

Village of North Fond du Lac
OFFICIAL MINUTES - Meeting of February 21, 2011
BOARD OF TRUSTEES

BOARD PRESENT:
Mike Streetar, Trustee
Mike Will, Trustee
Tammy Keller, Trustee
Keith King, Trustee
James Moore, Village President
OTHERS:
See list attached

STAFF PRESENT:
Chuck Hornung, Village Administrator
Donna Richards, Village Clerk
Nick Leonard, Director of Engineering and Planning
Darrin Parsons, Director of Public Services
Chief Paul Nelson, Fire/EMS Department
Chief William Lamb, Police Department
Melissa Hunt, FCEDC Community Development Specialist

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

- A. ROLL CALL OF OFFICERS.** Streetar, Will, Keller, King, Moore all present. 0 absent.
- B. PLEDGE OF ALLEGIANCE.**
- C. CITIZEN PARTICIPATION.**

Aaron Sadoff, 1801 Creek Vu Drive, handed out a flyer, and is asking to take down the siren at the entrance to the Athletic Complex. He said a study said the siren wasn't necessary. The schools have alert systems within the buildings in case of inclement weather, and they can hear the sirens from downtown and at Marghaels. Sports events being held there will be expanding. The gateway will have many visitors passing through. The schools will offset any costs the Village would incur or help supply the labor needed.

Belva Mitevede (sp?) 350 Winnebago Street NFdL and Debbi Krause N7620 Jupiter Drive Town of FdL came up. They came to talk about dogs that are left out in the cold. Ms. Mitevede understands there are limitations on officers. She said that Renee at the Humane Society suggested they come here, and see what can be done. She said a NFdL officer said his hands are tied. They said that the City of Fond du Lac has stepped up with their laws. The dog they are worried about is at 400 Winnebago Street; officers went over there, and said that the dog was halfway in the hole. They say the dog is by the hole, but can't get into the hole. She has gone up to the door and asked them about the dog; asked them to bring the dog in. In response they said the dog likes it out there. But she said that isn't right. Dog is huddled in corner, in the snow, has nowhere he can go for shelter. Bowls are turned over. There is a garage, but it is not clear that the dog can get in there. They say this is neglect. The woman says this is her son's dog, and he comes over every couple of days. These two women and others have been making complaints about this, and no one is doing anything. They wrote a letter to the paper that hasn't been printed yet. They would like something done; please try to do something about it.

D. ANNOUNCEMENTS.

- 1. Village Trustee Candidates Forum will be held after the Regular Board meeting at 6 PM on Monday, March 28, 2011. It will also be telecast live on Charter Cable. President Moore wants to thank the crew for the great job they did on snow removal (again).

E. PRESIDENT'S BUSINESS and Staff Reports.

Department Updates

- 1. Library. Mike Streetar said tax booklets are in. Federal and State are available. Any forms needed will be made available. The Book Club is March 12th this month at 9 AM. Heather Wegner, Library Director is finishing up the Annual Report; it will be ready next week. Story times are on Family Night Thursdays and also on Fridays. In January 2010 the library had circulation of 4122, and in January 2011 that number rose to 4456.
- 2. Administrator. Chuck Hornung said time to return survey has passed, Melissa Hunt will be compiling the results. Pool committee continues to meet, looking for ways to improve the pool. AFSCME union negotiations have been completed.
- 3. Administration Department. Election had 172 voters, 6.5% voter turnout. Next election will be April 5th with contested races for Village Board of Trustee and the State Supreme Court. Absentee ballots and early voting will again be available in a couple of weeks. Utility bills are due this week. Dollar General has requested to sell wine and beer, and that will be on our Agenda at the next Board meeting.
- 4. Police Department. Chief Lamb has completed the squad car conversions, and the sirens are being replaced. Some officers have been going to Madison to help. Two went Saturday, one Sunday, and one Tuesday.
- 5. Fire/EMS Department. Chief Nelson said the new truck is set up. Waiting for grant to get the radios in. Had problems with the siren at Village Park, has wiring issues. Went to a meeting/press conference for Carbon Monoxide Awareness Week, and our brochure continues to gain interest. The Kidde Corporation is potentially donating a number of CO detectors, and we will try to get some for North Fond du Lac, to hand out to residents who are in need.
- 6. Public Works Department. Nick Leonard said that he met with a consultant re: a link on the OSG site for flows

monitoring. There is an interactive map, and it will go live on the web soon. The Technical Standards Committee for OSG continues to meet. No news on phosphorus regulations. Nick spent most of his time helping with Pete's duties for building permits and other issues. Darrin Parsons reported that the crew received training on excavation safety. They have had lots of snow to deal with.

