants regarding this matter.

Administrator Healy stated he would provide the District Superintendent the email from the Washington County Sanitarian for his records.

Motion by Trustee Brandner to approve the Three-Lot Certified Survey Map (CSM) for the properties indicated by Tax Key: V10_0914, V10_138600A and V10_138600Z subject to the General Conditions of Approval listed below:

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

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 15, 2018
7:00 pm

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 without objection.

- g. Discussion/Action regarding a rezoning petition for Mr. Steve Willis for property located at 2075 STH 175 (Tax Key: V10_0259) – Ordinance O2018-11-01**

Motion by Trustee Wolff to approve Ordinance O2018-11-01, an Ordinance to Rezone the subject property located at 2075 STH 175 (Tax Key: V10_0259) from Rs-2 to B-3; Seconded by Trustee Brandner; Motion carried without objection.

- h. Discussion/Action regarding a proposed Ordinance Amendment to the Chapter 70 Zoning Code related to the repealing of Conditional Uses in all Village Zoning Districts - Ordinance O2018-11-02**

Motion by Trustee Wolff to approve Ordinance O2018-11-02, An Ordinance to Amend Multiple Sections of the Chapter 70 Zoning Code Related to Conditional Uses and to direct Staff to work with the Village's Plan Commission on a comprehensive rewrite regarding the same; Seconded by Trustee Collins; Motion carried without objection.

- i. Discussion/Action regarding contracting with Civic Plus for the required upgrade of the Village's website content management system**

Motion by Trustee Collins to allow the Village Administrator to negotiate the billing process with Civic Plus and enter into an agreement with their organization for the required content management system upgrade in the amount of \$6,875; Seconded by Trustee Brandner; Motion carried without objection.

8. PUBLIC COMMENTS – No additional Comments

9. ADJOURNMENT

Motion by Trustee Wolff to adjourn the meeting at 8:57PM; Seconded by Trustee Brandner; Motion carried without objection.

Respectfully Submitted,

Jim Healy

**Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes November 15, 2018
7:00 pm**

Village Administrator