

AGENDA
VILLAGE BOARD MEETING
Tuesday, January 11, 2022 at 7:30 p.m.
Jackson Municipal Complex
N168 W19851 Main Street
Jackson, WI 53037

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Appointment of Acting Chair
4. Village Citizen Comment on an Agenda Item (Please Sign In)
5. Public Hearing – Conditional Use Amendment – Morning Star Lutheran Church – Early Childhood Learning Building Addition – N171W20131 Highland Road
(Plan Commission Draft Minutes)
6. Ordinance #22-01 Amending Chapter 2 of Village Code Regarding Joint Village and Town Parks and Recreation Committee
7. Ordinance #21-10 – Rezone Various Properties and to Amend the Zoning Map of the Village of Jackson Pursuant to Section 48.34 of the Municipal Code (2nd Reading)
8. Ordinance #21-11 – Amending Chapter 16 of the Village Code of Ordinances Regarding Environment (2nd Reading)
9. Proposed Personnel Policies for Adoption – Multi-Factor Authentication
10. Proposed Personnel Policies for Adoption – Cyber liability for Transfer of Funds and Wire Transfers
11. Approval of Minutes for the Village Board Meeting of December 14, 2021
12. Budget & Finance Committee
 - Pay Request #21 – Municipal Complex Building
 - Jackson Main Street Revitalization Plan Scope of Services – Vandewalle
 - Request to Amend Developer's Agreement for TID 6 - Design 2 Construct
13. Village Municipal Complex – Update – Cedar Corp
14. Next Generation Housing Coalition Update – Washington County
15. West Bend School District Report

16. Greater Jackson Business Alliance Report
17. Mid-Moraine Municipal Association Report
18. Citizens to Address the Village Board
19. Future Agenda Items
20. 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 or is likely to become involved and pursuant to Wis. Stats. §19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, and conducting other public business because competitive and bargaining reasons require a closed session and pursuant to Wis. Stats. §19.85(1)(c) for the purpose of considering employment, promotion, compensation, or performance evaluation data of any public employee over which the Village has jurisdiction or exercises responsibility

During the closed session, the Village Board will discuss matters related to proposed amendment to TID 6 Developer's Agreement, possible Sysco Corporation Expansion, the purchase and the sale of public land, and personnel matters.

Reconvene into Open Session with Possible Action related to the closed session, including possible approval of an amended TID 6 Developer's Agreement, the purchase of public land and the sale of public land.

21. 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.

January 07, 2022

TO: Village of Jackson
Attn: Jilline Dobratz
N168 W19851 Main Street
Jackson, WI 53037

RE: Amended Village Board Submittal for:
Morning Star Ev. Lutheran Church and School
Elementary School expansion and New Early Childhood Center Facility
N171W20131 Highland Road
Jackson, WI 53037



Dear Jackson Village Board Members:

We are excited to submit plans to expand our elementary school facility and a new Early Childhood Center in front of the Jackson's Village Board. Jackson has seen great growth and opportunity in the recent years as evident of the new Jackson Village Administration and Safety Building as well as opportunities brought before our church. We feel that with the creation of this new Early Childhood Center, we can serve the needs of working Jackson families looking for quality childcare options.

We would like to provide the following amendment to our proposal based upon planning progression as presented in the Village of Jackson – Planning Commission submittal and feedback generated from that review last evening – January 6th, 2022:

1. Access Drive and Drop off Parking: Through our internal assessment of the Early Childhood drop off parking need, a single aisle of parking with 15 parking spaces (which includes two ADA accessible stalls) will meet the morning / evening drop off needs for the facility. The parking in this area is for drop off parking only for convenience of parents escorting / carrying children at the ECC entrance. Staff would park in the main parking lot.
2. West access drive: The west access drive connects an existing fire lane to a small parking lot area on the northwest portion of the property. This one-way drive allows childcare parents front entrance access and creates a separate and limited traffic flow (morning drop off and afternoon pick up) for increased vehicle and child safety at those times. Annually our parents are provided a welcome packet for the school which instructs the traffic patterns required for drop off / pick up. After consulting with the Fire Chief, this west drive is not needed for emergency vehicle so the drive can be narrowed for private vehicle use only. We are currently assessing the which direction of the one way traffic best balances on site traffic safety and will provide a final determination at the Board meeting. Currently the traffic flows from the main parking lot and exits on the northwest corner of the site.
3. Voluntary buffering from adjacent neighboring properties: The west side of our property is not an active pedestrian side of our campus. With the addition of limited vehicular drop off one way traffic we will be adding selective vegetation buffering to maintain a natural setting where it will best benefit our neighbors.

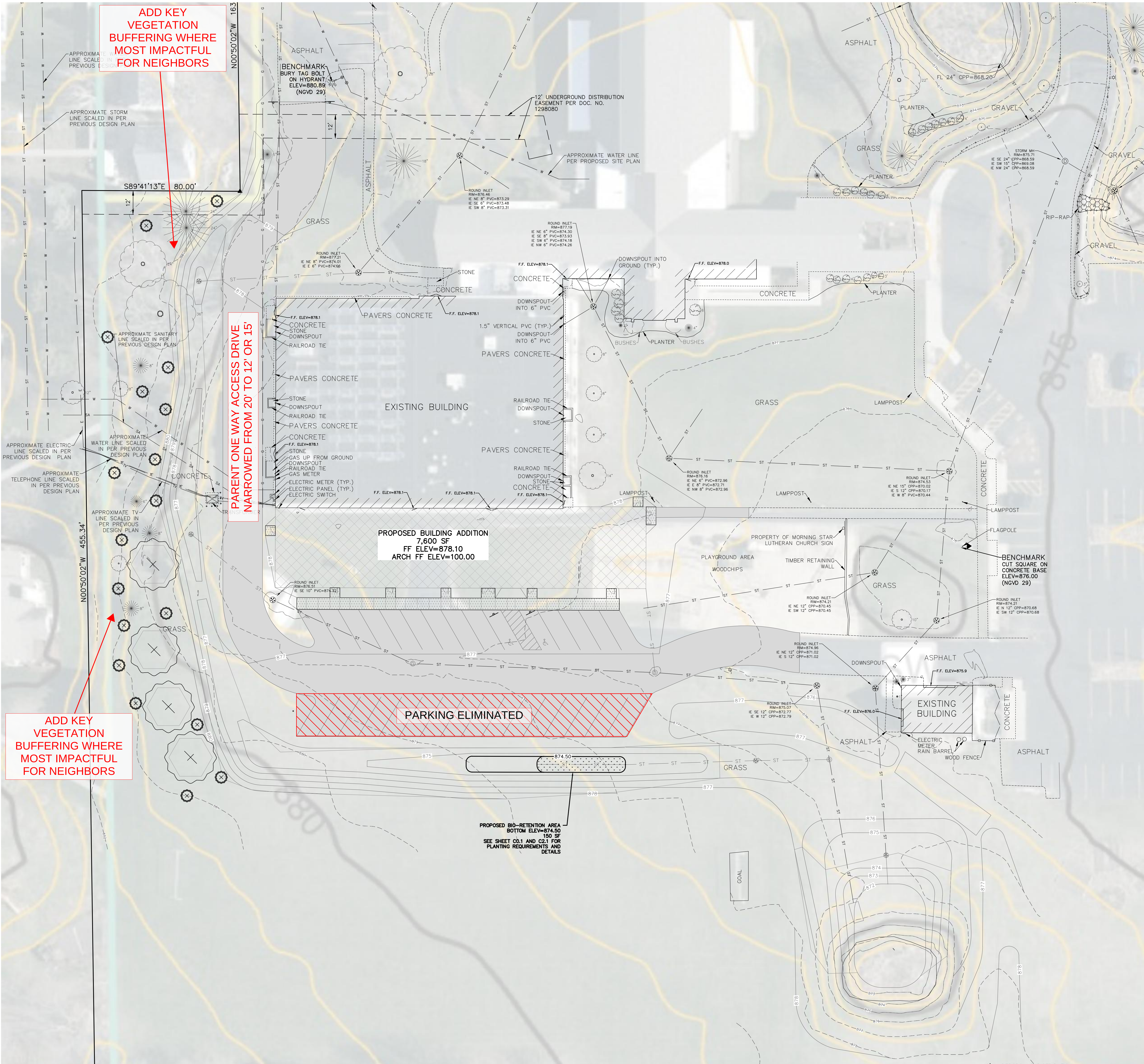


4. Site Lighting at Drop off parking and west access drive: With the narrowing of the west access drive and the drop off parking area, we will utilize the existing cut off wall mounted light fixtures on the west gymnasium wall and provide new similar fixtures on the south wall addition. By doing so, we will maintain existing low lighting levels directly adjacent to neighboring properties.

We're happy to clarify any of these aspects in the meeting this upcoming Tuesday.
Thank you for your review of our project and mutual investment in our great community!

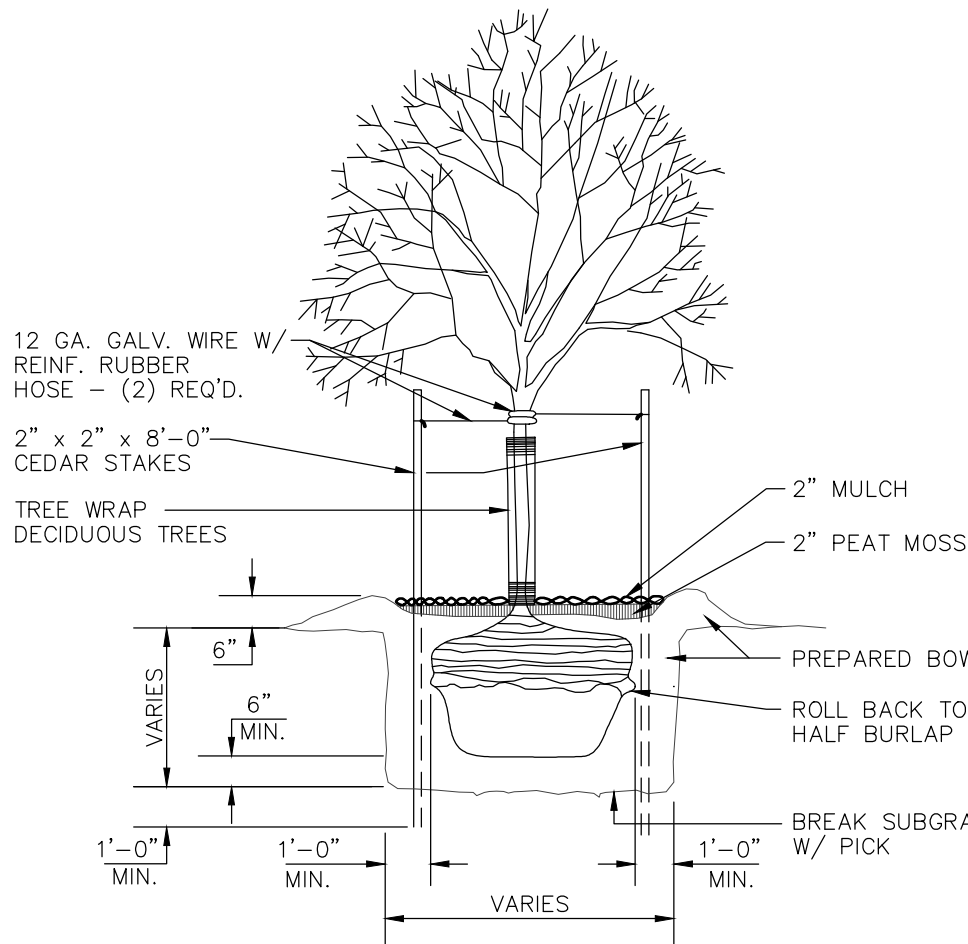
Respectfully-

Jon Molkentin
Morning Star Ev. Lutheran Church and School
Building Committee Member
building.team.chair@morningstarwels.org
Cell: 414.640.9781



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

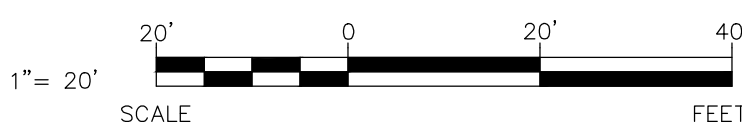
EROSION MATTING LOCATION



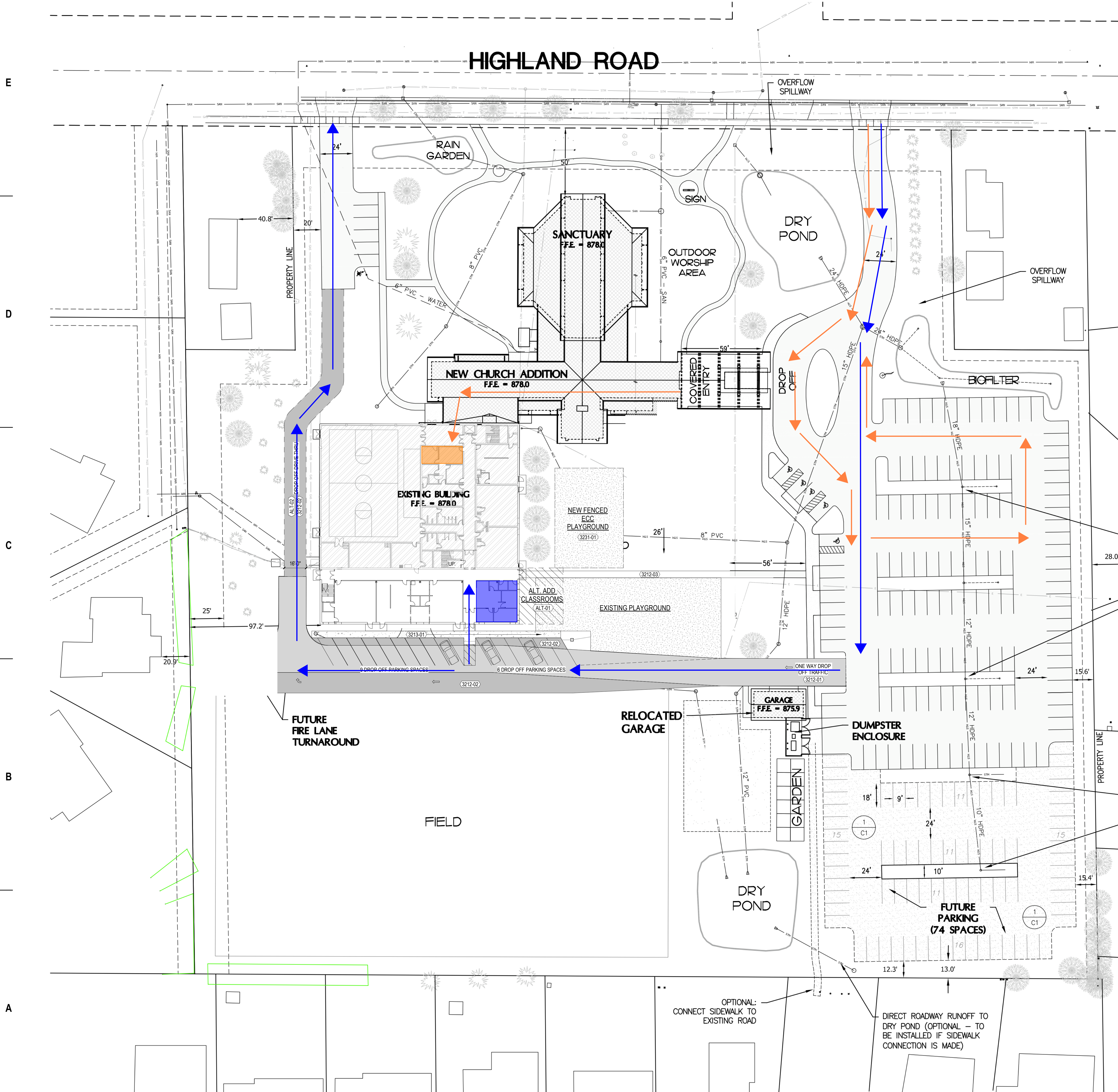
TREE PLANTING DETAIL
NO SCALE

LANDSCAPING PLANTING SCHEDULE				
SYMBOL	COMMON NAME	BOTANICAL NAME	PLANTED SIZE	QUANTITY
EVERGREEN TREES				
⊙	Colorado Spruce	Picea pungens	4"	4
⊗	Arborvitae - Nigra	Thuja occidentalis 'Nigra'	2"	18

PROPOSED ADDITION FOR:
MORNING STAR LUTHERAN SCHOOL
N171 W20131 HIGHLAND ROAD • JACKSON, WI 53037



FUTURE DEVELOPMENT PLAN



SCHOOL / EARLY CHILDHOOD TRAFFIC PATTERN LEGEND

- SCHOOL OFFICE ENTRANCE
- SCHOOL CHILDREN / VEHICLE CIRCULATION (DROP OFF OR ESCORTED)
- EARLY CHILDHOOD ENTRANCE
- EARLY CHILDHOOD CENTER CHILDREN / VEHICLE CIRCULATION (DROP OFF OR ESCORTED)



PROJECT INFORMATION
**MORNING STAR EV.
LUTHERAN CHURCH
AND SCHOOL**

**N171 W20131
HIGHLAND ROAD
JACKSON, WI 53037**

ISSUANCE AND REVISIONS

DATE	DESCRIPTION
06/20/2021	PRICING CHECK SET

KEY PLAN

SHEET INFORMATION
**PROGRESS DOCUMENTS
NOT FOR CONSTRUCTION**
These documents reflect progress and intent and may be subject to change, including additional detail. These are not final construction documents and shall not be used for final bidding or construction-related purposes.

PROJECT MANAGER PM
PROJECT NUMBER --

ARCHITECTURAL
SITE PLAN
AS100

Village of Jackson
PLAN COMMISSION APPLICATION

Application/Permit #: _____

PROPERTY INFORMATION

☐ COMMERCIAL	☐ INDUSTRIAL	☐ RESIDENTIAL	☒ OTHER Church/School-Institutional
☒ CONDITIONAL USE	☐ PLANNED UNIT DEVELOPMENT	☐ CERTIFIED SURVEY MAP	☐ CONCEPT PLAN
☐ <i>New</i>	☐ <i>New</i>		
☒ <i>Amendment</i>	☐ <i>Amendment</i>		
☐ <i>Special Use</i> <i>(For existing Cond. Use ONLY)</i>	☐ <i>Special Use</i> <i>(For existing PUD ONLY)</i>	☐ OTHER _____	

Property Address: N171 W20131 Highland Road Unit: Jackson, WI

Parcel #: V3_046300E Lot Size: 378,536 sq. ft. Building Area: Addition - 7,800 sq. ft.

Current Zoning: ☐ B-1 ☐ B-2 ☐ M-1 ☐ M-2 ☐ I-1 ☒ PUD ☐ Other _____ Floodplain: Y / (N)

APPLICANT INFORMATION

Name(s): Morning Star Evangelical Lutheran Church of Jackson - Darwin Schramm

Mailing Address: N171 W20131 Highland Road, Jackson State WI Zip 53037

Office: (262) 707-8061 Cell: () _____ Fax: () _____

Email: president@morningstarwels.org

BUSINESS INFORMATION *(If New Business)* Not a new business

Legal Business Name: _____

D/B/A: _____ FEIN #: _____ - _____

Mailing Address: _____ State _____ Zip _____

Office: () _____ Cell: () _____ Fax: () _____

Email: _____

Website: _____

PROPERTY OWNER INFORMATION

Name(s): Morning Star Evangelical Lutheran Church of Jackson

Address: N171 W20131 Highland Road, Jackson State WI Zip 53037

Office: (262) 707-8061 Cell: () _____ Fax: () _____

Email: president@morningstarwels.org

ARCHITECT / ENGINEER / CONTRACTOR INFORMATION *(Circle One)*

Firm Name: Excel Engineering Inc

Primary Contact: Jason Daye

Address: 100 Camelot Dr, Fond du Lac State WI Zip 54935

Office: (920) 322-1687 Cell: () _____ Fax: () _____

Email: jason.d@excelengineer.com

Please provide as much detailed information as possible. (Add additional pages if needed.)

Briefly explain what you are requesting to be reviewed and/or approved: _____
Early childhood learning addition to the south side of the existing school building.

Provide a brief overview of proposed use(s) of entire property and/or lease space: _____
The existing & proposed use is a church and school.

Existing Church: Saturday evening, Sunday morning and religious holiday church services. Additional
Hours of Operation: individual meetings, activities on a smaller basis.
Existing School: Weekly - Before school care 6:30 am / School Opens 7:50 am / Dismissal 3:15 pm / After School Ends 6:00 pm
New Daycare Program: 6 am to 6 pm, M-F
Provide a brief overview of proposed daily on-site operations: _____

No change to existing church and school operations is proposed. New daycare program will be
operated M-F from 6 am to 6 pm.

Describe any potential environmental impacts from the proposed use including but not limited to exterior storage, noise, smoke, dust, odors, hazardous materials, vibration, horns, speakers, vehicles and equipment operation and exterior generators, HVAC, or other stationary mechanical equipment, etc.: _____
There will be no negative environmental impacts from the proposed use.

Describe all businesses, properties and other entities located adjacent to the proposed use: _____
All adjacent properties are residential.

Describe any proposed, development, on-site improvements or other construction/remodeling activities: _____
Early childhood learning addition to the south side of the existing school building with new parking
and drive lane .

Describe any proposed grading, and/or stormwater management plan: The site will be graded around the
proposed building addition, parking area, and new drive lane. The existing dry pond at the south end of
the site will be enlarged.

Describe any proposed landscape plan/improvements including driveways, sidewalks, vegetative plantings, etc.: _____
New trees will be planted along the west edge of the fire lane in order to provide headlight screening for neighboring property.

Describe any proposed on-site security measures including site lighting: _____
The new entrance will be secure. Additional doors shown on the plan are for emergency exiting.
New site lighting proposed at the new parking area and drive lane.

Describe any existing or proposed Life Safety Systems (Includes fire hydrants, fire suppression & fire alarm systems): _____
Hydrants exist on site, existing church is sprinklered with fire alarm system. Church is separated from the school
with a fire wall. The existing school is not sprinklered and contains a fire alarm. The addition would not
be sprinklered, but will include a fire alarm.

Describe the projected traffic circulation and impacts: Traffic will flow one way from east to west on the proposed driveway south of the proposed parking. Traffic will continue to move one way from south to north until it reaches Highland Rd.

List all setbacks from rights-of-way and property lines and height limitations: _____
Building addition is not located near right-of-way. Required front (30'), side (12'), and rear (25') building setbacks to residential lot line will be met. Required 25' pavement setback will be met. Addition building height will match existing at 27'-4".

Provide status of State/Federal License(s) or Certificate(s) required for operation, if any: _____
No additional licenses known to be required or will be pursued at this time.

Does this project require other Jurisdictional Approvals from other Governmental or Regulatory entities?

☒ No ☐ Yes If yes, explain: _____

Describe any proposed signage including type, size, and location: New Do Not Enter direction signage proposed.

If construction is proposed, describe proposed exterior building materials (type, color, etc.): _____
Painted split face CMU block. Painted split face fluted block. Aluminum windows and doors. Hollow metal painted doors. All new exterior finishes will match existing.

Describe any site specific features/constraints, etc.: _____
No existing site specific features or constraints. Project is an addition to an existing building.

Outline proposed parking requirements including number of spaces plus those dedicated for handicapped parking: _____
Parking required is 1 space per employee and 1 space per student 16 years of age or older. 2 handicap stalls are required and 2 stalls are provided. 10 total spaces are required and 31 total spaces have been provided.

Describe all proposed screening/buffering from adjacent properties (where required by ordinance): _____
New trees will be planted along the west edge of the drive lane to provide screening for the neighboring properties.

Describe the proposed provisions for refuse and recycling collection/storage and required screening/buffering: _____
No new enclosures proposed; current enclosure is located on the east side of the garage at the southwest corner of the parking lot.

Projected Sewer/Wastewater Usage: TBD by plumber gal/year

Projected Water Usage: TBD by plumber gal/year

ACKNOWLEDGEMENT & SIGNATURES

I/We hereby certify that I/We have reviewed the above Village of Jackson Plan Commission application and requirements, and hereby certify that the above information, attachments, and exhibits are complete, true and correct. I/We further understand that any missing or incomplete information may result in a delay of the review of this application. The Village reserves the right to request additional information as deemed necessary.

Applicant Name (Print): Darwin Schramm

Applicant Signature: Darwin Schramm

Co-Applciant Name (Print): _____

CO-Applciant Signature: _____

Date of Application: 12-3-21

You MUST sign and date this Application!

