

**Village Board Meeting
November 1, 2021**

1 - Order

Trustee Wishau called the Village Board meeting to order at 6:22 p.m. at the Caledonia Village Hall.

2 - Pledge of Allegiance

3 - Roll Call

Board: Trustee Wanggaard, Trustee Weatherston, Trustee Stillman, Trustee Martin, Trustee McManus, and Trustee Wishau.

Absent: President Dobbs was excused.

Staff: Administrator Kathy Kasper, HR Manager Michelle Tucker, Finance Director Bane Thomey, Director of Public Services Anthony Bunkelman, Development Director Peter Wagner, Police Chief Christopher Botsch,, and Attorney Elaine Ekes.

4 – Communications and Announcements

Motion by Trustee Wanggaard to take the agenda out of order starting with itemss 8C and 8D. Seconded by Trustee Weatherston. Motion Carried Unanimously.

8C- Resolution 2021-111 – A Resolution Of The Village Board Of The Village Of Caledonia To Approve A Certified Survey Map For The Parcel Located At 3205 West 3 Mile Road And The Rezone Lot 2 Of Proposed Certified Survey Map From A-1, Farmland Preservation District And A-2, General Farming And Residential District II To M-2, General Industrial District For The Future Development Of A Semi-Truck Repair And Storage Business In The Village Of Raymond Under The Cooperative Plan Dated November 12, 2009 Between The Village Of Caledonia And The Village Of Raymond Under Sec. 66.0307, Wis. Stats.

Wagner explained the request for approval of a certified survey map and the rezoning of the second lot for a future development. The Plan Commission and the Village of Raymond vehave recommended approval per the boundary agreement review process.

Motion by Trustee Weatherston to approve Resolution 2021-111. Seconded by Trustee Wanggaard. Motion carried unanimously.

8D - Resolution 2021-112 – Resolution Of The Village Board Of The Village Of Caledonia To Approve A Sign Plan For The Development Located 13712 Northwestern Avenue; Michael Everett, Applicant, Pilot Travel Centers, Owner

Wagner explained the upgraded sign request and the modifications from the original signs. Staff and the Plan Commission vehave recommended approval.

Motion by Trustee Weatherston to approve Resolution 2021-112. Seconded by Trustee Stillman. Motion carried unanimously.

5 – Approval of Minutes

Village Board – October 18, 2021

Special Board – October 18, 2021

Motion by Trustee Wanggaard to approve the Special Board minutes of the following meeting(s) as printed. Seconded by Trustee Weatherston. Motion carried, unanimously.

Motion by Trustee Wanggaard to approve the Village Board minutes of the following meeting(s) as printed. Seconded by Trustee Weatherston. Motion carried, unanimously.

6 – Citizens Reports

Theresie Bode, 756 Waters Edge Rd., is present regarding the opposition to Dollar General and confirmed six Board members present. She thought there should be six different opinions that reflect their positions. The neighborhood's position was adamantly opposed, and no one present was in support of this development. She felt the Board's position was not as clear as the neighborhood opposition. She thought the residents had done everything to be -fact-based in their opposing viewpoints/rebuttal and thought it represented what the neighborhood wanted. She referred to the capacity of the room as an example of the opposition that was physically present. She requested that the citizens' and their comments be given the same level of respect as the professional opinions and felt that they are experts in living in the Village. She spoke of the backgrounds of the community and was concerned about property values. She further addressed other developments in the Village and the financial forecasts involved. The traffic analysis was spoken about, and a supply chain expert was present to address logistics. She was okay with a commercial building in that area but opposed a Dollar General being built. She questioned if Dollar General would be available for complaint and wondered what permanent damage would be inflicted on the property. She reiterated that they are not welcome and will not be patronized. She inquired about a 10-year impact and the projection for the effects of this development; she felt that without one, the Board could not possibly be ready to approve this. She felt that unless the Trustees have met continuously to have legitimate reasons to approve this request, due diligence has not been done. She spoke of the Trustees running for the Board for leadership purposes.

