

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes
September 16, 2021
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.

All Present: Village President John Jeffords and Board of Trustees; Dan Neu, Tom Wolff, Rock Brandner, and Bill Collins.

Also Present: Village Administrator Jim Healy, Deputy Clerk Donna Cox, and Administrative Services Coordinator Katherine Gehl

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.

Affidavit of Posting was provided to President Jeffords

3. Pledge of Allegiance

4. PUBLIC COMMENTS:

Ben Jacobs, 3296 Pleasant Hill Road, Mr. Jacobs discussed his concerns regarding the NE Corridor regarding Kwik Trip. Mr. Jacobs concerns are the neighborhood and the kids on Pleasant Hill Road.

5. CONSENT AGENDA:

Motion by Trustee Neu to approve the Vouchers for Payment, Treasurer's Report, Applications for New Operator's Licenses per attached list, Applications for a Temporary Class "B" and "Class B" Picnic License for the Friess Lake Advancement Association event being held on September 25th, 2021, Applications for Temporary Operator's Licenses per attached list, and an Application for a Coin Operated Machine License; Seconded by Trustee Collins; Motion passed without objection.

6. PUBLIC HEARING:

President Jeffords read aloud Public Hearing Items 6a & 6b.

Motion by Trustee Wolff to Open the Public Hearings; Seconded by Trustee Neu; Motion carried by voice vote.

- 1. Discussion regarding a proposed re-zoning of a portion of the property identified by Tax Key: V10_1209 from A-2, General Agriculture District, to RS-1B, Single-Family Cluster/Open Space Residential District – Hartford Land Development, LLC, Petitioner**

Mr. & Mrs. Gardipee, 670 Kreuzers Ridge, regarding item 6a. Expressed concerns about proper water drainage as they already have flooding issues at their residence and want to be assured that the appropriate collection areas are built for water collection.

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Mrs. Susan Munger, 1950 OLD CC, regarding item 6a. Mrs. Munger spoke about the importance of maintaining the environmental corridors in the proposed new subdivision and protecting the Upland Conservancy in open space.

Mr. & Mrs. Warren, 5080 Fox Knoll Lane, expressed concerns about the subdivision cutting through their dead-end street, causing additional traffic flow, fast cars, motorcycles, and additional noise.

Village President John Jeffords advised the Warren's that this road isn't necessarily a dead-end street but rather a T-Turn Around and was eventually intended to be used for connectivity. It was designed this way for safety purposes for police, fire, and EMS.

Mr. & Mrs. Ben Jacobs, 3296 Pleasant Hill Road, regarding item 6a. The Jacob's would like to state for the record that they are opposed to the road connectivity.

Trustee Collins discussed how the Board needed to be more careful on how some things were stated to the public, as the Board has a lot of knowledge and familiarity with properties and surrounding areas in the community but that doesn't necessarily mean the public shares in the same information. Trustee Collins also spoke about the transparency of government and mentioned that materials and information are accessible for public consumption prior to meetings being held by viewing packets that are uploaded to the Village's website.

- 2. Discussion regarding a proposed amendment to the Flood Insurance Rate Map for property generally located at 3476 S. Shore Drive (Tax Key: V10_107300A), Panel 354, as referenced in Section 70.213(E)(2) of the zoning regulations, titled "Official Maps & Revisions" – *Frank and Lori Windt, Joint Petitioners***

No Public Hearing Comments

Motion by Trustee Wolff to Close the Public Hearings: Seconded by Trustee Neu; Motion carried by voice vote.

7. DISCUSSION / ACTION ITEMS:

Administrator Healy introduced items 7a – 7d.

- a. Discussion/Action regarding Ordinance O2021-09-01, An Ordinance to re-zone a portion of the property identified by Tax Key: V10_1209 from A-2, General Agriculture District, to RS-1B, Single-Family Cluster/Open Space Residential District – *Hartford Land Development, LLC, Petitioner***

Motion by Trustee Collins to approve Ordinance O2021-09-01, An Ordinance to Rezone a Portion of Property Identified by Tax Key: V10_1209 from A-2, General Agricultural District and UC, Upland Conservancy District to Rs-1b, Single-Family Cluster/Open Space Residential District and UC, Upland Conservancy District subject to the following Specific and General Conditions of Approval:

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Specific Conditions of Approval:

1. The petitioner receive approval from the Village Board of a Preliminary Plat related to the development of this land within 12 months.

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but are not limited to the State of Wisconsin Department of Safety and Professional Services per Ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per Ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, Federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of 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. **Payment of Charges:** Any unpaid bills owned 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, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. 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 the conditional approval.

