

Village of North Fond du Lac
OFFICIAL MINUTES - Meeting of March 7, 2011
BOARD OF TRUSTEES

BOARD PRESENT:

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

STAFF PRESENT:

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

OTHERS: (See list attached.)

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

A. ROLL CALL OF OFFICERS. Mike Will, Tammy Keller, Keith King, Jim Moore and Mike Streetar, (All) Present.

B. PLEDGE OF ALLEGIANCE.

C. PUBLIC HEARING(S). The President opened the Public Hearing(s) at 6:02 P.M.

1. ORDINANCE O-2011-01, AN ORDINANCE REZONING PARCEL FROM R-3 TO O (R-3 - Single family residential to O - Office/Institutional). Superintendent of Schools Aaron Sadoff talked about this item. He reported to the State on the future use; no intention to make it residential. The school district is currently using it for storage. It is being purchased as an opportunity to determine the future use of the lot by the School District. Closed the hearing after Village President announced it two more times.
2. ORDINANCE O-2011-02, AN ORDINANCE REZONING TWO PARCELS FROM R-3 SINGLE FAMILY TO R-5 TWO FAMILY (on Florida Avenue). Mike Streetar said "I guess I'll talk about this one, since it is right next to me." Mike said he talked to Tim Cook, C.E.O. of Clarity Care. He said Clarity Care only has interest in building a duplex on the property. Folks in his neighborhood are concerned with putting a duplex there. If anyone needs a history lesson on the Schaeffer property that was there; the house was run down; neighbors tried for years to try to get the Village to take it down, stayed on Pete Fetters and finally got it deemed condemnable and the property was taken down. Had rats, skunks, bats, mold, you name it. It was nasty. Lived across the street from that house for fifteen years. Said he heard from a couple of folks who thought that the neighbors are against what the use would be for that house, which is for disabled folks. Mr. Streetar said nobody in the neighborhood is against the use. It is not a problem for the use, they are only against it being a duplex. Concerned if Clarity Care sells it down the road. Don't want another problem in future years, that a landlord will rent it out, and that it will be just like the Schaeffer house times two. They are just looking down the road; don't want to deal with that. Said at last meeting Mr. Cook and Mr. Sadoff spoke, and said they can't look into the future. Neighbors are asking this Board to look into the future. Since Mr. Streetar has been on the Board, and this Board currently, the Board wants folks to live and stay here. When people come to a meeting, and tell us what they want, it's great. When people don't want this in the neighborhood... "I will repeat myself, we have no problem with a single family. We just don't want a problem down the road." Neighbor of his, regarding the north end rezoning; thinks that location would be the perfect fit for this, if they want to keep it a duplex. Know it is a great project for the kids, likes to see the Building Trades class opportunity go forward. But, if they are stuck on making it a duplex, the property by the school would be a perfect place for that. The school district bought it last year for \$79,000. It would be great to see some of that money go back into the coffers. The taxpayers put their money into buying the land. There is no bus service, so location is not an issue. There is not a transportation issue. Some of his neighbors may come down to speak tonight.

-Aaron Sadoff 1801 Creek Vu Drive, responded. Said he can very much understand the plight that the neighborhood went through with the difficult house across the street and the unsanitary conditions that existed there. This is a very unique situation. With the school district and Clarity Care working together, the value will exceed the costs, because of the student labor and the affordability of the lot. More money can go into the building and the lot. Can't say what it would look like if a private person built a single family or a duplex on this lot. Clarity Care is willing to pay off the lien from the demolition. But he is sure that working with Clarity Care, this building will be 0 entry in terms of accessibility...It will be beautiful for elderly or disabled people who will live there. And it will be a very well built, nice home, if they decide to sell it. The designs are being finalized tonight, if anyone wants to see them... Looking into the future, we will know what is going there, and that's a bonus. He's hoping that the Village Board will look at it. As far as their purchase of the other parcel, he was directed by the Board to purchase it to plan for the future, but did not have plans for a residential use. His job is to look into the future and take advantage of opportunities as they present themselves. He bought that property for future opportunities. He can appreciate the issues here. He was also directed by the Board to pursue this project. "This is a quality project; we will know exactly what will be built

there.” We know that we will be in a fishbowl; because it is so visible and also because the school district wants to enhance the community, to enhance the neighborhood and to enhance the Village.

