

APPROVED MINUTES
Village Board Meeting
Tuesday, May 14, 2019 at 7:30 p.m.
Jackson Village Hall
N168W20733 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call.

Pres. Schwab called the meeting to order at 7:30 p.m.
Members Present: Trustees Emmrich, Kruepke, Kurtz, Lippold, Malcolm and Olson.
Staff present: Collin Johnson, Brian Kober, Chief Swaney, Kelly Valentino, Chief Vossekuil, John Walther, Jilline Dobratz and Village Attorney Matt Parmentier.

2. Pledge of Allegiance.

Pres. Schwab led the assembly in the Pledge of Allegiance.

3. Any Village Citizen Comment on an Agenda Item.

None.

4. Public Hearing – Conditional Use Permit (CUP) – Event Horizon Tattoos – Richard Malnory – Tattoos & Body Piercing

Pres. Schwab opened the Public Hearing. No one spoke. Pres Schwab closed the Public Hearing.

Motion by Pres. Schwab, second by Tr. Olson to approve the Conditional Use Permit (CUP) – Event Horizon Tattoos – Richard Malnory – Tattoos & Body Piercing.

Tr. Kurtz inquired on location. Richard Malnory stated they are to the right of Sonya's Rose.
Vote: 7 ayes, 0 nays. Motion carried.

5. Approval of Minutes for the Village Board Meeting of April 9, 2019 and Special Village Board of April 16, 2019.

Motion by Tr. Olson, second by Tr. Lippold to approve the Village Board Minutes of April 9, 2019 and Special Village Board of April 16, 2019.

Vote: 7 ayes, 0 nays. Motion carried.

6. Committee Member Appointment – Plan Commission

Motion by Pres. Schwab, second by Tr. Lippold to approve the Committee Member Appointment - Plan Commission, Dan Reik be appointed to a two-year term to end in 2021.

Vote: 7 ayes, 0 nays. Motion carried.

7. Resolution #19-07 – Approving Appointment of Interim Judge for the Mid-Moraine Municipal Court.

John Walther stated the current Judge of the Mid-Moraine Municipal Court was recently elected as an Ozaukee County Circuit Court Judge. His term will end with Mid-Moraine Municipal Court on July 31, 2019. The Administrative Committee went through interviews and is recommending the appointment of Ms. Christine Ohlis from Waukesha County.

Motion by Pres. Schwab, second by Tr. Olson to approve the Appointment of Interim Judge for the Mid-Moraine Municipal Court.

Vote: 6 ayes, 0 nays, 1 abstain (Tr. Emmrich) Motion carried.

8. Approval of Licenses

- Class B Picnic License:
Jackson Festivals, Inc. – Action in Jackson June 7-June 8, 2019
- Entertainment Licenses:
Jackson Festivals, Inc. – Action in Jackson June 7-June 8, 2019
Jackson Parks & Recreation – Community Events Throughout the Year
- Operators Licenses:
Jackson Pub: William Lomis
East Side Mart: Amanda Howell, John Robertson and Lori Yochem
Village Mart: Shawnie Baerber, Jeremy Howard, Stephanie Koby, Douglas Parkison, Anthony Schultz, Holly Shackelford, Tanya Zasada and James Janka
Motion by Pres. Schwab second by Tr. Malcolm to approve the Licenses.
Vote: 6 ayes, 0 nays, 1 abstain (Tr. Kruepke). Motion carried.

