

APPROVED MINUTES
Village Board Meeting
Tuesday, September 10, 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 Kruepke, Kurtz, Lippold and Olson.

Members Excused: Trustee Malcolm

Members Absent: Trustee Emmrich

Staff present: Collin Johnson, Brian Kober, Chief Swaney, Chief Vossekuil, John Walther, Jilline Dobratz.

2. Pledge of Allegiance.

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

Pres. Schwab requested to move item #19, West Bend School District – Update, up to follow item #7, all Board members agreed.

3. Any Village Citizen Comment on an Agenda Item.

Bill Gilbert, owner of Jackson Truck Body, N168 W20640 Main Street spoke on item #10 regarding the assessment notice he received for the development of the alley behind his business. Miller Monument and he have been maintaining the alley. The assessment is over \$15,000.00, it's expensive with one-bid. Thinks it is overboard and something needs to be done as it is swamp hole, but it doesn't all need to be done this year. This is steep for them.

Wally Miller, owner of Miller Monument, N168 W20666 Main Street spoke on item #10 regarding the project. It needs to be addressed as there is a water issue with no storm sewer. It is wet and his concern is where the roundabout is scheduled, there is a lot of ground to be moved and a good base should be put in.

Renee Miller, owner of Miller Monument, N168 W20666 Main Street commented on item #10 on if there was flexibility to look at different options if it's not too late. It is very wet.

Scott Roth, manager of Event Horizon Tattoo, N168 W21700 Main Street, #200, spoke on item #9 regarding the two artists who applied for Tattoo Licenses. Both have licenses through the State, and he understand the reasons why the recommendation is to deny. They two individuals are trying to change their lives around and go in a positive direction.

Rich Malnory, owner of Event Horizon Tattoo, W208 N16787 South Center Street spoke on item #9 the artists feel horrible about what they have done in the past and they are not going to be doing that here. They just want to do artwork on people. He and his manager are backing them up and he hopes the Board will too.

4. Public Hearing – Planned Unit Development (PUD) – J & M Ltd. – Storage Buildings – N168 W19490 Main Street

Pres. Schwab opened the Public Hearing.

Ronald Stuebs, W197 N16990 Stonewall Drive spoke on the joys of living in Jackson. When coming into Jackson from the west, the first thing you see is storage units. If the proposal passes, coming from the east the first thing you will see is the convenience store and the storage units. If they are to be built, put them in an industrial area. He and his wife managed 142 storage units and has a lot of experience. Storage units are important but can become an eye sore. Property values dropping are a concern to the people near the project. Darrel Schumacher, W197 N17015 Stonewall Drive is concerned they will be looking at storage buildings and it's not something they want. There are storage units on County P, Highway 60 and brand-new units by the Fair Park. For this to be approved would be wrong, there are enough. It will lower the value of homes. Nobody wants to look out their window and see storage units. It is frustrating and asked them to deny the storage buildings. They should be built in an industrial area rather than by residents.

Dave Liesener, W197 N16877 Stonewall Drive stated his condo unit is right next to the proposed building. Within a four-square mile radius of Jackson there are 11 storage facilities with a total 1,204 units; one storage unit for every five people in Jackson. Storage units all look run down after time and showed the Board members pictures of current conditions of units. The residents will see a steel roof, it takes down the value of everyone's property in the area. The lights from the gas station are shining in his condo and inquired if the Village has a lighting regulation. He asked the board to look at the lights and for the sake of him and other property owners on Stonewall to not allow this.

Pres Schwab closed the Public Hearing and stated this came from Plan Commission with the recommendation to approve but with some reservations. He would like to give the proposing property owner the opportunity to explain some of the items that were addressed at Plan Commission would be alleviated including the lighting, how the screening would happen, what the actual building would look like, etc. as noted in the draft minutes.

Mark Hertzfeldt, Design to Construct, is representing the owner's interest and his proposal. They are proposing no new pole lights. All lighting as proposed on the building is at seven-foot elevation. The light does not project out, it projects strictly down. The light levels before they reach the property line diminish to zero. They are doing everything they can to keep all lighting on the property. The hill behind the property elevation height is not going to be modified. They are cutting it back and making it steeper to maintain the height and the screen of the hill as it stands. The garage doors on Highway 60 have been modified to eliminate all the doors on that side. They reconfigured the elevation to have windows and also added brick veneer to the bottom of the unit to address the issues along Highway 60. Additional trees have also been added as requested.

