

OFFICIAL MINUTES --Meeting of December 19, 2011
Village of North Fond du Lac - BOARD OF TRUSTEES

BOARD PRESENT:

Keith King, Trustee
James Moore, Village President
Mike Streetar, Trustee
Michael Will, Trustee
Tammy Keller, Trustee

OTHERS:

Steve Bieda
Lou Possehl
Jim Guell
Yvonne Cheevers
Nancy Steinke
Mary Jo Hirsch
Craig Weidner
Joe Possehl
Patrick Gannon

STAFF PRESENT:

Chuck Hornung, Village Administrator
Donna Richards, Village Clerk
Nick Leonard, Director of Engineering and
Planning
Darren Pautsch, Chief of Police
Paul Nelson, Fire/EMS Chief

Meeting was called to order at 6:00 P.M. by Village President, James Moore.

A. ROLL CALL OF OFFICERS. King, Moore, Streetar, Will and Keller all present.

B. PLEDGE OF ALLEGIANCE.

C. PUBLIC HEARING. PUBLIC HEARING ON SPECIAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS IN NORTH FOND DU LAC, WISCONSIN (Sunset Circle Drive). Mr. Lou Possehl N7442 Sunset Circle Drive Fond du Lac. Thanked Nick and Mitch for the good job they did; widened a ditch and made it easier to clean out. The house is in a trust for his sons in the Town of Friendship, and wants to make sure the assessment is deferred even if they sell it. Mr. Leonard said if the septic fails or water fails, or water or sewer service is requested and we are asked for Village hookup, the owner would have to annex to get the water or sewer service. If septic fails, an owner still can do a mound system or holding tank without hooking up to the Village system (or annexing). If there was a forced annexation, so that the property becomes an island left outside the Village, i.e. if the finger shaped piece of property next to these properties ends up in the Village, then there would be a forced annexation. There are no plans at this time that would force this, and nothing is foreseeable at this time, but things do change. The neighbor who asked to be annexed did so because there was a sale and their septic failed. By State statute there cannot be an island of a township. Part of the business park was parcelled to remain out of the Village so that these properties could remain in Friendship. It's part of the woods; 60 X 120 feet in the business park is not in the Village. This is not a lien, but a deferred assessment until you need sewer or water. Son Joe Possehl spoke: if we decide to sell, there is not a lien with the sale of the home. Nick Leonard says the assessment would show up on the sale, but don't foresee anyone being forced to annex. Said he doesn't have a crystal ball. The senior Mr. Possehl said he has ½ an acre and two willows and two fields the width of the lot. Mr. Leonard said Mr. Possehl would need to work with the county if he needed a new septic field; it's a question of working with the code enforcement at the County, working with licensed septic system people. Now is no different than before this work was done. Village President Jim Moore asked two more times if there was anyone else who wished to speak at the hearing. Ms. Richards said she does not routinely get requests for information (special assessments) for properties outside the Village when a sale takes place, so people should inform potential buyers of this deferred assessment. The approximately \$12,000 is to hookup to the work that has been done. Hooking up to the home from the work done is the homeowner's responsibility. Public Hearing closed at 6:13 PM.

D. CITIZEN PARTICIPATION. Chief Pautsch wants to share a letter to the Board from one of his officers, who didn't get it in with time sufficient to get this on tonight's agenda, for a request for two cats and two dogs temporarily. (Read the letter, attached.) Will be on next meeting agenda January 3rd.

E. ANNOUNCEMENTS. President Moore announced that there is a presentation on behalf of the North Fond du Lac Fire Department Association to the Veteran's Memorial project out at Village Park. Randy Stutz spoke. Staff Sgt. Robert Jaworski was also present, as valued member of the military who is also a valued member of the Fire Department. Mr. King thanked them for the \$250, and said that people like Mr. Jaworski deserve this for going around the world so we can have meetings like this. They are the reason the volunteer group is doing this. Tammy Keller and Mike Streetar (the other members of the committee present) also thanked them. Applause from those present. Mr. King said they have raised \$27-28,000 already. He also mentioned that the Fallen Soldier life-sized bronze casting of boots, gun, and helmet is in the Municipal Offices on display. That is part of the memorial. *Chief Pautsch asked for*

and took a group picture for the Fire Department.