SUBMIT TO: Village of Jackson – Village Hall (Checks shall be made payable to Village of Jackson)
N168 W20733 Main Street
PO BOX 637
Jackson, WI 53037

QUESTIONS?

Village Clerk: For all **general questions** related to completing form or questions related to Village meetings.
Phone: (262) 677-9001 x11
Email: jilline.dobratz@villageofjackson.com

Building Inspector: For questions concerning **building codes, zoning, or technical questions.**
Phone: (262) 677-9696
Email: collin.johnson@villageofjackson.com

TERMS OF THIS PERMIT

1. This permit shall become effective upon Village approval and where required, the execution and recording by the owners of the premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. The permit shall be void unless: (a) pursuant to the Building and Zoning Codes of the Village, the approved use is commenced or (b) the building permit is obtained within 12 months of the date of Village Board approval.
3. This approval is subject to amendment and termination in accordance with the provisions of the Zoning Code of the Village of Jackson.
4. Construction and operation of this permit shall be in strict conformity to the approved building, site, and operational plans which were filed in connection with the application for this approval (as attached and/or referenced).
5. Any of the conditions of this permit which would normally be the responsibility of the tenants of the premises, shall be made a part of their lease by the owner.

VILLAGE APPROVAL:

☐ TEMPORARY Expiration Date: _____, 20____

Plan Commission Approval: Meeting Date: _____, 20____

Village Board Approval: Meeting Date: _____, 20____

In-House Approval (O-T-C): Date: _____, 20____

Approved by: Village Administrator

Conditions and Duration of Approval:

Depending on the request, approvals shall generally be continual or temporary in nature. ALL approvals are subject to the Conditions of Approval outlined below. All conditional or special uses/approvals shall, upon complaint, be subject to review, amendment, or revocation by the Village. Where temporary approvals are issued, such approvals shall be subject to the time limitations specified.

Conditions of Approval: _____

APPLICATION DENIED: Date: _____, 20____

Staff Initials: _____

Reason for Denial: _____

FOR OFFICE USE ONLY	
Acct. #: 100-00-45730-000-00	
Date Received:	12-7-21
Amount: \$	175.00
Payment Type:	☒ CH / CC / CASH
Check/Rcpt. #:	084476/71
Received By:	<i>[Signature]</i>

VILLAGE OF JACKSON

N168W19851 MAIN ST

P O BOX 637

JACKSON, WI 53037-0147

Receipt Nbr: 251710

Date: 12/13/2021

Check

RECEIVED
FROM EXCEL ENGINEERING/MORNING STAR EV CHURCH

\$175.00

Type of Payment

Accounting

Description

PLANNING / ZONING FEES

PLAN COMM APP MORNING STAR EV LUTHERAN

Amount

175.00

TOTAL RECEIVED175.00

Receipt Memo: PLAN COMM APP/CK#084470-71

084470



EXCEL ENGINEERING, INC.
100 CAMELOT DRIVE
FOND DU LAC, WI 54935-8030
(920) 926-9800

HOMETOWN BANK
79-685/759

DATE

03-Dec-21

AMOUNT

\$ \$150.00

PAY
TO THE
ORDER
OF:

One Hundred Fifty 00/100

VILLAGE OF JACKSON
W194N16660 EAGLE DRIVE

JACKSON, WI 53037

MaVard Sand
AUTHORIZED SIGNATURE



⑈084470⑈ ⑆075906854⑆ 6105⑈508⑈

EXCEL ENGINEERING, INC.

084470

VILLAGE OF JACKSON

Check Number: 84470

Check Date: 03-Dec-21

Check Amount: \$150.00

Item to be Paid - Description

Discount Taken

Amount Paid

Fee

\$150.00

084471



EXCEL ENGINEERING, INC.
100 CAMELOT DRIVE
FOND DU LAC, WI 54935-8030
(920) 926-9800

HOMETOWN BANK
79-685/759

DATE

03-Dec-21

AMOUNT

\$ \$25.00

PAY
TO THE
ORDER
OF:

Twenty-Five 00/100

VILLAGE OF JACKSON
W194N16660 EAGLE DRIVE

JACKSON, WI 53037

MaVand Sander
AUTHORIZED SIGNATURE



⑈084471⑈ ⑆075906854⑆ 6105⑈508⑈

EXCEL ENGINEERING, INC.

084471

VILLAGE OF JACKSON

Check Number: 84471

Check Date: 03-Dec-21

Check Amount: \$25.00

Item to be Paid - Description	Discount Taken	Amount Paid
Fee		\$25.00

9
4
2
7
3
6
4
6
1
5
7
1

December 8, 2021

Letter of Intent / Impact Statement

Project: Morning Star Early Childhood Center Addition
N171 W20131 Highland Rd
Jackson, WI 53037

Morning Star Evangelical Lutheran Church of Jackson is requesting Conditional Use Amendment approval for early childhood center addition to their existing property located at N171 W20131 Highland Rd in the Village of Jackson. The property is currently zoned PUD and the proposed project will require an amendment to the existing Conditional Use Permit.

The existing property area is 8.69 acres and 1.71 acres will be disturbed for the proposed project. The +/- 7,800 square foot addition is proposed on the south side of the existing school building. The exterior materials will match the existing building with painted split face CMU block and painted split face muted block. New parking (31 spaces including 2 handicap accessible) is also proposed to the south of the addition. A drive lane is proposed to the south and west of the addition and will connect to the drive lane that currently exists to the west of the existing main parking lot. Traffic will flow in a one-way pattern from east to west and the drive will connect to the existing parking area just off Highland Road to the west of the church. This parking area has an existing connection to Highland Road. No changes to the two (2) existing access points from Highland Road are proposed.

A portion of the existing trees and landscaping will need to be removed between the proposed addition/existing school and the neighboring properties to the west to make room for the drive lane. New trees are proposed along the west edge of the drive lane to provide headlight screening for the neighboring properties. New site lighting will also be provided at the new parking area and along the drive lane the lighting will provide appropriate illumination (measured in foot candles) for safety and will utilize cut-off fixtures for minimal light trespass. The existing dry stormwater pond at the south end of the site will be enlarged to account for the additional stormwater. The proposed development will drain to existing catch basins that will drain stormwater south to the existing dry pond and north to the existing rain garden. The new parking area will runoff directly into the proposed bio-retention basin. The combination of the bio-retention basin and existing dry pond will reduce peak flows and treat stormwater to meet local and state requirements.

The following information is provided to address the required impact statement items. Additional information can be found in the Plan Commission Application document.

A. General Hours of Operation:

- Existing Church: Saturday evening, Sunday morning, and religious holiday church services. Additional individual meetings, activities on a smaller basis.
- Existing School: Weekly - Before school care 6:30 am / School Opens 7:50 am / Dismissal 3:15 pm / After School Ends 6:00 pm.
- New Daycare Program: 6:00 am to 6:00 pm, M-F.

B. Unusual conditions which warrant special attention (hazardous materials storage, fire hazards, odors, noise generation, etc.):

- There will be no negative environmental impacts from the proposed use.

C. Traffic Circulation

- Traffic circulation will flow one way from east to west on the proposed drive lane south of the proposed parking. Traffic will continue to move one way from the south to north until it reaches Highland Rd.

D. Estimated numbers of vehicles and/or equipment, materials, to be parked/stored on site:

- No vehicles, equipment or materials are proposed to be stored on site. For the proposed addition, adequate parking is proposed with 31 new total spaces (with 2 handicap accessible stalls).

E. Proposed sign(s) advertising business, directional signage, dwelling unit rental, etc.:

- No new building signage is proposed. New Do Not Enter directional signage proposed.

F. Proposed dates of construction:

- Anticipated start date is February 21, 2022.

G. Anticipated user profiles (for residential developments):

- N/A for this project.

H. Annual water consumption estimate (100% occupancy and build-out):

- TBD by plumber

I. Annual sewage generation estimate (100% occupancy and build-out):

- TBD by plumber

WARRANTY DEED

DOC#: 1054382



Document Number

This Deed, made between DARWIN HOEFERT, Grantor,
and MORNING STAR EVANGELICAL LUTHERAN CHURCH OF
JACKSON, WISCONSIN, INC., Grantee,

Grantor, for valuable consideration, conveys to Grantee the
following described real estate in WASHINGTON County, State of
Wisconsin (the "Property"):

Recorded
JUNE 28, 2004 AT 11:10AM
SHARON A. MARTIN
REGISTER OF DEEDS
WASHINGTON COUNTY, WI
Fee Amount: \$13.00
Fee Exempt 77.25-(17)

FEE
\$77.25 (17)
EXEMPT

Recording Area

Name and Return Address

Morning Star Evangelical Lutheran
Church of Jackson, Wisconsin, Inc.
N171 W20051 Highland Road
Jackson, WI 53037

V3-0463-00D(Part of)

Parcel Identification Number (PIN)

This is not homestead property.

LEGAL DESCRIPTION - EXHIBIT A

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances and will warrant and defend the same, EXCEPT: municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, general taxes levied in the year of closing.

Dated this 27 day of June, 2004.

Darwin Hoefert
DARWIN HOEFERT

(SEAL)

(SEAL)

(SEAL)

(SEAL)

AUTHENTICATION

Signature(s) _____

authenticated this ____ day of _____, _____

TITLE: MEMBER OF STATE BAR OF WISCONSIN
(If not, _____)

authorized by ss. 708.06, Wis. Stats.)
THIS INSTRUMENT WAS DRAFTED BY

ATTY. WILLIAM J. HICKMANN, AS SCRIVENER
WEST BEND WI 53095

(Signatures may be authenticated or acknowledged. Both are not necessary.)

*Names of persons signing in any capacity must be typed or printed below their signature

WARRANTY DEED

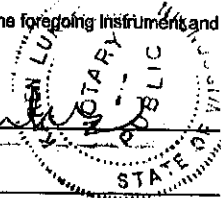
ACKNOWLEDGMENT

State of Wisconsin)
) ss.
WASHINGTON County,)

Personally came before me this 23 day of June,

2004, the above named DARWIN HOEFERT to me known
to be the person(s) who executed the foregoing instrument and
acknowledge the same.

Raken Luker
RAKEN LUKER



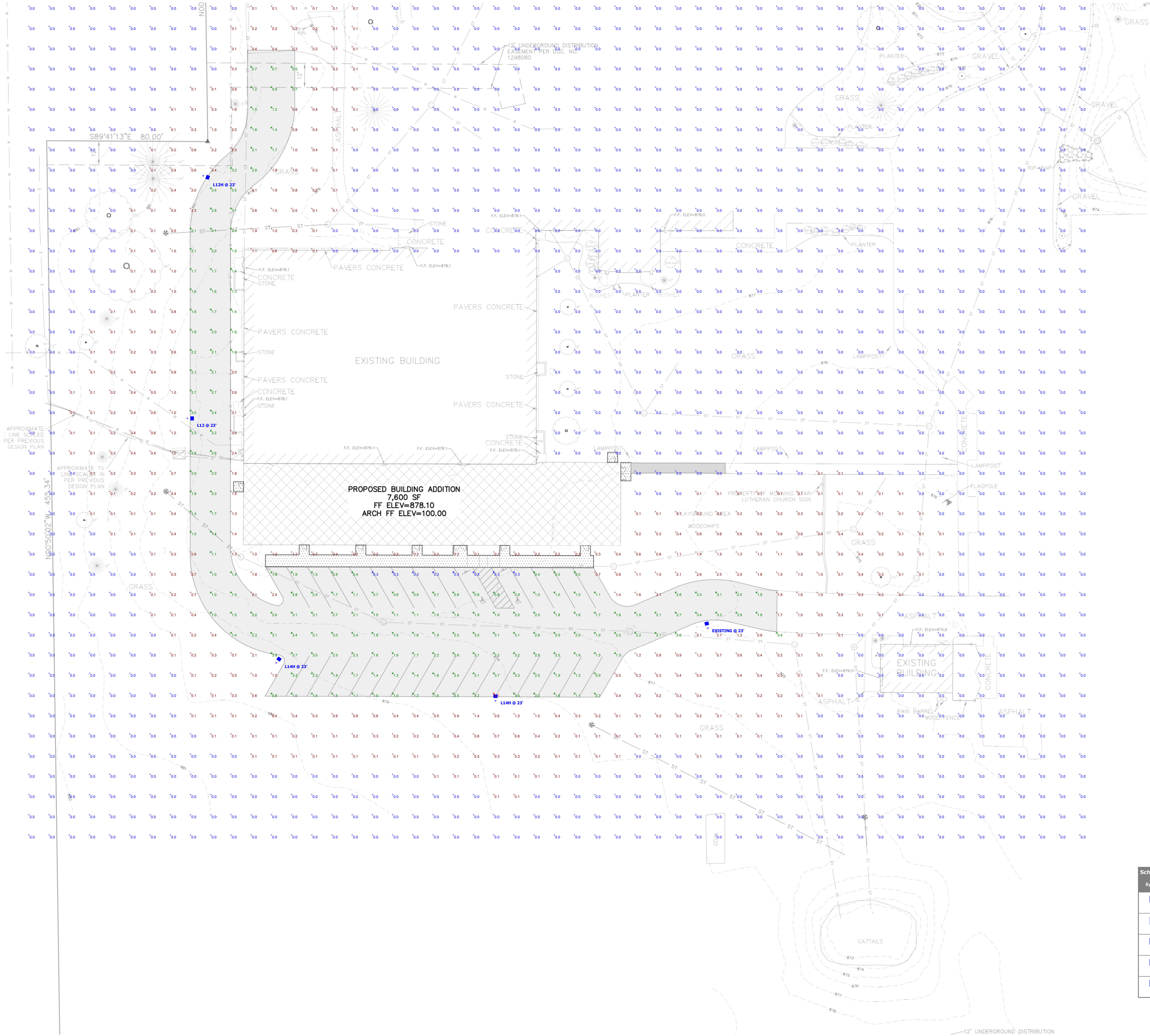
Notary Public, State of Wisconsin

My commission is permanent. (If not, state expiration date): 3-4-07

EXHIBIT "A"

Lot One (1) of Certified Survey Map No. 5461 recorded in the Washington County Registry on April 16, 2002 in Volume 39 of Certified Survey Maps, pages 54 to 58 as Document No. 929487, being a redivision of Lots 1, 2 and 4 of Certified Survey Map No. 4587, as recorded in Volume 31 of Certified Survey Maps, on pages 1-3, as Document No. 704594, being in the NW ¼ of the SW ¼ of Section 17, Town 10 North, Range 20 East, in the Village of Jackson, Washington County, Wisconsin. EXCEPTING THEREFROM the parcels previously described as Lots 1 and 2 of Certified Survey Map No. 4587 recorded in the Washington County Registry on November 20, 1995 in Volume 31 of Certified Survey Maps, pages 1-3 as Document No. 704594.

*THIS DEED IS GIVEN IN FULFILLMENT OF LAND CONTRACT RECORDED
SEPTEMBER 11, 2001 AS DOCUMENT NO. 900203.



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS



Specifications	
EPA:	1.01 ft ²
Length:	33"
Width:	12"
Height H1:	7-1/2"
Height H2:	3-1/2"
Weight (max):	27 lbs

Introduction
The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 750W metal halide in pedestrian and area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

DSK1 LED				EXAMPLE: DSK1 LED P7 40K T3M MVOLT SPA NLTAR2 PIRHN DBXBD						
Series	LEDs	Color temperature	Distribution	Voltage	Mounting					
DSK1 LED	Forward optics		T15	Typ I short	T195	Typ I very short	MVOLT ¹	Shipped included		
	P1	P4	P7	40K	4000K		120°	SPA	Square pin mounting	
	P2	P5	P8	50K	5000K		208°	BPA	Round pin mounting	
	P3	P6	P9				240°	WPA	Wall bracket	
	Rotated optics		T25	Typ I short	BK	Backlight control		277°	SPOMA	Square pin universal mounting adapter ²
	P1	P4	P7	40K	4000K		341°	PRMA	Round pin universal mounting adapter ²	
	P2	P5	P8				484°	Shipped separately		
	P3	P6	P9					KMA DSK1-01 Must use mounting bracket adapter (specify finish)		
			T3M	Forward focus medium	LC03	Low corner cutoff				
					LC02	High corner cutoff				
Control options				Other options				Finish		
Shipped included				Shipped included				OD020	Dark bronze	
NEMAR	LEDs: high brightness 2 modules ³			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Black	
PIR	LEDs: motion-activated beam, ambient room			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	NEAR: high-impact adjustable beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	LEDs: high-impact adjustable beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
PIR	Beam: motion-activated beam, universal mounted, universal ⁴			PIR	High flow, motion-activated beam, 15° mounting beam, ambient room installed at 85°			OD020	Dark bronze	
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PIR	Beam									

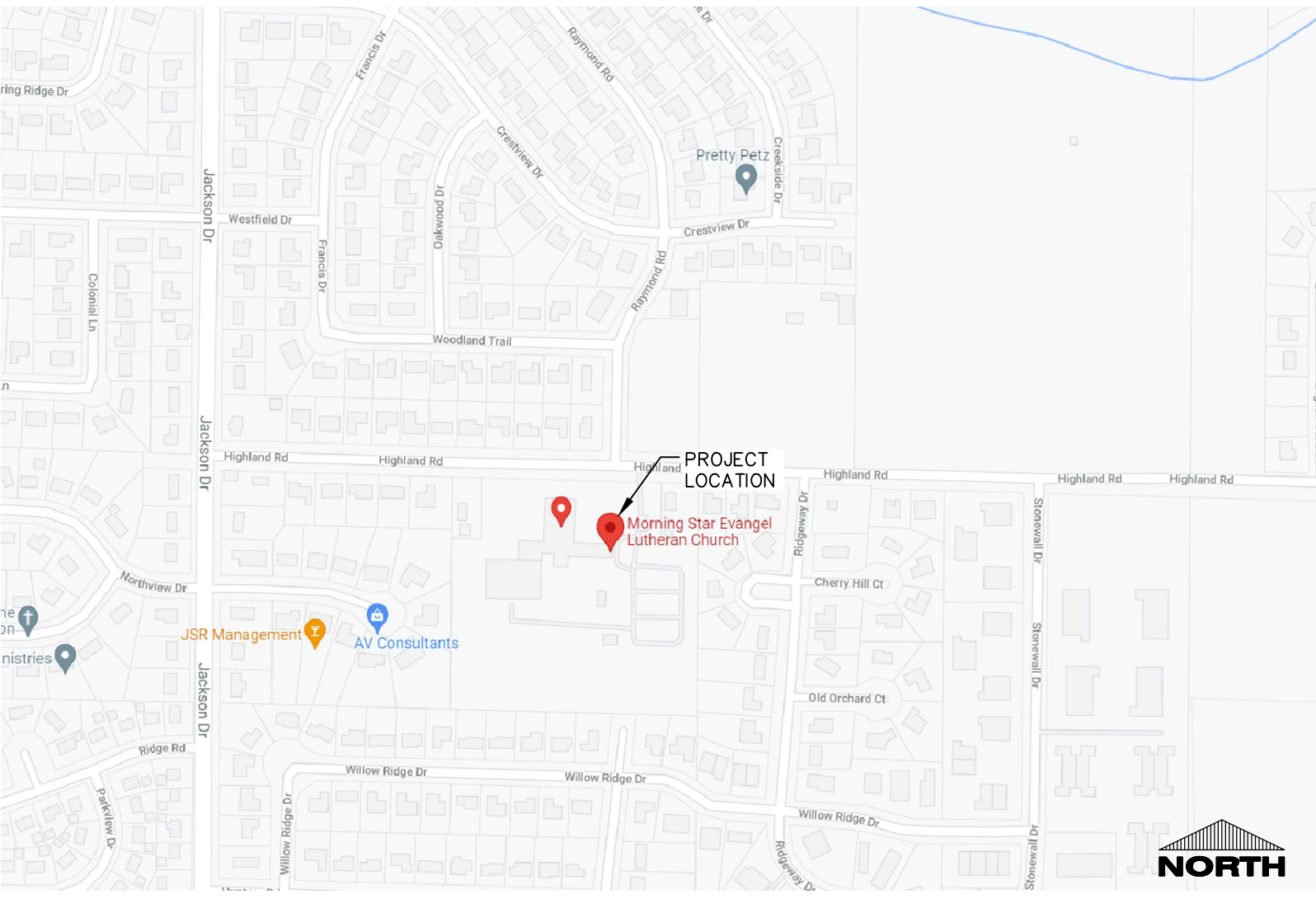
PROPOSED ADDITION FOR: MORNING STAR LUTHERAN SCHOOL

JACKSON, WI LEGEND

	PROPOSED SPOT ELEVATIONS (FLOW LINE OF CURB UNLESS OTHERWISE SPECIFIED)		EXISTING CONFEROUS TREE
	EXISTING GRADE SPOT ELEVATIONS		EXISTING SHRUB
	PROPOSED SPOT ELEVATIONS (REFERENCE R-WALL DETAIL)		EXISTING STUMP
	PROPOSED SPOT ELEVATIONS (TOP OF WALK, BOTTOM OF WALL)		SOIL BORING
	PROPOSED SPOT ELEVATIONS (TOP OF CURB, BOTTOM OF CURB)		EXISTING WELL
	PROPOSED SPOT ELEVATIONS (TOP OF WALK, BOTTOM OF WALK)		PROPOSED WELL
	EXISTING WATER VALVE IN BOX		EXISTING LIGHT POLE
	PROPOSED WATER VALVE IN BOX		EXISTING SIGN
	EXISTING WATER VALVE IN MANHOLE		EXISTING HANDICAP PARKING STALL
	EXISTING WATER SERVICE VALVE		PROPOSED HANDICAP PARKING STALL
	EXISTING TELEPHONE MANHOLE		EXISTING GAS VALVE
	EXISTING STORM CATCH BASIN		EXISTING WOODED AREA
	PROPOSED STORM CATCH BASIN - ST CB		EXISTING HEDGE
	PROPOSED STORM FILL INLET - ST FI		EXISTING CHAINLINK FENCE
	EXISTING SQUARE CATCH BASIN		EXISTING WOOD FENCE
	EXISTING STORM CURB INLET		EXISTING BARBED WIRE FENCE
	PROPOSED STORM CURB INLET - ST CI		PROPOSED PROPERTY LINE
	EXISTING UTILITY POLE		EXISTING GUARD RAIL
	EXISTING UTILITY POLE WITH GUY WIRE		PROPOSED STORM SEWER AND MANHOLE - ST MH
	EXISTING STREET LIGHT		EXISTING SANITARY SEWER AND MANHOLE
	EXISTING TELEPHONE PEDESTAL		PROPOSED SANITARY SEWER AND MANHOLE - SAN MH
	EXISTING ELECTRIC PEDESTAL		EXISTING WATER LINE AND HYDRANT
	EXISTING ELECTRIC BOX		PROPOSED WATER LINE AND HYDRANT
	EXISTING CABLE TV PEDESTAL		PROPOSED OVERHEAD UTILITY LINE
	PROPOSED DRAINAGE FLOW		EXISTING UNDERGROUND FIBER OPTIC LINE
	1-1/4" REBAR SET WEIGHING 4.30 LB/FT		EXISTING UNDERGROUND ELECTRIC CABLE
	3/4" REBAR SET WEIGHING 1.50 LB/FT		EXISTING UNDERGROUND TELEPHONE CABLE
	1-1/4" REBAR FOUND		EXISTING UNDERGROUND GAS LINE
	3/4" REBAR FOUND		PROPOSED CURB AND GUTTER
	2" IRON PIPE FOUND		EXISTING CURB AND GUTTER
	1" IRON PIPE FOUND		RIGHT-OF-WAY LINE
	EXISTING FLOOD LIGHT		INTERIOR PROPERTY LINE
	SECTION CORNER		RAILROAD TRACKS
	PROPOSED APRON END SECTION		EXISTING GROUND CONTOUR
	EXISTING MARSH AREA WITH TRUNK DIAMETER		PROPOSED GROUND CONTOUR
	EROSION MATTING		EXISTING POLISH SEWER AND MANHOLE
	PROPOSED INLET PROTECTION		PROPOSED POLISH SEWER AND MANHOLE
			EXISTING PROCESS SEWER AND MANHOLE
			PROPOSED PROCESS SEWER AND MANHOLE
			EXISTING CLEAR WATER LINE
			PROPOSED CLEAR WATER LINE

CIVIL SHEET INDEX

SHEET	SHEET TITLE
C0.1	CIVIL COVER AND SPECIFICATION SHEET
C1.0	EXISTING SITE AND DEMOLITION PLAN
C1.1	SITE PLAN
C1.2	GRADING AND EROSION CONTROL PLAN
C1.3	UTILITY PLAN
C1.4	LANDSCAPE AND RESTORATION PLAN
C2.0, C2.1	DETAILS
C3.1	SITE PHOTOMETRIC PLAN & DETAILS



PROJECT LOCATION MAP



DIVISION 31 EARTH WORK

31 10 00 SITE CLEARING (DEMOLITION)

- CONTRACTOR SHALL CALL DIGGER'S HOT LINE AND CONDUCT A PRIVATE UTILITY LOCATE AS REQUIRED TO ENSURE THAT ALL UTILITIES HAVE BEEN LOCATED BEFORE STARTING SITE DEMOLITION. DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES BETWEEN PLAN AND FIELD CONDITIONS PRIOR TO CONSTRUCTION.
- DEMOLITION PLANS ARE AN OVERVIEW OF THE PROJECT TO TAKE PLACE ON SITE. CONTRACTOR TO FIELD VERIFY EXISTING SITE CONDITIONS PRIOR TO BIDDING. CONTRACTOR SHALL REMOVE, REPLACE, OR DEMOLISH ALL ITEMS AS NEEDED DURING CONSTRUCTION.
- CONTRACTOR TO PROTECT EXISTING IMPROVEMENTS THAT ARE SCHEDULED TO REMAIN. ANY DAMAGE TO EXISTING FACILITIES SHALL BE REPLACED AT CONTRACTORS EXPENSE.
- ALL CONCRETE NOTED TO BE REMOVED SHALL BE REMOVED TO THE NEAREST CONTROL JOINT.

