

Trustee Benkowski called the meeting to order at 1:32 p.m. in the Conference Room of the Village Hall, 5043 Chester Lane, Racine, Wisconsin.

Present were: Trustee Benkowski and Trustee Stillman.

Absent: None

Staff present: Public Works Director Tom Lazcano.

### **1. Approval of minutes**

Motion by Trustee Stillman to approve the minutes from the January 9, 2019 meeting. Seconded by Trustee Benkowski. Motion carried unanimously.

### **2. ADS N-12 (HDPE) driveway culvert pipes at 7308 4 Mile Road**

Glenn Stark, owner of the property, approached the Village in 2017 about replacing his driveway culvert pipes and was given an estimate by staff for \$2,733.00. The Village does the work for replacing the culvert, and the cost is split with the property owner. Metal corrugated pipes with walls and caps are used in the process. Our engineers will “shoot” it to make sure that the water flow is correct, and determine grading. Mr. Stark decided to not go through with the proposal at that time.

Last year, it was discovered that Stark was installing his own culvert pipes and was using ADS N-12, a plastic piping, opposed to the corrugated metal the Village uses. Engineering investigated the site and discovered the majority of the work had been completed. At the time, Mr. Stark was instructed to hold off on finalizing the project (laying the asphalt on top), and that we would allow for temporary approval until a final decision on how to proceed would be made in Public Works.

Stark was not present but his neighbor Eric Lutterman was there to speak on his behalf. Lutterman explained that driveway culvert pipe installation used to be part of a Village service and the cost was completely the Village’s responsibility. The neighbor stated that he pushed for Mr. Stark to fix his culvert as it was affecting his property. He felt the issue at hand is whether the ADS N-12 is adequate for what is there and if additional aprons would make it acceptable. He questioned the Ordinance and how it does not conform to other guidelines (closed ditches may have ADS N-12 piping). He thought if the engineer was okay with it, and Stark finishes the project to the specification of the Village, it should be able to remain. He also thought that there is a lack of consistency among many of these culvert projects throughout the Village.

Trustee Stillman was disappointed because the applicant was aware of the expectations and still went forward with the project with an “act now, ask for forgiveness” mentality. He ultimately felt that Stark was found to be in violation of the Ordinance and Trustee Benkowski agreed. Trustee Benkowski felt that our Ordinances must be enforced and thought that if the work being done by the Village hasn’t been consistent we would need some evidence to back this up and be verified by staff.

Lazcano was worried that if this culvert were approved, it would set a precedence regarding Ordinance enforcement. Alternatively, allowing plastic piping could be added to the Ordinance because in some instances they could be more beneficial and could be determined by a case-by-case basis by the Engineers.

Lazcano will look into how situations like this have been rectified in the past. Trustee Benkowski was in favor of a fine opposed to making Stark redo the culvert. Once the fine was paid, Stark would need to sign off on something in terms of a waiver in regards to utilizing the plastic culvert.

There was conversation about re-ditching, which would've been completed when we fixed the culvert and is included in that cost. Trustee Stillman would like to discover what it would cost the applicant to finish the job and enforce a waiver if we go that route. He was uncomfortable with the precedence and thought Village staff would need to complete the project, and the re-ditching portion could be done at that time as well to help with water flow to the neighboring property.

Trustee Benkowski thought we needed to confirm if there is a fine policy for this type of non-conformity and how that fee schedule would be set with the partial work being done. The Village does the work up until a certain depth; we typically do all the driveway culverts.

Lazcano will talk to Attorney Ekes regarding how best to handle this situation.

Trustee Stillman motioned to review this with the Village Attorney Ekes and Village Staff and table this until the next meeting on April 10<sup>th</sup>. Seconded by Trustee Benkowski. Motion carried unanimously.

### **3. Ragnar Relay**

Ragnar Relay is a 200 mile overnight race that consists of an average of 600 people. They've been running this race through Caledonia the last ten years and use Crawford Park as a rest stop. The race starts in Waukegan and finishes in Madison. There is an issue with the usual route running into the construction proposed during that time on Highway 32, and will need to be changed to avoid the construction. The event will be coming through Caledonia sooner than usual, and the first runners would arrive around 12PM and would be out of the area around 8:30 PM on Friday, May 17<sup>th</sup>. If this runs into the night portion of the race, the runners are required to wear safety gear starting at 7PM (typically it starts getting dark around 8PM that time of year).

The runners are on the shoulder of the road, and run against traffic always. Every runner goes through a safety meeting/training before they are allowed to participate. They also use Race Command which is a text-able number that allows the runner to reach out the Relay Staff for assistance if need be. If the runner requires medical assistance, there is a medic available every 6 lengths of the course. Every runner is also required to carry water at all times.

Lazcano explained they've submitted all the required documents and all the necessary departments have been contacted. He recommended approval.

Motion by Trustee Stillman to approve the Ragnar Relay request. Seconded by Trustee Benkowski. Motion carried unanimously.

#### **4. Snow & Ice Control Policy**

Trustee Stillman motioned to lay over the Snow and Ice until April 10<sup>th</sup>. Seconded by Benkowski. Motion carried unanimously.

#### **5. Fence approval at 9628 Prairie Crossing Drive**

Lazcano explained that the Engineering Department received a Fence Permit request from Adesina Kohl for a fence variance. Prairie Crossing is a conservancy type subdivision, and up until 2016 no fences were permitted. In 2016, the Village Engineer worked with the subdivision's HOA on the allowance of fences, and they decided that 4' black aluminum fences would be permitted; in 2018 the HOA updated their covenants to reflect the change. This "no fence" policy is an Ordinance that will need to be updated to allow for the approved fence style, so approval from the Public Works is required for this. There is a stipulation that she must be 24-36 inches away from buried lines and the fence drawing will be updated to reflect that.

Motion by Trustee Stillman to approve the fence at 9628 Prairie Crossing Drive. Seconded by Trustee Benkowski. Motion carried unanimously.

#### **6. Adjournment**

Motion by Trustee Stillman to adjourn. Seconded by Trustee Benkowski. Motion carried unanimously. Meeting adjourned at 2:27 p.m.

Respectfully submitted,

Joslyn Hoeffert  
Deputy Village Clerk