

APPROVED MINUTES
Village Board Meeting
Tuesday, September 08, 2015, at 7:30 p.m.
Jackson Village Hall
N168W20733 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call.

President Michael Schwab called the meeting to order at 7:30 p.m.

Members Present: Trustees Lippold, Mittelsteadt, Olson, Kruepke, Emmrich, and Kufahl.

Members Absent: None.

Staff present: John Walther, Brian Kober, Jim Micech, Chief Jed Dolnick, Chief John Skodinski, and Kelly Valentino

2. Pledge of Allegiance.

President Schwab led the assembly in the Pledge of Allegiance.

3. Any Village Citizen Comment on an Agenda Item.

Pres. Schwab stated the rules that each person will have two and a half minutes to speak.

Jim Sies of Cranberry Creek Lane commented on his questions in regards to the Jackson Drive Sidewalk Project. He questioned the cost, the timeframe, will the project be north to south or south to north, he questioned the inspection fees and if the due diligence was done on the contractor.

Amy Sies of Cranberry Creek Lane commented on the legality of the Jackson Drive Sidewalk Project as there is a developer's agreement in place. She suggested that the Village Board check with the Attorney. She questioned the assessment process and area.

Marcia Oppman of Blackberry Circle commented on the Jackson Drive Sidewalk Project. She commented on the Developer's Agreement.

Larry Hatke of Georgetown Drive spoke in favor of the sidewalk policy.

Amber Lenhardt of Berry Patch Road commented on the Jackson Drive Sidewalk Project and the Developer's Agreement.

Andrew Cisewski of Berry Patch Road spoke against the Jackson Drive Sidewalk Project. He commented on the increase of the association dues.

Linda Metzger of Cranberry Creek Lane spoke against the Jackson Drive Sidewalk Project. She commented on the increase of the association dues.

4. Public Hearing – Conditional Use – Jackson Crossings/Five Star Living – Signs on Main Street and CTH P.

Pres. Schwab opened the public hearing. No one spoke. Pres. Schwab closed the public hearing. The item came from Plan Commission with recommendation of approval per staff comments.

Motion by Tr. Olson, second by Tr. Kruepke to approve the Conditional Use, Jackson Crossing/Five Star Living, Signs on Main Street and CTH P, subject to staff comments.
Vote: 7 ayes, 0 nays. Motion carried.

5. Consent Agenda:

Approval of Minutes for the Village Board Meeting of August 11, 2015.

- Licenses.
Operator Licenses:
Walgreens: Lisa Bormann, Megan Woolman-Powell
East Side Mart: Matthew Doyle

Motion by Tr. Kufahl, second by Tr. Mittelsteadt to approve the consent agenda items, to approve the minutes and the operator licenses.

Vote: 6 ayes, 0 nays, 1 abstention (Tr. Kruepke). Motion carried.

6. Resolution 15-17 – Resolution Appointing Bond Trust Services Corporation to Serve as Fiscal Agent in Connection with General obligation Refunding Bonds, Series 2015A.

Motion by Tr. Kufahl, second by Tr. Olson to approve Resolution 15-17 – Resolution Appointing Bond Trust Services Corporation to Serve as Fiscal Agent in Connection with General obligation Refunding Bonds, Series 2015A.

Vote: 7 ayes, 0 nays. Motion carried.

7. Ordinance 15-04 – Discussion of Ordinance Chapter 10.14, Property Maintenance Code of the Municipal Code of the Village of Jackson.

Motion by Tr. Mittelsteadt, second by Tr. Olson to remove from the agenda at this time. Staff has been working with the League of Municipalities and several other communities on this item.

Vote: 7 ayes, 0 nays. Motion carried.

8. Budget & Finance Committee.

- **Price Reduction of EMS Invoice for Ms. Wojciuk.**

This item came from the Budget and Finance Committee to deny price reduction of the EMS Invoice for Ms. Wojciuk, and authorize staff to set up a payment plan.