-Joseph Schneider 628 Florida Avenue, said he lives right next door. How would you like to live next door to this? He has small kids, and bought the house because it is a great, single family place. With all these ... You want to bring in all these people, all these duplexes and people. Where are these people going to park? They will have visitors, people coming over. It doesn't make any sense whatsoever. I have little kids. Would you live next to that? Everyday? Would you buy next to that? It is going to cripple the real estate in the neighborhood. Going to gain a little because of the tax, but... Mr. Sadoff said he doesn't take it personally. Said he was making a business decision for the district and with the community; trying to do what is best. Mr. Schneider said great, make it a single family like the rest of the neighborhood is. If you live in a single family district, you would love to keep it that way. That is all he is asking. Has little kids. Mr. Moore asked if he had seen it; he has a picture of it. Said he'd have no objection living next to it. Said he would buy a house right next to it. Has no problem with a duplex; we've got them all over the Village. There's a picture of the house right there. (Was walking to the podium to show the picture.) Said, "you can't tell me that this is not a nice looking building. It will not devalue anybody's property in your neighborhood." Mr. Schneider asked if you put a disabled home next to your property that your property would be worth the exact same as it is now?

Mr. Moore said "That's right." Mr. Schaeffer said he disagrees with him 150%. Mr. Moore said you'd have to prove it to me first. They've got two garages here. Mr. Schneider asked where is the closest one to you? Mr. Moore said he doesn't have one in his neighborhood. Mr. Schaeffer asked why not? If it's such a great thing. Mr. Moore said there is not a lot next door to him. Said I can assure you that if you had one next to you with your kids or your grandkids running around... Mr. Moore said these people are handicapped, they probably don't even drive. Mr. Schneider said maybe, but do they have relatives? Mr. Moore asked "Do you have visitors?" Handicapped; don't have cars. Six bedrooms, six people. Mr. Schneider said they will have six people, will have two people visiting each, twelve vehicles. Where are they going to park? Mr. Moore said there are two driveways. Asked Mr. Schneider to be realistic; that the visitors won't all come at once. Mr. Schneider said he is being realistic. Mr. Moore said nobody in the neighborhood has called him to object to this in the neighborhood except you, and you live next to it. Said he finds no valid reason for rejecting this, after the Planning Commission voted unanimously to approve this. He said he didn't care what Mr. Streetar says, about how it used to look; there is no guarantee that this will happen here. Mr. Schneider asked what is wrong with the lot up the street? Mr. Moore said nothing, but there is nothing wrong with this lot either. Mr. Moore said they want to put it here.

-Mr. Will said this is a zoning issue, whether to zone this single family or to change it to a duplex. It isn't about what is going to go there. He said he talked to a neighbor that lives right behind duplexes behind Prairie Fox, and has no problem with it. Should we ban any duplexes in the Village? How can we deny a duplex? I think all of us would rather have a single family next to us. Mr. Will lives on Chapleau, but there are tons of duplexes on Southview and he doesn't know how we can deny it.

-Tim Cook from Clarity Care said he wanted to answer questions he couldn't answer last time. Can't answer what it will look like many years from now. Clarity Care owns 22 group homes right now, 10 owned more than 25 years, 8 more than ten years. They've sold 5 or 6 of them over the last few years; many of them were multi-levels. Persons who are getting elderly and are disabled can't get upstairs; and so the organization is moving to properties such as this where everything is on one floor. Have a couple of these in Fond du Lac. Have a rolling show (laptop computer on table on side of room) of what their properties look like. Can't say if or when they will sell the home. Does know they will be great neighbors; will have one of the best looking houses in the neighborhood. Never know what will happen to a single or a duplex down the road. Have no control over the future for this property or any other property. Are going to build three bedrooms on each side, and down the road if sold, three bedrooms would be more conducive to sale to an owner occupant. He will answer any questions anyone has. Can't address what it will look like after they leave. Audience member asked about maintenance. Clarity Care does their own maintenance. Jeff Stark is their maintenance director. They take care of everything with own staff, and sometimes contract out for snow plowing and other things. Sometimes staff takes care of things, sometimes consumers will. These consumers/clients don't drive. Maybe one drives, out of 220 consumers. Will have one or maybe two handicapped access vans (parked in the garages), and may have two or three cars there at a time at most, and they will be in the driveway. Room for five or six in the garage and driveway. Residential homes, when they have parties and kids, will have more cars around than the facility will; will have less driveway parking than we will. Question from audience of what type of handicaps: generally developmentally disabled, which means they were disabled from birth; Very different levels of ability. Some need minimal care, others need 24/7/365 care, feeding, bathing, everything they need throughout their life. Some have simply drop-in services, may go to work or school. Help them get up in the morning, help make a meal, help with their checkbooks. We expect this home to have more of the

