

**MINUTES FROM COMMUNITY DEVELOPMENT AUTHORITY**  
**January 23, 2019**

Present: Kjell Erlandsson; Fran Martin, Marla Wishau, Dave Gobis, Jeremy Hinds

Absent: Jim Dobbs, Bill Streeter

Also Present: Speaker Pete Wagner from City of Oak Creek – Planning and Zoning Administration, Keith Hendricks and Margaret Gessner, Martha Hutsick, Lee Wishau, Dale Stillman, Dave Prott, Kevin Wanggaard, Jay Benkowski, Tyler Helsel.

1. Meeting was called to order by Fran Martin at 5:00 p.m. at the Caledonia Village Hall meeting room.
2. Discussion of how Oak Creek processes and enforces their property exterior maintenance code, as well as the housing, junked motor vehicle, inoperable and unregistered vehicles, littering, abandoned refrigerators, public nuisances, unsafe buildings, weed ordinances  
Pete said Oak Creek he has been reviewing and enforcing the above listed standards for 8 years. Overall he feels Oak Creek is more reactive, than proactive, however they had a hand full of citizens who were chronic problems. The city took a proactive approach to these cases because they were not small, and had received many complaints before the enforcement of the ordinances took effect. The city does not regulate small property exterior maintenance issues (like peeling paint) because they found the residents do not want the regulations and pushed back. Pete sees that the exterior property maintenance primarily is involved with junk vehicles, toilets, tires, storage pods, dumpsters, combustibles, lawn mowers/snow blowers and other accumulations of junk, piles of wood and general yard cleanup. He feels he gets a 75% success rate through meeting with the owners about the problem. Most of the calls/citizen complaints are made in the fall and early spring, when the leaves are off and neighbors and other residents can see into the yard areas.

The process is 1) Receive the complaint or observation. 2) Visit the site and look for the issue, if it cannot be found they do not go any further. 3) If they see an issue, they write a letter (Notice of Violation – NOV) and the owner is given 20 days to contact the city if they want to appeal the complaint, or 30 days to correct the complaint. The owner is encouraged to call the city to answer any questions they might have once reading the NOV. 4) After 30 days the issue is either appealed, compliance is met, the owners have asked for an extension, or there has not been communications and there is no compliance or an action plan has not been worked out through the city. If the owner has not communicated with the city, and the original issue has still not been addressed, a citation is issued through the city municipal court. All costs associated with this are now going to be assessed to the property. The city does not assess court costs, or Pete's time, but all contractor costs. Without the owner intervening and addressing the issue, the judge will settle the case and a contractor, who is "on call" via RFP (request for proposal) to handle these cases when needed, may be contacted to remove the issue. The owner is given 72 hours notice before the contractor arrives.

Pete pointed out that if the owner shows any progress, and is in communication with him, they will continue to work with them toward a remedy of the issue. They try hard not to make the process go to court. He also stated when you do have to go to court, it was imperative that a list identifying every item and if possible photos of each item, are included in the court process so the judge can list what the contractor will remove.

Oak Creek has a budget for contractor costs annually of \$5,000. The city averages about 3 incidents each year that are time consuming and need monitoring or court action. It is usually the same people each year, and other complaints are handled in various departments (health, police, fire, and building departments) and are usually remedied quickly. Police often do the inoperable/unregistered or junk vehicles. They meet with the owners and give them an amount of time to make the vehicle drivable or it should be removed from the property. The police also enforce RV limits on residential properties, with an ordinance that only allows RV's to be parked in designated areas, with the lot size determining the size of the RV allowed. Also, they are only allowed one "oversized" vehicle...one RV or boat, not both. The city also has an ordinance requiring any vehicles to be on asphalt, concrete or gravel. They do not allow vehicles to be parked on the grass. Often a fire inspection is how the building department is made aware of building issues.

Keith Hendricks, from the Racine County Health Department, said their department was also very involved when there were issues related to health in Caledonia. If the issue is extreme and related to health, like vermin known to transmit human disease, or no heat in the winter, they will step in and have a process they follow. Marla said this would continue, as any additions made to our current ordinances, would not be related to or effect their process.

Marla asked Tyler, as the legal representation for Caledonia, if the additional ordinances the CDA committee wanted to add would allow the village to address some of the issues our committee has been aware of and that we consider blight. Tyler was unsure and stated he had a list of current village ordinances (list received after the meeting and attached).

Fran brought up that the village might assist those who cannot address the issue of the NOV due to age, mental illness, financial or other problems. The assistance might come through offering a list of social or non profit agencies who could possibly help them with the issue. Jeremy and Jay thought this would be problematic, and wanted to be sure we did not favor any one solution over another. Fran supports providing citizens this information.

Discussion about the pros / cons of anonymous complaints resulted in no decision. If there is no one to go on record their complaints could be frivolous and waste time, and the owners might assume the wrong person made the complaint. Pete said Oak Creek accepts anonymous complaints; however they are not a priority and may not be followed up on if they cannot find a problem.

As a final work Margaret from Racine County Health Department suggested anything we add to the ordinances be very specific and clear to understand. The CDA should be clear in what we are trying to accomplish and what departments, resources and funding would be required to meet those goals. Dave Prott said the new position, for a Code and Planner that is to be filled in the village, would be too busy to do this work.

Thanks to Pete Wagner for taking his own time to talk to us about the process and enforcement of their blight related ordinances. It was very insightful.

