

APPROVED MINUTES
Village Board Meeting
Tuesday, March 14, 2023 at 7:30 p.m.
Jackson Municipal Complex
Village Board Room
N168W19851 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call

President Schwab called the meeting to order at 7:30 p.m.

Members Present: Trustees Emmrich, Heckendorf, Kruepke, and Matter

Members Excused: Trustees Engelhardt and Wells

Staff Present: Police Lieutenant Todd Fristed, Building Inspector Collin Johnson, Director of Public Works/Village Engineer Brian Kober, Fire Chief Aaron Swaney, Parks and Recreation Director Kelly Valentino, and Village Clerk Jilline Dobratz

Also Present: Lucas Geiger and Emma Watson of MSA, Village Attorney Matt Parmentier, and Christian Tscheschlok of Economic Development Washington County (EDWC)

2. Pledge of Allegiance

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

3. Village Citizen Comment on an Agenda Item

None.

4. Public Hearing – Rezoning Parcel #V3_053600C from Planned Unit Development (PUD) to B-1, Community Business District – Village of Jackson (Ordinance #23-04)

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

Motion by Pres. Schwab, second by Tr. Heckendorf, to introduce Ordinance #23-04 to Rezone Parcel V3_053600C from Planned Unit Development (PUD) to B-1, Community Business District and to amend the zoning map accordingly.

Vote: 5 ayes, 0 nays. Motion carried.

5. Public Hearing – Amending Ordinance Section 48-177 Pertaining to Parking Requirements (Ordinance #23-05)

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

Motion by Pres. Schwab, second by Tr. Heckendorf, to introduce Ordinance #23-05 Amending Section 48-177 of the Village Code regarding Parking Requirements.

Vote: 5 ayes, 0 nays. Motion carried.

6. Approval of Minutes for the Village Board Meeting of February 14, 2023

Motion by Tr. Heckendorf, second by Tr. Emmrich, to approve the minutes for the Village Board Meeting of February 14, 2023.

Vote: 5 ayes, 0 nays. Motion carried.

7. Approval of Licenses

- Operator's Licenses:

- East Side Mart, Main Street Mart & The Village Mart: Jonathan Bell, Keith Fitzpatrick, Laurie Powalish

Motion by Tr. Heckendorf, second by Tr. Emmrich, to approve the licenses as listed.

Vote: 4 ayes, 0 nays, 1 abstain (Tr. Kruepke). Motion carried.

8. Budget & Finance Committee

- **Resolution #23-04 – Establishing Rates for Septic and Holding Tank Waste**

Motion by Pres. Schwab, second by Tr. Kruepke, to approve Resolution #23-04

Establishing Rates for Septic and Holding Tank Waste.

Vote: 5 ayes, 0 nays. Motion carried.

- **Pay Request #1 – STH 60 Utility Upgrade Project**

Motion by Pres. Schwab, second by Tr. Kruepke, to approve Pay Request #1 for STH 60 Utility Upgrade Project to Advance Construction in the amount of \$115,787.61.

Vote: 5 ayes, 0 nays. Motion carried.

- **Pay Request #5 – Willow Ridge Drive Reconstruction Project**

Motion by Tr. Heckendorf, second by Tr. Kruepke, to approve Pay Request #5 for Willow Ridge Drive Reconstruction Project in the amount of \$41,865.80.

Director Kober explained the retainage amount for future landscaping.

Vote: 5 ayes, 0 nays. Motion carried.

9. Plan Commission

- **Preliminary Plat – Parcel #V3_053600B – The Oaks of Jackson – Village of Jackson**

Motion by Tr. Heckendorf, second by Tr. Kruepke, to approve the Preliminary Plat for Parcel #V3_053600B The Oaks of Jackson as proposed by the Village of Jackson subject to the following:

General Conditions (1-3)

1. **Staff and Governmental Approval.** Prior to the Village signing the final plat/CSM, the commencement of any construction of any improvement, whether public or private, or any site development, the development shall satisfy all comments, conditions and concerns of the Village engineer, the Village planner and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Administration ch. 236, Wisconsin Statutes and ch. Comm. 85, Wisconsin Administrative Code; and Washington County.
2. **Professional Fees.** The Village shall participate in all costs and expenses of any type in connection with this development, including the cost of professional services incurred by the Village such as engineering, legal, planning, and other consulting fees, for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. **Surveyor's Responsibility.** Although the Village of Jackson has reviewed the subdivision plat/certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matters and compliance with all state and local codes, ordinances, and procedures. Modifications to the

survey may be required should errors or changed conditions be found at a future date.