31 20 00 EARTH MOVING

- CONTRACTOR SHALL CALL DIGGER'S HOT LINE AND CONDUCT A PRIVATE UTILITY LOCATE AS REQUIRED TO ENSURE THAT ALL UTILITIES HAVE BEEN LOCATED BEFORE STARTING EXCAVATION. DESIGN ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES BETWEEN PLAN AND FIELD CONDITIONS PRIOR TO CONSTRUCTION.
- PROVIDE ALL LABOR, MATERIALS AND EQUIPMENT FOR ALL EXCAVATION, GRADING, FILL AND BACKFILL WORK AS REQUIRED TO COMPLETE THE GENERAL CONSTRUCTION WORK. ALL EXCAVATION AND BACKFILL FOR ELECTRICALS AND MECHANICALS ARE THE RESPONSIBILITY OF THE RESPECTIVE CONTRACTOR UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS.
- ORGANIC TOPSOIL INSIDE THE BUILDING AREA, UNDER PAVED AREAS, AND AT SITE FILL AREAS SHALL BE REMOVED. PROOF ROLL SUBGRADE BEFORE PLACING FILL WITH HEAVY PNEUMATIC TIRE EQUIPMENT. SUCH AS A FULLY LOADED TANDEM AXLE DUMP TRUCK, TO IDENTIFY SOFT POCKETS AND AREAS OF EXCESS YIELDING. CONTRACTOR SHALL VERIFY TOPSOIL DEPTHS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REVIEW AND FOLLOW THE RECOMMENDATIONS OF THE GEOTECHNICAL REPORT AND ACCOUNT FOR EXISTING CONDITIONS PRIOR TO SUBMITTING BID FOR THE PROJECT. EXCESS MATERIALS SHALL BE REMOVED FROM THE SITE UNLESS OTHERWISE DIRECTED IN THE PLANS OR BY LOCAL ZONING REQUIREMENTS.
- PLACE AND COMPACT FILL MATERIAL IN LAYERS TO REQUIRED ELEVATIONS. UNIFORM MOISTEN OR AERATE SUBGRADE AND EACH SUBSEQUENT FILL OR BACKFILL LAYER BEFORE COMPACTION AS RECOMMENDED TO ACHIEVE SPECIFIED DRY DENSITY. REMOVE AND REPLACE, OR SCARIFY AND AIR DRY, OTHERWISE SATISFACTORY SOIL MATERIAL THAT IS TOO WET TO COMPACT TO SPECIFIED DRY DENSITY.
- PLACE BACKFILL AND FILL MATERIALS IN LAYERS NOT MORE THAN 8" IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HAND-OPERATED EQUIPMENT, AND NOT MORE THAN 4" IN LOOSE DEPTH FOR MATERIAL COMPACTED BY HEAVY EQUIPMENT.
- COMPACT THE SOIL TO NOT LESS THAN THE FOLLOWING PERCENTAGES OF MAXIMUM DRY DENSITY ACCORDING TO ASTM D 698. STANDARD PROCTOR TEST. FILL MAY NOT BE PLACED ON FROZEN GROUND AND NO FROZEN MATERIALS MAY BE USED FOR BACK FILL. APPLY THE MORE STRINGENT REQUIREMENTS WHEN COMPARING BETWEEN THE FOLLOWING PERCENTAGE OF MAXIMUM DRY DENSITY.
- UNDER FLOORS - SUBGRADE, AND EACH LAYER OF BACKFILL OR FILL MATERIAL, TO NOT LESS THAN 98 PERCENT.
- UNDER INTERIOR SLAB-ON-GRADE WHERE GROUNDWATER IS MORE THAN 1 FEET BELOW THE SLAB - PLACE A DRAINAGE COURSE LAYER OF 3/4" CRUSHED STONE WITH 5% TO 15% FINES, PER THICKNESS INDICATED ON FOUNDATION PLANS ON PREPARED SUBGRADE. COMPACT THE SUBGRADE AND DRAINAGE COURSE TO NOT LESS THAN 95 PERCENT.
- UNDER INTERIOR SLAB-ON-GRADE WHERE GROUNDWATER IS WITHIN 1 FEET OF THE SLAB SURFACE - PLACE A DRAINAGE COURSE LAYER OF CLEAN 3/4" CRUSHED STONE WITH NO MORE THAN 5% FINES, PER THICKNESS INDICATED ON FOUNDATION PLANS ON PREPARED SUBGRADE. COMPACT THE SUBGRADE AND DRAINAGE COURSE TO NOT LESS THAN 95 PERCENT.
- UNDER EXTERIOR CONCRETE AND ASPHALT PAVEMENTS - COMPACT THE SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL TO NOT LESS THAN 95 PERCENT.
- UNDER WALKWAYS - COMPACT SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL TO NOT LESS THAN 95 PERCENT.
- UNDER LAWN OR UNPAVED AREAS - COMPACT SUBGRADE AND EACH LAYER OF BACKFILL OR FILL MATERIAL, TO NOT LESS THAN 85 PERCENT.
- CONTRACTOR SHALL ENGAGE A QUALIFIED INDEPENDENT TESTING AND INSPECTING AGENCY TO PERFORM FIELD TESTS AND INSPECTIONS. IT IS SUGGESTED THAT THE GEOTECHNICAL FIRM USED TO PERFORM THE SUBSURFACE SOIL INVESTIGATION BE ENGAGED FOR THE FIELD QUALITY CONTROL TESTS. THE GEOTECHNICAL REPORT WAS PERFORMED BY INTERTEK-PSI.
- ALLOW THE TESTING AGENCY TO TEST AND INSPECT SUBGRADES AND EACH FILL OR BACKFILL LAYER. PROCEED WITH SUBSEQUENT EARTHWORK ONLY AFTER TEST RESULTS FOR PREVIOUSLY COMPLETED WORK COMPLY WITH REQUIREMENTS. PROVIDE ONE TEST FOR EVERY 2000 SQUARE FEET OF PAVED AREA OR BUILDING SLAB. ONE TEST FOR EACH SPREAD FOOTING, AND ONE TEST FOR EVERY 100 SQUARE FEET OF GRAVEL TYPED FOOTING.
- WHEN THE TESTING AGENCY REPORTS THAT SUBGRADES, FILL, OR BACKFILL HAVE NOT ACHIEVED DEGREE OF COMPACTION SPECIFIED, SCARIFY AND MOISTEN OR AERATE, OR REMOVE AND REPLACE SOIL TO DEPTH REQUIRED. RECOMPACT AND RESET UNTIL SPECIFIED COMPACTION IS OBTAINED.
- IF THE BUILDING SITE DRAINAGE AWAY FROM THE BUILDING IS INDICATED ON THE PLANS, SITE EARTHWORK SHALL BE GRADED TO WITHIN 0.10 OF PROPOSED EARTHWORK ELEVATIONS ASSUMING POSITIVE DRAINAGE IS MAINTAINED IN ACCORDANCE WITH THE GRADING PLAN.

31 30 00 EROSION CONTROL/STORMWATER MANAGEMENT

- THE DESIGN ENGINEER SHALL PREPARE A SITE SPECIFIC EROSION CONTROL AND A STORMWATER MANAGEMENT PLAN PURSUANT TO NR 216.40 AND NR 216.47. THE DESIGN ENGINEER SHALL ALSO FILE A CONSTRUCTION NOTICE OF INTENT WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES PURSUANT TO NR 216.43 OR TO AN AUTHORIZED LOCAL PROGRAM PURSUANT TO NR 216.43 TO OBTAIN COVERAGE UNDER THE GENERAL WIPES STORM WATER PERMIT.
- THE CONTRACTOR SHALL KEEP THE NOTICE OF INTENT PERMIT, APPROVED EROSION CONTROL, AND STORMWATER MANAGEMENT PLANS, AND PLAN AMENDMENTS ON THE CONSTRUCTION SITE AT ALL TIMES PURSUANT TO NR 216.43 UNTIL PERMIT COVERAGE IS TERMINATED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR MEETING THE MONITORING, MAINTENANCE, AND REPORTING REQUIREMENTS OF NR 216.48. INSPECTIONS OF IMPLEMENTED EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES MUST AT A MINIMUM BE INSPECTED EVERY 7 DAYS AND WITHIN 24 HOURS AFTER A PRECIPITATION EVENT OF 0.5" OR MORE. A PRECIPITATION EVENT MAY BE CONSIDERED TO BE THE TOTAL AMOUNT OF PRECIPITATION RECORDED IN ANY CONTINUOUS 24-HOUR PERIOD. THE CONTRACTOR SHALL REPAIR OR REPLACE EROSION AND SEDIMENT CONTROL AS NECESSARY WITHIN 24 HOURS OF AN INSPECTION OR AFTER A DEPARTMENT NOTIFICATION WHERE REPAIR OR REPLACEMENT IS REQUESTED.
- THE CONTRACTOR SHALL MAINTAIN, AT THE CONSTRUCTION SITE OR AVAILABLE VIA AN INTERNET WEBSITE, WEEKLY WRITTEN REPORTS OF ALL INSPECTIONS CONDUCTED. WISCONSIN DNR CONSTRUCTION SITE INSPECTION REPORT FORM 3400-1877 SHALL BE USED. WEEKLY INSPECTION REPORTS SHALL INCLUDE ALL OF THE FOLLOWING:
 - THE DATE, TIME, AND LOCATION OF THE CONSTRUCTION SITE INSPECTION.
 - THE NAME OF THE INDIVIDUAL WHO PERFORMED THE INSPECTION.
 - AN ASSESSMENT OF THE CONDITION OF THE EROSION AND SEDIMENT CONTROLS.
 - A DESCRIPTION OF ANY EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICE IMPLEMENTATION AND MAINTENANCE PERFORMED.
 - A DESCRIPTION OF THE PRESENT PHASE OF LAND-DEVELOPING CONSTRUCTION ACTIVITY AT THE CONSTRUCTION SITE.
- EROSION AND SEDIMENT CONTROL IMPLEMENTED DURING CONSTRUCTION SHALL STRICTLY COMPLY WITH THE GUIDELINES AND REQUIREMENTS SET FORTH IN WISCONSIN ADMINISTRATIVE CODE (AC) NR 10.10. THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES RUNOFF MANAGEMENT PERFORMANCE STANDARDS. TECHNICAL STANDARDS PUBLISHED BY THE WISCONSIN DNR SHALL ALSO BE UTILIZED TO IMPLEMENT THE REQUIRED PERFORMANCE STANDARDS. THE METHODS AND TYPES OF EROSION CONTROL WILL BE DEPENDANT ON THE LOCATION AND TYPE OF WORK INVOLVED. ALL SEDIMENT CONTROL MEASURES SHALL BE ADJUSTED TO MEET FIELD CONDITIONS DURING CONSTRUCTION, AND INSTALLED PRIOR TO ANY GRADING OR DISTURBANCE OF EXISTING SURFACE MATERIAL. BELOW IS A LIST OF EROSION AND SEDIMENT CONTROL BEST MANAGEMENT PRACTICES TO ACHIEVE THE PERFORMANCE STANDARDS.
- SET FENCE SHALL BE PLACED ON THE EROSION CONTROL PLAN. SET FENCE SHALL ALSO BE PROVIDED AROUND THE PERIMETER OF ALL SOIL STOCKPILES THAT WILL EXIST FOR MORE THAN 7 DAYS. FOLLOW PROCEDURES FOUND IN WISCONSIN DNR TECHNICAL STANDARD 1056 (CURRENT EDITION).
- DITCH CHAINS SHALL BE PROVIDED TO REDUCE THE VELOCITY OF WATER FLOWING IN DITCH COUNTERS. PLACE AT LOCATIONS SHOWN ON THE EROSION CONTROL PLAN. FOLLOW PROCEDURES FOUND IN WISCONSIN DNR TECHNICAL STANDARD 1062 (CURRENT EDITION).
- STONE TRACKING PADS AND TRACKOUT CONTROL PRACTICES SHALL BE PLACED AT ALL CONSTRUCTION SITE ENTRANCES AND SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE CONSTRUCTION SITE. SEE THE EROSION CONTROL PLAN FOR LOCATIONS. THE AGGREGATE USED FOR THE STONE TRACKING PAD SHALL BE 1/8" TO 3/8" INCH CLEAR OR WASHED STONE AND SHALL BE PLACED IN A LAYER AT LEAST 12 INCHES THICK. THE STONE SHALL BE UNDERLAIN WITH A WIDESPREAD R. GEOTEXTILE FABRIC AS NEEDED. THE TRACKING PAD SHALL BE THE FULL WIDTH OF THE GROUND POINT 12" MIN WIDTH AND SHALL BE A MINIMUM OF 50 FEET LONG. SURFACE MATERIAL SHALL BE PREVENTED FROM PASSING THROUGH THE TRACKING PAD. OTHER TRACKOUT CONTROL PRACTICES INCLUDING STABILIZED WORK SURFACES, MANUFACTURED TRACKOUT CONTROL DEVICES, TIRE WASHING, AND STREET PAVEMENT CLEANING SHALL BE IMPLEMENTED AS NECESSARY TO MITIGATE THE TRACKOUT OF SEDIMENT OFFSITE. FOLLOW PROCEDURES FOUND IN WISCONSIN DNR TECHNICAL STANDARD 1057 (CURRENT EDITION).
- STORM DRAIN INLET PROTECTION SHALL BE PROVIDED FOR ALL NEW AND DOWNSTREAM STORM CATCH BASINS AND CURB INLETS. TYPE B OR C PROTECTION SHOULD BE PROVIDED AND SHALL BE IN CONFORMANCE WITH WISCONSIN DNR TECHNICAL STANDARD 1060 (CURRENT EDITION).
- DUST CONTROL MEASURES SHALL BE PROVIDED TO REDUCE OR PREVENT THE SURFACE AND AIR TRANSPORT OF DUST DURING CONSTRUCTION. CONTROL MEASURES INCLUDING APPLYING MULCH AND ESTABLISHING VEGETATION, WATER SPRAYING, SURFACE ROUGHENING, APPLYING POLYMERS, SPRAY-ON TRACKERS, CHORDS, AND BARRIERS. SOME SITES MAY REQUIRE AN APPROACH THAT UTILIZES A COMBINATION OF MEASURES FOR DUST CONTROL. FOLLOW PROCEDURES FOUND IN WISCONSIN DNR TECHNICAL STANDARD 1068 (CURRENT EDITION).
- THE USE, STORAGE, AND DISPOSAL OF CHEMICALS, CEMENT, AND OTHER COMPOUNDS AND MATERIALS USED ON SITE SHALL BE MANAGED DURING THE CONSTRUCTION PERIOD TO PREVENT THEIR TRANSPORT BY RUNOFF INTO WATERS OF THE STATE.
- CONTRACTOR SHALL PROVIDE AN OPEN AGGREGATE CONCRETE TRUCK WASHOUT AREA ON SITE. CONTRACTOR TO ENSURE THAT CONCRETE WASHOUT SHALL BE CONTAINED TO THIS DESIGNATED AREA AND NOT BE ALLOWED TO RUN INTO STORM INLETS OR INTO THE OVERLAND STORMWATER DRAINAGE SYSTEM. WASHOUT AREA SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
- TEMPORARY SITE RESTORATION SHALL TAKE PLACE IN DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 14 DAYS AND REQUIRES VEGETATIVE COVER FOR LESS THAN ONE YEAR. THIS TEMPORARY SITE RESTORATION REQUIREMENT ALSO APPLIES TO SOIL STOCKPILES THAT EXIST FOR MORE THAN 7 DAYS. PERMANENT RESTORATION APPLIES TO AREAS WHERE PERENNIAL VEGETATIVE COVER IS NEEDED TO PERMANENTLY STABILIZE AREAS OF EXPOSED SOIL. PERMANENT STABILIZATION SHALL OCCUR WITHIN 3 WORKING DAYS OF FINAL GRADING. TOPSOIL, SEED, AND MULCH SHALL BE IN GENERAL CONFORMANCE WITH TECHNICAL STANDARDS 1058 AND 1059 AND SHALL MEET THE SPECIFICATIONS

PLAN SPECIFICATIONS (BASED ON CSI FORMAT)

- FOUND IN THE LANDSCAPING AND SITE STABILIZATION SECTION OF THIS CONSTRUCTION DOCUMENT, ANY SOIL EROSION THAT OCCURS AFTER FINAL GRADING AND/OR FINAL STABILIZATION MUST BE REPAIRED AND THE STABILIZATION WORK REDONE.
- IF SITE DRAINAGE IS REQUIRED FOR PROPOSED CONSTRUCTION ACTIVITIES, ALL SEDIMENT LADEN WATER GENERATED DURING THE DRAINING PROCESS SHALL BE TREATED TO REMOVE SEDIMENT PRIOR TO DISCHARGING OFF SITE OR TO WATERS OF THE STATE. FOLLOW ALL PROCEDURES FOUND IN TECHNICAL STANDARD 1061.
- ALL OFF-PIPE SITE SEDIMENT DEPOSITS OCCURRING AS A RESULT OF CONSTRUCTION WORK OR A STORM EVENT SHALL BE CLEANED UP BY THE END OF EACH WORKING DAY. DUST CONTROL REQUIREMENTS SHALL BE FOLLOWED PER WISCONSIN TECHNICAL STANDARD 1068 (CURRENT EDITION). FLUSHING SHALL NOT BE ALLOWED.
- EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL THE OWNER CORPUS OF THE EROSION CONTROL AND STORM WATER MANAGEMENT PLAN.
- H. ONCE THE CONSTRUCTION SITE HAS BEEN FULLY STABILIZED AND TEMPORARY EROSION CONTROL BEST MANAGEMENT PRACTICES HAVE BEEN REMOVED, THE CONTRACTOR SHALL FILE A CONSTRUCTION NOTICE OF TERMINATION WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES IN ACCORDANCE WITH NR 216.55.
- AT THE COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL OWE THE OWNER CORPUS OF THE EROSION CONTROL AND STORM WATER MANAGEMENT PLAN AMENDMENTS TO PLANS, SUPPORTING PLAN DATA, AND CONSTRUCTION SITE EROSION CONTROL INSPECTION REPORTS. THE OWNER SHALL RETAIN THESE FOR A PERIOD OF 3 YEARS FROM THE DATE OF TERMINATING COVERAGE UNDER WIPES GENERAL PERMIT.
- J. ALL POST CONSTRUCTION STORMWATER MANAGEMENT BEST MANAGEMENT PRACTICES SHALL BE CONSTRUCTED BEFORE THE SITE HAS UNDERGONE FINAL STABILIZATION.

DIVISION 32 EXTERIOR IMPROVEMENTS

32 10 00 AGGREGATE BASE & ASPHALT PAVEMENT

- CONTRACTOR TO PROVIDE COMPACTED AGGREGATE BASE AND HOT MIX ASPHALT PAVEMENT WHERE INDICATED ON THE PLANS. ALL AGGREGATE PROVIDED MUST COMPLY WITH SECTION 305 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. PROVIDE HOT MIX ASPHALT MIXTURE TYPES PER SECTION 400 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. CONTRACTOR SHALL OBTAIN AND REVIEW SOILS REPORT FOR RECOMMENDATIONS FOR GEO-GRIP / GEOTEXTILE BELOW CRUSHED AGGREGATE IF APPLICABLE. CONTRACTOR TO PROVIDE AGGREGATE BASE AND HOT MIX ASPHALT PAVEMENT TYPES AND DEPTHS AS SPECIFIED BELOW.
- CONTRACTOR TO COMPACT THE AGGREGATE BASE, ASPHALT BINDER COURSE, AND ASPHALT SURFACE COURSE TO AN AVERAGE DENSITY PER WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. ALL ASPHALT PAVEMENT AREAS SHALL BE PAVED TO WITHIN 0.10 OF DESIGN SURFACE GRADES WITH POSITIVE DRAINAGE BEING MAINTAINED IN ACCORDANCE WITH DESIGN PLANS. A MINIMUM OF 1% SLOPE SHALL BE MAINTAINED IN ALL ASPHALT PAVEMENT AREA.
- HOT MIX ASPHALT CONSISTS OF COMPONENTS OF CONSTRUCTION DOCUMENTS, TESTS, THE GEOTECHNICAL REPORT OR THIS SPECIFICATION.
- CONTRACTOR TO PROVIDE 4" WIDE YELLOW PAINTED STRIPING FOR PARKING SPACES, TRAFFIC LANES, AND NO PARKING AREAS. YELLOW PAINT MARKINGS SHALL ALSO BE PROVIDED FOR H.C. ACCESSIBLE SYMBOLS, TRAFFIC ARROWS, AND TRAFFIC MESSAGES.

