

VILLAGE OF ORFORDVILLE
Regular Board Meeting
Monday, December 22, 2014 7:00 P.M.
Orfordville Village Hall

CALL TO ORDER

President David Olsen called the meeting to order at 7:00 p.m. Present were President Olsen, Gary Phillips, Kathy Schindler, Dale Peterson, Kurt Fullmer, Beth Schmidt, and Russell Rucker. Also present were Attorney Bill Henderson, Kris Johnson, Jeb McMahon, Gene Laschinger, Carl Howard, Steve Lutzke, Kris Johnson, Charlie & Debra Spry, Karl Stuvengen, and Clerk Sherri Waege.

AGENDA VERIFICATION

Clerk Waege verified that on December 19, 2014, copies of the agenda were delivered to the President and Trustees; and posted at the Village Hall, Library, and the Farmer's & Merchant's Bank. There were no additions made to the agenda.

MINUTE APPROVAL

Motion by Rucker, seconded by Peterson to approve the minutes of the regular board meeting of December 8, 2014 and special board meeting of December 16, 2014. Motion carried.

CITIZENS WISHING TO BE HEARD

Charles & Debra Spry were present and had questions on paving the portion of Mowe Street that connects E. Beloit Street to the parking lot of 303 E. Beloit Street. Spry felt it was a good time to do a survey as he has always heard that the house across the street from him is on the street right of way. Spry also had a concern with run off. Spry explained that the paved street will be higher than his house and garage and could cause a runoff problem. President Olsen explained that the item is on the agenda later in the meeting and will be discussed in detail.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Amend Ordinance 320-38. Motion by Fullmer, seconded by Phillips to accept the Planning Commission recommendation to amend Ordinance 320-38 Non Conforming Uses to comply with state statutes. Motion carried.

Rezoning request of Jeb McMahon for 133 S. Maple Street. President Olsen explained that the Planning Commission recommended that the Village Board deny the request of McMahon to change the zoning from R-2 Two Family to C-1 Commercial Zoning. Fullmer asked why the Planning Commission recommended to deny the request. President Olsen explained that the residential area and size of the lot were part of the decision.

McMahon was present and showed a general site plan for three separate businesses. McMahon explained that he would like it across from the future high school for the increase in traffic that the high school will bring.

Peterson explained that they received an email from the building inspector that explained spot zoning. Peterson further explained that spot zoning is zoning one parcel to something different than what is around it. Peterson also explained that spot zoning must benefit the public and not just the person requesting to rezone.

Phillips explained that he thought it was a good idea, but not a great location.

Carl Howard asked McMahon why that location was ideal to McMahon. McMahon explained that he owns the property.

Peterson explained that the Business/Industrial Park was built for small businesses like this and is concerned that the Village could be open to litigation for spot zoning.

McMahon explained that the corner of E. Beloit and Gifford Street is zoned Commercial and is surrounded by R-1 Residential. McMahon further explained that his lot at 133 S. Maple Street is with R-2 Two Family zoning, as well as the R-3 Multi Family Zoning.

Motion by President Olsen, seconded by Schmidt to accept the Planning Commission recommendation to deny the zoning change request of Jeb McMahon for 133 S. Maple Street. Motion carried.

Loading and Unloading Area for Parkview School District. Steve Lutzke was present and explained that the loading and unloading area on W. Beloit Street/Highway 213 is working out very well. The district would like to explore the option of making it a permanent loading and unloading area. Lutzke provided a drawing where the district would cut into their lot area so the buses are off the highway more. Discussion held on needing permission from the Department of Transportation. Lutzke will look into it further with the state and come back with more information. No action was taken.

Resolution R2014-07. Motion by Peterson, seconded by Rucker to adopt Resolution R-2014-07 which earmarks the following money that was not spent in the 2014 General Fund Budget so it can be spent in the future: \$21,863.00 for repairs to 303 E. Beloit Street, \$10,105.00 for court software, \$7,663.00 for police software, and \$758.00 for Christmas Decorations. Motion carried.

Resolution R2014-08. Motion by Fullmer, seconded by Rucker to adopt Resolution R-2014-08 setting employee wages for 2015. Motion carried.

Soil Boring Work for N. Main Street/E. Beloit Street. Gene Laschinger was present to explain that they would like to do soil borings to check the water table, soil conditions, and bedrock. This will give the contractors solid information to bid legitimately. Laschinger recommends CGC to do the work for \$3,200.00. Motion by Rucker, seconded by Schmidt to hire CGC to do the soil borings for N. Main Street/E. Beloit Street for \$3,200.00. Motion carried.

