AMENDED Agenda
Village Board Meeting
Tuesday, March 13, 2018 at 7:30 p.m.
Jackson Village Hall
N168 W20733 Main St
Jackson, WI 53037

1. Call to Order and Roll Call

2. Pledge of Allegiance

3. Village Citizen Comment on an Agenda Item (Please sign in)

4. Public Hearing – Planned Unit Development Amendment – Final Plat – Bielinski Homes Inc. – Laurel Springs Addition #1
(Approval Recommended by Plan Commission)

5. Public Hearing – Planned Unit Development Amendment – Final Engineering and Development Agreement – Bielinski Homes Inc. – Laurel Springs Addition #1
(Approval Recommended by Plan Commission)

6. Public Hearing – Planned Unit Development Amendment – U-Haul Co. of Wisconsin
(Approval Recommended by Plan Commission)

7. Approval of Minutes for the Village Board Meeting of February 13, 2018

8. Approval of Licenses
   - Operators Licenses:
     Village Mart: Joshua Schuh
     Walgreen's: Rachel Uhren

9. West Bend School District – Update

10. Budget & Finance Committee
    Over-Performance Agreements
    - Resolution #18-04 - Reimbursement (Over-performance) Agreement - TID #4 – Delaney Group, LLC (V3 0489 00A 008) – (Lumber Sales)
    - Resolution #18-05 - Reimbursement (Over-performance) Agreement - TID #4 – Delaney Group, LLC (V3 0489 00A 012) – (ComForCare)

11. Plan Commission
    - Concept Plan – Storage Buildings – Dittmar Realty

(Approval Recommended by Plan Commission)
    - Concept Plan – Two-Family Condominiums – Bielinski Homes Inc

(Approval Recommended by Plan Commission)

12. Board of Public Works
    - Water Service Request – Western Avenue (Town of Jackson)

(Denial Recommended by Board of Public Works)
    - Review of Laurel Springs Phase 2 (Addition #1) – Water, Sanitary, Storm Sewer Design.

(Approval Recommended by Board of Public Works)

13. Washington County CTH P Project – Easement for Gas Facilities – We Energies

14. Ordinance #17-03 – Annexation of Paloroma Farms, LLC

15. Proposed Public Safety Building – Update

16. Departmental Reports

17. Greater Jackson Business Alliance Report

18. Citizens to Address the Village Board

19. Adjourn

Persons with disabilities requiring special accommodations for attendance at the meeting should contact the Village Hall at least one (1) business day prior to the meeting.

DRAFT MINUTES
Village Board Meeting
Tuesday, February 13, 2018 at 7:30 p.m.
Jackson Village Hall
N168W20733 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call.

President Michael Schwab called the meeting to order at 7:30 p.m.
Members Present: Trustees Olson, Emmrich, Kruepke, and Kurtz.
Members Absent: Trustees Kufahl and Lippold.
Staff present: John Walther, Brian Kober, Jim Micech, Kelly Valentino, and Fire Chief Swaney.

2. Pledge of Allegiance.

President Schwab led the assembly in the Pledge of Allegiance.

3. Any Village Citizen Comment on an Agenda Item.

None

4. Public Hearing – Planned Unit Development Amendment – Oversized Garage – Lakeside Contracting – Jason Rose – English Oaks

President Schwab opened the public hearing. No one spoke. President Schwab closed the public hearing. The item was recommended by Plan Commission per staff comments. Motion by Pres. Schwab, second by Tr. Kruepke to approve the Planned Unit Development Amendment – Oversized Garage – Jason Rose, per staff comments.
Vote: 5 ayes, 0 nays. Motion carried.

5. Public Hearing – Planned Unit Development Amendment – Sign – Schensema, CPA

President Schwab opened the public hearing. No one spoke. President Schwab closed the public hearing. The item was recommended by Plan Commission per staff comments. Motion by Pres. Schwab, second by Tr. Emmrich to approve the Planned Unit Development Amendment – Sign – Schensema, CPA, per staff comments.
Vote: 5 ayes, 0 nays. Motion carried.

6. Public Hearing – Planned Unit Development Amendment – Sign – Bartlein Barrels

President Schwab opened the public hearing. No one spoke. President Schwab closed the public hearing. The item was recommended by Plan Commission per staff comments. Motion by Pres. Schwab, second by Tr. Kurtz to approve the Planned Unit Development Amendment – Sign – Bartlein Barrels, per staff comments.
Vote: 5 ayes, 0 nays. Motion carried.