Motion by Tr. Lippold, second by Pres. Schwab to approve the Planned Unit Development (PUD) – J & M Ltd. – Storage Buildings – N168 W19490 Main Street.

Tr. Olson prefers, given the open concerns by the Plan Commission, that it goes back to Plan Commission making sure the concerns are satisfactory resolved. Tr. Lippold agrees with Tr. Olson on sending it back to Plan Commission, this is zoned commercial, but it warrants being looked at to address some of the issues. Tr. Kurtz stated they still don't look pretty. Tr. Lippold withdrew his motion, Pres. Schwab concurs.

Motion by Tr. Lippold, second by Pres. Schwab to refer the Planned Unit Development (PUD) – J & M Ltd. – Storage Buildings – N168 W19490 Main Street back to Plan Commission for further consideration.

Mark Hertzfeldt stated they addressed the concerns that were brought forth in the minutes and at Plan Commission. Pres. Schwab stated he did address everything that was discussed.

In light of the citizen comments, it does merit further discussion. Mark Hertzfeldt commented the lights will not shine into windows, they will shine down. There is nothing they can do as a business or as an architect to address the concerns the neighbors have over a business in their area. It is a commercial zoned property and it is currently a paved lot that parks semi-trucks. It has a semi-truck diesel dispensing facility on it. It is not a field, it is a commercial business. Pres. Schwab questioned if a month delay would cause undue hardship. Mark Hertzfeldt stated a month delay at this time of year could push the project out to Spring of next year.

Vote: 4 ayes, 0 nays, 1 abstain (Tr. Kruepke). Motion carried.

5. Public Hearing – Planned Unit Development (PUD) – Final Plat – Bielinski Homes Inc. – Laurel Springs Addition #1

Pres. Schwab opened the Public Hearing.

Nick Marois, N174 W20356 Creekside Drive is ecstatic about the new development coming in. He is concerned about Jackson Drive, it is pretty destroyed. His house, yard, plants and truck are caked in dirt and dust. He proposed a water tender go through during the day or go forward with paving.

Zach Rinehart, N174 W20372 Creekside Drive spoke on his concern with Jackson Drive, half of the traffic now uses the wrong side of the street because of its poor condition. He can't imagine it's good for the kids running around in the neighborhood. It's a pretty big mess and something to keep down the dust is needed.

Pres Schwab closed the Public Hearing.

Motion by Pres. Schwab, second by Tr. Lippold to approve the Planned Unit Development (PUD) – Final Plat – Bielinski Homes Inc. – Laurel Springs Addition #1.

Vote: 5 ayes, 0 nays. Motion carried.

Pres. Schwab requested a recess to sign documents. Reconvened at 8:08 p.m.

6. Ceremonial Member Appointment – Plan Commission

Pres. Schwab commented the Plan Commission was served by Dan Herro who moved out of the Village which created a vacancy.

Motion by Pres. Schwab, second by Tr. Lippold to approve the Plan Commission Member Appointment, Jonathan Molkentin be appointed to fill the two-year term to end in 2021.

Vote: 5 ayes, 0 nays. Motion carried.

Village Clerk Dobratz administered the Oath of Office to Jonathan Molkentin.

7. Wisconsin State Assembly Report – Representative Rick Gundrum

Representative Rick Gundrum gave an update on what has been transpiring over the last six months. The speaker put some tasks together for them; suicide prevention, water quality and adoption. The hearings across the state have been completed, the data will be gathered, and they will try to address the needs and concerns with legislation. Local road improvement fund, \$90 million was set aside for it, the Governor took \$15 million off the top and put it back in the General Fund. The remaining \$75 million was turned over to the DOT who put a grant program together. As Chair of the Committee of Aging & Long-Term Care, money was left in the budget to give salary increases to CNA's and increase the Medicaid reimbursement rates for nursing homes. The Assembly will start back up on October 10, will have two meetings in November, off in December and at least one meeting in January and February. Tr. Lippold inquired on the water quality study, what areas of

