

**1 - Order**

President Dobbs called the Village Board Meeting to order at 7:00 p.m., at Village Hall, 5043 Chester Lane, Racine, WI.

**2 - Pledge of Allegiance**

**3 - Roll Call**

Board: Trustee Benkowski, Trustee Stillman, Trustee Wanggaard, Trustee Martin, Trustee Prott, Trustee Wishau and President Dobbs.

Absent: None

Staff: Administrator Tom Christensen, HR Director Toni Muise, Utility Director Anthony Bunkelman, Public Works Director Tom Lazcano, Finance Manager Larry Borchert, Brian Della from PMA

**4 - Approval of minutes**

Motion by Trustee Prott to approve the minutes of the following meeting(s) as printed. Seconded by Trustee Martin. Motion carried unanimously.

Regular Village Board meeting(s) – July 16, 2018

Special Village Board meeting(s) – July 30, 2018 Joint meeting with Plan Commission

**5 - Citizens Reports/General comments from the audience**

Ray Lentz, 7124 Hwy 38, brought up the magnitude of unacceptable leadership practices accompanied by a lack of progress in improvement. His previous 47 presentations have been “disastrous”, and felt there was a lack of apathy from the leaders of Caledonia. He stated that they did not have a heart for their constituents and cited a lack of accommodation when he was healing from an operation. He again brought up issue with the 2 minute speaking policy, and felt he was rudely interrupted repeatedly if he went over the time limit. He plead that the Board doesn’t let the past be the future.

Therese Bode, 756 Waters Edge Rd., was looking for an update on the Western Publishing Building. She brought up a recent article from the Journal Times that stated the building not only housed local vagrants but is now attracting some undesirables from Milwaukee. She stated that they are breaking into the building and have started breaking into cars in the neighborhood as well. She hopes for continued progress and is looking forward to any updates that might combat the issue.

John Pilch, 533 Pointmere Ln., was present regarding a new neighbor and their application for an oversized garage on the agenda. He was concerned that the new neighbor may want to start a business out of his garage. He did speak with a Village Engineer and felt he was reassured adequately. He also complimented the Highway Department on their efforts during the winter season. He brought up that in front of his house is a bus stop for school children and is concerned because the end of his driveway has a lot of cracks. He was hoping some patch work could be done by the Village.

Linda Cooper, 4740 Erie St., was present regarding a new neighbor and their application for an oversized garage on the agenda. She is putting her house on the market and felt the new owners should be involved in the process. She is also concerned about the noise level that may take place from the work taking place in the garage. She asked the Board to take her concerns into consideration on behalf of the potential new owners.

Margaret Lechner 2532 3 Mile Rd., was present with her daughter. She came before the Board with something she thought to not be possible, but felt it was her ethical obligation to inform the Village. She believed her words regarding breathing issues were misrepresented in previous minutes, and wanted to state that she thought the problem affected not only future citizens, but the past and present citizens too. She brought up a time when she filed a complaint, and thought the staff handled it well in accordance to Village Ordinances, and felt that these things were in place to move forward. She spoke about how mining is possible without blasting and offered video evidence to support her claim. She commented on how Payne & Dolan is operating the quarry differently, and urged the Board to find out what is happening in the west pit. She said that when there is a north – northeast wind, that the southern corner is not safe, and we are breathing in dust. She is moving, but asks that they keep in mind the 1,000 feet safety buffer and hoped they would keep the remaining neighborhood safe from crystalline silica.

## **6 - Communications and Announcements**

### **6A - Update on the Western Publishing Building**

President Dobbs commended the Caledonia Police Department for their prompt response to the Olympia Brown School. There were a few incidents at the school and on two different occasions they apprehended the perpetrators.

Christensen stated that the raze order was issued last month, and the 30 day waiting period for their response is approaching. We have not received a formal response yet, but he anticipates that we will be receiving something in the next few days. He is also anticipating legal action over this matter, and is maintaining that this will not be a quick resolution.

## **7 - Committee Reports**

### **7A(1) - Approval of A/P checks**

Motion by Trustee Wishau to approve the A/P checks as presented. Seconded by Trustee Wanggaard. Motion carried unanimously.