24/7/365 types of care. Question from audience about emergency vehicles all the time; “disrupt our lives all the time”. Mr. Cook said generally not. Resident said: It’s a possibility. Mr. Cook said they will have some calls, but not any more than a family with kids who fall down and break legs. Audience member thought the other location would be better; Mr. Cook said he could not speak to that, as he doesn’t know anything about the other location.

-Laurie King 334 Indiana Avenue was at home watching the Board meeting, and said she was very upset and needed to come down. This discussion drew very close to her heart. She has a mentally disabled sister, and if not for her parents being alive, and Laurie and her sisters able to care for her when her parents are gone, this is the kind of place her sister would live. For them to say that they would not want those kind of people living near them “appalls me, it just completely appalls me that you would not want an emergency vehicle waking you up”. “What if it was your grandmother?” . What’s the difference if it is a duplex that is managed properly. What difference does it make whose house it is that needs emergency services in the middle of the night? What is the difference whose house it is; they are taken care of by professionals. Audience member responded to say that he is being painted a bad person; he too has a disabled family member. It is our backyards. Laurie said nothing would happen to this property unless this project happens. They (people building a new house) are not going to buy a little lot on Prospect Avenue; they would go to other parts of town. We won’t get taxes on it, but at least it is getting used. Someday maybe someone else will own it. But, maybe some people in the Village would have someone in their family living here, close to them. There are other group homes in the Village, and Village family members live in some of them. She works for EMS and goes to them (group homes) often, and knows they are full. She said, “I’m sorry, I just took very much offense to it. That’s just my opinion”.

-Jim Scharf 220 Blackbird Street, lives in and owns a duplex. He owns his half. Has rentals on each side of his property, two on one side, one on the other. Have been built since 1982. Have nice single family homes all around it. No problems whatsoever. Well kept up, well maintained. A single family can be mismanaged so bad. There are still a lot of houses in Fond du Lac and North Fond du Lac that should be torn down. He doesn’t know why there is a problem with it. He is all for it, and hopes the Board is, too.

-Paul Nelson said he is guessing that less than 10% of calls go to group homes, we did 575 last year. Maybe 20 runs a year to group homes, maybe 5%, not a significant number of calls, as they have medical staff on site. EMS is called when there is a dire emergency. No different than any other place. Could have a call anywhere, any time, just like anyone else. Audience member said it depends on the severity of the handicap. His relative needs EMS often, maybe once a week or once a month. We understand. Chief Nelson said it’s not 10% but thinks its more like 5% of the calls..

-Mr. Streetar said to state again, he has no problem with the use of the home. There are no duplexes west of Prospect Avenue. It just doesn’t fit in the neighborhood. Neighbors just don’t want a duplex here. That is his concern, after living next to that place for so long. He expressed concern re: Mr. Moore talking into the gentleman’s face. Said we wonder why no one comes to meetings. It was not fitting for the Village President to get into someone’s face like that. Said it was embarrassing to him. Mr. Moore said if that is the case, he apologizes, but he feels strongly about this. Said that because it might be run down someday, it is not a valid reason for disapproving this. Mr. Schneider asked if he always comes out of his chair to talk to someone. Mr. Moore responded that he went over there to show him the picture. Otherwise he would not have come over there. Mr. Schneider said there are six bedrooms. Mr. Moore said the last time he heard it was four. Mr. Schneider said he knows more than Mr. Moore. Mr. Moore agreed.

-Dave Boelter lives in the neighborhood and is the Executive Director of the ARC in Fond du Lac. Clarity Care is his competition. He understand the questions people have; he gets them all the time on the homes that they have. They have one on Bechaud, down the street from the high school. They keep up their homes; they are well maintained, in part because it reflects on their community. Said he thinks the neighbors will be pleasantly surprised two, three, four years down the road, at how well it works out in the long-run. Came down because he wondered about the six bedrooms. Says it is correct that there will be virtually no cars, says they have two with cars who work with his organization. Homes, clients and staff will be integrated into the community. They want to integrate their developmentally disabled persons in the community. That is one of the cornerstones of the services, to integrate clients into the community. He is also awakened at night by ambulances; thinks many are with the elderly facilities on “OO”. Said he thought the neighbors will have no problems with it. Maintenance and organization is key; may even make a new friend or two. Mr. Will asked if he has concerns of going from the two to three bedrooms. Mr. Boelter said he has homes from two to five bedrooms. The industry is going horizontal rather than vertical. He is not personally concerned as long as they have good staff, and maintains the structure. May get three or four vehicles there when people visit; not concerned about it.