7. Approval of Minutes for the Village Board Meeting of January 9, 2018.

Motion by Tr. Emmrich, second by Tr. Olson to approve the Village Board Minutes of January 9, 2018.
Vote: 5 ayes, 0 nays. Motion carried.

8. Approval of Licenses.

- **Operators Licenses:**
  East Side Mart: Lacy L. Luber, Bobby Jo Parbs
  Jackson Pub: Richard A. Lally
  Latest Edition: Michael T. D'Angelo, Jennifer A. Thetford
  Walgreens: Jennifer L. Diels, Rina Ristic
  Motion by Pres. Schwab, second by Tr. Olson to approve Operators Licenses as presented.
  Vote: 4 ayes, 0 nays, 1 abstain (Tr. Kruepke). Motion carried.

9. Jackson Fire Department.

- **Importance of CPR Instruction and the Recognition of Past Participants Who Saved a Life Using Their Training Received in the JFD CPR program**
  Fire Chief Swaney gave a short presentation on thanking and recognizing three people how saved a life by using their CPR training.

- **Resolution #18-02 – Resolution to Adopt the Washington County All Hazard Mitigation Plan**
  Rob Schmid from Washington County Emergency Management was present to explain the adoption of the resolution for Hazard Mitigation Plan for Washington County. Mr. Schmid is working with all twenty municipalities in Washington County for adoption. The adoption allows for the Village to apply for Federal funding after a disaster.
  Motion by Pres. Schwab, second by Tr. Olson to approve Resolution #18-02 for Adoption of the Washington County All Hazard Mitigation Plan.
  Vote: 5 ayes, 0 nays. Motion carried.

10. Budget & Finance Committee.

- **Pay Request #3 – SCADA System Project – LW Allen**
  The item was recommended approval from the Board of Public Works and Budget and Finance Committees.
  Motion by Pres. Schwab, second by Tr. Olson to approve the pay request #3 – SCADA System Project LW Allen in an amount not to exceed $213,138.20.
  Vote: 5 ayes, 0 nays. Motion carried.

- **Review of Bids replacing WWTP Lab Room Cabinets**
  The item was recommended approval from the Board of Public Works and Budget and Finance Committees.
  Motion by Pres, Schwab, second by Tr. Kruepke to recommend approval of the quote from RJ Woods Industries, Inc. in the amount not to exceed $22,558.00.
  Vote: 5 ayes, 0 nays. Motion carried.

- **Jackson Fire Department – Equipment Purchases**
  The item was recommended approval from the Budget and Finance Committee.
  Motion by Pres, Schwab, second by Tr. Olson to approve the purchase of Fire Department equipment as presented.
  Vote: 5 ayes, 0 nays. Motion carried.

11. Plan Commission

- **Concept Plan - Cobblestone Builders – Single Family Home sites**. Developer Dirk Wildt gave a presentation of the proposed Development which included building separations and setbacks. The Plan Commission approval included a requirement of a light post located in front of each house since no streetlights are being proposed. Pres. Schwab asked if Building Inspector Jim Micech had any problems with the proposal. Jim Micech requested that wood decks would not be allowed in the setback. Discussion continued that the setback changes would be done upon request. Motion by Pres, Schwab, second by Tr. Emmrich to approve the concept plan for Cobblestone Builders per Plan Commission approval.
  Vote: 5 ayes, 0 nays. Motion carried.

12. Board of Public Works

- **Resolution #18-03 – Resolution Establishing Rates for Septic and Holding Tank Waste for 2018**
  Motion by Tr. Olson, second by Pres. Schwab to approve Resolution #18-03 Establishing Rates for Septic and Holding Tank Waste for 2018.
  Vote: 5 ayes, 0 nays. Motion carried.

13. Brownfields Assessment Coalition Memorandum of Agreement between Washington County and the Village of Jackson

Administrator Walther reviewed the Memorandum of Agreement which documents the roles and responsibilities of the various parties involved in the Assessment Coalition with regard to FY2017 US EPA Cooperative Agreement. The coalition partners include the City of West Bend, City of Hartford, Village of Jackson, Village of Slinger, and Village of Richfield. The EPA coalition grant has a valve of $600,000 and a project period of October 1, 2017 to September 30, 2020.
Motion by Pres. Schwab, second by Tr. Kurtz to approve authorization for the Village Administrator to sign the coalition contract with Washington County.
Vote: 5 ayes, 0 nays. Motion carried.