concern were they looking at and does it address the concern of runoff from fields that gives municipalities a heavier burden. Representative Gundrum stated they addressed the lead content in the water and the run off situations. Pres. Schwab commented on concerns about the Administration and DNR's treatment and handling of PFA's. He encouraged him to do anything he can to help get it within more reasonable levels. Representative Gundrum commented he agreed and stated at the federal level, the goals that were set and requirements were unrealistic. They couldn't be meet because the technology wasn't available. They are all keeping an eye and it and doing whatever they can to get it back down.

19. West Bend School District - Update

Don Kirkegaard Superintendent of West Bend Public Schools commented school started last Tuesday. The enrollment numbers might be down, they will be finalized the third Friday in September. The annual meeting is Monday, September 23, 2019 at the Silver Lining Auditorium at the High School. Four resolutions will go forward; budget, disposal of property, salary for the Board Members and setting the annual meeting for the following year. Initial indication shows there will not be any increases in taxes for the 2019-2020 school year. We are one of the lowest in Washington County. On October 14, 2019 the Task Force that was established to look at facilities will report their findings. No decision has been made yet regarding a referendum in the Spring, the earliest possible referendum would be next April. The per student allocation based on state aid and local taxes raised from \$9,400 to \$9,700 which makes a big difference for the district, we are still significantly below our neighbors and are a low spending district.

8. Approval of Minutes for the Village Board Meeting of August 13, 2019.

Motion by Tr. Olson, second by Tr. Kurtz to approve the Village Board Minutes of August 13, 2019 as presented.

Vote: 5 ayes, 0 nays. Motion carried.

9. Approval of Licenses

- Operators Licenses:

- Main Street Mart: Sabrina M. Larson, Bailee L. Schmidt
- Village Mart: Taylor L. Schultz

Motion by Tr. Lippold, second by Pres Schwab to approve the individual Operators Licenses for Main Street Mart and Village Mart.

Vote: 4 ayes, 0 nays, 1 abstain (Tr. Kruepke). Motion carried.

- Tattoo/Body Piercing Operators:

- Event Horizon: Alissa J. Fischer, Brian R. French

Motion by Pres. Schwab, second by Tr. Lippold to deny the licenses for the Tattoo/Body Piercing Operators.

Vote: 4 ayes, 0 nays, 1 abstain (Tr. Kurtz). Motion carried.

10. Budget & Finance Committee

- Review of Preliminary Assessment for Chateau Drive and Hickory Lane Reconstruction Project

Motion by Pres. Schwab, second by Tr. Lippold to approve the Preliminary Assessment for Chateau Drive and Hickory Lane Reconstruction Project.

Vote: 5 ayes, 0 nays. Motion carried

- Resolution #19-25 Preliminary Assessment for Sherman Road Drainage and Jackson Park Alley Reconstruction Project
Motion by Pres. Schwab, second by Tr. Lippold to approve Resolution #19-25 Preliminary Assessment for Sherman Road Drainage and Jackson Park Alley Reconstruction Project.
Pres. Schwab commented with regards to assessments, in the past there has been a payment plan option and that would still be the case.
Vote: 4 ayes, 1 nay (Tr. Kurtz). Motion carried.