Tr. Emmrich donated \$200 for the EMS Invoice for Mary and Walter Wojciuk.

Chief Skodinski commented that the check would go to the billing company.

Motion by Tr. Kruepke, second by Pres. Schwab to deny the price reduction.

Vote: 6 ayes, 0 nays, 1 abstention (Tr. Emmrich). Motion carried.

- **Resolution 15-13 – Special Assessment Area Jackson Drive Sidewalk Project.**

The legality of the developer's agreement in relationship with the sidewalk and right of way was discussed. Tr. Olson commented that he was hoping to discuss with the attorney but the attorney was not present. Tr. Mittelsteadt commented that the developer's agreement does not control or dictate the right of way.

Tr. Kufahl commented on the proposed assessments that are significant for eleven properties.

Discussion of the need for sidewalks on Eagle Drive ensued.

Pres. Schwab gave history of water bill for Cranberry Creek.

The resolution was recommended by the Board of Public Works, with a vote of 5-1. The resolution was also recommended by the Budget and Finance Committee, with a vote of 2-1. The resolution declares the special assessment area for the Jackson Drive sidewalk project. Motion by Tr. Mittelsteadt, second by Tr. Olson to approve Resolution 15-13 Special Assessment Area Jackson Drive Sidewalk Project. Pres. Schwab commented he would like clarification of the developer's agreement and the relationship of the sidewalk project from the village attorney. John Walther will follow up on the item. Tr. Kruepke commented that the assessment area is completely separate.

Vote: 4 ayes, 3 nays (Tr. Emmrich, Tr. Kufahl, and Tr. Lippold). Motion carried.

- **Review of the Bids for Jackson Drive Sidewalk Project.**

The Board of Public Works recommended D.C. Burbach, Inc. in an amount not to exceed \$95,280.35, with a vote of 5-1. The item was also recommended by the Budget and Finance Committee, with a vote of 2-1. Motion by Tr. Olson, second by Tr. Kruepke to approve D.C. Burbach, Inc. in an amount not to exceed \$95,280.35, contingent on the developer agreement issue.

Vote: 4 ayes, 3 nays (Tr. Emmrich, Tr. Kufahl, and Tr. Lippold). Motion carried.

- **Proposal for Inspection and Staking Services Jackson Drive Sidewalk Project.**

Tr. Olson questioned Brian Kober if the full inspection service was needed. Tr. Kufahl and Tr. Kruepke commented in support of full inspection.

The Board of Public Works recommended approval of the Gremmer and Associates proposal in an amount not to exceed \$18,500; \$2,500 for construction staking and \$16,000 for inspection services, with a vote of 5-1. The Budget & Finance Committee recommended the Village Board approve the Gremmer & Associates proposal for inspection and staking services in an amount not to exceed \$18,500; \$2,500 for construction staking and \$16,000 for inspection services, with a vote of 2-1.

Motion by Pres. Schwab, second by Tr. Kruepke to approve the Gremmer & Associates proposal for inspection and staking services in an amount not to exceed \$18,500; \$2,500 for construction staking and \$16,000 for inspection services, contingent on the developer agreement issue.

Vote: 4 ayes, 3 nays (Tr. Emmrich, Tr. Kufahl, and Tr. Lippold). Motion carried.

- **Resolution 15-14 Special Assessment Area Stonewall Connector Trail Project.**

Brian Kober gave history of the project that involved handrails, the wetlands, and has been earmarked for a long time. He has been working extensively with the DNR and there is a grant of \$45,000. The goal of the project is safe pedestrian traffic. The resolution was recommended by the Board of Public Works and the Budget and Finance Committee and will set the special assessment area.

Motion by Pres. Schwab, second by Tr. Mittelsteadt to approve Resolution 15-14 Special Assessment Area Stonewall Connector Project.

Vote: 7 ayes, 0 nays. Motion carried.