14. Park & Recreation

ADRC Cooperative Agreement

Kelly Valentino reported on the proposed ADRC Cooperative agreement after meeting with Washington County staff. Washington County has created a reimbursement template. The Village should enter into the agreement and review the program later in the year if the program is not being supported by the County. The amount to be reimbursed is $6,000.
Motion by Pres. Schwab, second by Tr. Emmrich to approve authorization for the Village Administrator, and Park and Recreation Director to sign the ADRC Cooperative agreement with Washington County.
Vote: 5 ayes, 0 nays. Motion carried.

Pres. Schwab recommended skipping agenda items 15 and 16 until the Village Assessor and Village Attorney are in attendance at the meeting to present the items.

17. Ordinance #17-03 – Annexation of Paloroma Farms, LLC.

Motion by Pres. Schwab, second by Tr. Emmrich to refer Ordinance #17-03 – Annexation of Paloroma Farms, LLC to the next regular Village Board meeting. Vote: 5 ayes, 0 nays. Motion carried.

18. Proposed Public Safety Building - Update.

Village Administrator Walther read a memo from Cedar Corp for an update on the Safe Building project.
The item was for information only so action was necessary.

19. Departmental Reports.

Kelly Valentino reported on the Park and Rec Department fundraiser, Monte Carlo Night, was a big success and a big thank you to all who helped.

Jim Micech reported he received another request to have chickens on a Village property. Pres. Schwab suggested the item along with bee keeping should be placed on a future Plan Commission agenda for discussion. Tr. Emmrich will review Ozaukee County Communities ordinances and bring to the Plan Commission meeting.

Administrator Walther reported that the Mid-Moraine Legislative Committee meeting for Wednesday, February 14th has been canceled.

20. West Bend School District – Liaison Report

No report.

21. Greater Jackson Business Alliance Report.

Administrator Walther reported that the Village Board Candidate Forum is being hosted by the Greater Jackson Business Alliance at the Jackson Community Center on Thursday, March 15, 2018 at 6:30 p.m.

22. Citizens to Address the Village Board.

Casey Latz would like to have the Village allow property owners the ability to raise chickens.

The Village Board took a recess at 8:25 PM until the Village Attorney and Village Assessor arrived at 8:33 PM. Agenda items #15 & 16 were reviewed.

15. Action on 2017 real estate property tax assessment claim filed by Premier Jackson Condo Lots LLC

Village Attorney John St. Peter and Village Assessor Mike Grota presented the claim filed by Premier Jackson Condo Lots LLC. Premier is requesting the assessed value of the land should not exceed $100,000. The property is still part of the condo association and Developer does not see a market for condo units for the property. Attorney St. Peter explained the offer is fair and the Village has the right to reassess the property if there are any changes. Pres. Schwab asked why the property did not take the opportunity for Board of Review. Assessor Grota said they were in discussion prior to the Board of Review and they were hoping to have

a decision prior to paying taxes. Premier paid the first installment of the taxes in order to appeal.

Motion by Pres. Schwab, second by Tr. Kruepke to approve the claim filed by Premier Jackson Condo Lots LLC, and have Assessor Grota help with the necessary paperwork for the tax reimbursement.

Vote: 5 ayes, 0 nays. Motion carried.

16. Consideration of Administrative Correction – Property Assessment – Use Value – Jackson Emery Investments, LLC

Village Assessor Grota explained the property was valued as a commercial property. The land was being actively farmed. The property was assessed when snow was on the ground and the assessor was unaware of the farming activity. The property owner realized the error after the tax bill was sent, and is requesting a tax refund. Pres. Schwab asked the difference in the tax amounts. Assessor Grota stated the difference is over $5,000, and without a doubt there was an error in the assessment.

Motion by Pres. Schwab, second by Tr. Olson to approve the administrative correction for property assessment of use value for Jackson Emery Investments, LLC, and have Assessor Grota help with the necessary paperwork for the tax reimbursement.

Vote: 5 ayes, 0 nays. Motion carried.