11. Plan Commission

- Comprehensive Plan Update – SEWRPC
Ben McKay was present and provided an overview of the Comprehensive Plan Update. The original Joint Comprehensive Plan with the Town of Jackson was produced and adopted in 2009. The updated plan will include two parts. Part 1 is a minor plan update that focuses on the land use plan map. Some of the updates include mix use development in the downtown area to reflect the Village opportunity analysis and redevelopment plan, wetlands and primary environmental corridors and accounted for lands to be attached to the Village from the Town of Jackson per the Mediated Cooperative Plan Agreement. Part 2 is the year 2035 plan and includes only portions specific to the Village. Parts 1 and 2 together constitute a full Comprehensive Plan with all nine elements as required by the State Comprehensive Planning law. The timetable of future steps was given.
- Resolution #19-23 – Terminating the Village of Jackson’s Participation in the Joint Village of Jackson/Town of Jackson Planning Group
Motion by Pres. Schwab, second by Tr. Lippold to approve Resolution #19-23 Terminating the Village of Jackson’s Participation in the Joint Village of Jackson/Town of Jackson Planning Group.
Vote: 5 ayes, 0 nays. Motion carried
- Resolution #19-24 – Adopting Public Participation Procedures for Amending the Comprehensive Plan for the Village of Jackson
Motion by Pres. Schwab, second by Tr. Kruepke to approve Resolution #19-24 Adopting Public Participation Procedures for Amending the Comprehensive Plan for the Village of Jackson.
Vote: 5 ayes, 0 nays. Motion carried
- Annexation – Morning Meadows – Temporary Zoning – PUD
Motion by Pres. Schwab, second by Tr. Olson to approve Annexation – Morning Meadows – Temporary Zoning – PUD as residential.
Vote: 5 ayes, 0 nays. Motion carried

12. Ordinance #19-01 - Amending Sex Offender Residency Ordinance (2nd Reading)

John Walther stated there was an update in Article III, Section 20-41, number 5, the Police Department will provide an investigative report and not a recommendation.
Motion by Pres. Schwab, seconded by Tr. Lippold to approve Ordinance #19-01 – Amending Sex Offender Residency Ordinance.
Vote: 5 ayes, 0 nays. Motion carried

13. Ordinance #19-02 – Annexation of Morning Meadows

John Walther commented the ward designation, Ward 13, was updated and is included in the ordinance.

Motion by Pres. Schwab, seconded by Tr. Kurtz to introduce Ordinance #19-02.

Vote: 5 ayes, 0 nays. Motion carried

Motion by Pres. Schwab, seconded by Tr. Lippold to suspend the rules and allow the second reading with approval of Ordinance #19-02.

Roll Call Vote: 5 ayes, 0 nays. Motion carried

Motion by Pres. Schwab, seconded by Tr. Lippold to approve Ordinance #19-02.

Vote: 5 ayes, 0 nays. Motion carried.

14. Ordinance #19-03 – Amending Sign Ordinance

John Walther reviewed the updates of the Sign Ordinance.

Motion by Pres. Schwab, seconded by Tr. Olson to introduce Ordinance #19-03 – Amending Sign Ordinance.

Vote: 5 ayes, 0 nays. Motion carried

Pres. Schwab stated the second reading of the Sign Ordinance will be next month.

15. Resolution #19-26 – Pursue Development of a Joint Public Library with West Bend Community Memorial Library

Ethan Hollenberger, Public Affairs Coordinator, Washington County, was present and explained the resolution. He stated every unserved community in Washington County can check out books anywhere. More tax payer dollars are going to surrounding county libraries. There are a couple of solutions; Washington County could run the entire library system, Jackson could build a library and third municipalities that are unserved request the municipality that has a library to serve them through a Joint Library Agreement. The legal requirement is the Village has to decide to start the process. There is no decision being made other than having the County pursue the Joint Public Library and keep tax dollars in the County. Pres. Schwab's concern is if they were to pass the resolution, would that preclude the Village of Jackson to start their own library. Ethan stated an opt out clause can be added to the Joint Library Agreement for that purpose, it isn't a permanent agreement. They are usually two to three years and then renewed. Tr. Kurtz inquired on how it benefits the Village of Jackson. Ethan commented the library levy can't grow fast enough to cover the growth that is paid out every year. Money is being cut to the libraries because of paying the other counties. The benefit is if you keep the money here. the money is spent investing in the libraries that are actually being used.

Motion by Tr. Lippold, seconded by Tr. Olson to approve Resolution #19-26 – Pursue Development of a Joint Public Library with West Bend Community Memorial Library.

Vote: 5 ayes, 0 nays. Motion carried.

16. Approval of Mutual Aid Agreement between the Jackson Police Department and the Slinger Police Department – Discussion/Action

Police Chief Vossekuil stated the agreement has been in place since 2003 between the two Villages, it insures quick response from either agency. The agreement protects both entities and updates on signatures is needed due to changes in administration in both departments.