N. Main Street/E. Beloit Project.

1. Inspections- Discussion held on having Town and Country do the inspections for the underground and paving work. Laschinger offered to bring more information as there is time to decide yet.

2. Finishing N. Main from E. Church Street to Spring Street- Much discussion held on finishing the final block of N. Main Street between E. Church Street to Spring Street. Laschinger expected the cost for the one block to be around \$500,000.00. Laschinger explained that they need to know if this is being included in the project so it can be included in the bid. Laschinger explained that the water and sewer mains are in the same trench which is against state code. Laschinger further explained that the state may look at enforcing code issues in 2016, specifically if there is a safety issue. Laschinger explained that they could bid the Spring Street portion of the project separately so the board can decide based on what the bids come in. Laschinger further explained that the design work to include that portion in the bid is approximately \$25,000.00. Laschinger estimated the water to increase monthly at \$1.82 per house and the sewer to increase \$2.19 per house as a result of including that final block in the project. The board felt it was too expensive as the rates have to be raised anyway. Laschinger will not include the one block of N. Main Street from E. Church to Spring Street in the bid specification.

3. Paving a portion of N. Mowe Street. Laschinger explained that the subject of paving that small portion of N. Mowe Street that connects E. Beloit Street to 303 E. Beloit Street into the project. A swale could be created for drainage in lieu of curb and gutter. The board did not feel it was necessary to include that additional cost to the project.

4. Sidewalks on N. Main Street. Discussion held on extending the sidewalks from E. Rime Street to the intersection of Old Highway 11, as there are no sidewalks present now. Kris Johnson was present to explain that he lives in that area and there are a lot of kids that walk that way. Johnson suggested that the foot traffic could increase due to the elementary school being relocated in that area. Lutzke explained that there are definitely kids that walk in that area but not as many as there are in the Church

Street area. Lutzke didn't feel that the foot traffic will increase in that area due to the elementary school relocating to that area. The board did not feel there was a need for the sidewalks at this time.

5. Carriage Walks. Laschinger explained that there are carriage walks that are a sidewalk that connect the curb to the regular sidewalks. Some residents have those for the mailbox. Laschinger explained that the Village will be putting in new laterals which could require the carriage walks be removed. Laschinger further explained that any sidewalks that are removed as a result of the project will be replaced with the cost being included with the overall project.

6. Curb and Gutter from E. Howe to Highway 11. Discussion held on installing curb and gutter from E. Howe to Highway 11 to improve the overall appearance and to aid in runoff in the area. Laschinger explained that there is no design work that would have to be done. Laschinger estimated the cost to be \$24 per foot for curb and gutter as it has to be cut in. The board asked Laschinger to include curb and gutter on both sides from E. Howe to Highway 11 so they have a price.

Water Rate Increase. Clerk Waege explained that the auditor was able to lower the percentage as he changed the water main from a major improvement to a routine maintenance item in the application. The auditor was able to lower the percentage from 43% to 29% which would generate approximately \$55,000.00 in revenue. The annual loan payment would be \$48,000.00 which leaves an additional \$7,000.00 to set aside annual for water tower painting. Motion by Fullmer, seconded by President Olsen to recommend the Village Auditor go with the lowest increase of 29% to cover the cost of the loan and an additional \$7,000.00 to set aside. Roll Call Vote-Phillips, Schindler, Peterson, Fullmer, Schmidt, Rucker and President Olsen-all YES. Motion carried.

VOUCHERS

Motion by Peterson, seconded by Phillips to approve the vouchers for General Fund for \$18,130.73. Motion carried.

CLOSED SESSION

Motion by Phillips, seconded Rucker to go into closed session at 8:47 p.m. pursuant to Wisconsin State Statutes 19.85(1)(g) to confer with legal counsel for the governmental body who is rendering written or oral advice concerning strategy to be adopted by the body with respect to litigation it is or is likely to become involved-specifically an update on the unimproved portion of N. Maple Street. Roll Call Vote-Phillips, Schindler, Peterson, Fullmer, Schmidt, Rucker, and President Olsen-all YES. Motion carried.

Reconvene into Open Session. Motion by Rucker, seconded by Phillips to reconvene into open session at 9:10 p.m. Roll Call Vote-Rucker, Schmidt, Fullmer, Peterson, Schindler, Phillips, and President Olsen-all YES. Motion carried. No action was taken on items discussed in closed session.

ADJOURN

Motion by Phillips, seconded by Fullmer to adjourn at 9:12 p.m. Motion carried.

Submitted by,

David Olsen
Village President

Sherri Waege
Village Clerk