23. Closed Session pursuant to Wis. Stats. §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is involved, specifically Jackson Town Residents Against JTRAA Attachment et al vs. Village of Jackson – Case No. 14-CV-897; and 19.85(1)(e) Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion by Pres. Schwab second by Tr. Emmrich to convene into closed session at 8:57 p.m. and to include the Village Board, John Walther, John St. Peter, and Brian Kober.

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

Reconvene in Open Session

The Village Board reconvened into open session at 9:38 P.M.

24. Adjourn.

Motion by Tr. Emmrich, second by Tr. Emmrich to adjourn.

Vote: 5 ayes, 0 nays. Meeting was adjourned at 9:39 p.m.

Respectfully submitted by Brian W. Kober, P.E., Director of Public Works/Village Engineer

Operators Licenses: March 13, 2018 Village Board Meeting

Name	Establishment	Police Chief Recommendation
Joshua Schuh	Village Mart	Approval
Rachel Uhren	Walgreen's	Approval

DRAFT MINUTES
PLAN COMMISSION MEETING
Thursday – February 22, 2018 – 7:00 p.m.
Jackson Village Hall
N168 W20733 Main St
Jackson, WI 53037

1. Call to Order & Roll Call.

Pres. Schwab called the meeting to order at 7:00 p.m.
Members present: Peter Habel, Tr. Kruepke, Steve Schoen, Jeff Dalton, and Tr. Emmrich.
Members absent: Jon Weil (excused).
Staff present: Brian Kober and John Walther.

2. Minutes – January 25, 2018 Plan Commission Meeting.

Motion by Peter Habel, second by Pres. Schwab to approve the minutes of the January 5, 2018 Plan Commission meeting.
Vote: 6 ayes, 0 nays. Motion carried.

3. Concept Plan – Storage Buildings – Dittmar Realty.

Carla Dunn from Dittmar Realty was present for any questions. She addressed the concerns for lighting and the grade (slope) on the east side of the property.
Motion by Pres. Schwab, second by Steve Schoen to recommend to the Village Board the approval of the Concept Plan – Storage Buildings – Dittmar Realty, as presented and per staff comments.
Vote: 6 ayes, 0 nays. Motion carried.

4. Planned Unit Development Amendment – Final Plat – Bielinski Homes Inc. – Laurel Springs Addition #1.

John Donovan of Bielinski Homes was present for any questions.
Motion by Pres. Schwab, second by Peter Habel to recommend to the Village Board the approval of the PUD Amendment – Final Plat – Bielinski Homes Inc – Laurel Springs Addition #1 as presented and per staff comments. Mr. Schoen asked if the path was being extended. Mr. Donovan responded that the path would extend to the north along the east side of the property and to west at the north side of the property. He also explained that the street names were incorrect on the plat but will be changed, and that they are correct on the civil plat.
Vote: 6 ayes, 0 nays. Motion carried.

5. Planned Unit Development Amendment – Final Engineering and Development Agreement – Bielinski Homes Inc– Laurel Springs Addition #1.

John Donovan of Bielinski Homes was present for any questions.
Motion by Peter Habel, second by Jeff Dalton to recommend to the Village Board the approval of the PUD Amendment – Final Engineering and Development Agreement – Bielinski Homes Inc – Laurel Springs Addition #1. Discussion followed regarding the handling of the development agreement. The existing agreement will be amended to

include the addition. Mr. Kober explained the negotiations that will be finalized with the developer regarding pathways, roadways, curbing, and drainage along the perimeter of the property. He also explained how the water and sewer infrastructure installations and improvements will be handled (to be fully discussed in the Board of Public Works meeting.)
Vote: 6 ayes, 0 nays. Motion carried.

6. Concept Plan – Two-Family Condominiums – Bielinski Homes Inc.

John Donovan of Bielinski Homes was present for any questions and for explanation. Motion by Pres. Schwab, second by Peter Habel to recommend to the Village Board the approval of the Concept Plan – Two Family Condominiums – Bielinski Homes Inc per staff comments. Discussion followed regarding this proposed complementary development to the Laurel Springs addition. Wetland delineation has been completed. Proposed are nine ranch-style condos in this private type development. The property will be required to be annexed to the Village and would ultimately be zoned PUD once it is annexed.
Vote: 6 ayes, 0 nays. Motion carried.