Motion by Tr. Olson, seconded by Tr. Kruepke to approve the Mutual Aid Agreement between the Jackson Police Department and the Slinger Police Department.

Vote: 5 ayes, 0 nays. Motion carried.

17. Board of Public Works

- No Recommendations

18. Joint Parks & Recreation.

- No Recommendations

20. Proposed Municipal Building - Update

Cory Scheidler, Ron Dalton and Kris Dressler were present from Cedar Corporation and gave an update. They are on schedule and are working through structural design. Over the coming months they are preparing for bidding in December or January. They are starting to look at materials, staying with the same appearance. Moving forward they will continue to update the construction costs. With some of the modifications and inflation, it's at \$13.9 to \$14.1 million. Design will be getting more intensive and more architects will be involved in design. Tr. Olson asked when a final layout will be completed. Cory stated they currently have that. The building has been moved a little bit further to the east and the parking has been increased. Ron Dalton commented he and Brian Kober met with the DNR to start the discussion on what the impacts are. He thinks the impact to the floodplain will be kept within Village owned property, making the process easier. A map amendment with FEMA for change in flood elevation will be needed.

21. Departmental Reports.

Brian Kober stated Cedar Creek Community Connection was Saturday, thank you to those that attended. 205 people walked through the gate, 98 were from the Village of Jackson. Next year they will look at another type of education. Tr. Lippold questioned on the lack of school markings on Stonewall. Pres. Schwab suggested it to be referred to Board of Public Works and added to the agenda.

Administrator John Walther reported there were actually 250 people at the Cedar Creek Community Connection including staff, volunteers and the band. It was well received.

Fire Chief Aaron Swaney commented the Police & Fire Commission met to conduct interviews and ranked an eligibility list with one position being offered. They have a conditional offer and have to pass a physical and go through a psychological test.

22. Mid-Moraine Municipal Association Report

Tr. Kurtz stated tomorrow night there will be a meeting at Village Hall at 7:00 p.m. with Judge Christine Ohlis. Also, on September 25th there is a dinner meeting at 6:00 p.m. in the City of Port Washington at the Country Inn and Suites. The speaker will be Jason Johnson, Manager Municipal Markets with Advanced Disposal.

23. Washington County Board Report

County Supervisor Bob Hartwig was present and gave the monthly report. There were two meetings on the mound system surcharge, inspections will be every three years. The County is looking at a new form of government, going to a County Executive. The vote

failed on July 10, 2019. Ten days later a Supervisor asked for it to be brought back. It will be voted on tomorrow night. Highway 60 work is still being planned for March 1, 2020.

24. Greater Jackson Business Alliance Report

None.

25. Citizens to Address the Village Board

Casey Latz stated the Glow Run and chili cookoff is October 5th at the Park and Rec. Also, using Advanced Disposal as a business owner, the bills go up about every two months. She was told by Advanced Disposal that the citizens of the Village of Jackson do not recycle and that is the reason for the increase. At the disposal center, the garbage and recycling all go into the same semi. They should look at their own center.

Brian French asked the Board to reconsider his Tattoo License. He understands the Chief's job is to make a recommendation. He owns his mistakes and that was his past. He has grown up in Jackson, has a fulltime job as a crane operator and would like to do this work on the side. His past should not define who he is now, everyone deserves a second chance.

Alissa Fischer spoke asking for reconsideration of her Tattoo/Body Piercing License. She has successfully completed her probation and has paid her dues. She has an art talent and wanted to speak up for herself. She believes in second chances for people.

26. Closed Session pursuant to Wis. Stats. §19.85(1)(e) Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; regarding potential property purchase.

Motion by Pres. Schwab, second by Tr. Olson to convene into closed session at 9:21 p.m. to include the Village Board and the Village Administrator.

Roll Call Vote: 5 ayes, 0 nays. Motion carried.

Reconvene into Open Session to Adjourn

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

27. Adjourn.

Motion by Pres. Schwab, second by Tr. Lippold to adjourn.

Vote: 5 ayes, 0 nays. Meeting was adjourned at 9:45 p.m.

Respectfully submitted:

Jilline Dobratz, *CMC/WCMC*
Village Clerk