-Brian Abitz 1202 Minnesota Avenue said the place is near the Village Park, there is extra parking nearby for the

park within a block, if need extra parking. Park is accessible, can walk around. Have baseball games and other activities in the park, get an ice cream cone, a sandwich; can watch the kids play. Have the famous train across the street, go for a picnic over there. There's a school nearby, someone could help with the kids. A lot you can do with the house sitting on that corner. Thinks it's a good location for the facility. Any other comments two more times. Public Hearing Closed n this item.

3. **ORDINANCE O-2011-03, REVISIONS TO SUBDIVISION IMPROVEMENTS CHAPTER 7.05.** President Moore opened the hearing for this ordinance.

Nick Leonard explained the purpose of the changes. Timelines are being changed to be more practical for the improvements to subdivisions. It is for sidewalk, street lights, curb, gutter and street, and getting them done on time. In most cases it is five years from when the first permit is pulled. This was discussed at great length last meeting. This only pertains to new subdivisions going forward, not to existing agreements. Asked two more times. Public Hearing Closed n this item.

D. CITIZEN PARTICIPATION. (None.)

E. 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.
2. Spotter Training is on March 8th at the Legislative Chambers City-County Building, from 6:30 to 8:30. if anyone is interested.
3. Flood Safety Awareness Week is March 14th to the 18th.

F. PRESIDENT'S BUSINESS and Staff Reports.

1. Department Updates

1. Administration Department. Ms. Richards announced that absentee ballots should be available o March 15th if not earlier. Call if need one, can send it to you, or you can vote early in the office. Voter ID will be changing, and we will start practicing in April. Will also be signing the poll book in the future. Shutoff notices going out this week for late payments for utility bills. If you are more than a week or so late, we are starting to send out shutoff notices again. A due date will be on the notice, which will let you know the date by which to pay it off or make a payment and sign an agreement. If that is not done, the water will likely be shut off.
2. Police Department. Darren Pautsch said they have officers down in Madison for crowd work. They are being reimbursed by the State for wages, overtime, mileage and other expenses. At the last Board meeting, some neighbors came in to talk about a dog they thought was not being cared for properly. They also ran a letter in the paper. The dog has since been taken by someone. We are concerned that neighbors think they were rescuing the dog. The situation was thoroughly investigated by the police, and also the Humane Society. The dog is an outside dog, was not determined to be neglected or abused. We are asking whoever took the dog to bring it back home. You know what it is like to lose a family pet. Should not be taken because someone disagrees with the dog's situation. Mr. Will asked a question about reimbursement from State: it is just wages, not the benefits part or retirement part. Captain Pautsch said that will not likely change. Mr. Will thought they should cover all the costs to the Village, including retirement costs on the overtime paid.
3. Fire/EMS Department. Paul Nelson went to a meeting last week on an attempt to change the fire codes and building codes standards. Needs to know the impact of the changes on the community and on public safety issues presented by the lowering of the building code standards. Will keep us informed. Contact with Insurance Service Organization (Insurance issues, especially commercial insurance, sets rates.) North FdL has not been looked at since 1995. Starting the process for them evaluating fire service and water capability. Due to improvements in the water service and fire capability, rating should come down. Rated at a six currently, could be a four or better. April 2nd there will be a Brat Fry to support the Fire Department at PDQ.
4. Public Works Department. Nick Leonard has been doing property maintenance due to Pete's absence. Should be resolved. Issued a conditional occupancy permit on Prairie Fox on a building the school district built. Working on community center for the court's move; and more construction here in this building for the court's area. Looking at the budget issues with the changes reagarding recycling, stormwater, and what is being proposed, as well as phosphorus changes being considered.

F. CONSENT AGENDA.

1. Approve the minutes of the following Village Board Meetings :
February 21, 2011.
2. Approve Invoices and authorize Checks to be drawn on the respective funds in the amounts

indicated.