7. Community Development FCEDC. Melissa Hunt passed out her report, and talked about the survey. Distributed 1700, received over 200 back. Will utilize the results towards the strategic plan. Highlights of comments: major interest in quality of life projects, ways to keep pool open, and a focus on Prospect. Interest in a farmer's market, small interest in community garden. Want to keep taxes down. Melissa will work as staff on a vision for completion in late March or early April, for adoption by the Board in late summer or early fall. Mr. Stretar appreciated getting the comments. He wants to clarify that the Village will not get a post office, as substations are being closed down around the State.

F. CONSENT AGENDA.

1. Approve the minutes of the following Village Board Meetings: February 7, 2011.
2. Approve Invoices and authorize Checks to be drawn on the respective funds in the amounts indicated.

General Fund	\$31,072.51
Library Fund	\$9,581.54
EMS Fund	\$4,695.40
Capital Projects	\$220.99
Water Department	\$3,149.01
Wastewater Department	\$321,125.70
Community Development Authority /TIF	\$9.19
Debt Service Fund	\$0
Storm Water Fund	\$733.02
Total	\$370,587.36

Motion by Will, 2nd by Stretar to approve the Consent Agenda.

Discussion: Questions about the costs for the ambulance and Bowmar Appraisals and the fee to Fond du Lac for sanitary. Pitney Bowes is for postage. We printed new forms for shutoff notice postcards. Mr. Moore explained how pharmaceuticals on the ambulances have to be replaced periodically.

All (5) Ayes, 0 Nays.

G. ADMINISTRATIVE ITEMS.

1. Discussion and possible action on Park Ridge Lane improvements. Mr. Hornung introduced the topic to summarize: a resident on Park Ridge Lane asked that we enforce the ordinance for completion of street lights and blacktop. This is a recommendation, and listen to residents to see what is best.

Andrew Pike 1768 Park Ridge Lane. Had base coat installed last year. Creek Vu has been waiting, too. They all pay taxes for the services, the ordinance is here, and is not being followed. Now the Village is talking about an amendment for changes. Everyone wants the improvements done. Would like to see the road completed within a year, for Park Ridge and Creek Vu. This is the developer's responsibility. 2 or 3 lights are missing on each end of Park Ridge and Creek Vu, and they want the dirt piles taken care of. Not sure the dirt is usable. He read some letters from neighbors: Terry Willis said the dirt is a big issue, could be a hazard, is an eyesore. Second coat of blacktop is long overdue. The road is already deteriorating, and may need to be replaced. What good are rules, if they don't apply. This is six years overdue. Could have the Village do it, and charge back to the developer, or as a lien on the remaining lots. Rick Traxinger wants lights on Creek Vu finished. Also wants second coat of blacktop finished. Has lived out there since 2006.

Mr. Hornung explained that the dirt came from Blackbird Pond, and that the developer has an agreement with the Village that he has the right to store the dirt there until 2015. Mr. Pike said the large pile is a safety issue, but empty lots have small piles, and it appears to be a violation of the weed ordinance.

Jean White 1769 Creek Vu, her husband is Tom. She said Andrew Pike contacted them to discuss what he was working on with the Village to get this work done. Discussion is about Park Ridge, but they need work done on Creek Vu. There has been a single layer, and since then nine more homes have been built on Creek Vu. They pay taxes, and try to keep neighborhood looking good. She thanked the Village for our time and help on this.

Aaron Sadoff said he spoke with Rick Traxinger, and they understand the problems with sales. Creek Vu got the first coat one year ago. They have many children, and many walkers in the area. They take a lot of pride in our lawns and houses. Anything that can be done to get the lights up and to clean up the lots will be appreciated. He said it may help get the lots sold, too.