9. Budget & Finance Committee

- **Audited Financial Statements – December 31, 2018**

Independent Auditor James Frechette was present and reviewed the 2018 Audited Financial Statements. He has started an update of the TIF No. 4 report. As of the end of 2018, TIF No. 4 has about \$6.3 million left to collect in increment and has five years to collect. At the current rate of \$800,000 a year, it will be about \$2.3 million short. In the early years of TIF No. 4, there was no increment. All the debt service payments were paid by Water & Sewer or the debt service levy. Only \$644,000 is left in TIF No. 4 debt so the debt will be paid off. The Village Audit Report there is a change in accounting principal. The Village adopted GASB 75 in 2018 which requires other post-employment benefits be recorded in the financial statements. The hotel/motel fund tax was taken out of General Fund and has its own fund. The Capital Projects fund has \$1.8 million left and can be used for Capital Projects, there is no TIF left in it. Fire and EMS is down but the ladder truck was purchased, and we didn't borrow completely for it. TIF No. 5 had a deficit balance and in 2019 it will go to a positive fund balance. TIF No. 6 had a deficit balance and with the borrowing, it will be taken care of in 2019. Utilities, neither water or sewer has any long-term debt. Debt is down to \$9 million in debt with a debt limit of \$34 million.

Motion by Pres. Schwab, second by Tr. Lippold to approve the Audited Finance Statements – December 31, 2018 and place on file.

Vote: 7 ayes, 0 nays. Motion carried.

- **Resolution #19-08 – Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$1,250,000 for Community Development Projects in Tax Incremental District No. 6 .**

Phil Cosson of Ehlers was present and gave information on Tax Incremental District No. 6 which was created last year. In the Development Agreement, the developer put in the public improvements to be reimbursed. A request for reimbursement was submitted. There is significant savings to break the reimbursement into taxable and nontaxable. It is a busy time in bond market and with a lot of competition in bond sales. Recommending the approval of the resolutions as parameter sales. Looking to move the sale off of a regular Village Board meeting night. The sale would be Thursday, June 13 to get a better interest rate with less competition. If all parameters are met, it can be signed off on by the Village President or the Village Administrator.

Motion by Pres. Schwab, seconded by Tr. Lippold to approve Resolution #19-08 – Initial Resolution Authorizing General Obligation Bonds in an Amount Not to Exceed \$1,250,000 for Community Development Projects in Tax Incremental District No. 6.
Vote: 7 ayes, 0 nays. Motion carried.

- **Resolution #19-09 – Resolution Establishing Parameters for the Sale of Not to Exceed \$1,250,000 General Obligation Community Development Bonds, Series 2019A**

Motion by Pres. Schwab, seconded by Tr. Kurtz to approve Resolution #19-09 – Resolution Establishing Parameters for the Sale of Not to Exceed \$1,250,000 General Obligation Community Development Bonds, Series 2019A.

Vote: 7 ayes, 0 nays. Motion carried.

- **Resolution #19-10 – Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$1,050,000 Taxable General Obligation Promissory Notes, Series 2019B**

Motion by Pres. Schwab, seconded by Tr. Lippold to approve Resolution #19-10 – Resolution Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$1,050,000 Taxable General Obligation Promissory Notes, Series 2019B.

Vote: 7 ayes, 0 nays. Motion carried.

- **Review of Engineering Services – Chateau Dr & Hickory Lane Project**

Motion by Pres. Schwab, seconded by Tr. Olson to approve Review of Engineering Services – Chateau Drive & Hickory Lane Project to Cedar Corp in an amount not to exceed \$18,500.00 plus incidentals cost.

Brian Kober commented these are the next street projects that will be worked on.

Vote: 7 ayes, 0 nays. Motion carried.

- **Final Pay Request – 2018 Miscellaneous Streets – Stark Pavement**

Motion by Pres. Schwab, second by Tr. Olson to approve Final Pay Request – 2018 Miscellaneous Streets – Stark Pavement in the amount of \$6,706.06.

Vote: 7 ayes, 0 nays. Motion carried.

- **Review of Quote for Reconditioning Business Park Signs**

Motion by Pres. Schwab, second by Tr. Lippold to approve quote for Reconditioning Business Park Signs for \$9,620.87 for the Northwest Passage sign and \$9,399.52 for the Cedar Parkway sign.