32 20 00 CONCRETE AND AGGREGATE BASE

- CONTRACTOR TO PROVIDE CRUSHED AGGREGATE BASE AND CONCRETE WHERE INDICATED ON THE PLANS.
- ALL AGGREGATE PROVIDED MUST COMPLY WITH SECTION 305 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION. ALL AGGREGATE PROVIDED MUST COMPLY WITH THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURE CONSTRUCTION.
- DESIGN AND CONSTRUCTION OF ALL CAST-IN-PLACE EXTERIOR CONCRETE FLAT WORK SHALL CONFORM TO AC 308-08 & AC 318-08.
- EXTERIOR CONCRETE FLAT WORK SHALL BE PROVIDED PER MORE STRINGENT REQUIREMENTS OF THE GEOTECHNICAL REPORT OR THIS SPECIFICATION. CONCRETE FLAT WORK CONSTRUCTION IS AS FOLLOWS:
 - SIDEWALK CONCRETE - 4" OF CONCRETE OVER A 3/4" CRUSHED AGGREGATE BASE. CONSTRUCTION JOINTS SHALL CONSIST OF 1/8" WIDE 1" DEEP TOOLED JOINT WHERE INDICATED ON THE PLANS.
 - DESIGN MIXES SHALL BE IN ACCORDANCE WITH AC 304.
 - STRENGTH TO BE MINIMUM OF 4,500 PSI AT 28 DAYS FOR EXTERIOR CONCRETE.
 - MAXIMUM WATER-CEMENT RATIO SHALL BE 0.45.
 - SUMP SHALL NOT EXCEED 4" FOR EXTERIOR CONCRETE FLAT WORK.
 - SUMP SHALL BE 1/2" OR LESS FOR SAND-FORMED CURB AND GUTTER.
 - SUMP SHALL BE BETWEEN 1/2" TO 3/4" FOR NON-SAND-FORMED CURB AND GUTTER.
 - ALL EXTERIOR CONCRETE SHALL BE AIR ENTRAINMENT WITH 4% TO 7% AIR CONTENT. NO OTHER ADMIXTURES SHALL BE USED WITHOUT APPROVAL OF EXCEL ENGINEERING, INC. CALCIUM CHLORIDE SHALL NOT BE USED.
 - MAXIMUM AGGREGATE SIZE FOR ALL EXTERIOR CONCRETE SHALL BE 0.75 INCHES.
 - CONCRETE FLAT WORK SURFACES AND CONCRETE CURB FLOWLINES SHALL BE CONSTRUCTED TO WITHIN 0.05 OF DESIGN SURFACE AND FLOWLINE GRADINGS. ASSUMING POSITIVE DRAINAGE IS MAINTAINED IN ACCORDANCE WITH THE DESIGN PLANS.
 - CONCRETE FLAT WORK SHALL HAVE CONSTRUCTION JOINTS OR SAW CUT JOINTS PLACED AS INDICATED ON THE PLANS OR PER THIS SPECIFICATION. SAWCUTS SHALL BE DONE AS SOON AS POSSIBLE, BUT NO LATER THAN 24 HOURS AFTER CONCRETE IS PLACED. CONCRETE CURB AND GUTTER JOINTING SHALL BE PLACED EVERY 10' OR CLOSER (6' MIN). IF CONCRETE PAVEMENT IS ADJACENT TO CONCRETE CURB, JOINTING IN THE PAVEMENT AND CURB SHALL ALIGN. ALL EXTERIOR CONCRETE SHALL HAVE A LIGHT BROOM FINISH UNLESS NOTED OTHERWISE. A UNIFORM COAT OF A HIGH SOLIDS CURING COMPOUND MEETING ASTM C1084 SHOULD BE APPLIED TO ALL EXPOSED CONCRETE SURFACES. ALL CONCRETE IS TO BE CURED FOR 7 DAYS. EXTERIOR CONCRETE SHALL BE SEPARATED FROM BUILDINGS WITH CONTINUOUS 0.5 INCH FIBER EXPANSION JOINT AND/OR 0.75 INCH FIBER EXPANSION JOINT AT DECORATIVE MASONRY UNITS.
 - ALL REINFORCING BARS SHALL BE ASTM A615 GRADE 60. THICKNESS OF CONCRETE COVER OVER REINFORCEMENT SHALL BE NOT LESS THAN 3" WHERE CONCRETE IS DEPOSITED AGAINST THE GROUND WITHOUT THE USE OF FORMS AND NOT LESS THAN 1.5" IN ALL OTHER LOCATIONS. ALL REINFORCING SHALL BE LAPPED 36 DIAMETERS FOR UP TO #5 BARS, 60 DIAMETERS FOR #7 TO 10 BARS OR AS NOTED ON THE DRAWINGS AND EXTENDED AROUND CORNERS WITH CORNER BARS. PLACING AND DETAILING OF STEEL REINFORCING AND REINFORCING SUPPORTS SHALL BE IN ACCORDANCE WITH CSI AND ACI MANUAL AND STANDARD PRACTICES. THE REINFORCEMENT SHALL NOT BE PAINTED AND MUST BE FREE OF GRAVE SOIL, DIRT OR DEEP RUST WHEN PLACED IN THE WORK. ALL WELDED WIRE FABRIC SHALL MEET THE REQUIREMENTS OF ASTM A 185. WELDED WIRE FABRIC SHALL BE PLACED 2" FROM TOP OF SLAB, UNLESS INDICATED OTHERWISE.
 - CONTRACTOR SHALL ENGAGE A QUALIFIED INDEPENDENT TESTING AND INSPECTING AGENCY TO SAMPLE MATERIALS, PERFORM TESTS, AND SUBMIT TEST REPORTS DURING CONCRETE PLACEMENT. TESTS WILL BE PERFORMED ACCORDING TO ACI 301. CAST AND LABORATORY CURE ONE SET OF FOUR STANDARD CYLINDERS FOR EACH COMPOSITE SAMPLE FOR EACH DAY'S POUR OF EACH CONCRETE MIX EXCEEDING 25 CU YD, BUT LESS THAN 25 CU YD, PLUS ONE SET FOR EACH ADDITIONAL 50 CU YD OR FRACTION THEREOF. PERFORM COMPRESSIVE STRENGTH TESTS ACCORDING TO ASTM C 143. TEST TWO SPECIMENS AT 7 DAYS AND TWO SPECIMENS AT 28 DAYS. PERFORM SLUMP TESTING ACCORDING TO ASTM C 143. PROVIDE ONE TEST AT POINT OF PLACEMENT FOR EACH COMPOSITE SAMPLE, BUT NOT LESS THAN ONE TEST FOR EACH DAY'S POUR OF EACH CONCRETE MIX. PERFORM ADDITIONAL TESTS WHEN CONCRETE CONSISTENCY APPEARS TO CHANGE.
 - PROTECT FRESHLY PLACED CONCRETE FROM PREMATURE DRYING AND EXCESSIVE COLD OR HOT TEMPERATURES. IN HOT, DRY, AND WINDY WEATHER, APPLY AN EVAPORATION-CONTROL COMPOUND ACCORDING TO MANUFACTURER'S INSTRUCTIONS AFTER SCREEDING AND BULL FLOATING, BUT BEFORE PAVING AND TROWELLING.
 - LIMIT MAXIMUM WATER-CEMENT RATIO OF CONCRETE EXPOSED TO FREEZING, THAWING AND DEICING SALTS TO 0.45.
 - TEST RESULTS WILL BE REPORTED IN WRITING TO THE DESIGN ENGINEER, READY-MAID PRODUCTS, AND CONTRACTOR WITHIN 24 HOURS AFTER TESTS. REPORTS OF COMPRESSIVE STRENGTH TESTS SHALL CONTAIN THE PROJECT IDENTIFICATION NAME AND NUMBER, DATE OF CONCRETE PLACEMENT, NAME OF CONCRETE TESTING SERVICE, CONCRETE TYPE AND CLASS, LOCATION OF CONCRETE BATCH IN STRUCTURE, DESIGN COMPRESSIVE STRENGTH AT 28 DAYS, CONCRETE MIX PROPORTIONS AND MATERIALS, COMPRESSIVE BREAKING STRENGTH, AND TYPE OF BREAK FOR BOTH 7-DAY TESTS AND 28-DAY TESTS.
 - CONTRACTOR TO PROVIDE 4" WIDE YELLOW PAINTED STRIPING FOR PARKING SPACES, TRAFFIC LANES, AND NO PARKING AREAS. YELLOW PAINT MARKINGS SHALL ALSO BE PROVIDED FOR H.C. ACCESSIBLE SYMBOLS, TRAFFIC ARROWS, AND TRAFFIC MESSAGES.

32 30 00 LANDSCAPING AND SITE STABILIZATION

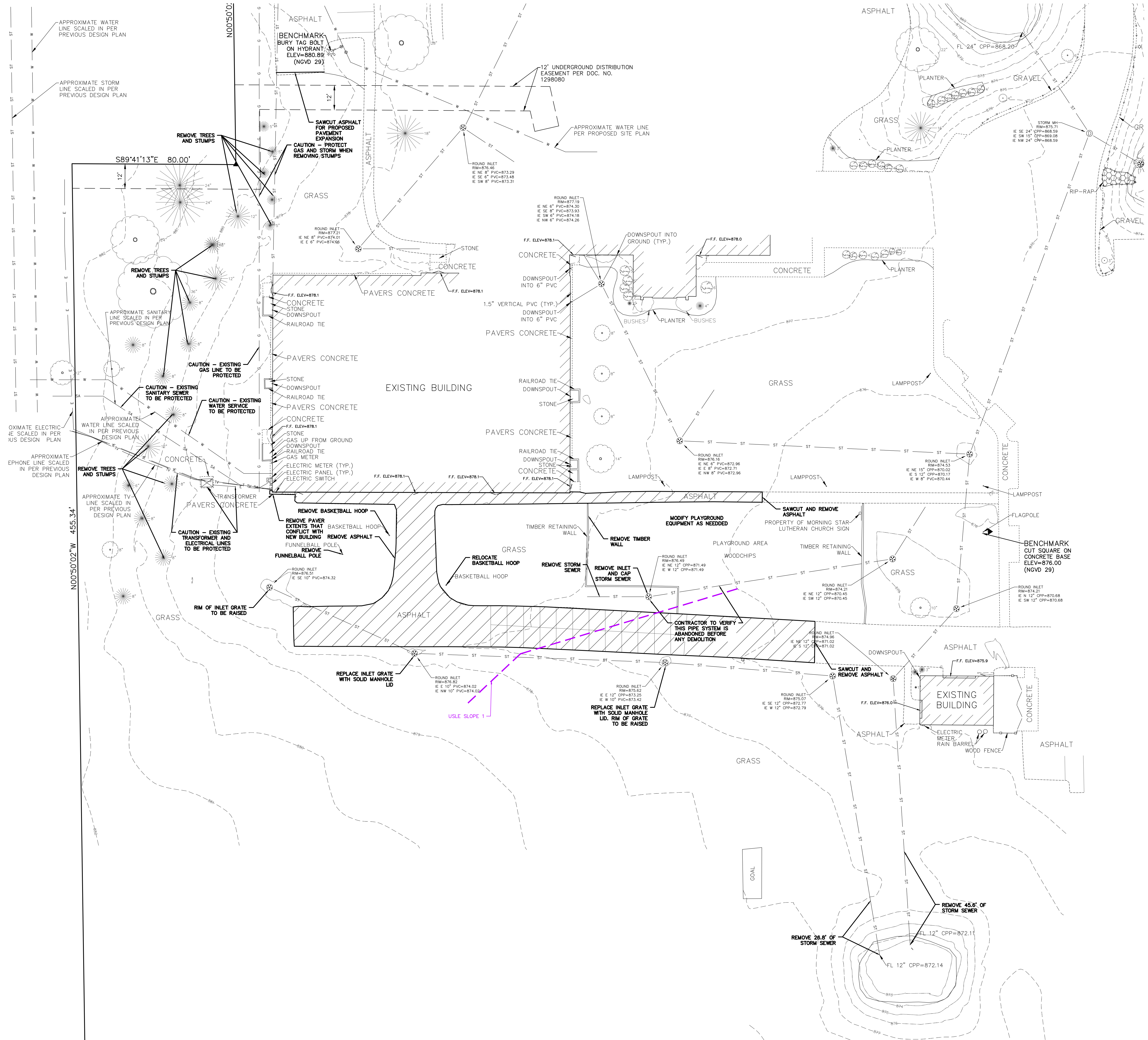
- TOPSOIL. CONTRACTOR TO PROVIDE A MINIMUM OF 1" OF TOPSOIL FOR ALL DISTURBED OPEN AREAS. RUDE SURFACE SOIL STOCKPILED ON SITE AND SUPPLEMENT WITH IMPORTED OR MANUFACTURED TOPSOIL FROM OFF SITE SOURCES WHEN QUALITIES ARE INSUFFICIENT. EXCAVATOR SHALL BE RESPONSIBLE FOR ROUGH PLACEMENT OF TOPSOIL TO WITHIN 1" OF FINAL GRADE PRIOR TO LANDSCAPE FINAL GRADING. LANDSCAPER TO PROVIDE PULVERIZED AND FINAL GRADING OF TOPSOIL. PROVIDE SOIL ANALYSIS AND A QUALITY SOIL TESTING LABORATORY AS REQUIRED PRIOR TO CONSTRUCTION. CONTRACTOR SHALL OBTAIN AND REVIEW SOILS REPORT FOR RECOMMENDATIONS FOR GEO-GRIP / GEOTEXTILE BELOW CRUSHED AGGREGATE IF APPLICABLE. CONTRACTOR TO PROVIDE AGGREGATE BASE AND HOT MIX ASPHALT PAVEMENT TYPES AND DEPTHS AS SPECIFIED BELOW.
- SEEDING LAWNES.
 - PERMANENT LAWN AREAS SHALL BE SEEDDED WITH THE FOLLOWING MIXTURE: 65% KENTUCKY BLUEGRASS BLENDED (2.0-2.6 LBS./1,000 S.F.), 20% PERENNIAL RYEGRASS

- 0.6-0.8 LBS./1,000 S.F.), 15% FINE FESCUE (0.4-0.6 LBS./1,000 S.F.), STRAW AND MULCH SHALL BE LAID AT 100 LBS./1,000 S.F. FERTILIZE AS PER SOIL TEST OR APPLY 5-10-10 OR EQUIVALENT AT 5-6 LBS./1,000 S.F. SEE EROSION MATTING SPECIFICATIONS AS REQUIRED. ALL SITE DISTURBED AREAS NOT DESIGNATED FOR OTHER LANDSCAPING AND SITE STABILIZATION METHODS SHALL BE SEEDDED AS PERMANENT LAWN. NO BARE TOPSOIL SHALL BE LEFT ON SITE. FOLLOW PROCEDURES FOUND IN WISCONSIN TECHNICAL STANDARDS 1058 & 1059.
- ALL PERMANENT AND TEMPORARY STORM WATER CONVEYANCE SWALE BOTTOMS AND SIDE SLOPES AS WELL AS STORMWATER MANAGEMENT BASIN BOTTOMS AND SIDE SLOPES SHALL BE SEEDDED WITH THE FOLLOWING MIXTURE: 40% KENTUCKY BLUEGRASS (0.6 LBS./1,000 S.F.), 40% CREEPING RED FESCUE (0.5 LBS./1,000 S.F.), AND 15% PERENNIAL RYEGRASS (0.2 LBS./1,000 S.F.). FERTILIZE AS PER SOIL TEST OR APPLY 5-10-10 OR EQUIVALENT AT 5-6 LBS./1,000 S.F. SEE EROSION MATTING SPECIFICATIONS AS REQUIRED. FOLLOW PROCEDURES FOUND IN WISCONSIN TECHNICAL STANDARDS 1058 & 1059.
- ALL TEMPORARY SEEDING SHALL CONSIST OF THE FOLLOWING MIXTURE: 100% PERGRASS AT 1.0 LBS./1,000 S.F. STRAW AND MULCH SHALL BE LAID AT 100 LBS./1,000 S.F. FERTILIZE AS PER SOIL TEST OR APPLY 5-10-10 OR EQUIVALENT AT 5-6 LBS./1,000 S.F. SEE EROSION MATTING SPECIFICATIONS AS REQUIRED. FOLLOW PROCEDURES FOUND IN WISCONSIN TECHNICAL STANDARDS 1058 & 1059.
- SEEDED LAWN MAINTENANCE. CONTRACTOR TO PROVIDE MAINTENANCE OF ALL LANDSCAPING FOR A PERIOD OF 90 DAYS FROM THE DATE OF INSTALLATION. AT THE END OF THE MAINTENANCE PERIOD, A HEALTHY UNIFORM, CLOSE STAND OF GRASS SHOULD BE ESTABLISHED FREE OF WEEDS AND SURFACE IRREGULARITIES. LAWN COVERAGE SHOULD EXCEED 90% AND BARE SPOTS SHOULD NOT EXCEED 15%. CONTRACTOR SHOULD REESTABLISH LAWNS THAT DO NOT COMPLY WITH THESE REQUIREMENTS AND CONTINUE MAINTENANCE UNTIL LAWNS ARE SATISFACTORY.
- EROSION MATTING.
 - CONTRACTOR TO PROVIDE EROSION CONTROL MATTING (NORTH AMERICAN GREEN S150) OR EQUIVALENT ON ALL SLOPES THAT ARE 4:1 AND GREATER OUTSIDE OF STORMWATER CONVEYANCE SWALES AND STORMWATER MANAGEMENT BASINS.
 - CONTRACTOR TO PROVIDE EROSION MATTING (NORTH AMERICAN GREEN C125) OR EQUIVALENT IN ALL SWALE BOTTOMS AND SIDE SLOPES AS WELL AS STORMWATER MANAGEMENT BASIN BOTTOMS AND SIDE SLOPES AS REQUIRED.
- RIP RAP. ALL RIP RAP ASSOCIATED WITH STORMWATER MANAGEMENT AND STORMWATER CONVEYANCE, AS DELINEATED ON THE PLANS, SHALL BE CONSTRUCTED WITH THE TOP OF RIP RAP MATCHING THE PROPOSED ADJACENT GRADE ELEVATIONS. PLACEMENT OF RIP RAP ABOVE THE PROPOSED ADJACENT GRADE ELEVATIONS IS NOT ACCEPTABLE. ALL RIP RAP SHALL BE PLACED ON TOP OF HR FILTER FABRIC PER SECTION 445 OF THE WISCONSIN STANDARD SPECIFICATIONS FOR HIGHWAY AND STRUCTURAL CONSTRUCTION.
- STONE MULCH. PROVIDE 2" MINIMUM THICK BLANKET OF 0.75" MINIMUM TO 1.5" MAXIMUM CRUSHED DECORATIVE STONE AT ALL PLANTING AREAS INDICATED ON THE LANDSCAPE PLAN. INSTALL OVER NON-WOVEN WEED BARRIER FABRIC. COLOR BY OWNER.
- PLASTIC EDGING. INSTALL VALLEY VIEW INDUSTRIES BLACK DIAMOND LAWN EDGING TO SEPARATE ALL PLANTING BEDS FROM LAWN AREAS. EDGING TO BE 5.5" TALL WITH METAL STAKES INSTALLED PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

DIVISION 33 UTILITIES

33 10 00 SITE UTILITIES

- CONTRACTOR TO FIELD VERIFY ALL EXISTING UNDERGROUND UTILITIES ON SITE. CONTRACTOR TO VERIFY PIPE LOCATIONS, SIZES, AND DEPTHS AT POINT OF PROPOSED CONNECTIONS AND VERIFY PROPOSED UTILITY ROUTES ARE CLEAR PER CODE OF ALL EXISTING UTILITIES AND OTHER OBSTRUCTIONS PRIOR TO CONSTRUCTION. COSTS INCURRED FOR FAILURE TO DO SO SHALL BE THE CONTRACTORS RESPONSIBILITY.
- CONTRACTOR TO FIELD FIELD TRAVELERS ALL EXISTING SANITARY AND STORM LATERALS THAT ARE SCHEDULED TO BE RE-USED AND/OR CONNECTED TO ON SITE. THE TRAVELING SHALL BE COMPLETED TO ENSURE THE EXISTING LATERALS ARE FREE OF OBSTRUCTIONS AND IN SOUND STRUCTURAL CONDITION. TRAVELING OF THESE LATERALS SHOULD BE COMPLETED AT BEGINNING OF CONSTRUCTION AND DESIGN ENGINEER SHALL BE NOTIFIED OF ANY PIPE OBSTRUCTIONS AND/OR STRUCTURAL DEFICIENCIES IMMEDIATELY AFTER COMPLETION OF FIELD TRAVELING.
- ALL PROPOSED SANITARY PIPE SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN TABLE A. ALLOWABLE PIPE MATERIAL SCHEDULE ON C0.1 OF THE PROPOSED PLANSET. ALL PROPOSED SANITARY PIPE BELOW PROPOSED & FUTURE BUILDINGS SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN TABLE A. ALLOWABLE PIPE MATERIAL SCHEDULE ON C0.1 OF THE PROPOSED PLANSET.
- SANITARY AND PROCESS MANHOLES SHALL BE 48" PRECAST AND CONFORM TO THE STANDARD SPECIFICATIONS FOR SEWER & WATER CONSTRUCTION IN WISCONSIN CURRENT EDITION UNLESS OTHERWISE SPECIFIED. PROCESS MANHOLES SHALL BE LINED W/ GSE STUDLINER LINED. SANITARY & PROCESS MANHOLE FRAME AND GRADE TO BE NOT LESSER R-1550-A OR EQUAL RIM ELEVATION TO BE SET AT FINISHED GRADE IN DEVELOPED AREAS AND 12" ABOVE FINISHED GRADE IN UNDEVELOPED AREAS EXCEPT AS OTHERWISE DIRECTED BY THE ENGINEER.
- CLEANOUTS SHALL BE PROVIDED FOR THE SANITARY SERVICE AT LOCATIONS INDICATED ON THE UTILITY PLAN. THE CLEANOUT SHALL CONSIST OF A COMBINATION WYE FITTING IN LINE WITH THE SANITARY SERVICE WITH THE CLEANOUT GUEY WYE FACING STRAIGHT UP. THE CLEANOUT SHALL CONSIST OF A 6" VERTICAL PIPE WITH A WATER TIGHT REMOVABLE CLEANOUT PLUG. AN 8" PIPE FIRST SLEEVE SHALL BE PROVIDED. THE BOTTOM OF THE FIRST SLEEVE SHALL TERMINATE 12" ABOVE THE TOP OF THE SANITARY LATERAL, OR AT LEAST 6" BELOW THE PREDICTED FROST DEPTH, WHICHEVER IS SHALLOWER. THE CLEANOUT SHALL EXTEND JUST ABOVE THE SURFACE GRADE IN LAWN OR LANDSCAPE AREAS WITH THE FIRST SLEEVE TERMINATING AT THE GRADE SURFACE. THE CLEANOUT SHALL EXTEND TO 4 INCHES BELOW SURFACE GRADE IN PAVED SURFACES WITH A DRAIN 2" 24 IN. HEAVY DUTY CLEANOUT HOUSING PLACED OVER THE TOP OF THE CLEANOUT FLUSH WITH THE SURFACE GRADE. IN PAVED SURFACES, THE FIRST SLEEVE SHALL TERMINATE IN A CONCRETE PAD AT LEAST 6" THICK AND EXTENDING AT LEAST 5' FROM THE SLEEVE ON ALL SIDES, SLOPING AWAY FROM THE SLEEVE. THE CLEANOUT HOUSING SHALL BE CONSTRUCTED PER MANUFACTURER'S REQUIREMENTS.
- ALL PROPOSED WATER PIPE SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN TABLE A. ALLOWABLE PIPE MATERIAL SCHEDULE ON C0.1 OF THE PROPOSED PLANSET. 6" MINIMUM COVER SHALL BE PROVIDED OVER ALL WATER PIPING UNLESS OTHERWISE SPECIFIED.
- ALL PROPOSED HOPE STORM PIPE SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN TABLE A. ALLOWABLE PIPE MATERIAL SCHEDULE ON C0.1 OF THE PROPOSED PLANSET. ALL CONCRETE STORM PIPING SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN TABLE A. ALLOWABLE PIPE MATERIAL SCHEDULE ON C0.1 OF THE PROPOSED PLANSET. ALL CONCRETE STORM PIPE BELOW BUILDINGS SHALL BE IN ACCORDANCE WITH MATERIALS SPECIFIED IN TABLE A. ALLOWABLE PIPE MATERIAL SCHEDULE ON C0.1 OF THE PROPOSED PLANSET. SEE UTILITY PLANS FOR ALL STORM PIPE MATERIAL TYPES TO BE USED. PIPE SHALL BE PLACED MIN. 8" HORIZONTALLY FROM FOUNDATION WALLS.
- SANITARY, STORM, AND WATER UTILITY PIPE INVERTS SHALL BE CONSTRUCTED WITHIN 0.10 OF DESIGN INVERT ELEVATIONS ASSUMING PIPE SLOPE AND SEPARATION IS MAINTAINED PER THE UTILITY DESIGN PLANS AND STATE REQUIREMENTS.
- SITE UTILITY CONTRACTOR SHALL RUN SANITARY SERVICE TO A POINT WHICH IS A MINIMUM OF 5' FROM THE EXTERIOR WALL OF THE FOUNDATION. SITE UTILITY CONTRACTOR SHALL RUN STORM SERVICE FOR INTERNALLY DRAINED BUILDINGS TO A POINT WHICH IS A MINIMUM OF 5' FROM THE EXTERIOR WALL OF THE FOUNDATION. ALL DOWNPOUT LOCATIONS SHOULD BE IDENTIFIED WITH ARCHITECTURAL PLANS AND DOWNPOUT CONTRACTOR TO PRIOR TO INSTALLATION OF DOWNPOUT LEADS. DOWNPOUT LEADS SHALL NOT UNDERMINE BUILDING FOUNDATIONS. SITE UTILITY CONTRACTOR SHALL RUN WATER SERVICE TO A POINT WITHIN



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

NOTE: PROPERTY LINES AND EASEMENTS SHOWN ON THIS PLAN WERE DRAFTED FROM INFORMATION CONTAINED IN TITLE COMMITMENT FILE NO. 2106602, BY KNIGHT BARRY TITLE GROUP, DATED NOVEMBER 2, 2021. AN UPDATED PLAT OF SURVEY OR ALTA SURVEY HAS NOT BEEN AUTHORIZED AND THE PROPERTY LINES SHOWN ON THIS PLAN MAY BE INCOMPLETE OR IN ERROR.