3. From Martha Hutsick reporting on the Douglas Avenue Business Association: Our Ad Hoc Committee on Hwy 32 construction has been disbanded and the work will be folded into our regular business meetings which are the second Tuesday of the month at 8:00 am at the Village Hall.

We hosted a meeting with DOT staff on January 9, 2019 at Sebastian's Restaurant regarding the 2019 Hwy 32/31 construction. Phase 1 will be May 1 to Aug 3 with Hwy 31 closed (near 6 Mile and the intersection of Hwy 31/32). Phase 2 will be Aug 5 to October 5 with Hwy 32 closed from 6 Mile to 5 Mile. There will be two box culverts installed on Hwy 32 near Mathew and Tabor Roads.

We have a business coordinator, Patrice Sebastian, and a resident coordinator, Joe Kiriaki. These two will be the communication channels between the businesses and residents and the on-site contractor manager.

4. From Marla Wishau regarding the Sign Subcommittee. After our January meeting, we prioritized all entrances into Caledonia, as the CDA committee suggested, and decided the next three locations we would like to place signs. These signs would be on the same design as the original sign meant for 3 Mile and Douglas, but might differ on size and posts. Where some locations might be able to support a ground mounted sign, others might require a single or multiple post. However the overall "look" of the sign would be the same, much like you have seen from the new City of Racine signs in various locations throughout Caledonia. The next three locations are County Line Road and Douglas Avenue, Hwy G and I94 and Seven Miler Road and I94.

Elsa Milaeger did meet with Payne and Dolan. They are very supportive and now that we won't be putting a sign up at 3 Mile and Douglas we will ask if they are still interested in improving that corner and perhaps putting up a sign with their business name and / or Douglas Avenue Business District or something on that line. We still hope to put the original design on a different corner, perhaps on the redesigned Charles and 3 Mile location.

5. Motion to approve minutes from December 19, 2018 by Kjell Erlandsson. Seconded by Jeremy Hinds. Motion carried.
6. Meeting adjourned 6:15 p.m. Motion made by Dave Gobis, seconded by Kjell Erlandsson. Motion Carried.

Respectfully submitted by Marla Wishau

## **List of current property related ordinances already in code**

### **Health Hazards**

- Sump pump discharge on sidewalks (6-4-10)
- Deposit of deleterious substances (8-1-1)
- Destruction of noxious weeds (8-1-2)
- Disposal of liquid/human waste (8-1-5)
- Spillage of wastes (8-2-1)
- Public nuisances affecting health (11-6-3)\*\*
  - Decaying food, animal carcasses, vermin, stagnant water, garbage cans, noxious weeds, water pollution, odors, refuse, and air pollution
- Roof drainage shall not be transported to sewer system (15-1-6(e))
- Inspector's power to revoke permits, grant occupancy (15-1-6(h), 15-1-7)
- Violations, notice, opportunity to mitigate/repair (15-1-5(h)(1)(b), (2), 15-1-10(d), 15-1-29(h)(3))
- Razing a building (15-1-9)
- Occupancy "discontinued" (15-1-12(b)) Risk to public health
- Public pools as a nuisance (to health or hazard, drainage to sewer system prohibited) (15-1-20.5)\*,\*\*
- Prohibition on human health hazards, generally (17-1-2)
- Regulation on habitable living quarters (17-1-2(d))
  - Toilets, bathing facilities, egresses, heating, electric, smoke detectors, carbon monoxide detectors, extermination of vermin, hazardous conditions, and discontinuance of services
- Declaring a dwelling a human health hazard (17-1-2(g))

### **Design and appearance**

- Sidewalk damage and repair (6-4-7)
- Mobile home standards (7-5-5)
- Regulation of natural lawns (8-1-3)
- Regulation of residential/commercial lawns (8-1-4)
- Disposal/storage of rubbish (8-1-7)\*\*\*
- Garbage as nuisance (8-3-1 to 8-3-3)\*\*\*
- Abandoned vehicles (10-5-1 to 10-5-4)
- Junk vehicles/appliances on private property (10-5-8)
- Littering (11-3-2)
- Prohibition of abandoned refrigerators (11-3-3)
- Graffiti (11-3-14)
- Public nuisances (11-6-1 to 11-6-2)
- Repairs needed when affecting a building's "strength" (15-1-4(e)4)
- The building inspector determines extent of deterioration of a building (15-5-4(e)5)
- Inspector's power to inspect a dwelling, access to dwellings (15-1-5(c))
- Home size requirements (15-1-6(f)6)
- Violations of the uniform building code (15-1-29)
- Portable toilets (15-1-31)
- Outdoor furnaces (15-1-32)
- Fence design (15-5-3)
- Design standards for commercial buildings (16-2-2)
- Landscaping standards for commercial buildings (16-2-3)
- Design standards for buildings in town center (16-2-4(a))
- Design standards for buildings along arterial roads (16-2-4(b))
- Design standards for buildings along parkways (16-2-4(c))
- Design standards for business and industrial campuses (16-2-4(d))
- Sign size/location (16-7)

### **Noise, Animals, and other Nuisances**

- Nuisances (state statutes) (11-1-1)
- Public nuisances affecting peace and safety (11-6-5)\* Signs, tree limbs, dangerous trees, abandoned refrigerators, snow removal
- Regulation of mobile food establishments (17-1-3(e))
- Regulation of body piercers (17-1-3(f))
- Rabies control (17-1-4)

*\*Could also be in Design and Appearance*

*\*\*Could also be in Noise, Animals, and other Nuisances*

*\*\*\*Could also be in "Health Hazards"*