F. PRESIDENT’S BUSINESS and Staff Reports

1. Department Updates
 - a. Library. December report given by Mike Streetar. Thanks to the Police Department for partnering on the Santa Parade event, cookies and milk and two stories; over 100 people attended. Heather Wegner, Library Director is working on programming for next year. If people want a particular program, let her know at 929-3771. The Library is considering a program on social media in March about how programs work, and the dangers and drawbacks. On Track Readers is on December 17th with Jeff McAndrew who has written two books: Our Brown Eyed Boy and A Conscientious Life, Sailing Against the Wind, both on living with autism.
 - b. Administrator. Chuck Hornung talked to Library Board about their questions, and about the balance fund. Also, thanked Jim and Nancy Moore and staff for helping to stuff about 1500 envelopes for the 2011 tax bills that went out last week. Incorporated input on visioning into our plan to be presented later tonight. Also, testified in Madison on Assembly Bill 285, in favor of the potential for an additional \$10 court fee, the first potential increase since 2005, that would be paid by people cited, to help cover court costs.
 - c. Administration Department. Ms. Richards said she will set up an orientation early in the year for new election officials that will be appointed tonight. She said we are making progress on getting candidates for both seats for County Board on the Spring ballot. We hope they turn their papers in.
 - d. Police Department. Chief Pautsch talked about the Drug Roundup whereby 29 people were arrested on drug charges, and some had new possession charges of marijuana, cocaine and heroin that occurred at the time as well. Two NFdL officers took part, and the Chief was on incident command. This may have a huge impact on drug activity in and around Fond du Lac. This was a coordinated effort among surrounding communities. Also, some citizens may have noticed that cars parked in violation of the new winter parking regulations are getting warning notices, to get people information on how the new regulations work, so they can get in the habit of parking on alternate sides of the street before our first snowstorm. Mr. Moore asked for an update on the Police Benevolent Association activities for the holidays. Chief Pautsch said he is not quite sure, but thinks 12 families were adopted this year. Deliveries are tomorrow. As we accepted no food donations this year, families will get gift cards for food and other items needed. We collected hats, mittens, gloves, scarves, coats, jackets and socks for the families.
 - e. Fire/EMS Department. Chief Nelson had monthly training on Saturday, and looked at a thermal imaging system. This company has a promotion if you order before the end of the year, providing a \$1,300 charging kit for free. We will be pursuing this. The local fire association is contributing \$2,500 towards this equipment as well. Wrapping up the Assistance to Firefighters grant, with antennas installed, and mapping program functioning. Awaiting a portable repeater, which has been delayed as this needs Federal Communications Commission (FCC) involvement. Calendars are being distributed. Also, we have proceeded with the 3rd full-time paramedic position. It is being offered at this time to Eric Butler, one of our part time EMTs.
 - f. Public Works Department. Nick Leonard said he doesn’t yet have a report on the lighting issue in the new subdivisions. It will be on our next agenda, and he will send a note to Board members. Also, looking at revising the parking regulations ordinance to correct for signage restrictions that are in place. Mitch Vis is getting the signage inventoried in GPS.

G. CONSENT AGENDA.

1. Approve the minutes of the following Village Board Meetings: December 5, 2011.
2. Approve Invoices and authorize Checks to be drawn on the respective funds in the amounts indicated.

General Fund	\$100,854.81
Library Fund	\$104.32
EMS Fund	\$2,087.06
Capital Projects	\$7,615.33
Water Department	\$5,324.37
Wastewater Department	\$3,447.16
Community Development Authority /TIF	\$0
Debt Service Fund	\$0
Storm Water Fund	\$32.64
Total	\$119,465.69

Motion by Streetar, 2nd by Keller to approve the consent agenda. All (5) Ayes, 0 Nays.

H. ADMINISTRATIVE ITEMS.

1. Discussion and possible action to appoint Election Officials and Special Voting Deputies for the 2012-2013 election cycles. Ms. Richards explained the process, and named the officials to be appointed today. Several new people have volunteered. Democratic Party submitted a list. We are also appointing special voting deputies, so we can conduct absentee ballot elections at the assisted living facilities in the Village, so that those who are not on the permanent list will still be able to vote if they don't have an ID. Mr. Streetar thanked those who stepped up to become election officials, and Donna for doing a good job on elections.

Motion by Streetar, 2nd by King to make appointments as provided in the report. All (5) Ayes, 0 Nays.

2. Discussion and possible action to adopt the Vision Plan for the Village. Administrator Hornung reminded the Board that the mission statement was previously adopted. We had two public sessions on the Vision Plan, and comments made at those sessions were incorporated into the final plan. This is the final plan, but it is still a working document, to provide direction on goals to staff and the Board in our work.

Motion by Will, 2nd by Keller to adopt the Vision Plan for the Village. All (5) Ayes, 0 Nays.

3. Discussion and possible action on a Special Use Permit approved by the Plan Commission, requested on behalf of Robert Mangan for a multi-family residential use in a BP Business Park zoning district. Nick Leonard explained that there is a writeup from Peter Fetters and a map in their packets, and directed them to the map for the area designated for the special use permit. This is 7.07 acres. The existing owner of the apartments in the business park asked about building additional apartments on both sides of Harrison. Staff felt it would fit better on the south side (only). It is a buffer zone between what could be industrial to the north and near the clinics. This increases the TIF's tax base.