NOTE: SURFACE INDICATIONS OF UTILITIES ALONG WITH DIGGER'S HOTLINE MARKINGS ON THE SURVEYED PARCEL HAVE BEEN SHOWN. SIZES AND ELEVATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON FIELD MEASUREMENTS OF VISIBLE STRUCTURES IN COMBINATION WITH AVAILABLE DATA PROVIDED TO EXCEL ENGINEERING. EXCEL ENGINEERING MAKES NO GUARANTEE THAT ALL THE EXISTING UTILITIES IN THE SURVEYED AREA HAVE BEEN SHOWN NOR THAT THEY ARE IN THE EXACT LOCATION INDICATED. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UTILITIES CRITICAL TO CONSTRUCTION.

PROJECT INFORMATION

PROPOSED ADDITION FOR:
MORNING STAR LUTHERAN SCHOOL
N171 W20131 HIGHLAND ROAD • JACKSON, WI 53037

PROFESSIONAL SEAL

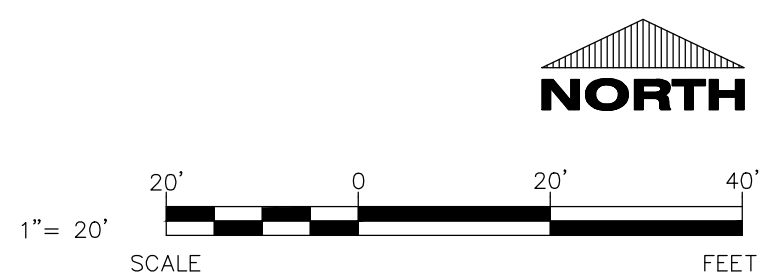
PRELIMINARY DATES
DEC. 8, 2021

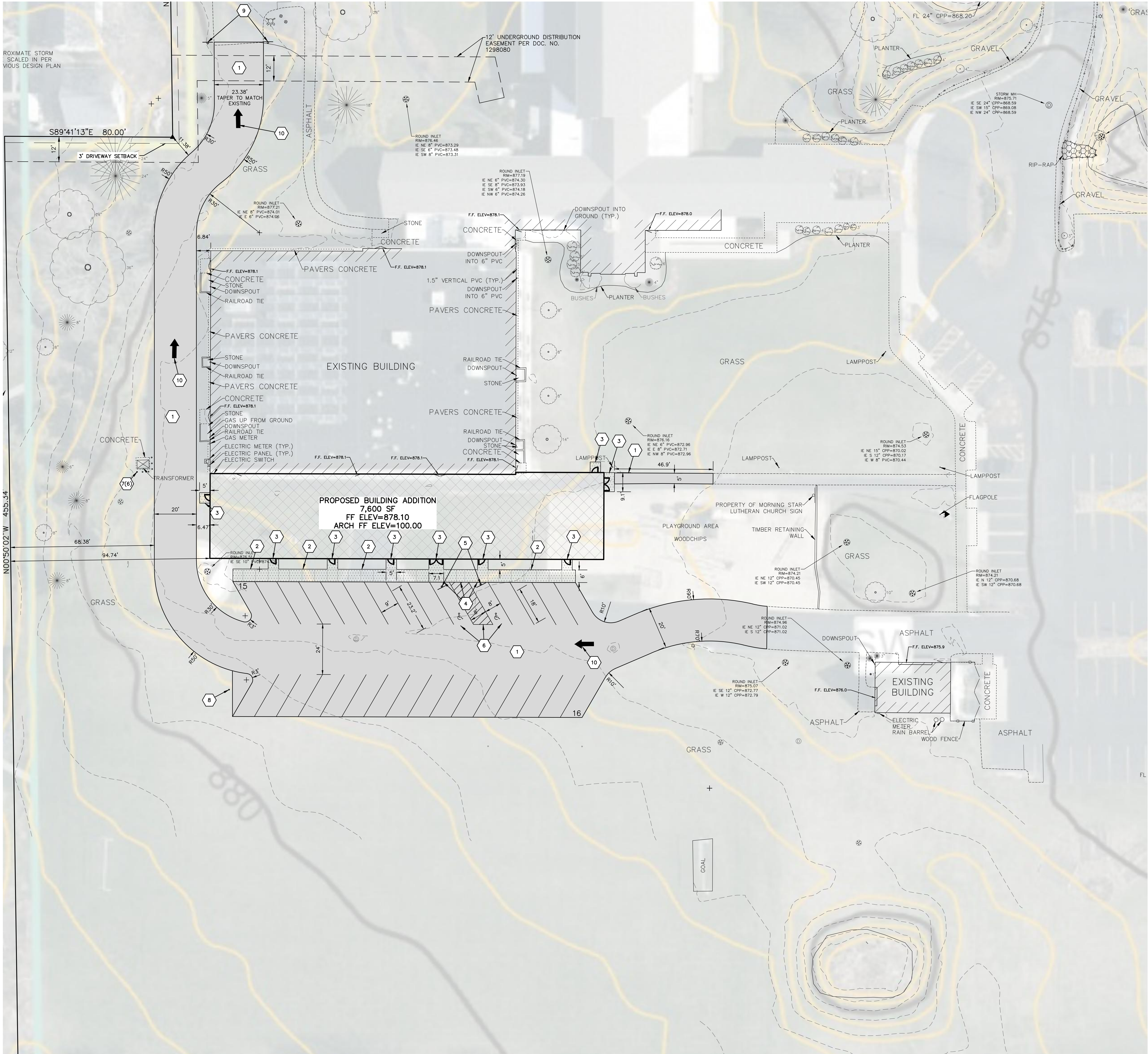
NOT FOR CONSTRUCTION

JOB NUMBER
2168580

SHEET NUMBER

C1.0





SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

PAVEMENT HATCH KEY:

[Hatch]	STANDARD ASPHALT
[Hatch]	SIDEWALK CONCRETE

SITE INFORMATION:

LEGAL DESCRIPTION: PT. OF NW SW CSM 5461 LOT 1 V1598 P73+DOC 1054381+1054382 +1108664

PROPERTY AREA: AREA = 8.69 ACRES

EXISTING ZONING: PUD

PROPOSED ZONING: PUD

PROPOSED USE: CHURCH AND SCHOOL

AREA OF SITE DISTURBANCE: 74,500 SF (1.71 ACRES)

SETBACKS: BUILDING: FRONT = 30'
SIDE = 12'
REAR = 25'

PAVEMENT: FRONT = 25'
SIDE = 25'
REAR = 25'

NOTE: DRIVEWAY SETBACK IS ONLY 3'

PROPOSED BUILDING HEIGHT: 27'

PARKING REQUIRED: 1 SPACE PER EMPLOYEE + 1 SPACE PER STUDENT OF 16 YEARS OF AGE OR OLDER (10 SPACES REQ.)

PARKING PROVIDED: 31 SPACE (2 H.C. ACCESSIBLE)

HANDICAP STALLS REQUIRED: 2, HANDICAP STALLS PROVIDED: 2

EXISTING SITE DATA

	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	8.69	378,416	
BUILDING FLOOR AREA	0.74	32,152	8.5%
PAVEMENT (ASP. & CONC.)	1.74	75,883	20.1%
TOTAL IMPERVIOUS	2.48	108,035	28.5%
LANDSCAPE/ OPEN SPACE	6.21	270,381	71.5%

PROPOSED SITE DATA

	AREA (AC)	AREA (SF)	RATIO
PROJECT SITE	8.69	378,416	
BUILDING FLOOR AREA	0.91	39,472	10.4%
PAVEMENT (ASP. & CONC.)	1.95	85,149	22.5%
TOTAL IMPERVIOUS	2.86	124,621	32.9%
LANDSCAPE/ OPEN SPACE	5.83	253,795	67.1%

SITE PLAN KEYNOTES

- STANDARD ASPHALT SECTION (TYP.)
- CONCRETE SIDEWALK (TYP.)
- CONCRETE STOOP (TYP.) SEE ARCH. PLANS FOR DETAILS.
- HANDICAP RAMP AND LANDING (SEE DETAIL)
- HANDICAP SIGN (TYP.)
- HANDICAP STALL & STRIPING PER STATE CODES.
- CONCRETE BOLLARD (SEE DETAIL)
- RELOCATED BASKETBALL HOOP
- "DO NOT ENTER" SIGN
- TRAFFIC FLOW ARROWS. COLOR TO MATCH PARKING STALL STRIPING.

(X(X)) IDENTIFICATION: KEYNOTE ITEM(QUANTITY) - IF NO () = QUANTITY IS 1

PROJECT INFORMATION

PROPOSED ADDITION FOR:
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PROFESSIONAL SEAL

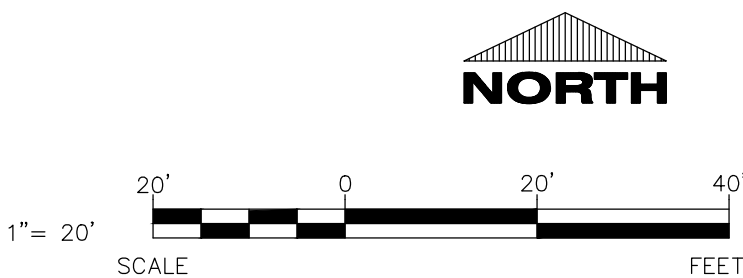
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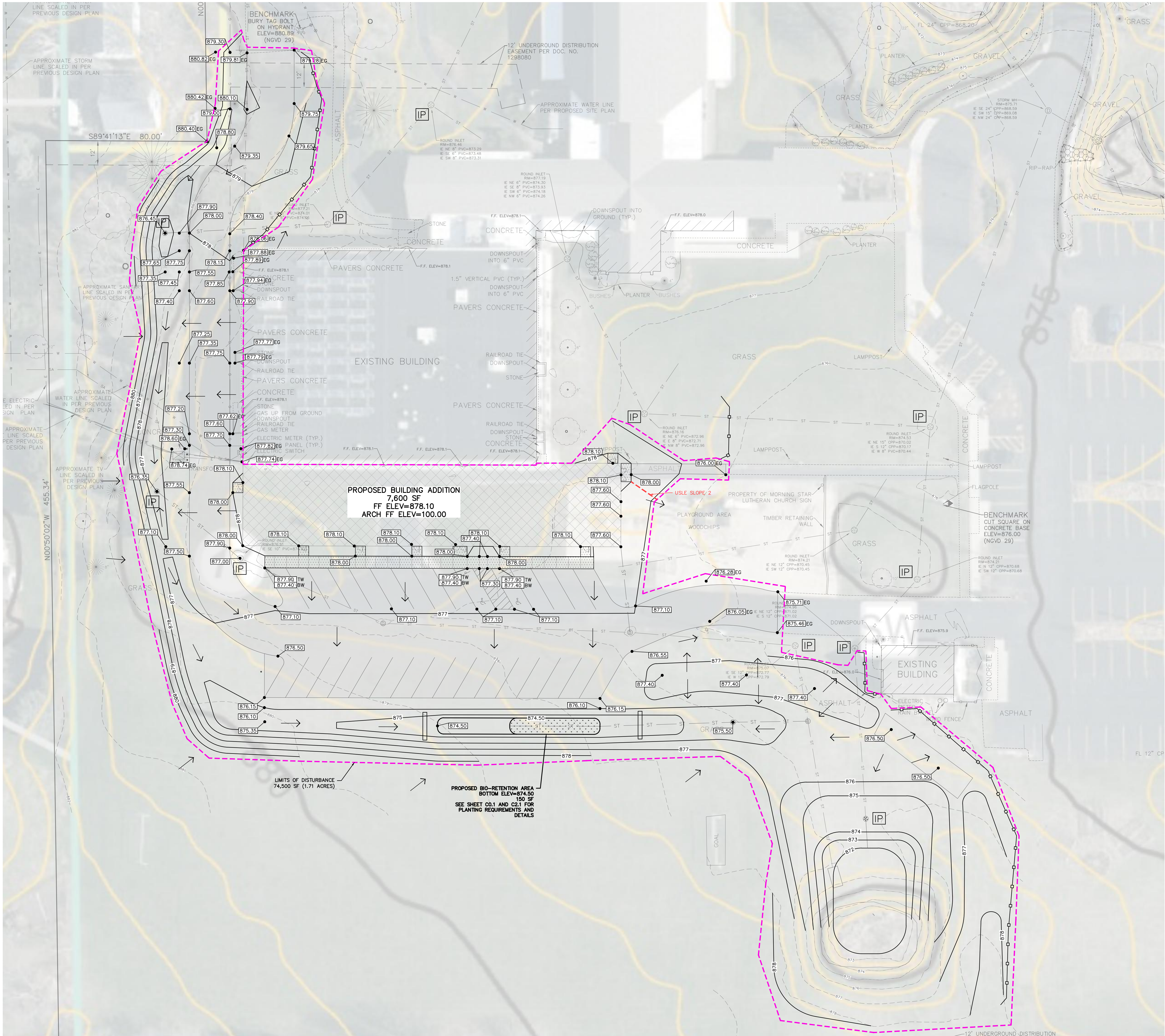
SHEET NUMBER

C1.1

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CIVIL SITE PLAN



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

- NOTES:
- HANDICAP STALL AND ACCESS AISLES SHALL NOT EXCEED A SLOPE OF 1.50% IN ANY DIRECTION. HANDICAP STALL & ACCESS AISLES SHALL CONFORM TO ADA REQUIREMENTS (CURRENT EDITION)
 - ALL SIDEWALKS SHALL NOT EXCEED A MAXIMUM CROSS SLOPE OF 1.50% AND RUNNING SLOPE OF 4.50% UNLESS OTHERWISE SPECIFIED.

INLET PROTECTION NOTE:
CONTRACTOR SHALL PROVIDE TEMPORARY INLET PROTECTION FOR ALL CURB INLETS & CATCH BASINS ONSITE & OFFSITE IMMEDIATELY DOWNSTREAM OF THE PROJECT SITE PER LOCAL CODE.

STABILIZED CONSTRUCTION ENTRANCE NOTE:
CONTRACTOR SHALL PROVIDE STABILIZED CONSTRUCTION ENTRANCE AT CONSTRUCTION ENTRANCE FOR PROPOSED IMPROVEMENTS AS REQUIRED PER CODE.

CONCRETE WASHOUT NOTE:
CONTRACTOR SHALL PROVIDE CONCRETE WASHOUT AS REQUIRED PER CODE. FINAL LOCATION TBD BY CONTRACTOR.



PROJECT INFORMATION

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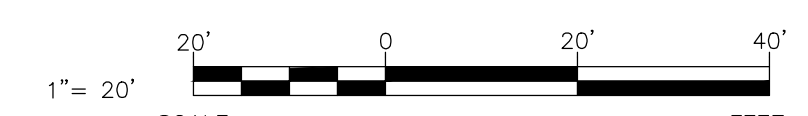
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PRELIMINARY DATES
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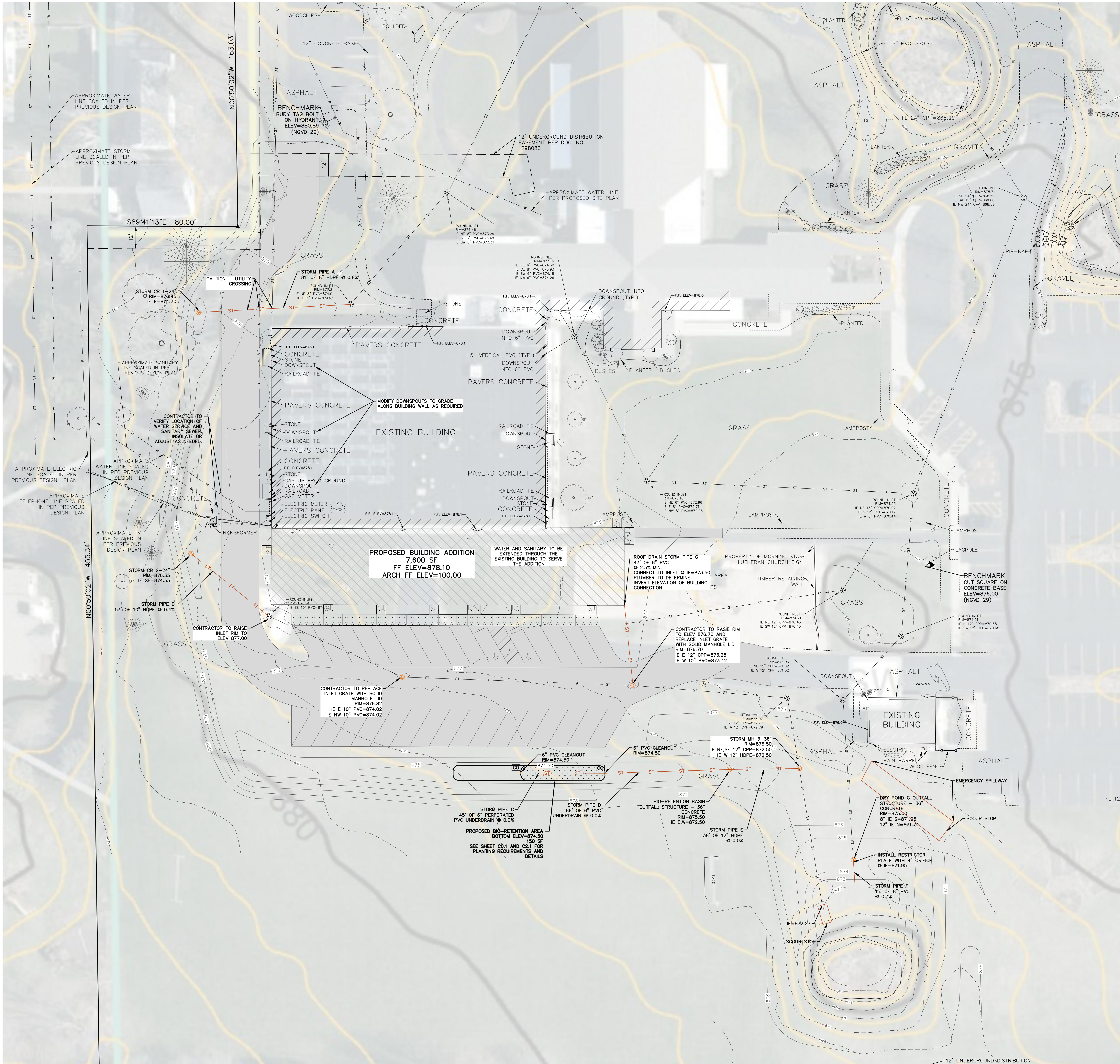
NOT FOR CONSTRUCTION

JOB NUMBER
2168580

SHEET NUMBER
C1.2



CIVIL GRADING AND EROSION CONTROL PLAN



SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

DOWNSPOUT NOTE:

DS = DENOTES DOWNSPOUT TO
GRADE LOCATIONS. PROVIDE SPLASH BLOCKS AT
ALL DS TO GRADE LOCATIONS. SEE ARCH PLANS
FOR FINAL LOCATIONS.

CLEANOUT NOTE:

CO = DENOTES LOCATIONS WHERE
CONTRACTOR SHALL INSTALL CLEANOUTS, SEE
C0.1 FOR SPECIFICATION.

PROJECT INFORMATION

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PRELIMINARY DATES

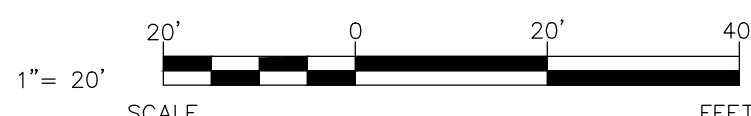
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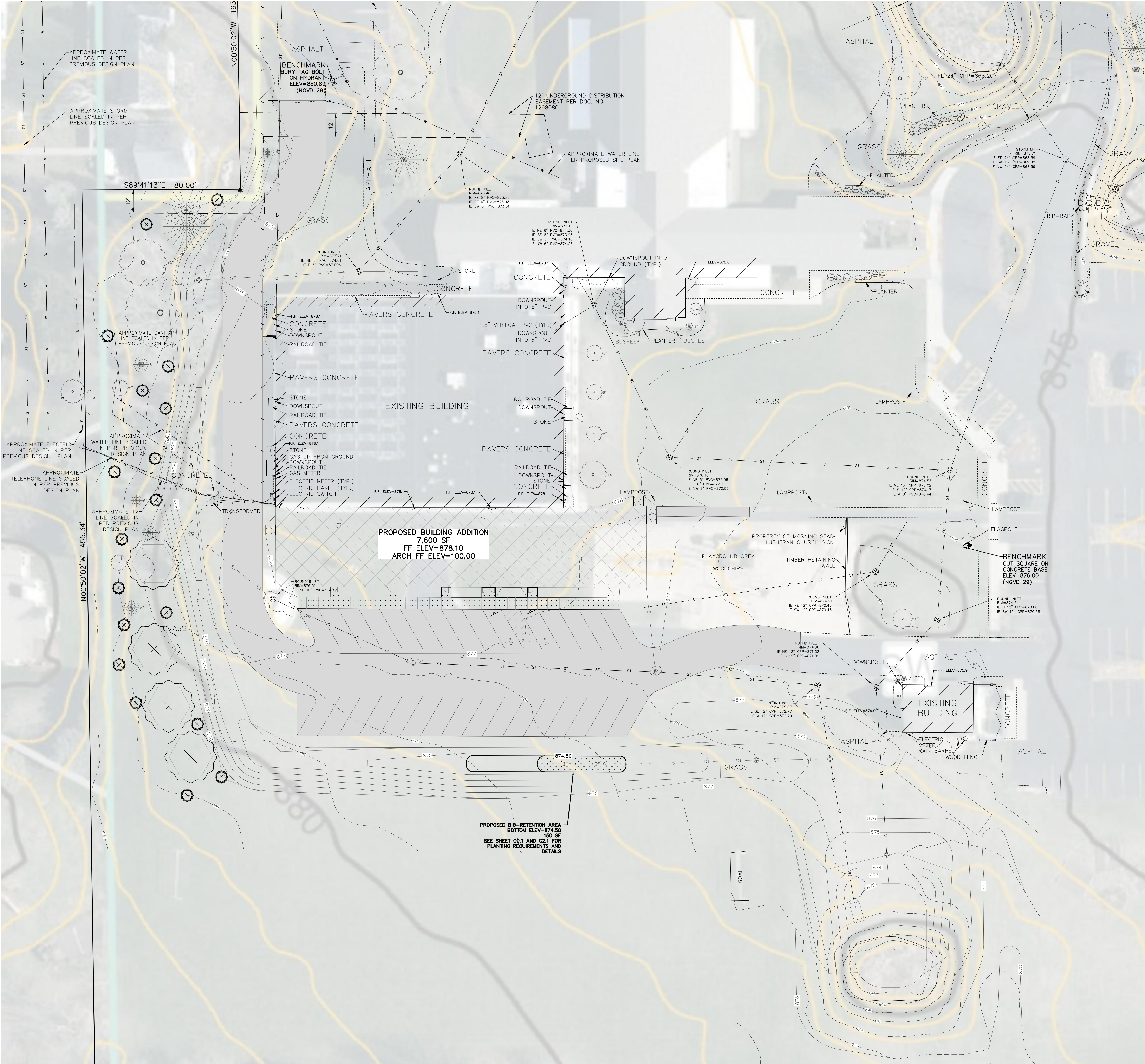
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SHEET NUMBER