General Fund	Check No's 77420-77531	in the amount of \$838,891.66
Parks Enterprise	Check No's 6299-6325	in the amount of \$15,047.93
Joint Health	Check No's 12579-12601	in the amount of \$21,516.72
Joint Parks	Check No's 8717-8721	in the amount of \$11,196.96
Charge Card	6/26/18 – 7/25/18	in the amount of \$35,235.28

### **7B(1) - Approval of 2018-2019 Operator's Licenses (Bartenders)**

Motion by Trustee Prott to approve 2018-2019 Operator's License as presented.  
Seconded by Trustee Wanggaard. Motion carried unanimously.

### **8 - Ordinances and Resolutions**

#### **8A - Ordinance 2018-06(a) – 1st and 2nd Reading and Possible Adoption - An Ordinance Adopting An Amendment To The Multi-Jurisdictional Comprehensive Plan For Racine County: 2035 As It Pertains To The Village Of Caledonia Under Section 13-2-1 Of The Village's Code Of Ordinances By Creating Section 13-2-2(H) Adding An Amendment To The Village's Comprehensive Plan Affecting The I-94 Corridor And Adopting And Incorporating The I94 Corridor Land Use Study**

Lazcano explained that this Ordinance had come before the Village Board prior, and there were concerns with the Comprehensive Plan. There was a special Plan Commission meeting held to discuss the plan, and he felt those concerns had been worked out. He explained that the map had been updated, as well as the language and recommended approval.

Trustee Martin questioned the proposed additional language on page 5 which refers to the allowance of multi-family supported use in limited areas. The decision is solely at the discretion of the Village Board after review and recommendation by the Village Plan Commission. Her concern is with Act 67 and is not confident that the Board has sole discretion in that decision. She felt concerned that we were being pushed into having more high density residential developments. She referred to business park types and an illustration on page 6 of a setup of a multi-use typical to a business park setting, and has residential/multi-family listed. She is concerned that other business parks in the area do not coincide with that, and felt it would bring in issues moving forward. She also was concerned that if multi-family residential is built up, there may not be enough sewer capacity available for commercial/industrial developments. Christensen explained that if a user were to come along that may exceed the Village's capacity there would be options with the city to accommodate. He also addressed her concerns regarding Act 67, and explained that because these areas are not zoned (other than agricultural) and that Act 67 is not in effect until the area is zoned. The choice to approve specific zoning requests is the purview of the Plan Commission and Village Board. Trustee Martin thought that when it was originally discussed with the attorney that zoning changes would need to comport with the land use plan, and that if someone wanted to rezone in a way that did not comport with the land use plan, that it would be a problem.

Trustee Wishau felt that if the land use plan was adopted, it would give direction on the zoning if it was a problem. He felt the business park should come first and it's not a guarantee that additional capacity will be available after the 1 MGB is used up. The priority has to be the development of the business park. He also didn't agree with

encouraging residential in the TID. He disagreed with the verbiage and thought there needed to be more flexibility in the Agreement. There needs to be further definition of high-end residential as well as adult establishment uses. He thought the corridor study should use the term “maybe” used instead of “should”, ultimately to grant more flexibility.

Christensen explained that some of these issues regarding zoning won't apply because the zoning code is currently being re-written and worked on, such as Trustee Wishau's issue with the adult establishment uses. The land use purpose was to give the Board some guidance on what to do with the corridor.

President Dobbs stated that there needs to be some guidance to developers. He felt this topic has been drawn out and that there is a new issue added each time it is discussed.

Trustee Wanggaard spoke about the sewer capacity and asked Bunkelman to address the allocation of that capacity. The Board needs to move forward with some kind of plan because there are companies here now that are seeking some insight from the Village.