Mike George lives at 1737 Creek Vu. He is a builder, and he is held to ordinances and codes; he needs the developer held to the same standard. The edge of the curbing is getting wrecked. Something has to be done. It should have been in there within three years according to the code.

Mike Will asked how the developer responds. Mr. Hornung said they said they can't afford to do it right now. They need lot sales.

Keith King said we need to shorten up the timeframes and get this done.

Tammy Keller thought the developer should be at this meeting. The lighting and safety issues should be handled this year. Weed control is easy to take care of... The first layer of blacktop is laid down, and she understands that the second layer usually waits until development is completed, but we should address the rest.

Mike Stretar said he agrees with previous comments. Who is responsible? What happens if second layer gets banged up? Darrin Parsons responded that it would turn into a patch project and eventually have to be redone. The lighting should have been done six months ago. Mr. Stretar asked if we can get something done by the next meeting, so work can begin this Spring.

James Moore said this current Board was not in place when this development was begun, and Mr. Hornung was not in his position. Mr. Stretar was the only Board member that is still here. Mr. Hornung explained that we should have had a bond for performance, but was not put in place. So we are trying to find a solution to this.

Mr. White said the residents paid between \$30-\$50,000 per lot. Said they should have more improvements than they do. He asked about the piles of dirt. He said Mr. Tatro said the dirt was needed to make lots more salable, as they are low.

Mike Will said he thought we should have lights by the end of the summer.

Mr. Moore went over recommendations in the report. Recommendation #2 seems like the right one:

Motion by Stretar, as amended:

1. Small piles should be knocked down (to a mowable level and cared for) by the end of the summer. (Large pile has until 2015.)
2. Second topcoat on roads by end of summer of 2012.
3. Lighting installed by the end of this summer.

Second by King. Nick Leonard explained that the small piles are when they excavate one house, they place the dirt on another lot for later use. But, top soil would be used to bring the lot up to grade. Can't just level them, need clay to level lots, then topsoil goes on top (after building the home). He is concerned about the leveling requirement; we could work with the developer on the weed issue. Mr. White said if they knock the piles down a ways, that would help. Amend to make the small piles more presentable. Thistles and weeds are the problem. Mr. White said that would be great if dirt was formed to a mowable condition. Mr. George said the developer along Prospect put in alfalfa, and that is cut and cared for. They do a good job over there.

All (5) Ayes, 0 Nays.

2. Discussion on a Labor Agreement with Village of North Fond du Lac Employees AFSCME Local 1366H for calendar years 2011-2013.

Mr Hornung explained that they had a mediation session, have a tentative agreement for closed session. This item is on the agenda in case someone wants to talk about it prior to closed session. (No discussion.)

3. Discussion and possible action on the bids results for the purchase of a Patrol Truck as authorized in the 2011 budget for DPW.

Mr. Parsons explained who submitted proposals (2) and who was asked to submit proposals (2) for each part of the proposal. Report attached. Came in \$28,000 under the amount budgeted. This is because there were rebates in order to sell the trucks. Question about emissions system, this one has newer emissions system, but they use points on this model, so they don't need urea. The older International truck will be kept. The one we are getting rid of has frame and electrical issues. Discussed filter and "regen" issues, for how to care for the truck, and how to respond to the warning lights when they come on. Drivers need to follow recommendations and get training, so we don't have to pay \$6,000 to clean the system, according to Keith King. Mr. Parsons explained that snow plowing can be the equivalent of driving 60 miles an hour. We have an extended warranty, and a 5 year towing coverage as well. Board said we got a very good price. Mr. Will asks what happens to the balance of funds that were saved. The funds will stay in the capital budget.

Motion by Stretar, 2nd by Keller for the purchase of the International as recommended. All (5) Ayes, 0 Nays.

4. Discussion of the process to begin reviewing Village personnel policies.
For discussion of personnel policies, Mr. Stretar thinks we should take a look at it, and decide what we want to discuss further. We won't need to look at everything. Not a lot of changes needed, on Mr. Stretar's first look. If a Board member wants to look at something, let Chuck know. Ms. Richards said it would be good to get the history on a provision from staff, to understand why it was done at the time. It might be a two meeting process, but would be valuable.