7. Planned Unit Development Amendment – U-Haul Co. of Wisconsin

Mike Schulz of U-Haul Co. was present to answer any questions.
Motion by Pres. Schwab, second by Brian Emmrich to recommend to the Village Board the approval of the PUD Amendment – U-Haul Co. of Wisconsin, as presented and per staff comments. Mr. Dalton asked if they had a temporary permit as he had seen the trucks and trailers there for weeks. Mr. Schulz apologized and replied that the owner of the building was not aware that a special use permit was required. He just assumed it was all right just to relocate the business to this location, as it had been in the Village for some time. Tr. Kruepke reiterated the staff comment that the parking lot would be delineated with striping according to the diagram presented. Mr. Schulz said that they would stripe the area to include a maximum of seven vehicles and trailers per the submitted diagram, and that the owner of the building would ensure that the vehicles and trailers were neatly organized within the striped spaces. U-Haul would move any excess vehicles and trailers to the rear of the building until such time of relocation to U-Haul in Saukville or the rerouting of customers to this facility to pick up the rental unit; all of which would happen within a period of twenty-four hours.
Vote: 6 ayes, 0 nays. Motion carried.

8. Citizens to Address the Plan Commission.

None.

9. Adjourn.

Motion by Pres. Schwab, second by Peter Habel to adjourn.
Vote: 6 ayes, 0 nays. Meeting adjourned at 7:23 p.m.

Respectfully submitted by John M. Walther, Administrator.

DRAFT

DRAFT Board of Public Works Meeting
Tuesday, February 27, 2018 –7:00 p.m.
Jackson Village Hall
N168W20733 Main Street

1. Call to Order and Roll Call.

Chairman Tr. Olson called the meeting to order at 7:00 p.m.
Members present: Brian Heckendorf, Linda Granec, Scott Thielmann, Gloria Teifke, Tr. Kufahl, and Tr. Lippold.
Members absent (excused): None.
Staff present: John Walther, Jim Micech, and Brian Kober.
Others present: None.

2. Approval of Minutes for January 30, 2018, meeting.

Motion by Brian Heckendorf, second by Tr. Lippold to approve the minutes of the January 30, 2018 Board of Public Works meeting.
Vote: 5 ayes, 0 nays. Motion carried.

3. Presentation on 2017 Building Inspection Annual Report.

Chief Building Inspector Jim Micech gave a presentation on the 2017 Building Inspection Annual Report.
Motion by Tr. Kufahl, second by Linda Granec to recommend approval of the 2017 Building Inspection Annual Report to the Village Board as presented.
Vote: 7 ayes, 0 nays. Motion carried.

4. Review of Water Service Request – Western Avenue (Town of Jackson).

Brian Kober explained the Jackson Water Utility has received an application for a water service request located in the Town of Jackson Water Expansion Area. The water service request is for a new single family residence located on Western Avenue. After reviewing the design and the water demand of the request, the calculation of pressure available for uniform loss is 30.5 psi which meets the standard set by the PSC (Public Service Commission) and the DNR (Department of Natural Resources). The current water system in the area would not have to change in order to allow the connection. Discussion continued with impact on the system, and the approved agreement allowing the connection. On Page 3 of the agreement states, "Further subdivision(s) of the Eligible Property, if they occur, are not entitled to receive water without the Owner and the Village entering into a separate written agreement defining the terms and conditions for the provision of water service to the new lots created by the subdivision(s). The Village retains all legislative discretion in determining whether to approve, conditionally approve or deny water service to any new lots created by the Owner. This discretion includes, without limitation, the right to require the annexation or attachment of the future lots that are to be serviced. The Village has no obligation of good faith or fair dealing when negotiating an Owner's request to provide water service to a parcel that is not an Eligible Property. And, without limitation, the Village may terminate negotiations with the Owner for any or no reason by notice to the Owner."
Motion by Tr. Olson, second by Tr. Lippold to recommend denial of the water service request on Western Avenue in the Town of Jackson.

Vote: 4 ayes, 3 nays (Brian Heckendorf, Linda Granec, and Tr. Kufahl). Motion carried.

5. Review of Laurel Springs Phase 2 – Water, Sanitary, Storm Sewer Design.

Brian Kober reviewed with the Board the proposed subdivision of Laurel Springs Phase 2 plans.
Motion by Tr. Olson, second by Tr. Lippold to recommend expansion of the water, sanitary sewer, and storm sewer systems to allow for the construction of the Laurel Springs Phase 2 Subdivision.
Vote: 7 ayes, 0 nays. Motion carried.

