

**Committee of the Whole Meeting
January 09, 2024**

1 - Order

President Weatherston called the Committee of the Whole meeting to order at 6:30 p.m. at the Caledonia Village Hall.

Board: President Weatherston, Trustee McManus, Trustee Stillman, Trustee Lambrecht, Trustee Martin, Trustee Wishau.

Absent: Trustee Pierce was excused

Staff: Administrator Kathryn Kasper, Public Services Director Tony Bunkelman, Village Engineer Ryan Schmidt, Finance Director Wayne Krueger, Development Director, Peter Wagner, Planner/Zoning Administrator, Todd Roehl, Police Chief Christopher Botsch, Fire Chief Jeff Henningfeld, Village Attorney/HR Manager Tyler Helsel and Village Attorney Elaine Ekes.

2 – Approval of Minutes

Committee of the Whole: 12/12/23

Motion by Trustee Lambrecht to approve the Committee of the Whole minutes of 12/12/23 as printed. Seconded by Trustee Stillman. Motion carried unanimously.

3 – Public Comment (Provides a two-minute opportunity for citizens to voice opinions to the Village Board. The Village Board cannot respond as this may conflict with open meeting requirements.)

None

4 – New Business

4A. Request to amend 2023 budget and procure salt spreading equipment to retro fit one vehicle.

Motion to approve item made by Trustee Martin. Seconded by Trustee Wishau. Motion carried unanimously.

4B. Discussion - adopted village standard color implementation progress.

A side-by-side comparison of the Village website was displayed to view the proposed changes to the color scheme and logo. Consensus was to send back to committee for further review.

4C. Suggested Agenda Items to Be Placed on the Next Meeting Agenda (With No Action)

Discuss Chapter 10 – Livestock fencing enclosures.

5 – Old Business**5A. 5 Mile & 38 2nd driveway access request discussion (Committee of the Whole 11/14/23, postponed to 12/12/23, postponed to 1/9/24)**

Village Engineer Ryan Schmidt introduced the topic to the Village Board members. He described that this item has been laid over multiple times to allow the property owner to present his request for a variance to the ordinance to get a second driveway on a primary thoroughfare for farm access. Doctor Michael Leiber spoke about the history of his dealings with the property at 7521 5 Mile Road. He currently owns and resides at the property north of this one. He had originally attempted to split the land but was denied due to the ordinance on land division. He then purchased the property a few months ago and allowed the owner to live in the home so he can work utilize the farmland. The request is to have a gravel driveway directly across from his private driveway on the north side of the street so that he can safely navigate his tractor from property to property. President Weatherston asked the Village Engineer about the future roundabout project and Ryan described how this intersection and the stretch of 5 Mile Road was to be reconstructed and modified significantly in the next 2 years with a roundabout through a Wisconsin DOT project. This project was going to take 30-40' of right-of-way along the north line of the property at 7521 5 Mile Road and the crest of the hill along 5 Mile Road, where the proposed access request is, will be lowered nearly 5'. This would impact both of his properties and improve the sight distance for traffic on 5 Mile Road. A display of the current layout was shown on screen for the parcel and the roundabout impacts. Ryan described that his recommendation per his memo is to deny the request because it violates Ordinance 18-1-4-(d) (4) which allows multiple access points on a primary thoroughfare and that adding a second access point to an already unsafe intersection creates additional conflict. As Village Engineer responsible for public safety, Ryan did not recommend a second access. Ryan urged the property owner to withdraw his request, work with the DOT to relocate the existing driveway to the top of the hill so that only one access was allowed and located at the most ideal location.

Doctor Leiber did not agree and believed that having the second driveway was safer to navigate his tractor between properties. He cited that many farms already have multiple access points or just drove over the roadside ditch regardless of access or not. He did not believe that an additional access point at the desired location would be harmful and that the second access ordinance was a blanket statement rule to generally cover the Village as a whole, and not individual situations.