Seconded by Trustee Brandner; Motion carried without objection.

- b. **Discussion/Action regarding Ordinance O2021-09-02, An Ordinance regarding a proposed amendment to the Flood Insurance Rate Map for property generally located at 3476 S. Shore Drive (Tax Key: V10_107300A), Panel 354, as referenced in Section 70.213(E)(2) of the zoning regulations, titled “Official Maps & Revisions” – Frank and Lori Windt, Joint Petitioners**

Motion by Trustee Neu to recommend to the Village Board the approval of the Amendment of the Flood Insurance Rate Map, Panel 354, as referenced in Section 70.213(E)(2) of the zoning regulations, titled “Official Maps & Revisions” as prepared by Quam Engineering Group for property generally located at 3476 S. Shore Drive (Tax Key: V10_107300A) from approximately 160 feet west of the intersection of North Lakeview Road and South Shore Drive to approximately 480 feet east subject to the Specific and General Conditions of Approval:

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Specific Conditions of Approval:

1. The petitioner receive all other required permits and approvals prior to any earth moving activity at 3476 S. Shore Drive (Tax Key: V10_107300A).

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but are not limited to the State of Wisconsin Department of Safety and Professional Services per Ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per Ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, Federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of 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. **Payment of Charges:** Any unpaid bills owned 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, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. 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 the conditional approval.

Seconded by Trustee Brandner; Motion carried without objection.

- c. **Discussion/Action regarding the approval of a Two-Lot CSM for a property located at 331 Plat Road (Tax Key: V10_122800G) – Jim Forester, Petitioner**

Motion by Trustee Wolff to approve of the proposed Two-Lot CSM for Jim Forester for property located at 331 Plat Road identified by Tax Key: V10_122800G, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The petitioner receive approval from the Village Engineer based on his comments from August 23, 2021.
2. The accessory structure on Lot 2 be removed prior to signing the proposed CSM.

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General Conditions of Approval:

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2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of 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. **Payment of Charges:** Any unpaid bills owned 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, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. 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 the conditional approval.

Seconded by Trustee Neu; Motion carried without objection

Administrator Healy emphasized that the garage should be razed prior to the signing of the CSM.

- d. **Discussion/Action regarding the approval of a One-Lot CSM for properties located at 3200 Bark Lake Road (Tax Keys: V10_088700C, V10_088700E) – Paul and Monica Kepes, Joint Petitioners**

Motion by Trustee Neu to approve the proposed One-Lot CSM for Paul and Monica Kepes for property located at 3200 Bark Lake Road identified by Tax Keys: V10_088700C and V10_088700E, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The petitioner receive approval from the Village Engineer based on his comments from August 18, 2021.

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General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but are not limited to the State of Wisconsin Department of Safety and Professional Services per Ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per Ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, Federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of 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. **Payment of Charges:** Any unpaid bills owned 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, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. 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 the conditional approval.

Seconded by Trustee Brandner; Motion carried without objection.

- e. **Discussion regarding the acceptance of applications to the Village Plan Commission due to a vacancy.**

Commissioner Richard “Dick” Melzer is moving from the community thus causing a vacancy on the Plan Commission. The Village Board encouraged people to apply to fill out the remainder of his term. Information was posted in the Village’s September 16th packet and the application was posted under “Village News” online. Please refer to the Village of Richfield website for information on what is required to submit to be considered for the position.

8. PUBLIC COMMENTS: No additional Comments

9. CLOSED SESSION:

1. **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.**
 - i. Intergovernmental agreement with the Village of Germantown for the purchase of water and sewer infrastructure to service Northeast Corridor

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Motion by Trustee Neu to Enter into Closed Session per Wisconsin Stats.; Seconded by Trustee Brandner; Motion carried unanimously by voice vote.

10. RECONVENE IN OPEN SESSION:

Motion by Trustee Wolff to Reconvene in Open Session; Seconded by Trustee Neu; Motion carried unanimously by voice vote.

11. Discussion/Action regarding matters addressed in Closed Session outlined above

Motion by Trustee Wolff to approve the proposed draft agreement with the Village of Germantown and Washington County subject to the final review and approval of the Village Attorney and Village President; Seconded by Trustee Brandner; Motion carried without objection.

12. ADJOURNMENT

Motion by Trustee Wolff to adjourn the meeting at 10:00 PM; Seconded by Trustee Neu; Motion carried without objection.

Respectfully Submitted,

Jim Healy
Village Administrator