Angela Obradovic, 445 4 ½ Mile Rd., , has been a logistic manager for retail stores. She spoke of deliveries to these parking lots and the liabilities associated with those deliveries. She stated that these delivery decisions are driver based and ngoperating conditions will not be adhered to. She spoke of operational hours and when those deliveries would occur. The noise levels of delivery trucks can be a nuisance, and neighbors in proximity will hear. She spoke of further deliveries made by major labels, such as -Coca-Cola. She talked to a local delivery driver who supported her sentiments and enlightened her to drivers sleeping in nearby parking lots to make these deliveries. She cited an article that spoke of Dollar General parking lots and accidents that have occurred. She asked the Board to reconsider this proposal.

Jeff Clausen, 403 Pointmere Ln., spoke of Dollar General utilizing trucking companies that have sleeper trucks for these deliveries. He explained how a driver would enter the parking lot and how it was not designed for large trucks. He spoke of the dangers involved with those deliveries and how drivers make their own decisions, and snow adds to the threat.

Roy Bohn, 5137 Birch Creek Ln., expressed opposition to this development. He grew up in Wind Point and moved back to the area in 2003. He spoke of the spreading commercial development in this area and found that troubling. He spoke of the current Dollar General and did not think there wasn't any effort to preserve the neighborhoods. He wondered why the Board didn't suggest somewhere else. He is disappointed, disgusted, and quoted 'Big Yellow Taxi.'

Richard Kubis, 4915 Conlaine Dr., explained that he had presented factual data regarding the crime for these stores. He cited statistics that have occurred locally in the City of Racine and the Village of Caledonia. Kubis then highlighted the analysis and limited the examples to more serious crimes that have occurred at Dollar General and Dollar Tree establishments. He broke down calls to the different locations in the area and the distance to the proposed site. He compared criteria to other stores, such as Walgreens, and found that there was 5x the crime with 70% fewer people. He brought up fines brought on for the Dollar General for -OSHA-related incidents and other employment violations. He cited a quote regarding Dollar General and how they make money by breaking the law. He spoke of this developer being shut out of Door County and how that proposal was on a more oversized lot and was a smaller store. He asked that the Board vote this down and did not want this for the community.

Susan Sanabria, 4925 Lighthouse Dr., Wind Point, WI, is the Wind Point Village Board president. She was contacted by concerned residents following the Plan Commission meeting on 10/25 and wanted an opportunity to address the Caledonia Board regarding her concerns. She spoke of Casey's development and thought there was much to learn from that experience. She would hate to see another development that would destroy this predominantly residential area. Wind Point faces its development issues and has since learned to listen to its residents and adapt. She understood what the Board faced and urged them to think before voting.

Sharron Lieber, 4825 Alcyn Dr., addressed traffic issues in the area and spoke of the traffic expert present at the Plan Commission meeting. She thought there was more to consider than the in/out trips to the Dollar General. She voiced concern regarding the upcoming development in the area and how that would impact traffic routes. She requested an updated TIA. She thought Dollar General had had a terrible reputation. She is fighting for proper representation of the community and their homes.

Michelle Frank, 4925 Erie St., is the house just south of the development and has three children. She also obtained reports from the local Police Department; she is a Fire Fighter in the City of Racine and analyzed these reports from a Public Safety standpoint. She brought up that many of these calls are overdoses and did not want our emergency personnel to be impacted by these calls. She spoke of hit and runs and was concerned by the lack of sidewalks. She further spoke of the issues this development will bring and thought that this should be in a business district, not in backyards. She broke down the current call volume for the Caledonia Fire Department, and their minimal staffing would not be able to support an increase in calls. She also thought that mutual aid could not support this. She brought up data from the US Census and how that impacts to traffic.

Jane Batten, 704 Waters Edge Rd., asked if everyone present had their opinion expressed and, if not, asked them to come forward.

Anna Callan, 5050 Birch Creek Ln., quoted one of the Resilient Communities signs in the lobby of Village Hall.