Bunkelman explained the Memorandum of Understanding (MOU) between Racine County, Mt. Pleasant and Caledonia. The Village of Caledonia's obligation was to transfer 1 MGD of waste water treatment capacity to Mt. Pleasant. This was done to offset or divert some water fees impending on Caledonia. Part of the agreement included re-allocating our connection points. Right now there are 3 connection points in that sewer agreement: I-94, the Central Station (former North Park connection), and Riverbend. We have a conveyance capacity issue on I-94; the I-94 connection point is from Hwy V to Hwy 20. At the Hwy 20 point there is existing bottle neck there that allows us to transfer 1.1 million gallons peak hour, if that is factored into an average annual, it ends up being .218 MGD (or 218,000 gallons per day). That was to get our foot in the door for an additional connection point because the bottle neck is there. As part of the MOU we guaranteed ourselves an interceptor was going to be run up International Drive to take that bottle neck out of the equation. There will be future sewer expansion through TID 5 in Mt. Pleasant that will allow us to divert additional flow, which is sized for partially TID 1 and all of TID 4 through the International Drive interceptor. He cannot change, re-allocate or allocate anymore, and didn't take anything away from I-94. He had to re-allocate the Central Station (North Park) and Riverbend, and in doing that granted ourselves enough capacity as of right now and are running in the low 80 percentile and would be in the triggers if there is an event but are ultimately okay. In the I-94 category he needed to provide a flow projection for all the areas that could have an existing connection and all the approved extensions that are out there. Right now, we are going to be in .199 which is right at 90% with what could be connected to the system. Meaning, they probably are not going to approve any further extensions, unless we have assurances that they're going to be able to control our flow from the I-94 area. As an alternative we could get the plant to expand; we have already submitted flow projections, and will be going to 2.066 MGD that is a 10x increase for the I-94 area. The alternative option comes with a cost (additional plant expansion, conveyance capacity increase that we have committed to in the MOU) and is in the works right now. Another alternative is if a development were to come in between now and when the plant is being expanded, we could lease and/or purchase capacity from another SSR party. The only SSR party that has additional capacity at this time is the City of Racine. The third alternative would also come at a cost. The lift station is currently set at a maximum of 1.1, if we have a development in TID 4 that would have an exceedance,

but wanted to move forward we could put in an additional force main from the lift station. It would run it east down Hwy K to The Meadows restaurant, and then we could increase the size of the sanitary sewer through Franksville from the railroad tracks to essentially Kraut Road and that goes over to the Hoods Creek attenuation basin. We also have a 3 million gallon additional cell capacity that we could put on that as well.

Trustee Benkowski stated that the attorney advised this should be reviewed once more before coming back to full Board, as it was unknown what would come back from the consultant. He also spoke about the interjection of the multi-family in the TIF district and there being no funding mechanism for emergency services to those residential units. He believed it would go back to the general tax ledger which is a burden on the existing tax base for these support services. He also spoke about Jonathan's suggestion for multijurisdictional services (mainly Police & Fire), and would be taken on by the entire community. He thought these linkages were implied, and although not directly related he thought it important to realize. He felt that would be too much of a tax burden without a financial tax study. He thought it should be held back, discussed once more in depth and then brought forward.

Motion by Trustee Benkowski to table Ordinance 2016-06(a) in order to hold another meeting with legal counsel and advisers to discuss some language and linkage issues and then brought back for a vote. Seconded by Trustee Martin. Motion carried unanimously.

Trustee Benkowski felt it would take one more meeting, meaning it could come back to the next Board meeting.

Trustee Wishau agreed with looking more at the financial impact that the TID may bring.

Further discussion continued regarding holding another meeting to answer some question versus passing it now and amending it later.

Trustee Martin brought up the Ehler's study and the fact that it stated that commercial/industrial development would benefit the Village more than residential.

The Board members will submit their changes/questions/suggestions to the clerk who will forward them on to the attorney and Foth for the next meeting. The Board requested that the amended plan not include additional language that the Board did not speak about.

**8B - Resolution 2018-64 – Initial Resolution Authorizing General Obligation Bonds In An Amount Not To Exceed \$3,400,000 To Construct A Highway Garage**

Della explained that there are three Resolutions on the agenda tonight. It is proposed that the entire Village's borrowing this year will be done through a single bond issue. The way State Statutes are set up; you have to authorize each bond issue by purpose, which is why there are three separate Resolutions for the general obligation bond, with the last Resolution combining the first two.

Motion by Trustee Wishau to adopt Resolution 2018-64. Seconded by Trustee Benkowski .

Roll call vote was taken:

Trustee Benkowski – aye                      Trustee Prott – aye  
 Trustee Stillman – aye                      Trustee Wishau – aye  
 Trustee Wanggaard – aye                      President Dobbs – aye  
 Trustee Martin – aye  
 Motion carried unanimously.