C1.3

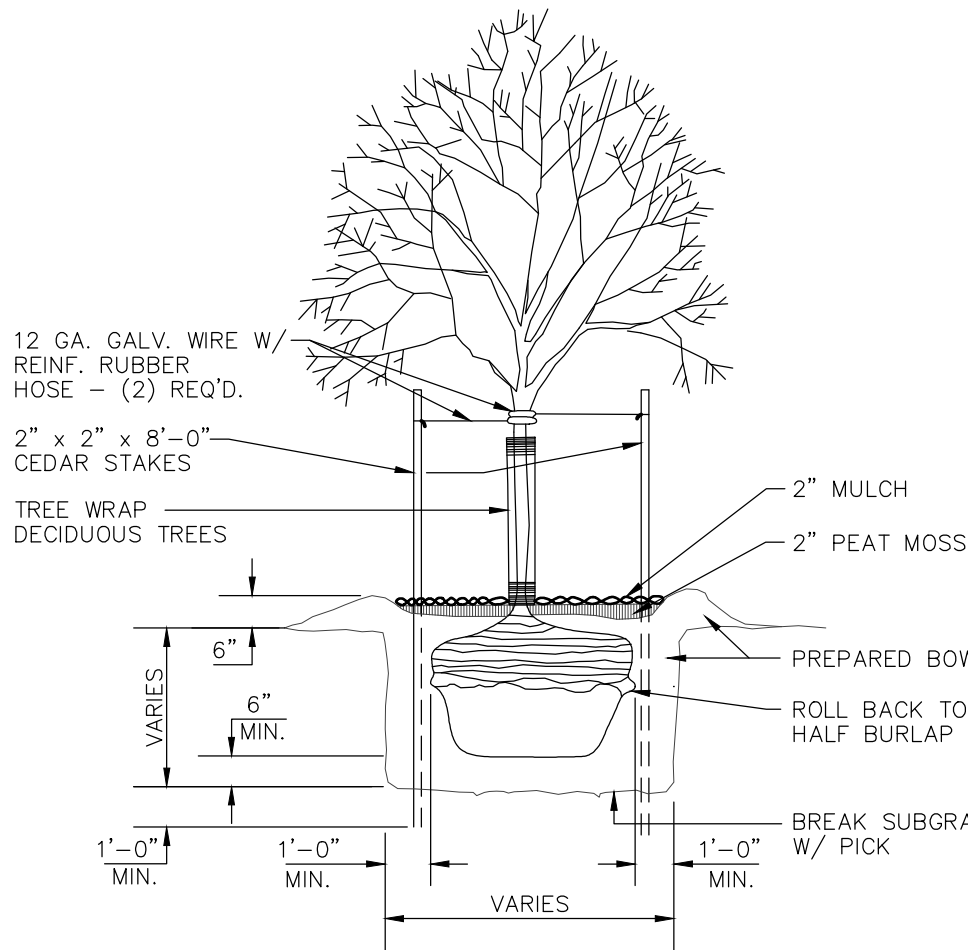


CIVIL UTILITY PLAN



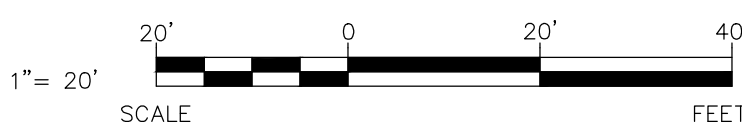
SPECIFICATION NOTE:
SEE SHEET C0.1 FOR PLAN
SPECIFICATIONS AND REQUIREMENTS

EROSION MATTING LOCATION



TREE PLANTING DETAIL
NO SCALE

LANDSCAPING PLANTING SCHEDULE				
SYMBOL	COMMON NAME	BOTANICAL NAME	PLANTED SIZE	QUANTITY
EVERGREEN TREES				
⊙	Colorado Spruce	Picea pungens	4"	4
⊗	Arborvitae - Nigra	Thuja occidentalis 'Nigra'	2"	18



CIVIL LANDSCAPE AND RESTORATION PLAN

ARCHITECTS • ENGINEERS • SURVEYORS

Always a Better Plan

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Fond Du Lac, WI 54935
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N171 W20131 HIGHLAND ROAD • JACKSON, WI 53037

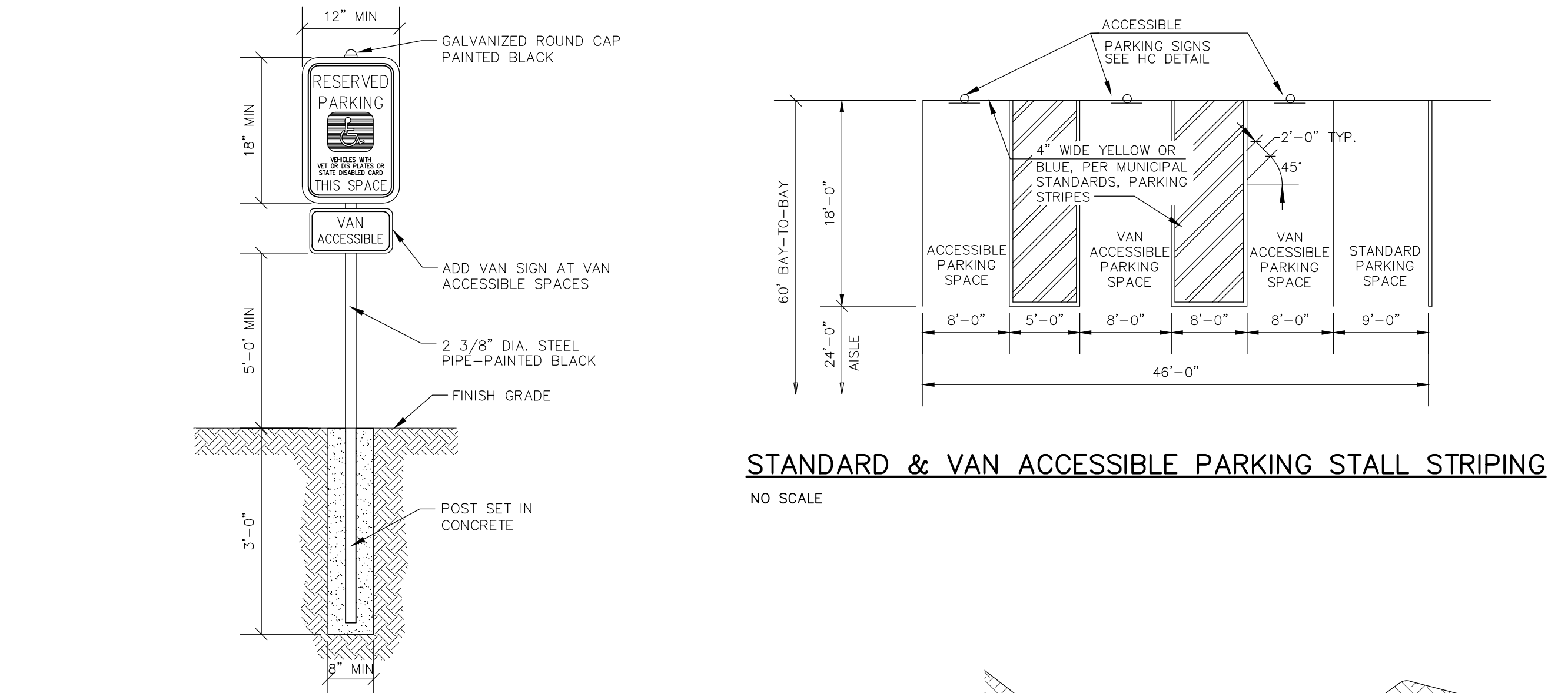
PROFESSIONAL SEAL

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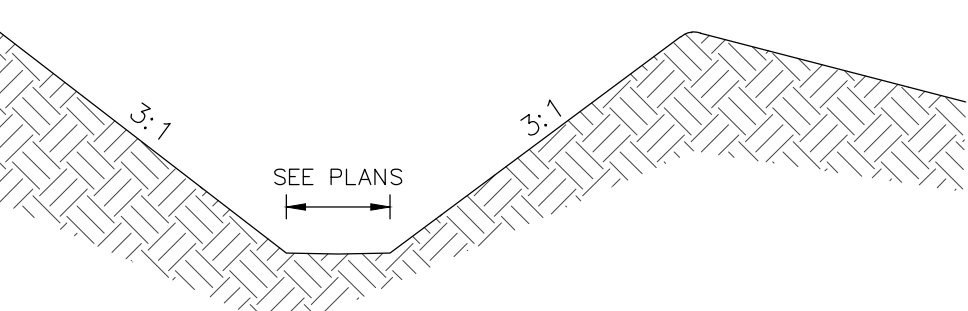
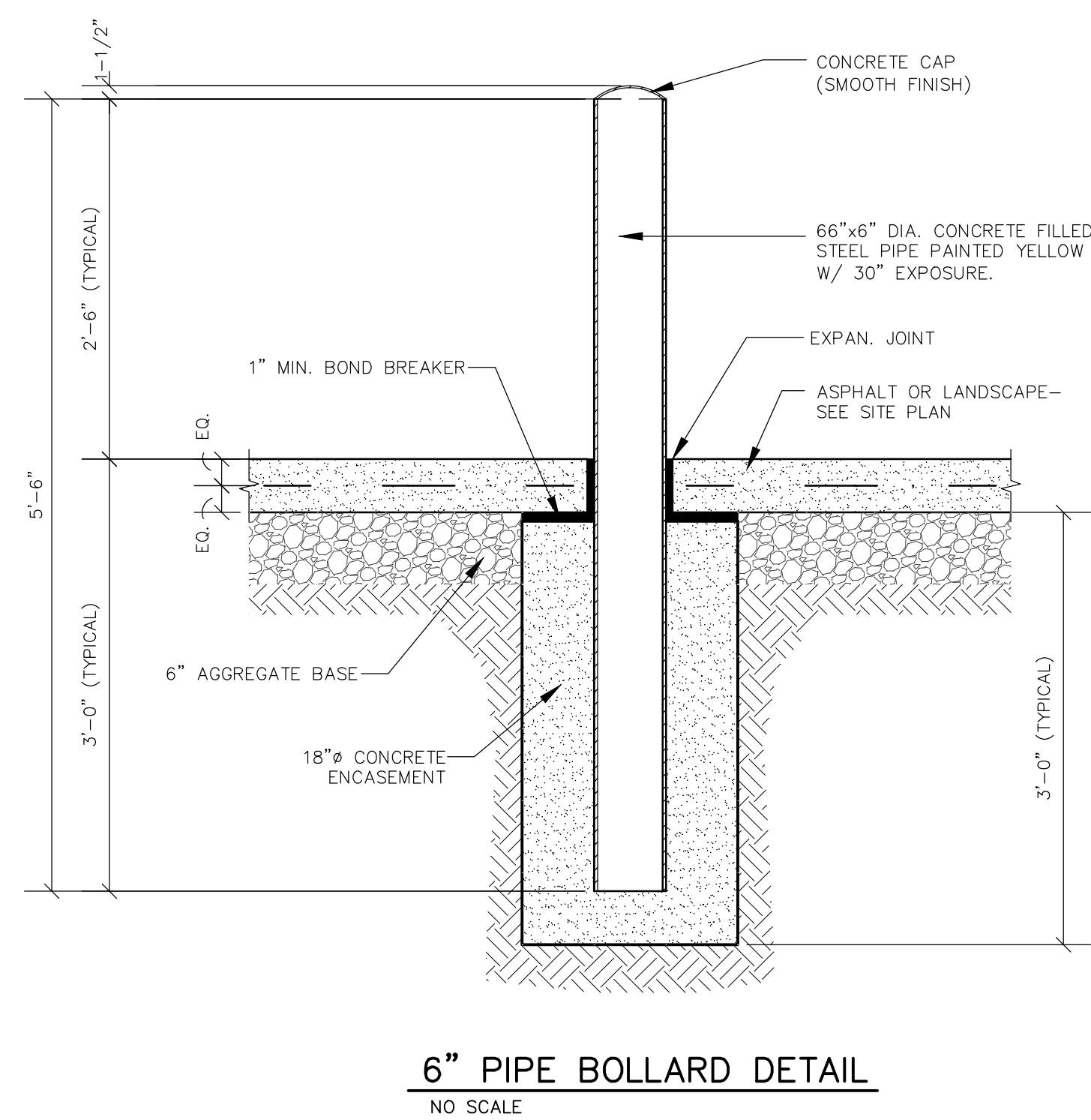
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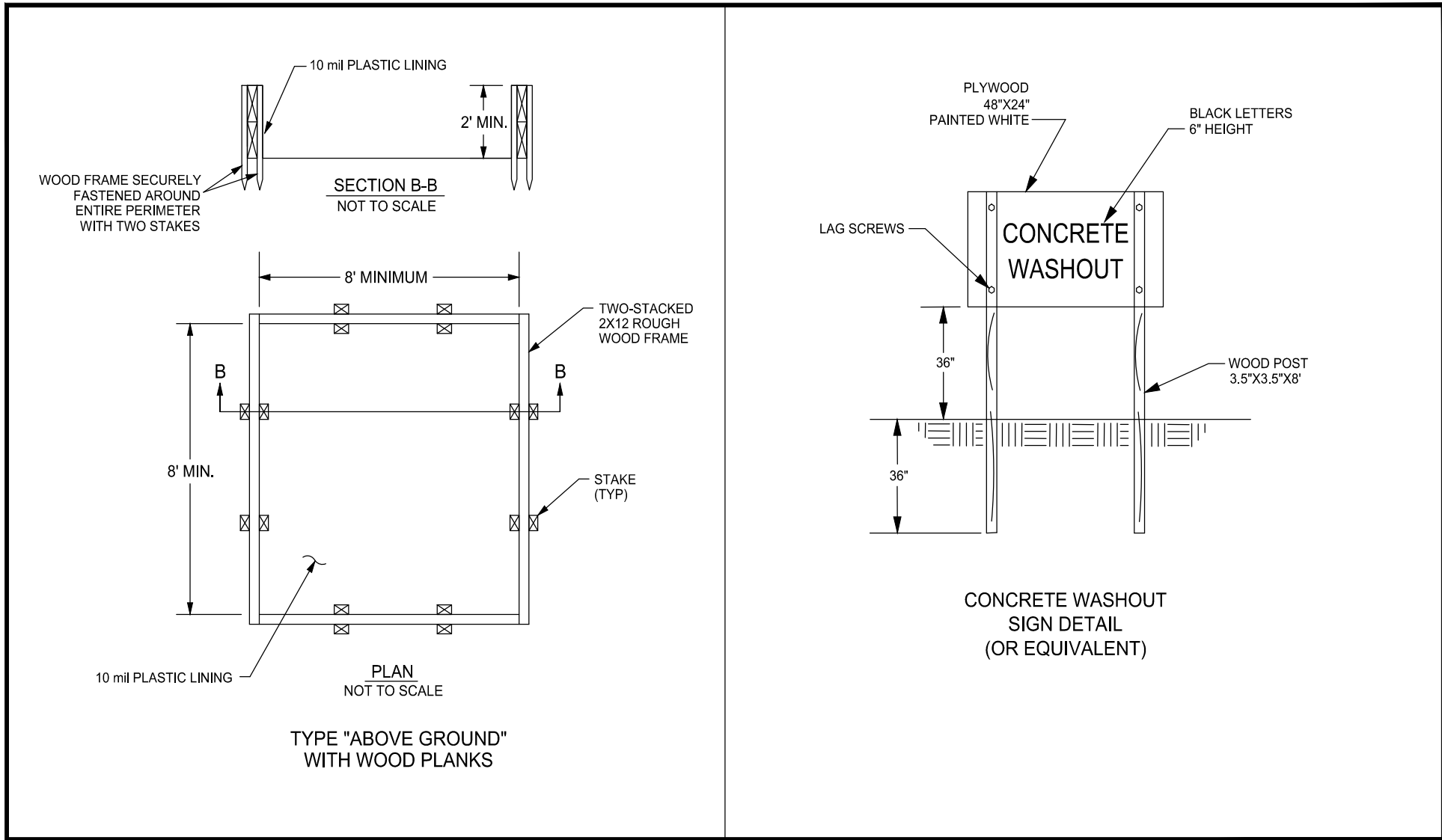
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HANDICAP SIGNAGE WITH CONCRETE BASE DETAIL
NO SCALE

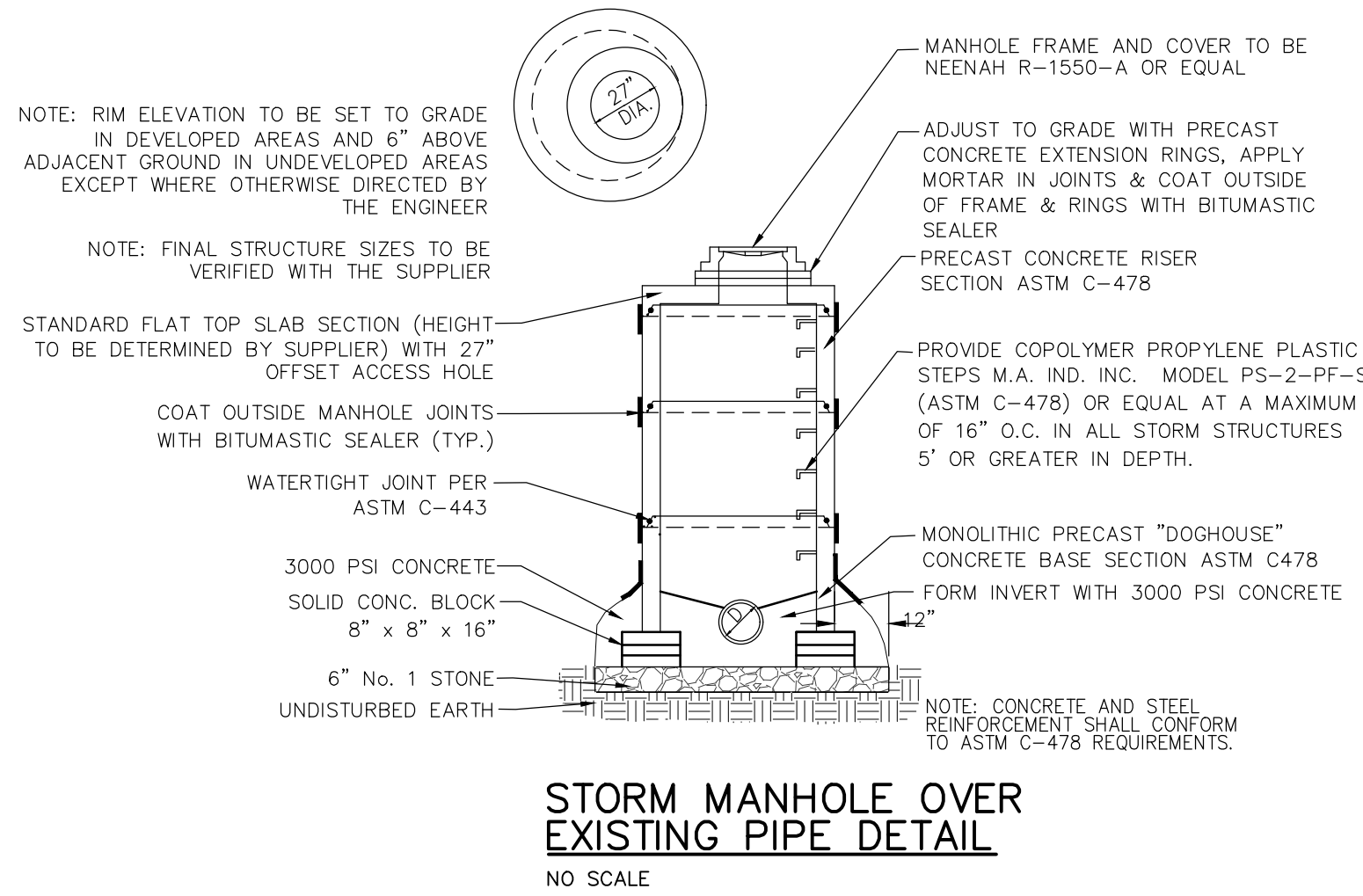
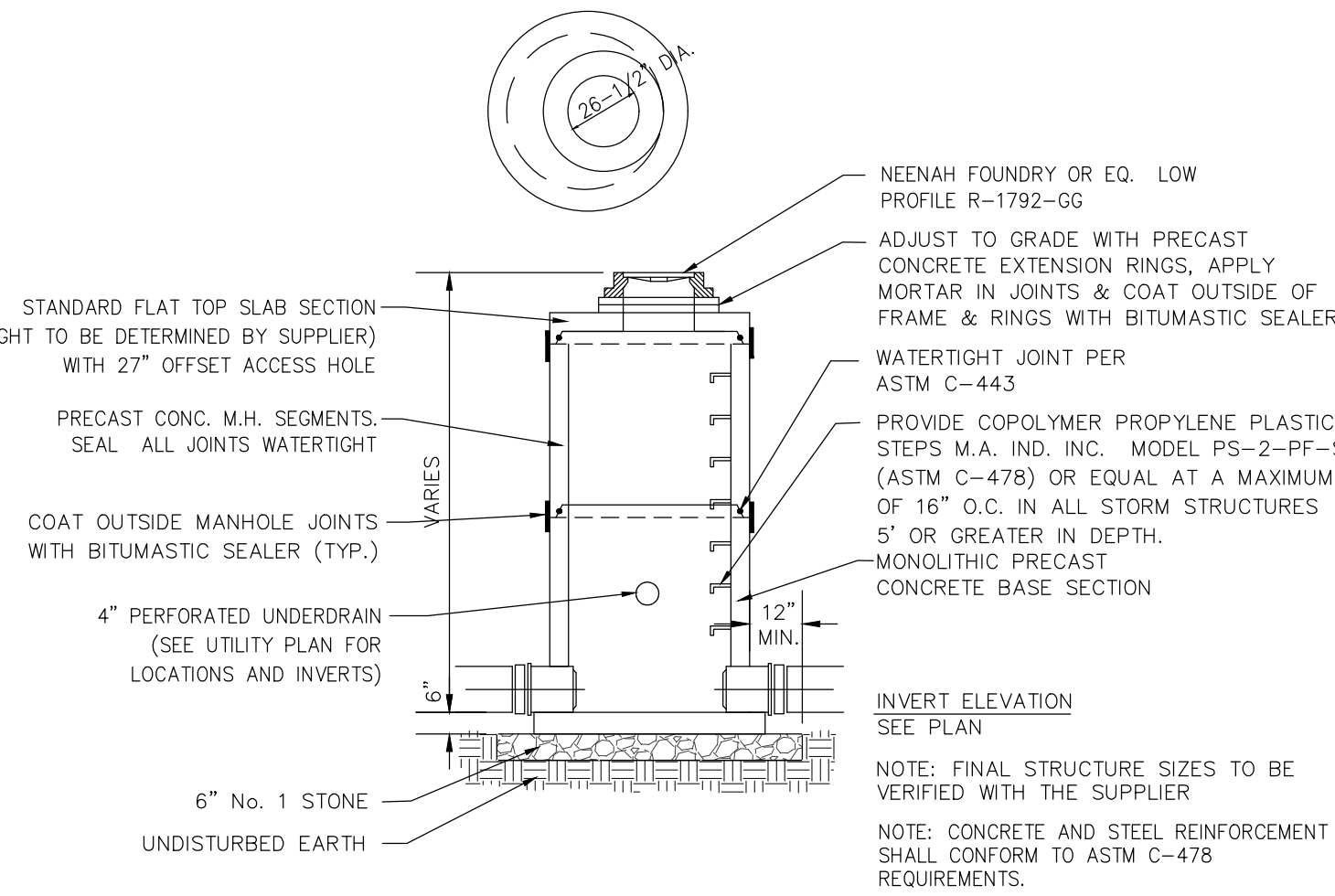


SECTION A-A
TYPICAL DITCH X-SECTION
NO SCALE

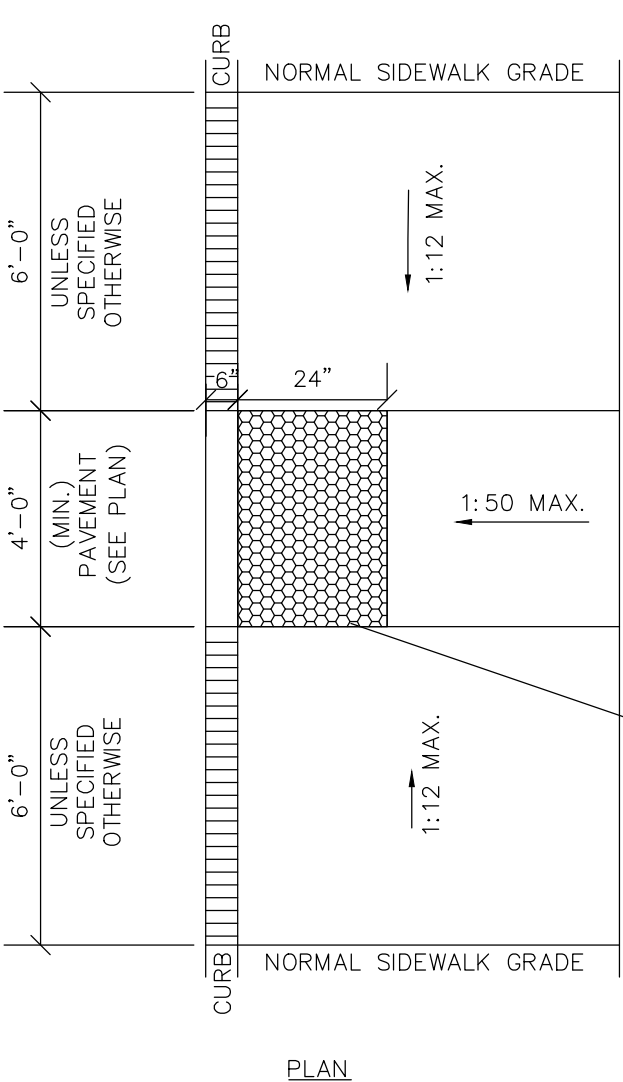


CONTRACTOR TO ADHERE TO NYS STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL (BLUE BOOK) DATED NOVEMBER 2016

CONCRETE WASHOUT DETAIL
NO SCALE



ADA SIDEWALK RAMP DETAIL
NO SCALE



NOTE:
ADA CURB RAMP SHALL CONFORM TO THE CURRENT EDITION OF ADA STANDARDS FOR ACCESSIBLE DESIGN FOR ALL REQUIREMENTS.

