

Trustee Weatherston called the meeting to order at 1:30 p.m. in the Boardroom of the Village Hall, 5043 Chester Lane, Racine, Wisconsin.

Present were: Trustee Weatherston and Trustee Stillman

Absent: None

Staff present: Administrator Tom Christensen, Public Works Director Tom Lazcano and Highway Superintendent Bill Jacoby

1. Approval of minutes

Motion by Trustee Stillman to approve the minutes from the July 10, 2019 meeting. Seconded by Trustee Weatherston. Motion carried unanimously.

2. Driveway and Fence Variances

Tom Lazcano explained that he has been looking into these Variances and would like to come up with a better solution.

Driveway Variance:

He explained how concrete works for driveway approaches, and that there are more and more residents who have requested concrete all the way to the road. In 2013 the Ordinance was changed to allow a concrete driveway to within five-feet away from the road right-of-way. However, the resident would need to pay an additional \$105.00 to not stop at the right-of-way line but rather five feet from the road. The Ordinance was initially instituted because of the concern that the concrete would potentially ruin or damage plow blades. Subdivisions are allowed to have concrete all the way to the road but only because they have curb and gutter that doesn't affect snowplows.

Jacoby explained that concrete creates additional work and uses further resources for the highway department. The fees structure is just a flat rate which does not account for the extra costs involved. The culvert work is done by the Village, but the Village and the homeowner split the cost for the work being done. Jacoby further stated that when you piecemeal the work to be done by different entities it is difficult to check up on that work. Lazcano stated that as part of a new driveway permit the Village also inspects the culvert to make sure that it wouldn't need to be replaced as well.

Christensen thought that if proper procedures and expectations are outlined in an ordinance that would allow subcontractors to do the work on behalf of the homeowner than that work is moved away from the highway department and they would be able to focus on other projects in the Village. There was discussion regarding whether or not licensed contractors could or should complete culvert work, and how the highway department might be able to inspect that work. There could be a clause for a Village Project (ditch work or road widening) in the area. The only repair work would be done with asphalt and concrete cost would be solely put on the homeowner.

Lazcano explained that an issue with them doing their own work is that the department also fixes the ditch, seeds it, etc. whereas the contractor may only install the culvert. Lazcano thought we should allow concrete all the way to the road because he sees no issue and felt that the hold harmless agreement causes problems with the citizens. If the Ordinance were changed there wouldn't be a need for a hold harmless agreement. He recommended allowing concrete to the road, but the homeowner would be one hundred percent financially liable. This would be moved from a variance procedure to an Ordinance driven permit. Lazcano would work with Attorney Ekes to draft the Ordinance.

Fence Variance:

Lazcano explained the fence variance procedure. The Village does not allow fences to go into an easement area unless the property owner has contacted the easement entity and asks for permission; the contacted utility must put the permission in writing. The permit essentially states that if there is a Village project being performed in the area of the fenced easement, the fence would be removed. There is a cost associated with this variance and homeowner's protest this. Lazcano showed an example of a recent variance request. He would like to make it standard that there is no variance procedure; if there is a pipe in the easement it would automatically be rejected, otherwise the ordinance would state that and there is work needed to be done we will take it down with no intention to replace it. He would like to remove the variance so that the homeowner would no longer have to pay to obtain this easement information, and understand the Village's intention; this could all be ordinance driven.

There are additional rules for fences in Caledonia, and sometimes HOAs impose even stricter regulations for fences. Lazcano reviewed some of the distance requirements in the easement from the utility companies. Oak Creek does not require letters from the Utility companies, and we could follow practice. Lazcano will further inquire with Development Director Peter Wagner to see how we could format the Ordinance to streamline this procedure.

3. Adjournment

Trustee Stillman motioned to adjourn. Seconded by Trustee Weatherston. Motion carried unanimously. Meeting adjourned at 2:07 p.m.

Respectfully submitted,

Joslyn Hoeffert
Deputy Village Clerk