Brian Kober stated these signs have faded through out the years and they need to be refurbished. The signs are poorly light and will be replaced with LED lighting. Tr.

Olson clarified this is coming out of hotel/motel tax funds.

Vote: 7 ayes, 0 nays. Motion carried.

- **Review of Quote for Relocation of Structure**

John Walther explained a bid was in the packet for moving the cream city brick farm house that was built in 1866. The idea is to relocate the house 800 feet to stay on the original farmstead. It is a historic building to the County. Another bid is forthcoming. The building could be given to someone who would relocate it to the corner of the property. They would have to pay for moving it, pay to put a

foundation in and buy the lot. Asking the Board to consider this possibility. Moving the house could potentially become a TIF expense if there are no takers for the building. He asked the Budget & Finance Committee for no recommendation to the Village Board as he would like to continue working on getting another quote. Tr. Lippold asked if there was a timeline developed. John Walther stated for the initial quote, a timeframe of June or July to move the house. This is a more difficult move as it has thick brick walls, it's the heaviest type of structure to move. There is not a lot of interest at this time. The Slinger Historical Society contacted him, and he is developing historically friendly contacts.

- **Review of Proposal for Hickory Lane Sand Play Area**

Motion by Pres. Schwab, second by Tr. Malcolm to approve the proposal of Hickory Lane Sand Play Area, for the amount of \$16,407.00 which has been raised by the Friend's group and donations.

Kelly Valentino gave background on the play area. This would complement the whole structure and cleans up that portion of the park.

Vote: 7 ayes, 0 nays. Motion carried.

10. Plan Commission

- **Review of Sign/Banner Ordinance**

John Walther stated Collin Johnson has been working on this. Plan Commission had asked staff to come up with fees. There are certain things in the sign ordinance that need revisions. Village Attorney Matt Parmentier spoke on current laws and conditional use permits of signs.

Motion by Pres. Schwab, second by Tr. Emmrich to refer Review of Sign/Banner Ordinance back to Plan Commission and after discussion at Plan Commission either direct it to staff or the Village Attorney for resolution.

Vote: 7 ayes, 0 nays. Motion carried.

- **Concept Plan – Maplewood Farms – Single Family Subdivision**

Motion by Pres. Schwab, second by Tr. Olson to approve Concept Plan – Maplewood Farms – Single Family Subdivision per staff comments.

Tr. Malcom asked if the concept includes sidewalks and curbs. Pres. Schwab explained the location of the sidewalks and curbs.

Vote: 7 ayes, 0 nay. Motion carried.

11. Board of Public Works

- **Resolution #19-06 – Discontinuing Public Way – Sylvester Circle**

Motion by Pres. Schwab, second by Tr. Olson to approve Resolution #19-06 Discontinuing Public Way – Sylvester Circle.

Village Attorney Matt Parameter spoke on the resolution and gave background on the process. A final resolution will be acted on in July to complete the process.

Vote: 7 ayes, 0 nays. Motion carried.

- **Review of Water Application – Sherman Road – Brian Behrens Property**

Motion by Pres. Schwab, second by Tr. Lippold to deny Water Application – Sherman Road – Brian Behrens Property. Tr. Olson comment the owner doesn't intend to build

himself, this is for sale of a property and there are no construction plans. This is a limited water service area. A water study is currently being completed in that area.
Vote: 7 ayes, 0 nays. Motion carried