Trustee Martin agreed that it would appear to be more dangerous to have him navigate this tractor along this stretch of road with the current driveway layout, and more so when the roundabout is built. Trustee Stillman and President Weatherston both commented that having only 1 access at the highpoint made the most sense and that he should work with DOT to relocate the driveway away from future roundabout. Doctor Leiber responded that this is not a cheap alternative and doesn't function well for the single-family residence part of the property.

Trustee Martin made a motion to recommend approval of a waiver to the ordinance. Trustee Wishau seconded. Further discussion ensued.

Director of Public Services Anthony Bunkelman questioned who farmed the property now since it was tied into a large parcel to the south which had access to the east on STH 38. He also stated that he believed only one access should be allowed at the high point for safety concerns. He also asked what the plan with the property was after the current person residing in the home moved on. Doctor Leiber responded that someone on Nicholson farmed it now and that he has not yet determined the future of the property at that time. Ryan commented that this property has been farmed for a very long period of time without the need of a second driveway access.

The motion on the floor was then revisited after discussion with Trustee Martin making the motion and Trustee Wishau seconding. All in favor: Trustee Martin, Trustee Wishau, President Weatherston, Trustee McManus. All opposed: Trustee Stillman, Trustee Lambrecht. The motion carried 4-2.

5B. Ordinance No. 2023-27 – Discussion on Ordinance To Amend And Renumber Chapter 3, Chapter 5 And Chapter 6 Of Title 15 With The Amended Chapters To Be As Follows: Chapter 5 - Fences, Chapter 7 – Fair Housing, And Chapter 9 – Property Address Signs; To Repeal Chapter 4 - Grievances Regarding Access To Public Buildings By Handicapped Persons; And To Renumber Title 15 Chapter 2 – Construction Site Erosion Control Ordinance To Be Chapter 6; To Create Chapter 3 – Regulations For Moving And Razing Buildings, And To Create Chapter 4 – Swimming Pools; All Placed Within Title 15 Of The Code Of Ordinances For The Village Of Caledonia, Racine County, Wisconsin (Legislative & Licensing 4/4/23 laid over, 5/2/23 laid over, 5/16/23 3,0, Committee of the Whole 11/28/23, 7,0, Village Board – send back to committee to further discuss Fair Housing and Fence language, 12/12/23, 6,0)

Trustee Martin made a motion to move this forward to the board with suggested revisions to the Fair Housing Section. Seconded by Trustee McManus. Motion passed unanimously.

5C. Continuing Discussion - Village 5-10 Year Vision

Trustee Martin requested Village demographic information to assist in developing the 5-10 Year Vision. During the December committee meeting it was discussed that “The Board directed staff to compile a list of plans that should be incorporated within the Village as they relate to various matters that affect the Village. Bring it back in February.”

5D. Discussion on Communications Committee Membership, roles and responsibilities.

Postponed discussion until Trustee Pierce returns.

6. The Committee of the Whole will take up a motion to go into CLOSED SESSION, pursuant to s. 19.85(1)(e) and (g), Wis. Stat., conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: specifically a notice of claim against the Village by Joseph and Melissa Stancato.

Motion by Trustee McManus to go into closed session, seconded by Trustee Stillman.

Trustee McManus – aye

Trustee Martin – aye

Trustee Wishau – aye

Trustee Lambrecht – aye

Trustee Stillman – aye

President Weatherston – aye

7. The Village Board reserves the right to RECONVENE INTO OPEN SESSION to take possible action on the items discussed during the CLOSED SESSION and to move to the remaining item(s) on this agenda and any other agendas posted.

Motion by Trustee Stillman to go into open session, seconded by Trustee Lambrecht. Motion carried unanimously.

8. Adjournment

President Weatherston adjourned the meeting at 7:26 p.m.

Respectfully prepared and submitted,

Jennifer Olsen, Village Clerk