

APPROVED MINUTES
Village Board Meeting
Tuesday, August 13, 2019 at 7:30 p.m.
Jackson Village Hall
N168 W20733 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call.

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

Members Present: Trustees Emmrich, Kruepke, Kurtz, Lippold, Malcolm and Olson.

Staff present: Collin Johnson, Brian Kober, Chief Swaney, Kelly Valentino, Chief Vossekuil, John Walther, Jilline Dobratz and Village Attorney Matt Parmentier.

2. Pledge of Allegiance.

Pres. Schwab led the assembly in the Pledge of Allegiance.

3. Any Village Citizen Comment on an Agenda Item.

None.

4. Ceremonial Oath of Office – Justin Brinks – Police Sergeant.

Chief Vossekuil stated Sergeant Brinks is a seven-year veteran in the Jackson Police Department. He is a field training officer, firearms instructor and will do a great job supervising the night shift.

Village Clerk Dobratz conducted the ceremonial oath of office for Police Sergeant Justin Brinks.

5. Public Hearing – Conditional Unit Permit (CUP) – Affordable Green Homes – Storage Facility – Meadow Lane, Lot 1

Pres. Schwab opened the Public Hearing.

Deb Spaeth, N168 W21058 Main Street - Stated the party withdrew the offer to purchase. It is still on the market and she is here to listen to comments that are made.

Steve Schoen, W198 N16890 Ridgeway Drive – Commented their family home is at the bottom above Jimmy's restaurant. Some of the information on the memo isn't accurate. There was a drain tile on the properties and behind Jimmy's there was a catch basin that since has been filled in so it's not active. The tile was disrupted and no longer goes underground, it goes over the top. The bulk of the water comes out of a tube in the ground. After Jimmy's flooded several times, a berm was built on their property with a drain tile in it that is supposed to stop the water and push it around the building. Several years ago, he met with the former Director of Public Works, and he was going to have the property owner connected the tube with storm sewer, but it was never done. Letting water come out of the hole and rush down to Jimmy's, to him, is a problem. In the future, he doesn't think the property is big enough to put a water retention pond. It is not connected underground anymore and is broken up some place. It doesn't curve in the back yard, it goes straight toward the center of Jimmy's building.

Collin Johnson, Director of Building Inspection/Code Enforcement Officer, gave some background on the memo he provided. It was found where the inlet discharged and discovered the drainage ditch. There is evidence of a former drain tile to the property north of Jimmy's. The parcel could benefit from some regrading and onsite stormwater inlet to capture and convey it better. The adjacent property has land area without any type of

stormwater system present on that site. There are potential improvements that could be made, it could be looked at and studied.

Thomas Selle, N169 W21155 Meadow Lane – Stated when he built 22 years ago, he was required to take the secondary lot and pitch everything to the north to retain as much water to the street as possible. To the south, of the old concrete barnyard, there is one tile that comes to the south which flows a lot of water. There is a catch basin behind the Spaeth property in the gravel driveway and to the east of his property there is a catch basin.

Pres Schwab closed the Public Hearing.

Pres Schwab stated since the buyer that was proposing the Concept Plan to the Plan Commission has withdrawn their offer, he doesn't see any reason to proceed any further with this unless someone in the gallery has other reasons that they move forward. Collin Johnson suggested the information be placed on file for future consideration. John Walther added it is good for the Board to understand the situation. The catch basin that is there is about 60 feet south of where that property ends. Deb Spaeth needs to know if they have another potential buyer what she can tell them, and she can have some information going forward. Deb Spaeth commented it is a small parcel, a half-acre, there are people who just need that size. They also need to know what they need to do, there needs to be some information from the Village as to what would be required. What information is there that they can say of what the Village is looking for. It would be great if someone had a use for it and they would like to have them come into the property with knowledge of what it is going to cost to bring it up to code/spec. Collin Johnson commented whoever decides to purchase the property will need to manage the water on site and reduce, as much as possible, any runoff onto abutting properties. It would be their obligation or responsibility to come up with a plan that does that.

6. Resolution #19-21 – Recognizing Kenneth W. Klumb for his 60 Years of Active Service on the Jackson Fire Department

Chief Swaney introduced Kenneth Klumb stating he has been with the Jackson Fire Department for 60 years. He is being recognized for his hard work and all the things he has done to bring the department to where it is today. Pres. Schwab read the resolution.