General Fund	\$140,414.66
Library Fund	\$1,441.12
EMS Fund	\$1,456.34
Capital Projects	\$9,066.11
Water Department	\$48,389.34
Wastewater Department	\$914.35
Community Development Authority /TIF	\$93.00
Debt Service Fund	\$0
Storm Water Fund	\$220.81
Total	\$201,995.73

3. Accept the March, 2010 Police Department Report.
4. Accept the April, 2010 Police Department Report.
5. Accept the May, 2010 Police Department Report.
6. Accept the June, 2010 Police Department Report.

Motion by Will, 2nd by Streetar to approve the consent Agenda. Ms. Keller asked about page 8 for computer and cellphone (Verizon) costs. Is it contract renewal time? \$1500, total \$3300 and then a cellphone bill. Need to ask Chuck. Mr. Streetar asked about whether there is a programmable thermostat at the EMS House. Thought heating costs for EMS and Library are very high. Would like programmable thermostats installed. Could be \$300 to \$500, due to magnitude of the system. Mr. Streetar asked about the siren problems. We are paying him, Paul Nelson said he needs to come back. Also, repair, bracket needed for ladder truck. Lights on the command vehicle are done. Also, EMS House is occupied 24 hours, as people are always there. Mr. Streetar still thinks it should be turned down at night. All (5) Ayes, 0 Nays.

G. ADMINISTRATIVE ITEMS.

1. Discussion and possible action on a Class A Beer and Class A Intoxicating Beverage License for Dollar General. Donna Richards explained that they are asking to sell beer and wine. Staff have not yet gone through the training. Will issue this license when training and operator's licenses are obtained. They are working on getting the training into the store. Based in Tennessee. Ms. Richards said he spoke to Mark Jurgella the State Department of Revenue person in charge of this area. She asked him whether it is possible with a Class A intoxicating beverage license to limit it to wine, and he said that it was not. So if they get liquor license they can sell liquor. Representative from the store Mickey Gerber Manager said they plan to sell twelve packs and cases of beer and boxes and gallons of wine only. Will take effect when everyone trained. Looking at the end of March. License would be prorated in cost, April May and June, and then would go through renewal along with the others for the end of June.

Motion by Streetar, 2nd by King to approve the licenses, to be issued when everyone is trained.
All (5) Ayes, 0 Nays.

2. Discussion and possible action to accept amendments to the 2009 Police Department Monthly Reports as well as the 2009 Annual report to reflect the changes. Captain Pautsch explained that Teresa found a mistake in the officer use of force number and then the number was not carried over to the rest of the year.

Motion by Will, 2nd by Streetar to accept the corrected reports. All (5) Ayes, 0 Nays.

H. ORDINANCES.

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

Motion by Will, 2nd by Keller to approve the Ordinance.

Roll Call: Will Aye, Keller Aye, King Aye, Moore Aye, Streetar Aye.

2. Second reading and discussion and possible action on ORDINANCE O-2011-02, AN ORDINANCE REZONING TWO PARCELS FROM R-3 SINGLE FAMILY TO R-5 TWO FAMILY.

Motion by Will, 2nd by Keller to approve the Ordinance.

Roll Call: Will Aye, Keller Aye, King Aye, Moore Aye, Streetar Nay. Mr. Streetar said he was to reiterate that he has no problem with the use, just objects to the duplex portion of it.

3. Second reading and discussion and possible action on ORDINANCE O-2011-03, REVISIONS TO SUBDIVISION IMPROVEMENTS CHAPTER 7.05.

Motion by Streetar, 2nd by King to approve the Ordinance.

Roll Call: Will Aye, Keller Aye, King Aye, Moore, Aye, Streetar Aye.

- I. COMMUNICATIONS.** Mr Will announced that on March 26th there will be a Brat Fry for the Pool at PDQ. Taking presales too. Can call 921-1103 to schedule presales. Tammy asked if help is needed. Help is also needed if anyone wants to help.
- J. UNFINISHED BUSINESS.** Mr. Streetar said in regards to the siren at the Athletic Field, wants Chief Nelson to clarify the need of the siren at the Field. Powered by regular electricity, and still function. The others function with batteries when the electricity is out. .
- K. NEW BUSINESS.**
- L. ADJOURNMENT.**
Motion by Streetar, 2nd by Keller to to adjourn at 7:31 PM. All (5) Ayes, 0 Nays.

Respectfully submitted,

Jim Moore, Village President

Donna Richards, Village Clerk