6. Review of TID #6 – Water, Sanitary, Storm Sewer Design..

Brian Kober reviewed with the Board the proposed TID #6 utility plans.
Motion by Tr. Olson, second by Tr. Lippold to recommend expansion of the water, sanitary sewer, and storm sewer systems to allow for the construction of the TID #6.
Vote: 7 ayes, 0 nays. Motion carried.

7. Discussion on STH 60 Path Project from Coffeeville to Eagle Drive.

Brian Kober reviewed with the Board the STH 60 Path Project from Coffeeville to Eagle Drive. Discussion continued on necessity and time frame of construction. The project has received a DNR grant in the amount of $45,000.00 which had a construction timeline of design in 2017 and construct in 2018.
Motion by Tr. Olson, second by Linda Granec to refer the item for the May 2018 Board of Public Works meeting.
Vote: 7 ayes, 0 nays. Motion carried.

8. Announcing 2018 Spring Cleanup Day.

Brian Kober announced the 2018 Spring Cleanup Day to be Saturday, April 28, 2018 at the new Street Department site located at W194 N16660 Eagle Drive.
The item was for information only so action was necessary.

9. Director of Public Works report.

Brian Kober gave the report.
Motion by Linda Granec, second by Scott Thielmann to place the Director of Public Works report on file.
Vote: 7 ayes, 0 nays. Motion carried.

10. Citizens/Village Staff to Address the Board.

Barb Carbine from N170 W21805 Rosewood Lane was present to review the TID #6 plans and ask questions on how the project affects her property.

11. Adjourn.

Motion by Tr. Kufahl, second by Scott Thielmann to adjourn,
Vote: 7 ayes, 0 nays. Meeting was adjourned at 8:12 p.m.

Respectfully submitted by: Brian W. Kober, P.E., Director of Public Works/Village Engineer

DRAFT

Resolution #18-04

Agreement for Reimbursement of Privately-Financed Infrastructure in Tax Increment District No. 4 in the Village of Jackson, Wisconsin (Delaney Group, LLC).

Whereas Delaney Group, LLC (the "Property Developer") has provided at its expense certain site improvements as detailed on Exhibit A hereto (the "Improvements") within Tax Increment District No. 4 on the parcel described as Tax Parcel No. V3 0489 00A 008 (the "Property"); and

Whereas the Improvements are eligible costs in the applicable Tax Increment District Project Plan; and

Whereas the Village acknowledges that the Improvements were undertaken by the Developer with prior knowledge and consultation of the Village; and

Whereas the Village has determined that the cost of the Improvements, not to exceed $399,035.00 is less than it would have cost the Village itself to undertake and that the Improvements were undertaken prior to when the Village could have afforded to finance the same.

Be It Therefore Resolved that the Village shall reimburse Developer its documented costs in the following manner:

1. The Developer shall submit invoices or other documentation acceptable to the Village Administrator and Engineer for the cost of the Infrastructure (the "Reimbursement Amount").
2. The Reimbursement Amount shall in no event be greater than 10% of the equalized value of the Property exceeding $320,000 per acre (approximately $7.35 per square foot, the "Over-performance Level").
3. The Reimbursement Period shall begin the March 1st following the year of acceptance of all documentation under the foregoing paragraph and the full assessment of the taxable improvements on the Property.
4. The Reimbursement Period shall end on the first September 1st, which follows five years from the date it begins, or when the total Reimbursement Amount is paid, whichever comes first.
5. During the Reimbursement Period the Village shall each March 1st and September 1st pay to the Property Owner one-tenth of the Reimbursement Amount, without interest. The total of all such payments shall not exceed 10% of the equalized value of the Property exceeding $320,000 per acre.

Each annual payment of Reimbursement Amounts shall be subject to the following conditions:

- Condition 1: There are no delinquent property taxes, special assessments or special charges due the Village on the Property.
- Condition 2: The business located on the Property has been continuously occupied and has continued operations without interruption during the Reimbursement Period.
- Condition 3. The Developer is in compliance with the Planned Unit Development site plan approval granted by the Village.

The Developer may transfer the Property to another party. The payment of the Reimbursement Amounts to any such new owner of the Property, in addition to being subject to Conditions 1 through 3, shall be subject to the approval by the Village.

Calculation of Reimbursement:

5.880 acre property is assessed at $2,359,300 full market value as of 01/01/2017, which is $477,700 in excess of $320,000 per acre minimum.