12. Joint Parks & Recreation.

- No Recommendations

13. Proposed Public Safety Building - Update.

Cory Scheidler, Ron Dalton and Kristopher Dressler of Cedar Corporation were present. Cory Scheidler spoke on the site plan and the design options of adding Village offices. Layout, parking and flow will be the next steps of the design. Option 1B, the biggest change is to the fire department. Noise from police and fire trainings will carry over into the Board Room. Option 5B, the Village space is in its own wing with the center of the building being the shared space including training rooms. The cost of Option 1B is \$12.4 To \$12.6 million due to square footage. Option 5B is \$12.7 to \$12.9 million and is the recommendation from Cedar Corporation. Tr. Kurtz asked what it would cost without adding Village Hall. Cory stated the range is from \$10 to \$11.3 million. Tr. Emmrich asked if Village Hall could be moved to the farmstead home. Cory commented to move and renovate an older space could be as much as new construction. Pres. Schwab stated an appraisal was completed on the Village Hall property. The land was appraised at \$260,000 and with the building the appraisal is \$300,000 to sell quickly. To take two years to sell it, the appraisal is \$400,000. Motion by Pres Schwab, second by Tr. Lippold to direct Cedar Corporation to proceed with incorporating Village office space into the new Municipal building.

Vote: 6 ayes, 1 nay (Tr. Kurtz). Motion carried

14. Departmental Reports.

Parks and Recreation Director Kelly Valentino stated they had a great turnout at the Fish Derby. Thanks to Jackson Auto for continuing to sponsor the event and thank you to all the volunteers. The longest fish was a 23" Northern and a 13 3/4" Crappie, they practice catch and release. Action in Jackson is June 7th and June 8th and they are looking for volunteers. Fireworks are on Saturday night, June 8th. This Saturday is the 38th annual Rummage Sale.

Fire Chief Swaney reported they took delivery of the ladder truck, anyone can go to the Fire Department to look at it. A ceremony will be held in the future.

Director of Public Works Brian Kober reported they collected 18,000 pounds of electronics on Spring Clean-up Day. The rubber matting at the park will be installed on Saturday. The plan is to open the Splash Pad Memorial Day weekend. The Sand Play area might be a phase two project.

John Walther stated the Village qualified for the \$10,583.00 recycling grant.

15. West Bend School District - Update.

John Walther stated Superintendent Don Kirkegaard wanted to make it to the meeting tonight but had a conflict. He will be at the June Village Board meeting to give an update.

16. Mid-Moraine Municipal Association Report.

Tr. Kurtz stated the Mid-Moraine dinner is on Wednesday, May 22nd at Galimoto's Twelve 21 in Cedarburg at 6:00 p.m. and the speaker is James Blise.

17. Washington County Board Report.

None.

18. Greater Jackson Business Alliance Report.

Brian Heckendorf commented the general membership meeting will be held tomorrow at the Community Center.

19. Citizens to Address the Village Board.

None.

20. Closed Session pursuant to Wis. Stats. §19.85(1)(f) for the purpose of considering financial, medical, social, or personal histories or disciplinary data of specific persons that, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data. During the closed session the Board will discuss personal histories of specific individuals who may be affected by proposed amendments to the Village's Sex Offender Residency Ordinance. The Village Board intends to reconvene into open session at the completion of the closed session.

Motion by Pres. Schwab, second by Tr. Olson to convene into closed session at 9:10 p.m. and to include the Village Board, Police Chief Vossekuil, Village Clerk, Village Attorney and Village Administrator.

Roll Call Vote: 7 ayes, 0 nays. Motion carried.

Reconvene into Open Session with Possible Amendments to the Sex Offender Residency Ordinance

The Village Board reconvened into open session at 9:18 p.m.

Village Attorney Matt Parmentier explained the Village's current ordinance is outdated in regulating sex offender residency. The current ordinance and map were reviewed.

Discussion ensued on revisions to the ordinance.

Motion by Pres. Schwab, second by Tr. Emmrich to direct staff to come up with a distance that will get the Village to the 20 percent threshold and begin to take steps to add the Review Board for those exceptions.

Vote: 7 ayes, 0 nays. Motion carried.

21. Adjourn.

Motion by Pres. Schwab, second by Tr. Olson to adjourn.

Vote: 7 ayes, 0 nays. Meeting was adjourned at 9:42 p.m.

Respectfully submitted:

Jilline Dobratz, *CMC/WCMC*
Village Clerk