DETECTABLE WARNING SURFACE:
SURFACE TO BE TRUNCATED DOMES WITH A BASE DIAMETER OF 0.9" MIN. TO 1.4" MAX. AND A TOP DIAMETER OF OF 50% MIN. TO 65% MAX. OF THE BASE DIAMETER. HEIGHT OF DOMES SHALL HAVE A HEIGHT OF 0.2". TRUNCATED DOMES SHALL HAVE A CENTER-TO-CENTER SPACING OF 1.6" MIN. AND 2.4" MAX. AND A BASE-TO-BASE SPACING OF 0.65" MIN. MEASURED BETWEEN THE MOST ADJACENT DOMES ON THE GRID. DOMES SHALL BE ALIGNED IN A SQUARE GRID PATTERN.

GENERAL NOTES

DETAILS OF CONSTRUCTION, MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE PERTINENT REQUIREMENTS OF THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES TECHNICAL STANDARD NO. 1053 (CHANNEL EROSION MAT).

VARIATIONS IN THE DIMENSIONS OR MATERIALS SHOWN HEREON SHALL BE PERMITTED IF THEY PROVIDE EQUIVALENT PROTECTION AND MATERIAL STRENGTH AND IF PRIOR APPROVAL OF THE ENGINEER IS OBTAINED.

LAP JOINTS SHALL NOT BE PLACED IN THE BOTTOM OF V-SHAPED DITCHES.

JUNCTION SLOTS ON ADJACENT STRIPS OF MATTING SHALL BE STAGGERED A MINIMUM OF 4 FEET APART.

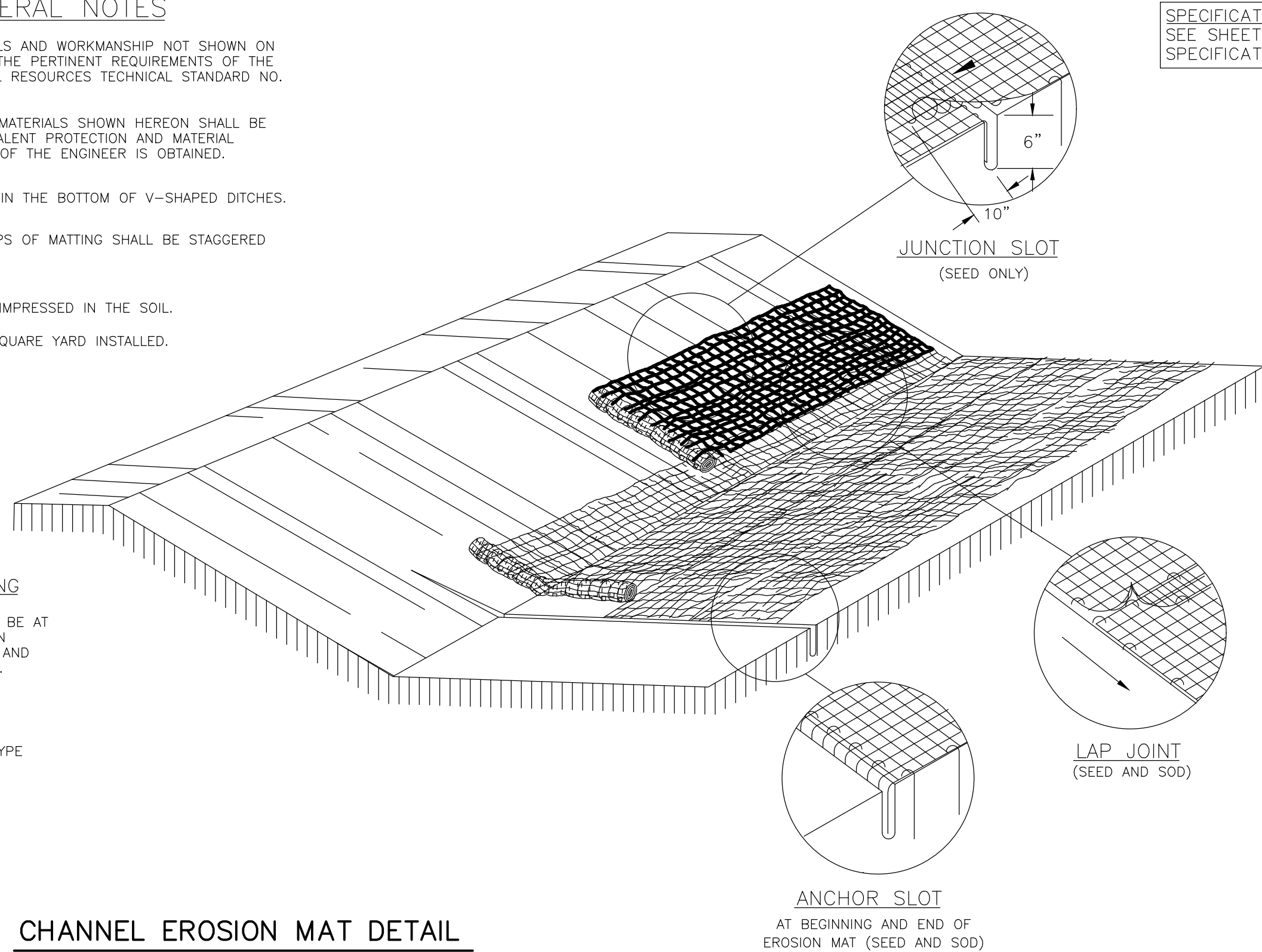
EDGES OF EROSION MAT SHALL BE IMPRESSED IN THE SOIL.

EROSION MAT SHALL PAID BY THE SQUARE YARD INSTALLED.

NOTE:
SEE SPECIFICATIONS FOR MATTING TYPE

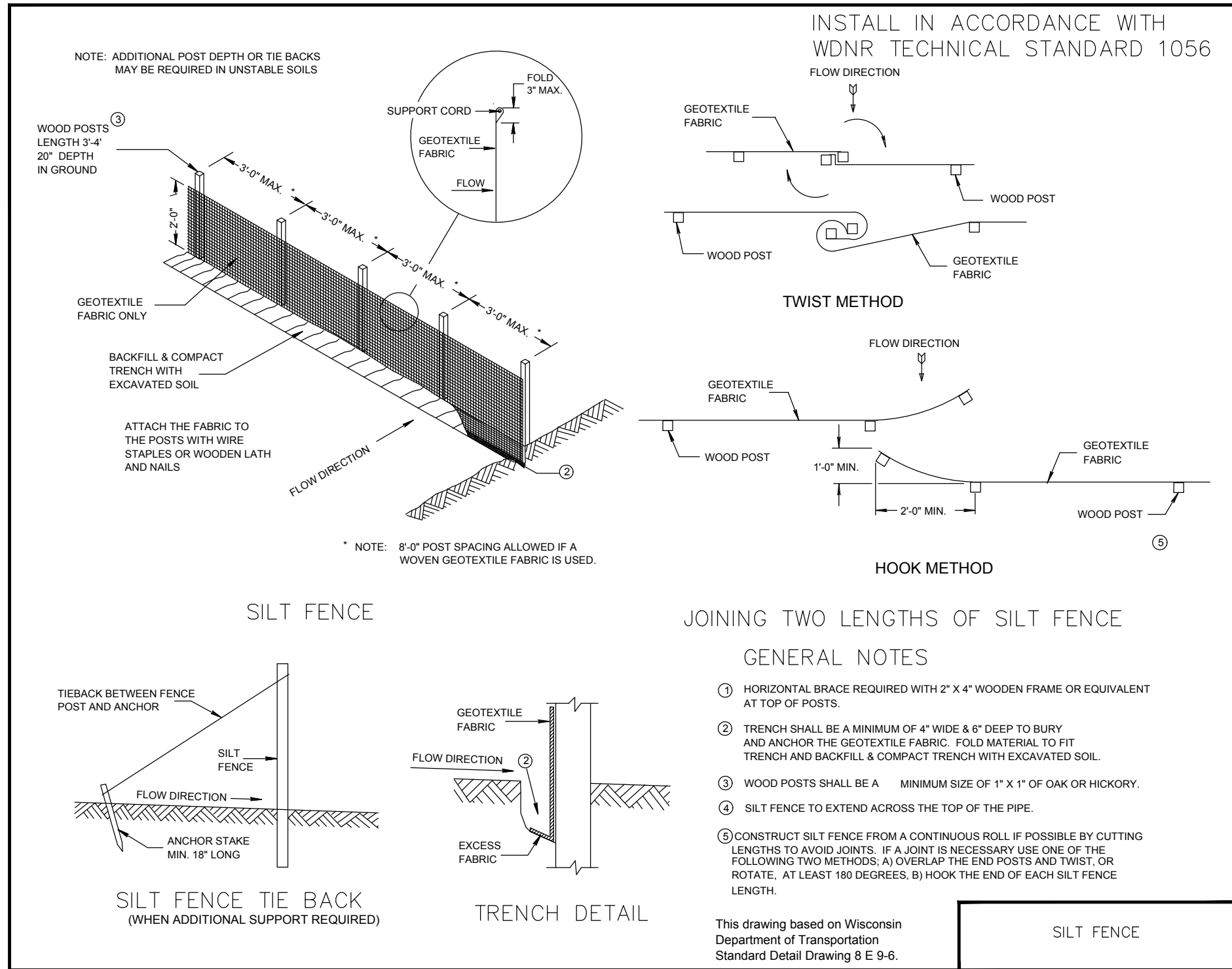
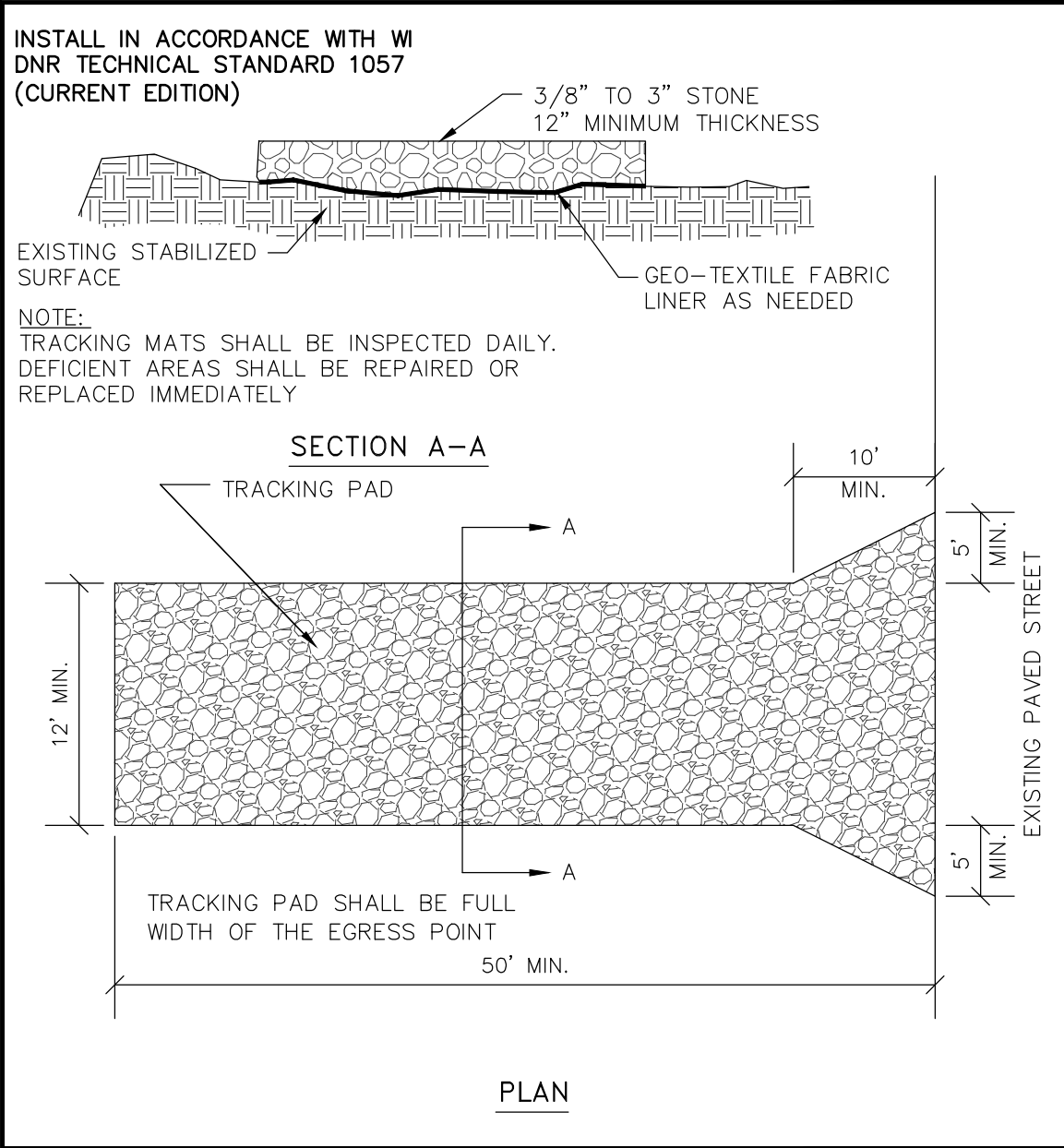
EROSION MAT OVER SEEDING

JUNCTION OR ANCHOR SLOTS SHALL BE AT MINIMUM INTERVALS OF 100 FEET ON GRADES UP TO AND INCLUDING 3%, AND 50 FEET ON GRADES EXCEEDING 3%.



CHANNEL EROSION MAT DETAIL

NOT TO SCALE



PROJECT INFORMATION

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N171 W20131 HIGHLAND ROAD • JACKSON, WI 53037

PROFESSIONAL SEAL

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C2.0

CIVIL DETAILS

PROJECT INFORMATION

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N171 W20131 HIGHLAND ROAD • JACKSON, WI 53037

PROFESSIONAL SEAL

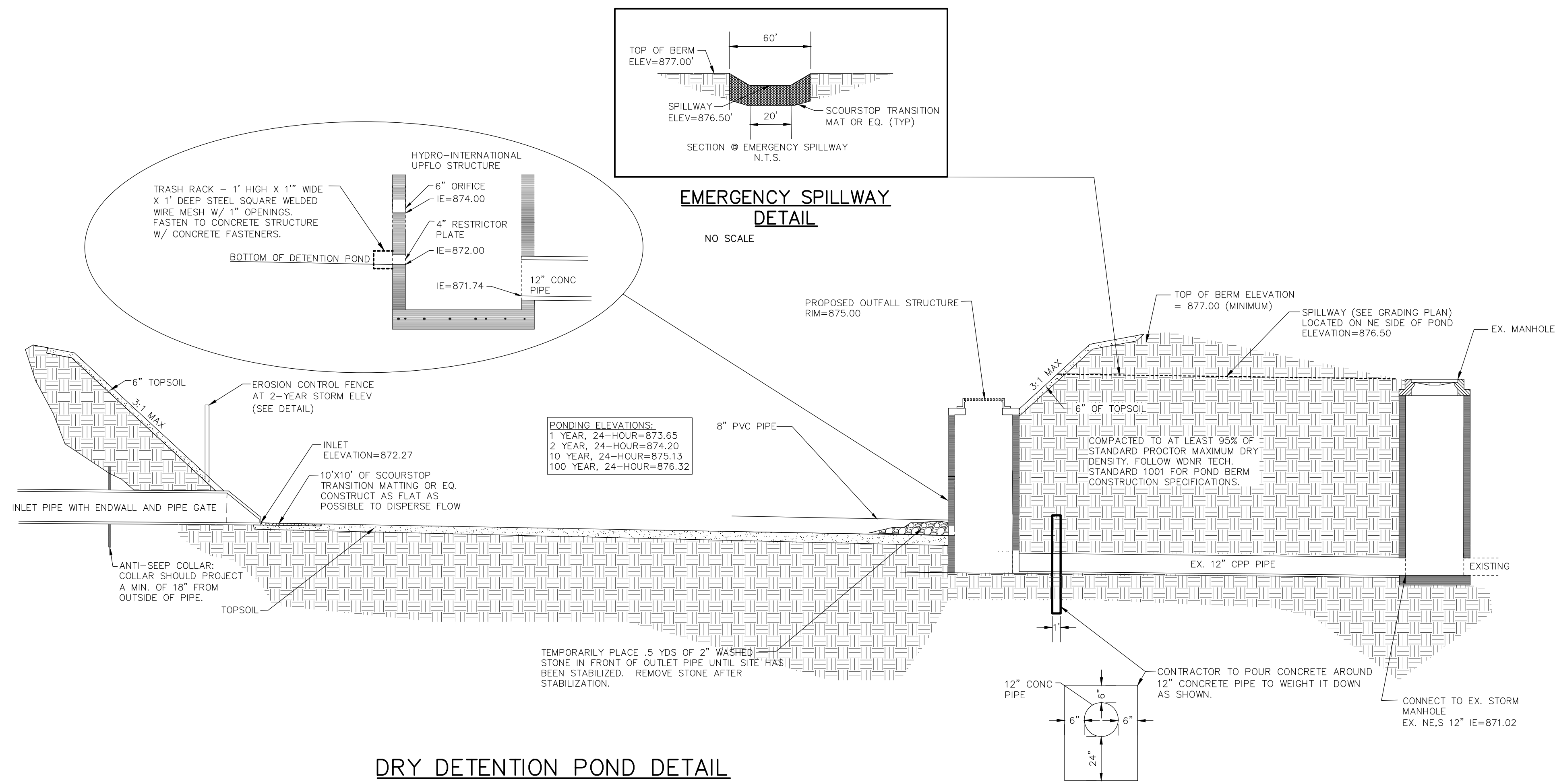
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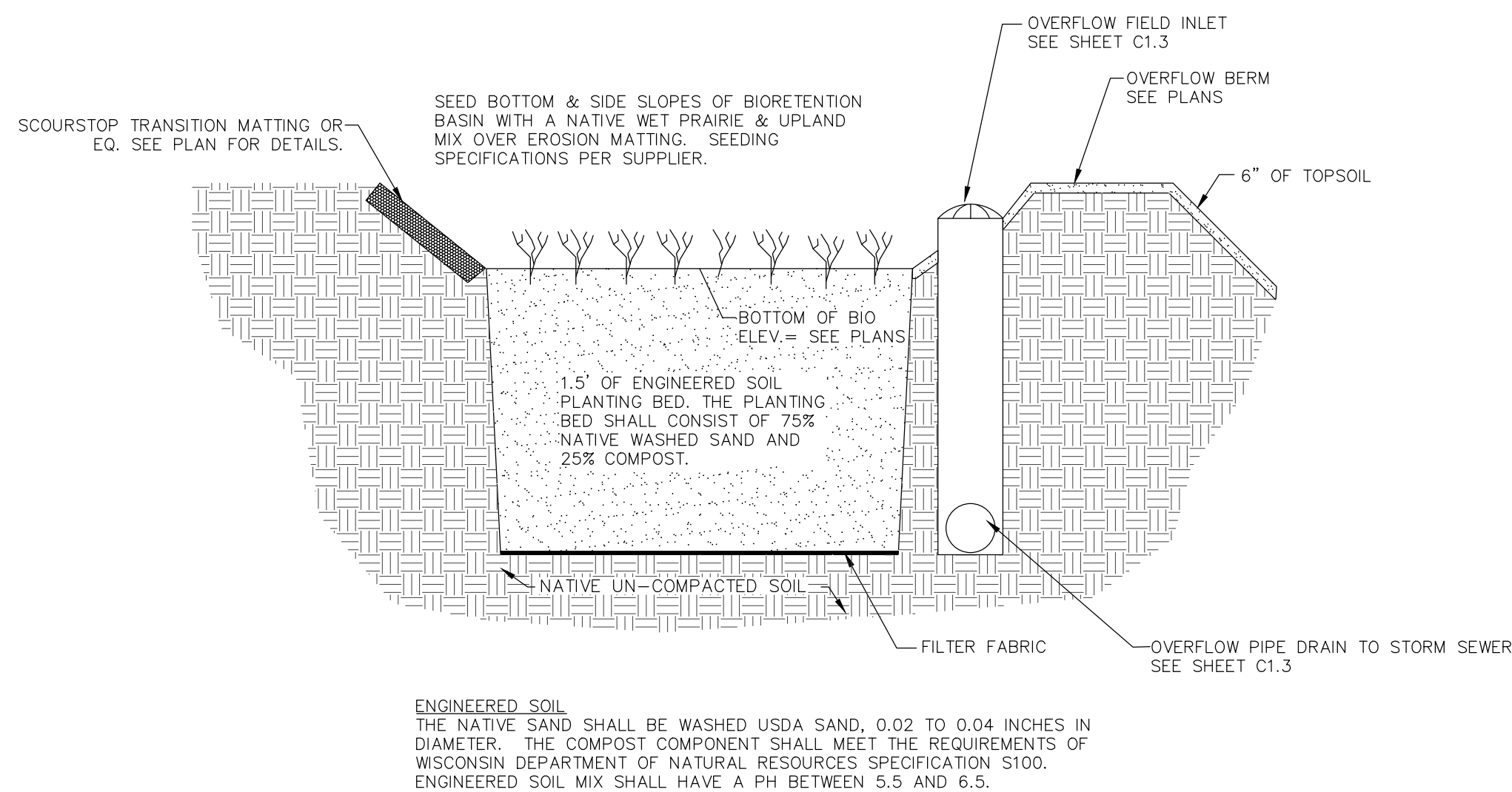


DRY DETENTION POND DETAIL

NO SCALE

STORMWATER POND ASBUILT NOTE

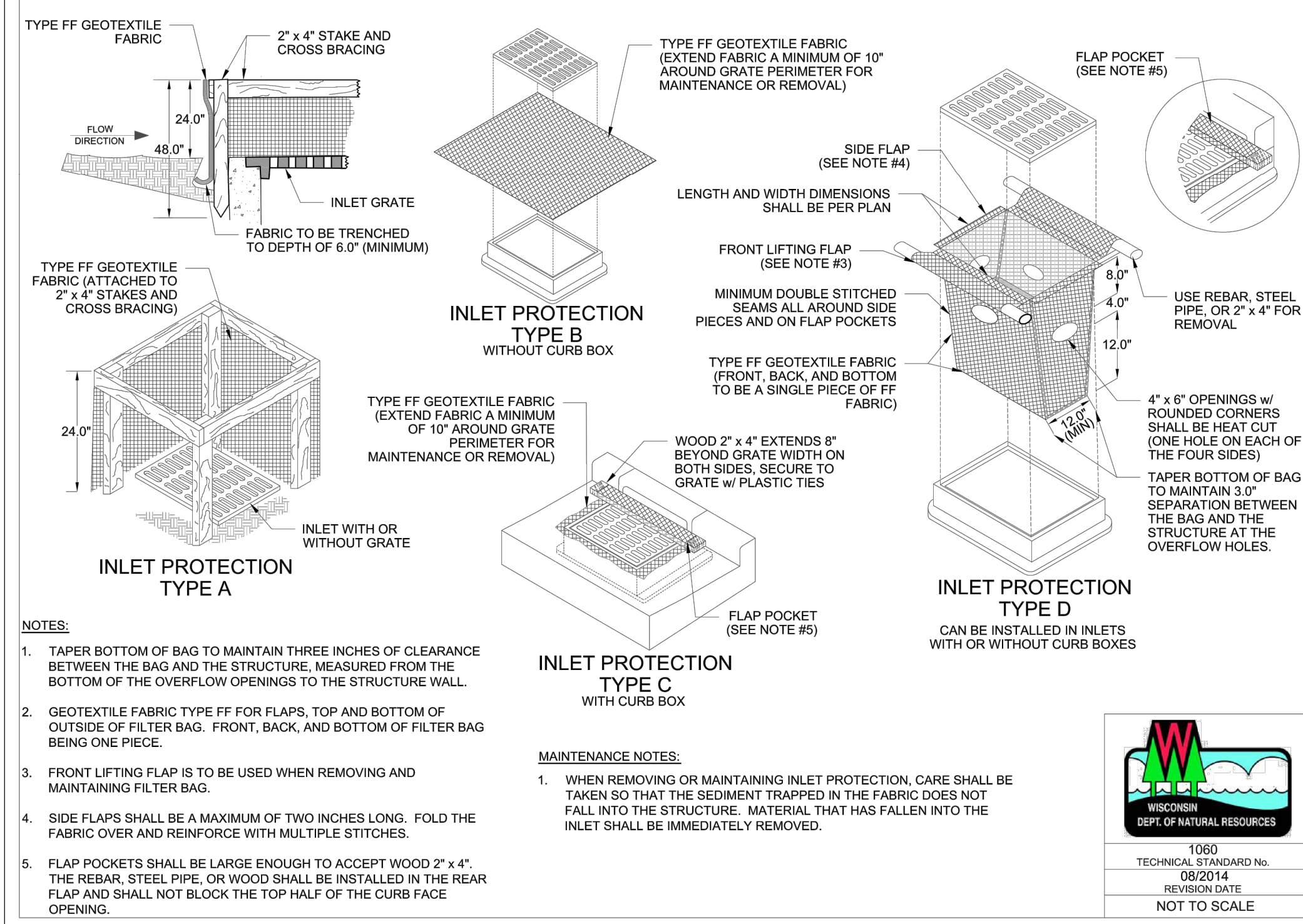
CONTRACTOR TO CONTACT EXCEL ENGINEERING TO COMPLETE AN AS-BUILT SURVEY FOLLOWING COMPLETION OF THE CONSTRUCTION OF THE STORMWATER POND. CONTRACTOR SHALL GIVE EXCEL ENGINEERING A MINIMUM OF A 3 DAY NOTICE. PLEASE NOTE THAT THE HORIZONTAL TOLERANCE FOR POND CONSTRUCTION IS 0.50' AND THE VERTICAL TOLERANCE FOR POND, OUTLET, AND SPILLWAY CONSTRUCTION IS 0.10'. ANY ADDITIONAL WORK REQUIRED TO SURVEY A POND FULL OF WATER OR FOR SURVEYING FOLLOWING REWORK SHALL BE AT THE CONTRACTOR'S EXPENSE.