H. RESOLUTIONS

1. Discussion and possible action on Resolution R-01-2011 A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE WATER UTILITY OF THE VILLAGE OF NORTH FOND DU LAC, WISCONSIN, FOR THE YEAR 2011.

These resolutions were discussed last time. No increases in the rates this year.

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

2. Discussion and possible action on Resolution R-02-2011 A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE WASTEWATER UTILITY OF THE VILLAGE OF NORTH FOND DU LAC, WISCONSIN, FOR THE YEAR 2011.

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

3. Discussion and possible action on Resolution R-03-2011 A RESOLUTION APPROPRIATING THE NECESSARY FUNDS FOR THE OPERATION OF THE STORMWATER UTILITY OF THE VILLAGE OF NORTH FOND DU LAC, WISCONSIN, FOR THE YEAR 2011.

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

I. ORDINANCES.

1. First reading and discussion of ORDINANCE O-2011-01, AN ORDINANCE REZONING PARCEL FROM R-3 TO O (R-3 - Single family residential to O - Office/Institutional).

Nick Leonard explained that this rezoning is requested by the School District to allow for their future use, which would be non-residential (currently a home is on this property, at 1100 Prospect.) This went to the Planning Commission with a recommendation to approve this.

2. First reading and discussion of ORDINANCE O-2011-02, AN ORDINANCE REZONING TWO PARCELS FROM R-3 SINGLE FAMILY TO R-5 TWO FAMILY.

634 Florida Avenue has two lots here, Clarity Care has an offer to purchase pending. A home was taken down at this location last year. Want to combine lots, and rezone to R-5 to allow for a duplex. Will be designed as a facility for disabled. Would be constructed by the Building Trades Class at the High School. Mr. Streetar said the building came down because there were squirrels and rats and skunks. It may be a great project, but many people don't want a duplex there; if Clarity Care sells, could become a rental property. Mr. Streetar wants to know why the Prospect lot wouldn't be offered to Clarity Care. People don't want a duplex.

Jeff Schneider, 725 Florida Avenue, doesn't want the duplex as could turn to rental. Most renters don't take care of property. Talked about a nasty place on Minnesota that was a rental and his experience in Fond du Lac. Thinks that if it turns to rental, it will be run down.

Mr. Moore said we have well cared for duplexes in the Village. The upkeep has to do with the landlord, not just the renters.

Mr. Schneider says landlords don't want to put money in, because renters don't stay. Shared an experience he had as a landlord with renters. Mr. Moore asked if it was single family, and Mr. Schneider said it was.

Mr. Moore said he thought this project would be a good move for the Village. Their current projects are well cared for.

Mr. Streetar said we don't know what the future holds. Does not want to have problems in the future. Says the neighbors do not like this. It took fifteen years to get rid of the last building.

Mr. Moore said we have ordinances to deal with problems should they arise.

Mr. Sadoff said the future is unforeseen, and that Clarity Care will have accountability, will see that the property is cared for. Said he doesn't want residential on the Prospect land. He will do what he can to see that this project is kept up. Single family and non-rentals also get run down. Does not foresee this being a negative fifteen years down the road.

Mr. Will spoke to say any duplex can be good or bad anywhere you put it.

In response to a question, Clarity Care said it will be a four bedroom, not a six bedroom.

Jim Scharf 213 Blackbird said he lives in a duplex around other duplexes. Neighbors take care, landlords do a good job. If it's well maintained, it is no different than a single family home. This is an opportunity.

Mr. Schneider says rentals are problems, renters don't care about their neighbors.

Mr. Moore said Clarity Care has been in the business for thirty years. Mr. Moore said the Planning Commission had no problem with this.

Mr. Will said 'Who is to say that this will be a rental property?'