Motion by Pres. Schwab, second by Tr. Emmrich to approve Resolution #19-21 – Kenneth W. Klumb for his 60 years of active service on the Jackson Fire Department.

Roll Call Vote: 7 ayes, 0 nays. Motion carried.

7. Resolution #19-22 – Authorizing the Village Administrator to File Cross-Appeal Objections with the Wisconsin State Board of Assessors

Motion by Pres. Schwab, second by Tr. Lippold to approve Resolution #19-22 – Authorizing the Village Administrator to file cross-appeal objections with the Wisconsin State Board of Assessors.

John Walther gave background information. Kerry Ingredients objected to their real estate and personal property assessments. This will allow the authorization of the Administrator to quickly and conveniently file cross objections to the State Board of Assessors.

Vote: 7 ayes, 0 nays. Motion carried.

8. Discuss/Recommend Possible Changes to the Sex Offender Residency Ordinance

Village Attorney Matt Parmentier distributed a handout and gave information on the ordinance including case examples. The courts are looking more closely at setback distances from sensitive locations, how much of the municipality is off limits to sex

offenders. Attorney Parmentier reviewed the Summary of Sex Offender Residency Ordinance Studies. The violent offenders, Chapter 980's, have to be placed in the County they came from. Chief Vossekuil recommends the Board find that the legislative record exists to support our ordinance. Attorney Parmentier went over the draft Ordinance Amending Sex Offender Residency Ordinance. Residency Restriction, setbacks, Village Sex Offender Restricted Residency Maps, percentages, future annexation and developments were discussed. The consensus of the Board is to keep the setback at 1,500 feet. The Petition for Exemption is a new section creating a Sex Offender Residence Board. A Sex Offender may seek an exemption from the ordinance by petitioning to the Sex Offender Residence Board ("Residence Board"). The Residence Board consists of three citizens residing in the Village and will be appointed.

Motion by Pres. Schwab, seconded by Tr. Emmrich to approve the amendment to the ordinance subject to legislative rules and the Village Attorney be directed to completely develop the ordinance for presentation at the next meeting.

Vote: 7 ayes, 0 nays. Motion carried.

Motion by Tr. Lippold to suspend the rules and have the second reading this evening. Pres. Schwab stated he would like to see the actual ordinance in writing. Tr. Lippold withdrew his motion.

9. Approval of Minutes for the Village Board Meeting of July 9, 2019.

Motion by Tr. Malcolm, second by Tr. Olson to approve the Village Board Minutes of July 9, 2019.

Vote: 7 ayes, 0 nays. Motion carried.

10. Approval of Licenses

- Class B Picnic License: Cedar Creek Community Connection September 7, 2019
- Operators Licenses:
 - East Side Mart: Michael A. Castelow, Nikki E. Hennen, Elise C. Serchen
 - Jackson Parks & Recreation: Renee E. Fisher, Angela Jeske, Jessica L. Loomans, Kelly A. Valentino
 - Village Mart: Charles E. Shepherd
 - Walgreen's #11676: Elliot R. Kloss, Richard P. Vaillancourt

Motion by Tr. Kurtz, second by Tr. Lippold to approve the licenses as presented.

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

11. Budget & Finance Committee

- Review of Proposal for Public Facilities Needs Assessment and Impact Fee Study – City Water and Trilogy Consulting, LLC

Motion by Pres. Schwab, second by Tr. Lippold to approve the proposal for Public Facility Needs Assessment and Impact Fee Study from City Water and Trilogy Consulting, LLC in an amount not to exceed \$15,840.00.

Vote: 7 ayes, 0 nays. Motion carried

- Review of bids for 2019 Improvements Sherman Road Drainage and Jackson Park Alley Reconstruction Project

Motion by Pres. Schwab, second by Tr. Kruepke to approve the bid from Payne & Dolan in an amount not to exceed \$255,747.00 for 2019 Improvements Sherman Road Drainage and Jackson Park Alley Reconstruction Project.

Tr. Olson commented the two businesses for the Jackson Park Alley Reconstruction Project will be contacted and a resolution for special assessment will be on the next Board of Public Works agenda.