Joe Majowski, 4857 Alcyn Dr., spoke of the application submitted for this development and wondered why these questions weren't addressed before this meeting.

Kevin Burke, 809 Appaloosa Trail., worked for the Racine County Sheriff's office and explained how these trucks park. He spoke of accidents in the County and wondered how traffic would be diverted in this area. He further expressed concern about how Dollar General's crimes would be addressed and wondered why the Board would want to bring that to the site.

Ryan Veselik, 6508 E River Rd., has a CDL and does not think the parking lot will work to accommodate deliveries. He spoke from personal experiences and worries about accidents. His worse fear was hitting someone, and he was worried about a bus stop nearby.

Rich Karls, 5050 Birch Creek Ln., commented on the developer who stated he represented the silent majority. He felt that was incorrect, as many in attendance meant their neighbors and thought they were the majority. He asked the Board not to think legally but rather in terms of the right thing to do.

Adam Logic, 1903 4 Mile Rd., purchased a home last year in the area and could not fathom why the Board would vote yes. He thought there were many other locations this development could go and asked the Board to vote from a place of good conscience.

Andrew Rozzoni, 440 Bonita Ln., asked why not use the old Kmart instead of building something new. He felt that the the corridor already supports business and that this was not a commercial corner. He is a truck driver and echoed the concerns of the other delivery drivers. He spoke of the dangers of mixing cars, kids,, and deliveries. He felt no one had made an argument as to why it should be put there.

John Burk, 524 4 Mile Rd., read an article from a a CNN business called a Dollar General a 'robbery magnet.'

Jane Batten, 704 Waters Edge Rd., has lived in Caledonia for 53 years and thought everyone present was 'Caledonia.' The goal was to provide the Board with the reality and input from the community. She said if they voted yes to move forward, she wanted them to know that they had failed to represent Caledonia. She thought this decision was hard and that ordinary people chose the easy route. She was grateful to those residents who showed up in support and thought she had gained many friends. She felt those present were extraordinary because they are standing up for what's right when the leadership supports what is wrong. She thought the Plan Commission should have asked the questions being asked by residents. She felt this was not the right location and edquestioned the motive and facts presented. Many community meetings have been held to find a different solution to this proposal. They live in the community and are invested in the community. She reiterated what Theresie Bode stated about being 100% confident before the Board votes on whether to approve this proposal.

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

Village – \$201,369.09

Motion by Trustee Martin to approve the A/P checks as presented for \$209,369.09. Seconded by Trustee Wanggaard. Motion carried unanimously

Motion by Trustee Wanggaard to take the agenda out of order starting with itemss 9A and 9B. Seconded by Trustee Martin. Motion Carried Unanimously.

9 – New Business

9A – Variance Request for Detached Oversized Structure/Garage at 3561 Kimberly Lane

The structure will be used for personal storage. This request was reviewed by staff and met all the standards. This request has four conditions discussed with the applicant and the need for a grading plan before a building permit is obtained. The applicant was present and understood the conditions.

Motion by Trustee Wanggaard to approve the Variance Request for Detached Oversized Structure/Garage at 3561 Kimberly Lane. Seconded by Trustee Martin. Motion carried unanimously.

9B – Extended Dates for Hop Heads Hospitality & Events, LLC ‘Class B’ Retail License

Hop Heads is up for several ‘Best of’ Rewards and wants to extend their liquor license to celebrate with their clientele.

Motion by Trustee Martin to Extended Dates for Hop Heads Hospitality & Events, LLC ‘Class B’ Retail License. Seconded by Trustee Wanggaard. Motion carried unanimously.