CEO Tim Cook said Clarity Care is a non-profit, been around since 1982, have about fifty programs in Northeast or Northcentral Wisconsin. They want to build something, so they were interested in working with the schools for accessible units. Physically disabled and developmentally disabled people will live there. Some of their properties are two story buildings, and they don't work well. Looking for opportunities to build something much more accessible. Duplex gives flexibility, will have door to open between units, so staff can work with the people living on both sides. If sold down the road, can't speak to that. Will be the best neighbor he can be. Try to fit into the neighborhood, for clients to integrate into the neighborhood. This does not happen on a regular basis. Asked average time they hang on to properties. Have sold two or three in the last year or two, but they were two or three level buildings, and can become hazardous for a sight-impaired person. Works with the Care Management Organization. Some staff work with the same people for upwards of twenty years.

Chris Wales with Clarity Care expressed that there is a great demand for fully accessible units, and this building design is likely to be well utilized for many years to come.

Mike Will asked about entrances. There will be two doors to each unit, and a door to go between the units on the inside.

Mr. Cook said he has a six family building next door to his home, and renters do have issues. Does the best he can to work with this landlord.

Mr. Streetar reiterated that he has no problem with Clarity Care. If it were a single family home, it would be no problem at all.

Mr. Sadoff said the current lien on the property would be taken care of, when this land is purchased. Will be a nice, desirable property for anyone who would live there or buy it in the future. He said plans are being worked on at this time, and that he will bring them to the meeting on the 7th.

3. First reading and discussion of ORDINANCE O-2011-03, REVISIONS TO SUBDIVISION IMPROVEMENTS CHAPTER 7.05.

Nick Leonard said the changes to 7.05 are in response to the need to rework this. Pete Fetters has been talking with him for years about the need for an update to this portion of the Code. Timelines were unrealistic, some things were not followed. Changes include the need for an irrevocable letter of credit to cover all improvement costs. Changed timelines to become less vague. Mr. Leonard talked about not tying timelines to a preliminary plat, but instead tying it to the building permit. Final paving timing; want it all done within five years, don't want base to move. If they meet the 75% trigger, they would have to pave at that time. Also, provides that if they don't do the work, the Village will do it, and assess it to the property in that year. Sidewalks get installed when curb and gutter is in and home built. After five years, all sidewalks need to be installed. Also, when we want them to overbuild the drainage and storm sewers or put in a lift station, we pay for the oversizing. Lighting at the developer's expense, longest anyone would wait would be two years. Removal of dirt piles within one year, but can be extended by the Director upon request; should not be an eyesore. Submission of drawings in electronic format, changed with the times. There was one change suggested by the Planning Commission, and that is incorporated into the version you have before you. Two years for surface course or when 75% of lots, changed to two years (period). (Redlined version is being adopted which reflects the changes.)

J. COMMUNICATIONS.

K. UNFINISHED BUSINESS.

L. NEW BUSINESS. Mr. Streetar talked about the sirens. Wanted sirens to remain; did not want it reconsidered. Consider it a safety issue. Thinks it is taxpayers money regardless of where the money comes from. Does not want it back on the agenda. Mr. Sadoff said he thought the previous action was in response to moving it to another site.

M. CLOSED SESSION. Motion to go into Closed Session.

Motion by Streetar, 2nd by Will to go into closed session at 7:50 P.M. Streetar, Will, Keller King, and Moore

All (5) Ayes, 0 Nays.

1. Discussion of Union contract negotiations pursuant to Wisconsin State Statutes 19.85(1)(e) deliberating or negotiating or conducting specified business whenever competitive or bargaining reasons require a closed session.

Motion to return to open session. Motion by King and a second by Will at 8:52. Streetar, Will, Keller King, and Moore All (5) Ayes, 0 Nays.

N. ADMINISTRATIVE ITEMS, continued.

2. Continued discussion and possible action on a Labor Agreement with Village of North Fond du Lac Employees AFSCME Local 1366H for calendar years 2011-2013.

A motion by King and a second by Streetar was made to postpone the approval of any AFSCME contract. No timeline was given. All (5) Ayes, 0 Nays.

O. ADJOURNMENT.

A motion by Streetar and a second by Keller was made to adjourn at 8:54. All (5) Ayes, 0 Nays.

Respectfully submitted,

Jim Moore, Village President

Donna Richards, Village Clerk