Vote: 7 ayes, 0 nays. Motion carried

- Review of Bids for 2019 Chateau Drive and Hickory Lane Reconstruction Project
Motion by Pres. Schwab second by Tr. Olson to approve the bid from Payne & Dolan in an amount not to exceed \$873,842.00 for the 2019 Chateau Drive and Hickory Lane Reconstruction Project.
Vote: 7 ayes, 0 nays. Motion carried
- Resolution #19-20 Preliminary Assessment for Chateau Drive and Hickory Lane Reconstruction Project
Motion by Pres. Schwab, second by Tr. Lippold to approve Resolution #19-20 Preliminary Assessment for Chateau Drive and Hickory Lane Reconstruction Project.
Vote: 7 ayes, 0 nays. Motion carried
- Review of US Cellular Antenna Reconfiguration – White Water Tower
Motion by Pres. Schwab, second by Tr. Malcolm to accept contract alterations of \$250.00 per month or \$3,000.00 per year and the contract be extended for ten years with 20 percent increases at each five-year increment for US Cellular Antenna Reconfiguration Project - White Water Tower.
Vote: 7 ayes, 0 nays. Motion carried

12. Plan Commission

- No Recommendations

13. Board of Public Works

- No Recommendations

14. Joint Parks & Recreation.

- No Recommendations

15. West Bend School District - Update

None.

16. Proposed Municipal Building - Update

John Walther went over the Cedar Corporation memo and gave information on properties east of TID 7 regarding the right of way for the extension of Spruce Street to Eagle Drive. Tr. Lippold inquired on DOT and DNR approvals. Brian Kober stated it is being worked on, the traffic study has been completed for the intersection of Ridgeway and Highway 60. The footprint is being worked on for optimal use and allow ease of plowing.

17. Departmental Reports.

Parks and Recreation Director Kelly Valentino reminded everyone that next week is the Augtoberfest Beer Garden and they are looking for volunteers. Saturday, September 7th is the Community Connection event. The Village is working with the Cedar Creek Farmers and Washington County. A dedication for the playground will be in the fall before the Glow Run.

Fire Chief Aaron Swaney is continuing to work on flex staffing which allows them to go to paramedic level one. They are talking with different doctors and different hospitals before it goes to the State. It will be a great benefit to the Village, and they are looking forward to it.

Police Chief Ryan Vossekuil thanked the sponsors, the Departments Heads who helped and everyone who attended the first National Night Out on August 6. They had an estimated 600 people. The Flight for Life helicopter got a call and weren't able to land. 20 new bikes including helmets were given away.

Administrator John Walther reported he received the preliminary change in Equalized Value this year. It is going up almost 50 million from last year, including real estate and personal property. A memo from residents giving kudos to Department of Public Works regarding tree trimming and mulching at Hickory Park and along Jackson Drive was read. The barn is almost down on the Schmahl farm and one of the out buildings is down. The demolition area is making progress. Still trying to find a taker for the farm house, a couple will be looking at it on Friday to potentially move it.

18. Mid-Moraine Municipal Association Report

Tr. Kurtz reported there will be a meeting on September 11th in the Village Board room.

19. Washington County Board Report

None.

20. Greater Jackson Business Alliance Report

None.

21. Citizens to Address the Village Board

A citizen commented on the numerous diseased dead trees on private property and also some on Village property. Brian Kober commented the Village trees are currently being cut down and will continue into the fall. Letters will be going out to residents issuing them to remove the trees or the Village will take care of the trees and special assess them.

Casey Latz inquired if the public is going to be able to see the map with the sex offender ordinance. Attorney Parmentier stated the map is a public record.

Gloria Teifke questioned notifications of sex offenders living in the Village. Chief Vossekuil stated there is a sex offender registry online. Every six months an officer makes contact with each sex offender in the Village to make sure everything on the registry is up to date. Attorney Parmentier stated if they are state placed individuals under the Chapter 980 program the municipality cannot do anything, it is all handled by the state.

22. Closed Session pursuant to Wis. Stats. §19.85(1)(c) Considering employment, promotion, compensation or performance evaluation date of any public employee over which the governmental body has jurisdiction or exercises responsibility.

Motion by Pres. Schwab, second by Tr. Olson to convene into closed session at 8:59 p.m. to include the Village Board, the Village Attorney, the Village Administrator and the Fire Chief. Roll Call Vote: 7 ayes, 0 nays. Motion carried.

Reconvene into Open Session to Adjourn

The Village Board reconvened into open session at 9:44 p.m.

23. Adjourn.

Motion by Tr. Lippold, second by Tr. Kruepke to adjourn.

Vote: 7 ayes, 0 nays. Meeting was adjourned at 9:45 p.m.

Respectfully submitted:

Jilline Dobratz, *CMC/WCMC*
Village Clerk