Motion by Will, 2nd by Streetar to approve the Special Use Permit. Mike Streetar asked about garages. There will be garages at level (not underground), and persons can enter their units from the garage. Mr. Streetar asked about whether the mailboxes are centrally located or not. That has not been determined yet. All (5) Ayes, 0 Nays.

Related to this, Nick Leonard brought up a need for discussion of relaxation of covenants. The whole business park was zoned BP. When other apartments were built, that area was rezoned R-6, but this area was not, but is allowed to be rezoned only by special use permit. The owner of the land is interested in removing covenants for this parcel. The prospective buyers' agreement needs this change prior to the Board's next meeting. It is hoped that staff be allowed to negotiate changes in the covenants if they need to happen before the next Board meeting. These would be temporary, so that if the apartments are gone someday, the covenants would revert back to existing ones, for manufacturing use of the land. He would like a motion to that end. (Audio tape stopped.) It was asked if this can be acted upon without being on the agenda. Mr. Leonard thought it could be as it is related to the above item. Ms. Richards said she did not have enough information to know how related this is. It was stated that the Plan Commission will also be looking at this as that body controls the site plan. Andy Bruce representing the current owner MLG said the time frame for this is restrictive, as the buyers want to close early next year. The covenants require Village consent to be amended or altered. Mr. Bruce gave an example of square footages required for industrial uses within a certain timeframe; said this is considered a private document. Motion by Streetar, 2nd by King for staff to work on changes in the covenant, and report back to the Board on changes at the next meeting. Mr. Will expressed that he was not comfortable approving this without it being on the agenda.

King, Moore, Streetar, and Keller Aye, Will Nay.

4. Discussion and possible actions related to the 2012 Budget. Administrator Hornung outlined the changes in staffing that are taking place: Police Captain position not filled, entry level patrol to be hired instead. Layoff one DPW crewman and Village Clerk becomes part time. There will also be less overtime in the Police department and the Department of Public Works. Mr. Will commented that this could change if we come across more revenue.
5. Discussion and possible actions related to changes in staffing and personnel. As above.

I. RESOLUTIONS.

1. Discussion and possible action on Resolution R-14-2011 FINAL RESOLUTION DECLARING INTENT TO LEVY SPECIAL ASSESSMENTS UNDER MUNICIPAL (POLICE) POWERS PURSUANT TO WIS. STAT. §66.07 (Sunset Circle).

Motion by Streetar, 2nd by Keller to approve. All (5) Ayes, 0 Nays.

J. ORDINANCES.

1. Discussion and possible action on ORDINANCE O-2011-12 AN ORDINANCE REZONING A PARCEL FROM O OFFICE INSTITUTIONAL TO R-6 MULTI- FAMILY. Second reading.

Mr. Moore said he wants this back on the tax roll. He said the Plan Commission looked at it pretty thoughtfully and approved it. Said that Mr. Guell was asked questions at the last meeting; he thought his answers were sufficient. He hopes that persons wishing to develop and own property here won't stop asking to do the work and take on buildings (due to Board actions disapproving). Mr. Hornung said Mr. Guell had come in today with signatures in support of his project, about 40 residents in the area, including in the immediate area. Mr. Will said he voted in favor on the Plan Commission but said he cannot support this in the Village. It doesn't fit the Village. Mr. Streetar appreciates people being entrepreneurial. He spoke with someone who works with rooming houses. That person said it takes a special person to manage a facility like this, and that is a rare person who can handle this responsibility. He spoke with a couple of neighbors who are not comfortable with it. He personally lives a couple of blocks away. If for some reason the Pioneer closes, he doesn't want those problems here. It is not a good fit. Mr. Moore said he doesn't think this project should be associated with the Pioneer. Ms. Keller said she doesn't like the short term nature of this with no leases. She would want a longer term rental. Mr. King agreed that he doesn't like the transient nature, and can't support this.

Motion by King, 2nd by Keller to disapprove the change. Roll call: King Aye, Moore Aye, Streetar Aye, Will Aye, Keller Aye.

K. COMMUNICATIONS. None.

L. UNFINISHED BUSINESS. None.

M. NEW BUSINESS.

1. Need for a special meeting on Tuesday, January 3rd due to the New Year's Holiday on the first Monday. It will be considered a regular meeting due to the holiday on Monday, and will be held at 6 PM. Will not be televised, as the cameraman has a previous engagement.

N. CLOSED SESSION.

Motion by Streetar (for the reasons stated below and read into the record), 2nd by Keller, to go into closed session at 7 PM. Roll call: King Aye, Moore, Aye, Streetar Aye, Will Aye, Keller Aye.

Discussion of a personnel issue under Wisconsin State Statutes 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

1. Continued discussion of possible employment contract with the Village Clerk.

O. ADJOURNMENT.

Motion by King, 2nd by Streetar to adjourn at 7:50 PM. All (5) Ayes, 0 Nays.

Respectfully submitted,

Jim Moore, Village President

Donna Richards, Village Clerk