- **Pay Request #1 – Georgetown Drive Reconstruction Project.**

The pay request was recommended by the Board of Public Works and the Budget and Finance Committee in an amount not to exceed \$197,754.51. Motion by Tr. Kufahl, second by Tr. Lippold to approve the Village Board approve Pay Request #1 – Georgetown Drive Reconstruction Project in an amount not to exceed \$197,754.51.

Vote: 7 ayes, 0 nays. Motion carried.

Pres. Schwab commented that the Jackson Drive Sidewalk items are contingent upon advice from counsel.

9. Board of Public Works.

• **Resolution 15-15 – West Shore Pipeline Substantial Completion #2.**

The Board of Public Works recommended the Resolution with the contingency on the smart flushing station. The flushing station has been communicating and working since on or around August 28th, 2015. Mueller and West Shore has agreed to warranty all flushing stations for two years. Brian Kober recommended that the board approves the resolution.

Motion by Tr. Lippold, second by Tr. Olson to approve Resolution 15-15 – West Shore Pipeline Substantial Completion #2.

Vote: 7 ayes, 0 nays. Motion carried.

10. Economic Development Washington County – Christian Tscheschlok – Brownfield Grant Discussion/Update.

Motion by Pres. Schwab, second by Tr. Olson to refer the item to the October Village Board meeting.

Vote: 7 ayes, 0 nays. Motion carried.

11. Future Meeting Dates for the Review of the Comprehensive Plan.

Pres. Schwab suggested to set up the first meeting the first week of December. The Board came to a consensus of December 3rd at 7:30 p.m. as a meeting date (following the Plan Commission Meeting) and to set a vision statement with principles. John Walther will contact a representative to facilitate the meeting.

12. Departmental Reports.

• **Operation FINALLY HOME Community Fundraiser – Update.**

Kelly Valentino reported that the outdoor tot area will be dedicated next Wednesday, September 16, 2015, at 6 p.m. Robbie Krieter will be honored for the fencing portion which was his Eagle Project.

Kelly reported that the Operation Finally Home groundbreaking was today. She reminded everyone of the tailgate fundraiser on September 20th.

Chief John Skodinski reported that the old ambulance was sold for \$11,250.

13. Washington County Board Report.

No Report.

14. West Bend School District Liaison Report.

Pres. Schwab reported that school is in session.

15. Greater Jackson Business Alliance Report.

Tr. Mittelsteadt also reported that the next general membership meeting for the Greater Jackson Business Alliance Meeting will be on October 21. West Bend School Superintendent, Ted Neitzke will be the speaker with the discussion points of the new school and area businesses program.

16. Mid-Moraine Legislative Committee / Mid-Moraine Municipal Report.

The Mid Moraine Legislative Committee will meet here tomorrow night at 7 p.m.

John Walther reported that the next Mid-Moraine Municipal dinner will be on October 28, 2015.

17. Citizens to Address the Village Board.

Gordon Goggin commented on his idea for beer gardens in the area parks and that he wants to partner with non-profits for beer gardens. Kelly Valentino commented on the park rules that are in place.

Amy Sies of Cranberry Creek Lane questioned Tr. Mittelsteadt on a condo board meeting he attended several years ago.

18. Closed Session.

Closed session pursuant to 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, and, Wis. Stats. § 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. The topics are matters relating to the Village-Town Revenue Sharing Agreement and Cooperative Boundary Plan.

Motion by Pres. Schwab, second by Tr. Lippold, to convene into closed session at 8:40 p.m. to include the Village Board, Brian Kober, and Deanna Boldrey.

Vote: 7 ayes, 0 nays. Motion carried.

Reconvene Into Open Session.

The Village Board convened into open session at 9:30 p.m.

19. Adjourn.

Motion by Tr. Mittelsteadt, second by Tr. Kufahl to adjourn at 9:31 p.m.

Vote: 7 ayes, 0 nays. Motion carried.

Respectfully submitted by Deanna L. Boldrey, Clerk/Treasurer