**8C - Resolution 2018-65 – Initial Resolution Authorizing \$8,700,000 General Obligation Bonds For Community Development Projects In Tax Incremental Districts**

Motion by Trustee Wanggaard to adopt Resolution 2018-65. Seconded by Trustee Benkowski.

Roll call vote was taken:

Trustee Benkowski – aye                      Trustee Prott – aye  
 Trustee Stillman – aye                      Trustee Wishau – aye  
 Trustee Wanggaard – aye                      President Dobbs – aye  
 Trustee Martin – aye  
 Motion carried unanimously.

**8D - Resolution 2018-66 – Resolution Providing For The Sale Of \$12,100,000 General Obligation Corporate Purpose Bonds, Series 2018A**

Motion by Trustee Prott to adopt Resolution 2018-65. Seconded by Trustee Martin.

Roll call vote was taken:

Trustee Benkowski – aye                      Trustee Prott – aye  
 Trustee Stillman – aye                      Trustee Wishau – aye  
 Trustee Wanggaard – aye                      President Dobbs – aye  
 Trustee Martin – aye  
 Motion carried unanimously.

**8E - Resolution 2018-67 – An Resolution To Approve A Conditional Use To Construct And Utilize A ±15,000 Square-Foot Commercial Building; 3030 CTH K; Top Flight LLC, Owner; Daniel Oakes, Applicant; Under The Cooperative Plan Dated November 12, 2009 Between The Village Of Caledonia And The Town Of Raymond Under Sec. 66.0307, Wis. Stats.**

The Village Board was present when this came before the Plan Commission.

Motion by Trustee Wanggaard to adopt Resolution 2018-67. Seconded by Trustee.

Trustee Benkowski – recused                      Trustee Prott – aye  
 Trustee Stillman – aye                      Trustee Wishau – aye  
 Trustee Wanggaard – aye                      President Dobbs – aye  
 Trustee Martin – aye  
 Motion carried, 6/1–recusal.

**8F - Resolution 2018-68 – A Resolution Of The Village Board Of The Village Of Caledonia Approving A Request For A Conditional Use Permit To Construct And Utilize A ±66,508 Sq. Ft. Industrial Building With Loading, 4011 Nicholson Road, Village Of Caledonia, Racine County, Wi; Majestic North Development Inc., Owner; Masuda, Funai, Eifert & Mitchell Ltd., Agent**

The Village Board was present when this came before the Plan Commission. The offered to show the presentation again, but the Board declined. Trustee Martin complimented them on their presentation from the prior meeting.

Motion by Trustee Martin to adopt Resolution 2018-68. Seconded by Trustee Benkowski. Motion carried unanimously.

**8G - Resolution 2018-69 – Resolution Of The Village Board Of The Village Of Caledonia Approving Agreement Between The Wisconsin Department Of Transportation And The Village Of Caledonia**

Lazcano explained that this is in reference to the I-94 construction project that the Wisconsin Department of Transportation (DOT) is doing. All the communities in the vicinity of I-94 have been approached by the DOT in regards to providing help if any calls are required to have Police & Fire come help with construction or to enforce speeding or other public safety issues. They have some funds available for us to use for helping with the project. They will look into if this covers overtime or just straight time, and will need to monitor things being done on Hwy 38 with it being an alternate route. We are not obligated to help, but there is money available to us to cover us if we do. There is \$60,000 offered to all municipalities. It's an opportunity to defer some of our costs.

Motion by Trustee Prott to adopt Resolution 2018-69. Seconded by Trustee Benkowski. Motion carried unanimously.

**8H - Resolution 2018-70 – Resolution Of The Village Board Of The Village Of Caledonia To Approve A Certified Survey Map 2259; Parcel ID 104-04-22-02-054-010 – Located In The NE ¼ Of The SW ¼ Of Section 2, T4N, R22E, Village Of Caledonia, Racine County, WI – Owner Mark And Michelle Stabbe**

The Village Board was present when this came before the Plan Commission. Lazcano stated that the only update from the previous meeting is that the CSM has been updated with conditions that were outlined by the Plan Commission. He recommended approval.