Specific Conditions (1-8)

1. The subdivider must obtain the approval of the Village engineer.
2. The Date and name of delineator should be added to the plat with corresponding notes.
3. The Village will confirm the proposed street names are acceptable with Final Plat review and approval.
4. The subdivider must obtain all necessary approvals as specified in s. 236.34(1), Wis. Stats.
5. The subdivider must prepare and submit deed restrictions to the Village and obtain approval of the same
6. Prior to any (1) land-altering activity or (2) the execution of the final plat, the builder or condo developers must enter into a Development Agreement with the Village, upon such terms as determined by the Village Board, and obtain approval of the same. In addition to general provisions in a developer agreement, the agreement must address the following special circumstances:
 - a. Phasing of the development.
 - b. A description of those improvements that are needed to the Village's water and sewer infrastructure, if any, that may be needed to provide service to the subdivision and any cost recovery mechanisms needed to fund such required work.
 - c. At the time of approval of the preliminary plat, the subject property consists of two undeveloped Outlots 6 and 8 parcels. A provision must be added to ensure both parcels remain under the control of the subdivider.
 - d. The Village Engineer shall review and approve all required plans (e.g., construction plans, stormwater management, and erosion control) and all permit applications must be submitted and approved.
 - e. The Engineer shall approve a stormwater management plan to include any necessary access easements which shall be described with a legal description.
 - f. The engineer shall approve a land management plan for Outlots 1, 2 and 7. Such plan must describe vegetation management objectives and permissible uses of such lands within the PUD language.
 - g. Any other conditions determined by the Village Planner, Engineer, or Attorney.
7. A Notice of Intent permit is required by NR 216.42, Wis. Stats. for construction sites of one acre or more of land disturbance. The Engineer must obtain a copy, as that has been issued.
8. The final plat must show all required features listed in the Village's land division regulations and comply with all required standards and procedures unless modifications are approved via PUD review and approval. In particular, the final plat needs to address the following items:
 - a. Any maintenance of paths for Outlots 3, 4 and 5.
 - b. The area of land being dedicated to the public for street purposes must be stated on the face of the plat per s. 236.20(2)(i), Wis. Stats.
 - c. Include the following note(s) on the face of the final plat substantially as follows:

- i. The titleholders of Lots 1 through 44 own a 1/44th undivided and nontransferable interest in Outlots 1, 2,3, 4, 5, 7. The use and maintenance of the outlots is governed by Declaration of Covenants approved by the Village Board.
 - ii. The titleholders of Lots 1 through 44 are responsible for the maintenance of the stormwater facilities in the subdivision consistent with the stormwater management plan.
 - iii. Stormwater management practices are located in one or more of the outlots in the subdivision. There are one or more separate documents recorded on the property title through the Washington County register of deeds entitled "stormwater management practice maintenance agreement" ("maintenance agreement") that apply to outlots. The maintenance agreement subjects this subdivision plat, and all lot owners therein, to covenants, conditions, and restrictions necessary to ensure the long-term maintenance of the storm water management practice. The agreement also outlines a process by which the Village of Jackson may levy and collect special assessments or charges for any services the community might provide relating to enforcement of the maintenance agreement.
- d. Show any existing easements and include the document number of the instrument of origin

Vote: 4 ayes, 1 nay (Tr. Emmrich). Motion carried.

10. Board of Public Works

- **Water Service Request – Parcel #T7_0744 – Mill Road – Derek Strohm (Resolution #23-05)**

Motion by Tr. Heckendorf, second by Tr. Matter, to approve Water Service Request for Parcel #T7_0744 on Mill Road for Derek Strohm.

Vote: 5 ayes, 0 nays. Motion carried.

- **Review of Village Code Mailbox Policy**

Motion by Tr. Heckendorf, second by Pres. Schwab, to approve the increase to the Village Code Mailbox Policy to \$50.00 from \$30.00.

Vote: 5 ayes, 0 nays. Motion carried.

11. Parks & Recreation Commission

- **Hasmer Lake Master Plan**

Director Valentino gave a presentation and provided information on the project.

Motion by Tr. Emmrich, second by Tr. Heckendorf, to approve the Hasmer Lake Master Plan as presented.

Vote: 5 ayes, 0 nays. Motion carried.

12. West Bend School District Report

None to report.

13. Washington County Board Report

Pres. Schwab provided an update on Resolutions that were passed including additional funding for Fire, EMS, and Police service radios. A grant was accepted for additional services

allowing qualified people to access funds for improvements on their homes. A gentleman was recognized for his 50 years of service to Washington County.

14. Greater Jackson Business Alliance Report

Tr. Matter stated the business meeting is scheduled for tomorrow. Christian Tscheschlok will be providing an update on commercial developments in the Village. Tr. Matter will give an update on projects throughout the Village.

15. Mid-Moraine Municipal Association Report

Clerk Dobratz commented the monthly meeting was last Wednesday. The next dinner meeting will be on March 22, 2023 hosted by the Village of Saukville.

16. Citizens to Address the Village Board

None.

17. Closed Session pursuant to Wis. Stats. §19.85(1)(e) "deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session." The purpose of the Closed Session is to discuss Village strategic approaches related to the sale and development of properties publicly owned in TID 7.

Motion by Pres. Schwab, second by Tr. Emmrich, to convene into closed session at 7:56 p.m. to include the Village Board, the Village Engineer, the Village Attorney and Christian Tscheschlok of EDWC.

Roll Call Vote: 5 ayes, 0 nays. Motion carried.

18. Reconvene in Open Session with Possible Action Related to the Subject of the Preceding Closed Session

Motion by Pres. Schwab, second by Tr. Emmrich, to reconvene into open session at 9:12 p.m.

Vote: 5 ayes, 0 nays. Motion carried.

19. Adjourn

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

Vote: 5 ayes, 0 nays. Meeting was adjourned at 9:13 p.m.

Respectfully submitted:

Jilline Dobratz, *MMC/WCPC*
Village Clerk