- The maximum reimbursement based on property value is then 10% of the $477,700 Over-Performance Level, or $47,770.00.
- The Property Developer had submitted a reimbursement request for at least $47,770.00 of documented site improvements and the Village has accepted the same.
- Reimbursement Period will begin on 03/01/2018.
- Reimbursement payments of 1/10 of the balance, which is $4,777.00, begin 03/01/2018 and continues every 6 months (as long as all conditions are met) until 09/01/2022.

Introduced by Trustee: _____

Vote: _____ Aye _____ Nay

Date Approved by Village Board_____

_____

Approved as to legality: Mike Schwab, Village President

_____

Attested by: John Walther, Administrator

Over-Performance for Lumber Sales, Inc. property
"Delaney Group, LLC"
Village of Jackson, Wisconsin

Item #1
Over-performance agreement for
Lumber Sales Building will put total value to $2,359,300 on 5.880 acres.

Parcel number V3 0489 00A 008
5.880 Acres total area

5.880	320,000	$	1,881,600.00	Needed Value
			2,359,300.00	Proposed Value
			477,700.00	Excess Value
			47,770.00	10% of Excess Total Over-performance on 5 years
		$	9,554.00	per year for 5 year performance

The building project completed as of 11/30/2016

Expenses:

Grading:	130,673.00
Excavating:	52,605.00
Asphalt:	112,731.00
Site Utilities:	74,130.00
Site Concrete:	28,896.00
Total	399,035.00

Resolution #18-05

Agreement for Reimbursement of Privately-Financed Infrastructure in Tax Increment District No. 4 in the Village of Jackson, Wisconsin (Delaney Group, LLC).

Whereas Delaney Group, LLC (the "Property Developer") has provided at its expense certain site improvements as detailed on Exhibit A hereto (the "Improvements") within Tax Increment District No. 4 on the parcel described as Tax Parcel No. V3 0489 00A 012 (the "Property"); and

Whereas the Improvements are eligible costs in the applicable Tax Increment District Project Plan; and

Whereas the Village acknowledges that the Improvements were undertaken by the Developer with prior knowledge and consultation of the Village; and

Whereas the Village has determined that the cost of the Improvements, not to exceed $177,133.00 is less than it would have cost the Village itself to undertake and that the Improvements were undertaken prior to when the Village could have afforded to finance the same.

Be It Therefore Resolved that the Village shall reimburse Developer its documented costs in the following manner:

1. The Developer shall submit invoices or other documentation acceptable to the Village Administrator and Engineer for the cost of the Infrastructure (the "Reimbursement Amount").
2. The Reimbursement Amount shall in no event be greater than 10% of the equalized value of the Property exceeding $320,000 per acre (approximately $7.35 per square foot, the "Over-performance Level").
3. The Reimbursement Period shall begin the March 1st following the year of acceptance of all documentation under the foregoing paragraph and the full assessment of the taxable improvements on the Property.
4. The Reimbursement Period shall end on the first September 1st, which follows five years from the date it begins, or when the total Reimbursement Amount is paid, whichever comes first.
5. During the Reimbursement Period the Village shall each March 1st and September 1st pay to the Property Owner one-tenth of the Reimbursement Amount, without interest. The total of all such payments shall not exceed 10% of the equalized value of the Property exceeding $320,000 per acre.

Each annual payment of Reimbursement Amounts shall be subject to the following conditions:

- Condition 1: There are no delinquent property taxes, special assessments or special charges due the Village on the Property.
- Condition 2: The business located on the Property has been continuously occupied and has continued operations without interruption during the Reimbursement Period.
- Condition 3. The Developer is in compliance with the Planned Unit Development site plan approval granted by the Village.

The Developer may transfer the Property to another party. The payment of the Reimbursement Amounts to any such new owner of the Property, in addition to being subject to Conditions 1 through 3, shall be subject to the approval by the Village.

Calculation of Reimbursement:

3.16 acre property is assessed at $1,425,700 full market value as of 01/01/2018, which is $414,500 in excess of $320,000 per acre minimum.

- The maximum reimbursement based on property value is then 10% of the $414,500 Over-Performance Level, or $41,450.00.
- The Property Developer had submitted a reimbursement request for at least $41,450.00 of documented site improvements and the Village has accepted the same.
- Reimbursement Period will begin on 03/01/2019.
- Reimbursement payments of 1/10 of the balance, which is $4,145.00, begin 03/01/2019 and continues every 6 months (as long as all conditions are met) until 09/01/2023.