Motion by Trustee Wanggaard to adopt Resolution 2018-70. Seconded by Trustee Martin. Motion carried unanimously.

Wetland issues would be addressed after the fact and then amended.

**9. New Business**

**9A - Seeding 8 acres at Crawford Park**

Parks & Recreation Supervisor Randall Solberg informed the Board that they are looking to seed 8 acres at Crawford Park. Phase 1 has been completed, where all the weeds have been cut back down, and will be sprayed. They are also working with Lazcano to ensure the land is pitched correctly for drainage. \$6,100.00 is basically material costs, and are payable via the impact fees. President Dobbs asked about the final park plan and Solberg said the final plan has not been fully discussed yet. Solberg thought he would have more information hopefully by winter. In the meantime, it needs to be maintained and seeded; the last thing we want is for it to turn into wetlands.

Motion by Trustee Wanggaard to approve the seeding of 8 acres at Crawford Park. Seconded by Trustee Martin. Motion carried unanimously.

### **9B - Review Residency requirement for Chief of Police position**

The state law requires that key staff live within 15 miles from the jurisdictional borders, and ours does not match that. In general it needs to be updated, and our Ordinance should mirror the state law. It will be sent to the Attorney to be reviewed.

### **9C - Reschedule September 3rd Board meeting due to Labor Day**

Motion by Trustee Benkowski to reschedule the September 3<sup>rd</sup> Board meeting to September 4<sup>th</sup>. Seconded by Trustee Martin. Motion carried unanimously.

### **9D - Variance Request for Detached Oversized Structure/Garage at 7431 Paul Bunyan Road**

Lazcano stated that the applicants have signed the Village waiver for personal storage use only. Letters were mailed out and no one responded to this variance. He recommended approval.

Motion by Trustee Wanggaard to approve the request for detached oversized structure/garage at 7431 Paul Bunyan Road subject to conditions outlined in memorandum by Public Works Director dated July 23, 2018. Seconded by Trustee Stillman. Motion carried unanimously.

### **9E - Variance Request for Detached Oversized Structure/Garage at 4744 Erie Street**

Lazcano stated that the applicants have signed the Village waiver for personal storage use only. Letters were mailed out and some inquiries were received. Those issues were brought up during citizen comment. The applicant was present and addressed some of the concerns.

Motion by Trustee Stillman to approve the request for detached oversized structure/garage at 4744 Erie Street subject to conditions outlined in memorandum by Public Works Director dated July 23, 2018. Seconded by Trustee Prott. Motion carried unanimously.

### **9F - Request for a Holding Tank Replacement System for Brian Willis at 6033 Princeton Lane – Parcel # 51-104-04-22-12-098-000**



The septic tank on the property no longer functions and is being replaced with a holding tank system. Lazcano recommended approval.

Motion by Trustee Benkowski to approve the holding tank replacement for 6033 Princeton Lane subject to the condition outlined in memorandum by Public Works Director dated August 1, 2018. Seconded by Trustee Martin. Motion carried unanimously.

### **9G - Site Restoration Bonds**

Lazcano recommended approval for release of the site restoration bonds.

Motion by Trustee Wanggaard to approve the release of the Site Restoration Bonds for 3748 Meadow Rose Court, 7635 Overlook Terrace, 826 Kaywood Drive and 8321 Hwy V. Seconded by Trustee Prott. Motion carried unanimously.

### **10 - Report from Village Administrator**

The Beer Garden the Joint Park has seen a profit and a check will be turned over to the Village.

The Board approved an amendment to the MOU with Mt. Pleasant and Racine County concerning the sewer extension and turning over 1 MGD of sewer capacity. There was a request for an extension until August 15<sup>th</sup> for Mt. Pleasant to complete their negotiations. The negotiations won't be completed by then and they will be submitting an additional amendment. This will be addressed at the next Board meeting.

The Police and Fire Departments are sponsoring a "Night Out" on Tuesday, August 7, 2018.

### **11 - Adjournment**

Motion by Trustee Wanggaard to adjourn. Seconded by Trustee Benkowski. Motion carried unanimously.

Meeting adjourned at 8:31 p.m.

Respectfully submitted

Karie Torkilsen  
Village Clerk