8 – Ordinances and Resolutions**8A- Resolution 2021-98 – A Resolution Of The Village Board Of The Village Of Caledonia To Approve A Conditional Use Permit And A Site, Building, & Operations Plan To Construct A ±10,792 Square Foot Commercial Building Located At 4949 Erie Street, Village Of Caledonia, Racine County, WI; Peter Oleszczuk, Applicant, Manveer & Chaman Real Estate Inc. Owner**

Trustee Weatherston addressed some of the concerns brought forth during Citizens Reports. The Plan Commission’s objective wasn’t to approve the tenant but rather the commercial building. Trustee Weatherston explained that no one from the Board or Plan Commission is meeting in secret and how it would be illegal to do so without giving public notice. He further clarified that developers choose the sites and that the Board also does not select development locations.

Motion by Trustee Weatherston to deny the application for a conditional use permit and the site, building & operational plan (Resolution 2021-98) based on safety at the intersection, bus stop safety, question about B-1 or B-2 zoning for the use and the traffic volumes at that intersection. Seconded by Trustee Martin.

The Board discussed the input from the public hearing and citizen comments and the documents on file with the Village.

Trustee Wishau referred to a past meeting where Obradovic first addressed the Board with her logistic concerns. He agreed with the sentiment between her input, comments from truck drivers, and his personal experience working with Kroger/Roundy’s. Trustee Wishau has continuously been concerned with this corner and how it could support semi-truck deliveries, especially with a small parking lot. Parking semi-trucks on roadways is prohibited through Village Ordinance’s, and utilizing the parking lot would be a challenge, particularly during operating hours. These types of deliveries on this corner would need to be accommodated in a way that the Village has yet figured out. Trustee Wishau mirrored Trustee Weatherston’s statement that the Village Board did not seek out this development and did not have the power to form someone else’s business plan. He clarified that the zoning had not been changed for this parcel, and throughout his sixty years of living here, he has recalled that the zoning has always been commercial.

Trustee Martin has had traffic and safety concerns for this intersection. These concerns were confirmed once she heard the comments given by Obradovic and truck drivers for this particular use.

Attorney Ekes recommended that if the concerns specified by the Trustees are additional reasons for a denial, would the Trustees consider an amendment to the motion to include additional reasons that were identified during the Board’s deliberation: That the site circulation can’t handle the semi-truck traffic and deliveries and that the conflicts with truck delivery traffic, safety, and site circulation can’t be addressed with appropriate conditions because the site is too small for such an intensive use.

Trustee Weatherston requested to amend his motion to include the additional reasons as restated by Attorney Ekes, and Trustee Martin accepted the amendment to the motion.

Motion, as amended, by Trustee Weatherston to deny the application for a conditional use permit and the site, building & operational plan (Resolution 2021-98) because of safety for the intersection, and this distinction of B-1/B-2 zoning, conflicts with truck delivery traffic and that the site circulation can't handle the semi-truck traffic and deliveries and that the conflicts with truck delivery traffic, safety and site circulation can't be addressed with appropriate conditions because the site is too small for such an intensive use. Seconded by Trustee Martin.

Trustee McManus echoed statements made by the other Trustees; this denial was based on legitimate concerns and personal experiences, not because it is a Dollar General. She had visited a local Dollar General right before this meeting and commented on the poor state of the interior building and exterior maintenance. Trustee McManus explained that the Board cares about their citizens and has listened to them; this was never about personal gain or shutting down Dollar General; it has always been about the community. She lived close to this location and was also concerned with how this would impact traffic on 4 Mile Road. The traffic and safety of the citizens have continued to be the primary concern.

Roll Call Vote:

Trustee Weatherston – aye

Trustee Stillman – aye

Trustee Martin – aye

Trustee Wishau – aye

Trustee Wanggaard – aye

Trustee McManus – aye

Motion carried, unanimously.

8B- Resolution 2021-110 – A Resolution Of The Village Board Of The Village Of Caledonia Regarding The Engagement Of Professional Actuarial Services

Motion by Trustee Wanggaard to approve Resolution 2021-110. Seconded by Trustee Stillman. Motion carried, unanimously.

10 – Report from Village Administrator

No report was provided.

11 – Adjournment

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

Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Joslyn Hoeffert, Village Clerk