Introduced by Trustee: _____

Vote: _____ Aye _____ Nay

Date Approved by Village Board _____

_____

Approved as to legality: Mike Schwab, Village President

_____

Attested by: John Walther, Administrator

Over-Performance for Morbeck Real Estate, LLC (ComForCare) property
"Delaney Group, LLC"
Village of Jackson, Wisconsin

Item #1
Over-performance agreement for
ComForCare Building will put total value to $1,425,700 on 3.16 acres.

Parcel number V3 0489 00A 012
3.16 Acres total area

3.16	320,000	$	1,011,200.00	Needed Value
			1,425,700.00	Proposed Value
			414,500.00	Excess Value
			41,450.00	10% of Excess Total Overperformance on 5 years
		$	8,290.00	per year for 5 year performance

The building project completed as of 10/31/2017

Expenses:

Grading:	15,000.00
Excavating:	45,540.00
Asphalt:	38,280.00
Site Utilities:	55,105.00
Site Concrete:	23,208.00
Total	177,133.00

we energies

245 Sand Dr.
West Bend, WI 53095-5448
phone 262-338-7600 800-268-2060
fax 262-338-7646

www.we-energies.com

January 30, 2018

Village of Jackson
c/o Deanna Boldrey, Clerk/Treasurer
N168 W20733 Main Street
Jackson, WI 53037

Subject: Easement for gas facilities – Washington County Highway P Project
Work Request #: 4166035

Dear Ms. Boldrey:

In conjunction with the Washington County Highway P Project, we have found it necessary to relocate some of our gas facilities located on property the Village of Jackson owns on the west side of Highway P, north of Highway 60. In order to perform that work, we will need easement rights from you prior to installation. I have enclosed two copies of the easement and an overview of the area needing easement rights. Please review and have the easements signed and notarized in black ink, return one copy in the enclosed envelope, and retain one for your records. The document will be recorded with the Office of the Register of Deeds.

For your safety, we will have Diggers Hotline locate underground utilities including natural gas, electric, telephone, cable television, sewer and water. **We also need your help to make sure we don't damage any of your privately maintained facilities**. To avoid damage to your facilities – such as an underground sprinkler system, electric, propane, sewer and sump pump lines, well, septic system, yard lighting, etc. – please notify us of their location. **It is very important that we are aware of these facilities. We Energies and/or its agents are *not* responsible for damage to your facilities that we are *not* aware of before our work begins.**

If you have any questions, please call me at 262.338.7673 or email michele.arendt@we-energies.com and reference the work request above. Thank you.

Sincerely,

Michele Arendt
Right of Way Agent

Enclosures

DISTRIBUTION EASEMENT
GAS

Document Number

WR NO. **4166035** IO NO. **MRO47501168**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **VILLAGE OF JACKSON,** hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN GAS LLC, a Wisconsin limited liability company doing business as We Energies,** hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as the Easterly 15 feet abutting the west side of Highway P being a part of **Parcel 2 and Outlot 1 of Certified Survey Map No. 5214** as recorded in the office of the Register of Deeds for Washington County in Volume 36 on Pages 269-271 as Document No. 853459 and being a part of the Southeast ¼ of the Southeast ¼ of Section 13, Township 10 North, Range 19 East in the Village of Jackson, Washington County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:
We Energies
PROPERTY RIGHTS & INFORMATION GROUP
231 W. MICHIGAN STREET, ROOM A252
PO BOX 2046
MILWAUKEE, WI 53201-2046

V3-008200N and V3-008200P
(Parcel Identification Number)

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.

2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.

3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin gas codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.

6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.

7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

8. **Easement Review**: Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

Grantor:

VILLAGE OF JACKSON

By _____

(Print name and title): _____

By _____

(Print name and title): _____

Personally came before me in _____ County, Wisconsin on _____, 2018,

the above named _____, the _____

and _____, the _____

of the VILLAGE OF JACKSON, for the municipal corporation, by its authority, and pursuant to Resolution File

No. _____ adopted by its _____ on _____, 2018.

_____

Notary Public Signature, State of Wisconsin

_____

Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires _____

This instrument was drafted by Arendt.Michele on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

CONSTRUCTION OVERVIEW

= Proposed Easement Area