GRASSED BIOFILTRATION BASIN

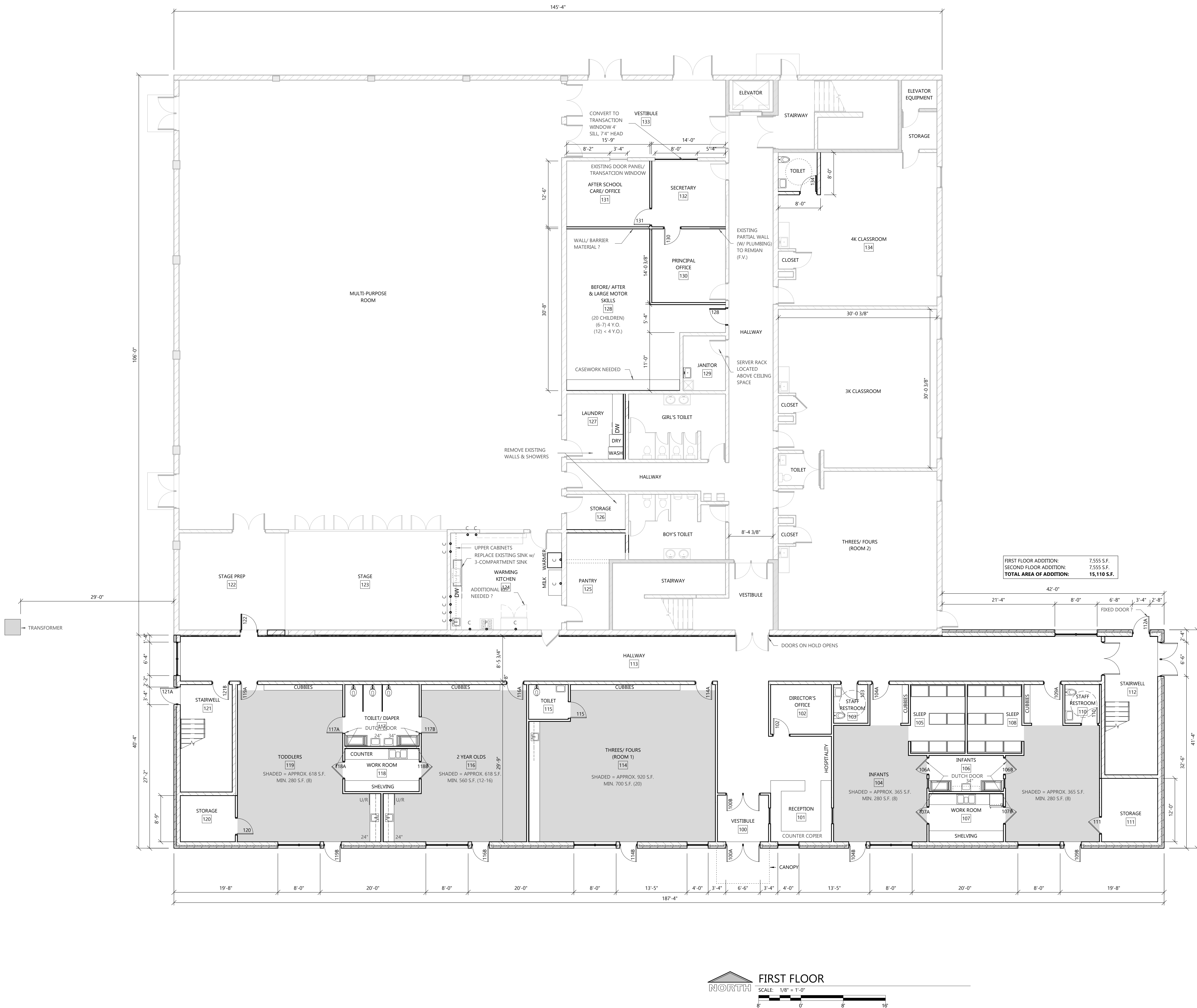
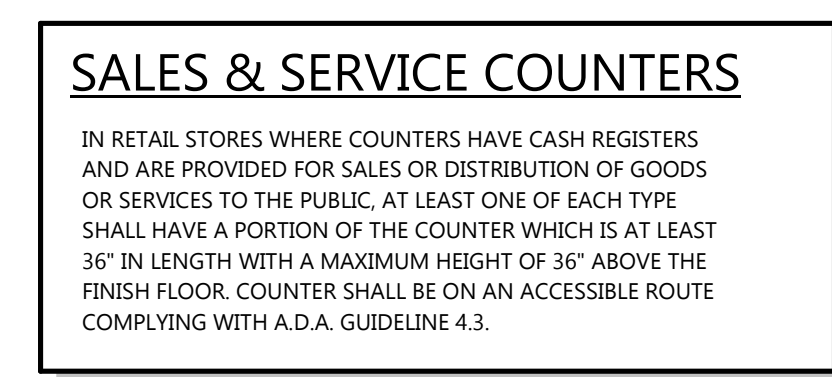
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FIGURE 1. INLET PROTECTION TYPES A, B, C AND D

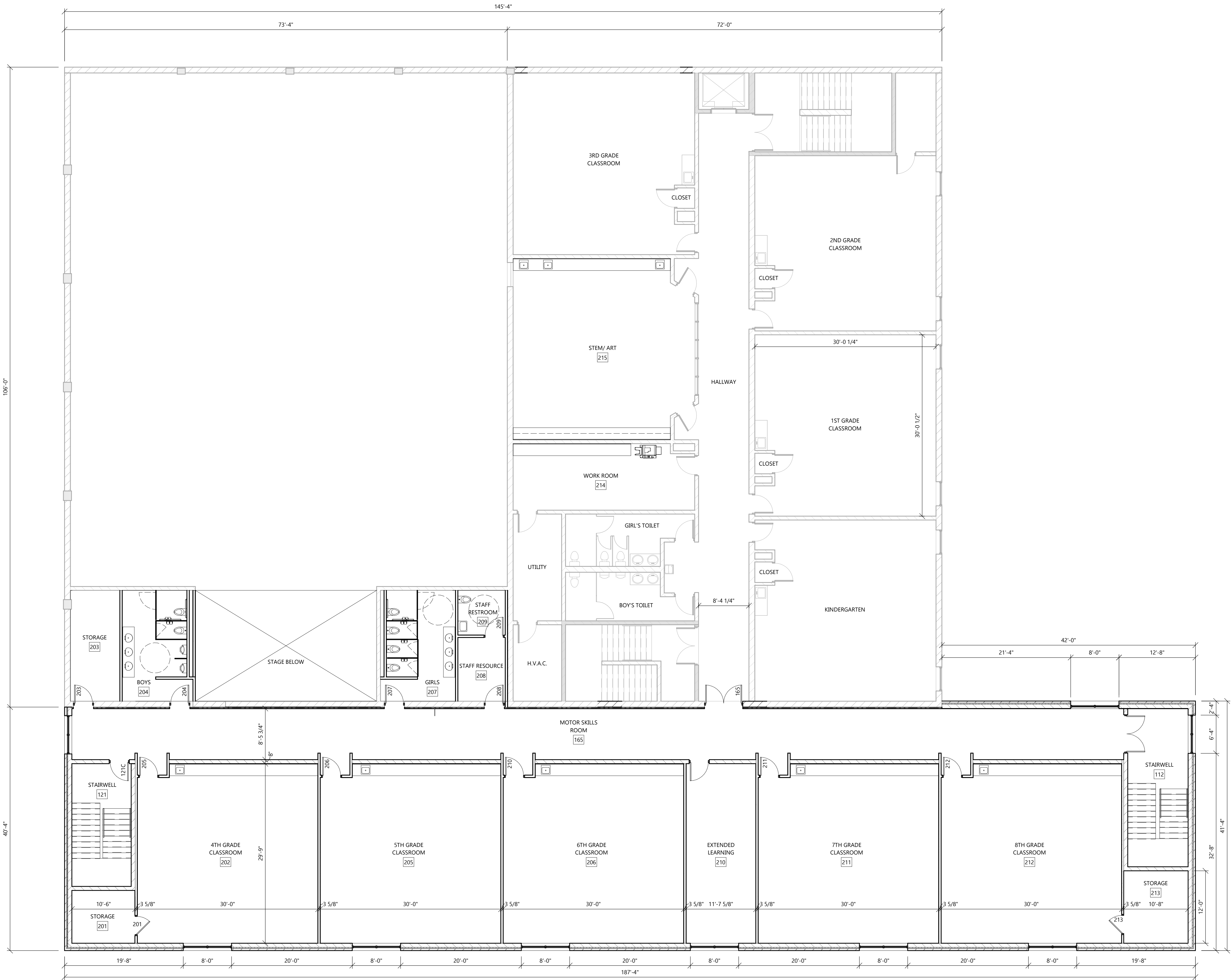


INLET PROTECTION DETAIL

NO SCALE



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12/20/2021 15:54:41 AM



SECOND FLOOR

SCALE: 1/8" = 1'-0"



SYMBOLS LEGEND

- SEE SHEET AX.X FOR WALL TYPES
- SEE SHEET AX.X FOR CURB DETAILS
- EXIT SIGNAGE
- FIRE EXTINGUISHER - SEE AS SHEETS
- FIRE EXTINGUISHER w/ CABINET - SEE AS SHEETS
- GUARD POST/GOAL POST DESIGNATION - SEE SHEET AX.X FOR DETAILS
- EXISTING WALL TO REMAIN
- EXISTING WALL TO BE DEMOLISHED
- STUD WALL
- CONCRETE WALL
- MASONRY VENEER
- C.M.U. WALL

- (1) HOUR FIRE RATED
- (2) HOUR FIRE RATED
- (3) HOUR FIRE RATED
- (4) HOUR FIRE RATED

SEE PLAN FOR ALL WALL WIDTHS

- EXISTING DOOR TO REMAIN
- EXISTING DOOR TO BE DEMOLISHED
- NEW DOOR

GENERAL NOTES

- ALL INTERIOR DIMS. ARE FROM FACE-OF-STUD TO FACE-OF-STUD.
- ALL INTERIOR WALLS TO BE 2x4 OR 2x6 @ 16" O.C. (SEE FLOOR PLAN FOR SIZE) W/ 1/2" OR 5/8" GYPSUM BOARD BOTH SIDES - EXTEND TO BOTTOM CHORD OF TRUSSES / UNDERSIDE OF DECK.
- ALL INTERIOR WALLS TO BE 3 5/8" OR 6" METAL STUDS @ 16" O.C. (SEE FLOOR PLAN FOR SIZE) W/ 5/8" GYPSUM BOARD BOTH SIDES - EXTEND TO BOTTOM CHORD OF TRUSSES.
- PROVIDE 3 1/2" SOUND BATT INSULATION AROUND PERIMETER OF TOILET ROOM AND OFFICE WALLS.
- MISCELLANEOUS HARDWARE INCLUDED: HANDICAP HARDWARE.
- PROVIDE WOOD BLOCKING FOR ANY FURNISHINGS BY OWNER. (VERIFY LOCATIONS)
- ALL EXTERIOR WINDOWS TO HAVE ALUMINUM FLASHING RETURNS AT HEAD, JAMBS, AND SILL OF ALL WINDOWS.
- ALL EXTERIOR WINDOWS TO HAVE GYPSUM BOARD RETURNS AT HEAD AND JAMBS AND PLASTIC LAMINATE COVERED WOOD SILL.
- INTERIOR GLAZED OPENINGS IN OFFICES TO BE 1/4" GLASS SET IN OAK JAMBS AND STOPS (SEE PLAN FOR SIZES).
- SEE A4 SHEETS FOR TYPICAL CONTROL JOINT DETAILS.
- SEE A7 SHEETS FOR TYPICAL ATTIC ACCESS PANEL.
- SEE A7 SHEETS FOR TYPICAL MECHANICAL PIPE PENETRATION THRU CEILING VAPOR BARRIER.
- ALL CABINETS AND COUNTERTOPS TO HAVE PLASTIC LAMINATE FRONTS AND TOPS.
- KITCHEN AND CABINET W/ COUNTERS BY GENERAL CONTRACTOR AS REQUIRED.
- ALL CABINETRY AND EQUIPMENT BY OTHERS - SEE EQUIPMENT DRAWING BY INTERIOR DESIGNER FOR REQUIREMENTS.
- FOOD PREP AREA TO BE VERIFIED W/ OWNER. PROVIDE SHOP DRAWINGS ON EQUIPMENT.

SALES & SERVICE COUNTERS

IN RETAIL STORES WHERE COUNTERS HAVE CASH REGISTERS AND ARE PROVIDED FOR SALES OR DISTRIBUTION OF GOODS OR SERVICES TO THE PUBLIC, AT LEAST ONE OF EACH TYPE SHALL HAVE A PORTION OF THE COUNTER WHICH IS AT LEAST 36" IN LENGTH WITH A MAXIMUM HEIGHT OF 36" ABOVE THE FINISH FLOOR. COUNTER SHALL BE ON AN ACCESSIBLE ROUTE COMPLYING WITH A.D.A. GUIDELINE 4.3.

COLLABORATION

PROJECT INFORMATION

PROPOSED ADDITION FOR:
MORNING STAR LUTHERAN SCHOOL
N171 W20131 HIGHLAND ROAD • JACKSON, WI 53037

PROFESSIONAL SEAL

PRELIMINARY DATES

NOV. 4, 2021
NOV. 9, 2021
NOV. 15, 2021
NOV. 22, 2021
NOV. 23, 2021
DEC. 1, 2021

JOB NUMBER

2168580

SHEET NUMBER

A1.2

ARCHITECTURAL SECOND FLOOR PLAN

NOT FOR CONSTRUCTION

Long-term Stormwater Management
Maintenance Agreement

SITE NAME

Morning Star Early Childhood Addition

PROPERTY LEGAL DESCRIPTION

Tax Parcel Identification Number: V3_046300E
See Exhibit A for legal description.

RESPONSIBLE PARTY

Owner: Morning Star Evangelical Lutheran Church of Jackson
The owner is responsible for satisfying the provisions of this agreement throughout the project site for the duration of the construction period and upon completion of all construction phases. Unless otherwise expressly provided herein, all representations in this agreement shall remain operative and in full force and effect on the parties and subsequent assignees or purchasers. This agreement shall apply to the parties and any subsequent purchasers of the parcel or any portion thereof. No modifications, alteration, or amendment to this agreement shall be binding upon any party hereto until such modification; alteration or amendment is reduced to writing and executed by both parties hereto.

PERMANENT COMPONENTS OF THE STORMWATER SYSTEM

The stormwater system consists of the following components:

- Catch Basin/Curb Inlet Grates
- Retention/Detention Basin
- Grass Swales
- Rain Garden
- Rip Rap

INSPECTION AND MAINTENANCE (See Exhibit B for Operation and Maintenance Plan)

All components of the stormwater system shall be inspected at least semiannually in early spring and early autumn, and after major storm events. Repairs will be made whenever the performance of a stormwater control structure is compromised. Soil erosion, clogged or damaged inlets, sedimentation of the pond, rilling of side slopes, and other compromised features of the stormwater system are examples of items requiring repair work.
The operation and maintenance plan shall remain onsite and be available for inspection when requested by the Department of Natural Resources or the Village of Jackson. When requested, the owner shall make available for inspection all maintenance records to the department or agent for the life of the system.

DUTY TO PROVIDE MAINTENANCE

In the event the Owner fails to perform its obligations under this agreement, the Village of Jackson shall have the authority to inspect and maintain all components of the stormwater system. In such an event, all associated costs will be assessed back as a special charge against the property pursuant to Sec. 66.0627 Wis. Stats. **Said charge shall be a lien on the property and shall be collected with the real estate taxes.**

SIGNATURES

The undersigned agree to the provision set forth in this agreement.
For the Owner:

Name

Title

Signature

Date

STATE OF WISCONSIN)
) S.S.
ROCK COUNTY)

Personally came before me this _____ day of _____, 2022, the above named _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public
State of Wisconsin
My Commission expires _____

THIS INSTRUMENT DRAFTED BY:
Jason Daye - Excel Engineering Inc

Recording Area
Name and Return Address Morning Star N171 W20131 Highland Rd Jackson, WI 53037

Exhibit A
Legal Description

Lot 1 of Certified Survey Map No. 5461, recorded in the Washington County Registry on April 16, 2002 in Volume 39 of Certified Survey Maps on Pages 54-58, as Document No. 929487, being a redivision of Lots, 1, 2 and 4 of Certified Survey Map No. 4587 as recorded in Volume 31 of Certified Survey Maps on Pages 1-3, as Document No. 704594 being in the Northwest 1/4 of the Southwest 1/4 of Section 17, Township 10 North, Range 20 East, in the Village of Jackson, Washington County, Wisconsin.

Exhibit B

The owner of the property affected shall inspect and maintain the following stormwater management systems frequently, especially after heavy rainfalls, but at least on an annual basis unless otherwise specified.	
STORMWATER FACILITY	TYPE OF ACTION
1. Lawn and Landscaped Areas	All lawn areas shall be kept clear of any materials that block the flow of stormwater. Rills and small gullies shall immediately be filled and seeded or have sod placed in them. The lawn shall be kept mowed, tree seedlings shall be removed, and litter shall be removed from landscaped areas.
2. Swales	All grassed swales showing signs of erosion, scour, or channelization shall be repaired, reinforced, and revegetated immediately. All swales shall be repaired to the original plan requirements. Mowing shall take place no less than twice per year at a height of no less than three inches. Grasses shall not be allowed to grow to a height that permits branching or bending. Mowing shall only take place when the ground is dry and able to support machinery.
3. Rip Rap	All rip rap showing signs of erosion or scour shall be repaired, reinforced, and revegetated immediately. Rip rap should be kept clean of vegetation and sediment. All rip rap shall be repaired to the construction plan requirements.
4. Catch Basin/Curb Inlet Grates	The grate openings to these structures must be cleared of any clogging or the blocking of stormwater flow from getting into the stormwater conveyance system of any kind.
5. Retention/Detention Basins	Trash racks, standpipes, outlet structures, inlet and outlet pipes, and anti vortex devices shall be kept clear of debris. Non-structurally sound devices shall be replaced. Floating litter and algae shall be removed monthly. All grassed areas, embankments, and flow control devices showing signs of erosion shall be repaired, reinforced, and revegetated immediately to the original plan requirements. Dry basins shall be mowed no less than twice per year at a height of no less than 3 inches. Grasses shall not be allowed to grow to a height that permits branching or bending. Mowing shall only take place when the ground is dry and able to support machinery. Every 5 years, beginning in the summer of 2022, the elevations of the pond bottom shall be surveyed to determine the permanent pool depth and sediment depth in the pond. When silt has accumulated three feet from the original design depth elevation of the pond, the pond shall be cleaned out and restored back to the original design depth of a minimum of 5' from the normal water elevation. Cleaning, removal, and deposit of silt from the detention pond shall be done by means and

	methods acceptable to the Wisconsin Department of Natural Resources.
6. Rain Garden	During the first 2-3 months of establishment, the garden will require, at a minimum, watering on a weekly basis depending on weather. Visual inspections of the garden shall be performed annually at a minimum. Maintenance shall be required when standing water occurs 3 days after a rain event. Maintenance shall consist of the removal of sediment, and a 2 foot undercut. Replace the undercut material with 1/3 topsoil, 1/3 compost, and 1/3 sand. Restoration of plant material shall be by plugging 1 native perennial per square foot, not by seeding. In the spring of each growing year, dead vegetation shall be removed to allow for new growth. At least 2 times during the growing season, the garden should be weeded and additional hardwood mulch shall be added as needed to assist in weed suppression.
7. Record of Maintenance	The operation and maintenance plan shall remain onsite and be available for inspection when requested by WDNR. When requested, the owner shall make available for inspection all maintenance records to the department or agent for the life of the system.

STAFF REVIEW COMMENTS

Plan Commission December Meeting – January 6, 2022

Agenda Item #4 – Conditional Use Amendment – Morning Star Lutheran Church – Early Childhood Learning Building Addition – N171W20131 Highland Road

Building Inspection

- Proposal includes a two-story, 15,110 sq. ft. addition to the existing structure to provide additional area for early childhood learning as well as a reconfiguration of certain areas of the existing parking lot and creation of a new driveway along the west side of the property.
- All building, plumbing, HVAC and fire sprinkler/fire alarm systems, where proposed, shall be reviewed and approved by the State of WI.
- ADA parking requirements, including van-accessible spaces, shall comply with applicable regulations and shall be based on the total number of parking stalls provided. Passenger loading areas shall also be accessible. (Note: 31 parking stalls are proposed.)
- Building plans do not disclose full construction details or proposed occupant loads so it is not possible to determine how the designer intends to meet the exception for not sprinklering the addition given the fact that the addition area exceeds the exceptions in both IBC 903.2.1.3 and 903.2.3.
- It is recommended that the proposed new refuse enclosure incorporate a personnel door for direct access.
- Buffering is required between the subject parcel and the adjacent residential parcel. It is recommended that the buffering include both a privacy fence as well as a vegetative buffer to attenuate noise.
- Zoning designation language is included below for reference.

Sec. 48-150. - I-1 Institutional and Public Service District.

(a) *Generally.* The I-1 Institutional and Public Service District is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent.

(b) *Permitted uses.* None; all uses are conditional uses.

(c) *Lot area and width.* Lots shall be a minimum of 8,000 square feet in area and shall not be less than 70 feet in width at the setback line.

(d) *Setbacks and yards.* There shall be a minimum building setback of 30 feet from the right-of-way of all streets. There shall be a side yard on each side of all buildings not less than 12 feet in width and a rear yard of not less than 25 feet.

Public Works/Engineering

- The Stormwater Management Plan with date of December 8, 2021 per the design of maximum extent practicable approach is approved as submitted. Per the design, a new bio-retention area with be created and Dry Pond C will be expanded to accommodate the new stormwater run-off.
- The building addition will cause an increase to the annual water usage to the existing building, recommend after a year of occupancy the water usage shall be calculated to determine if additional REUs have been generated for increase charge of Sewer Connect Fee and Water Impact Fee.

Police Department

- No Comments

STAFF REVIEW COMMENTS
Plan Commission December Meeting – January 6, 2022

Fire Department

- Fire sprinkler system may be needed in new addition as square footage of addition is over 12,000 square feet.
- State approved plans will be required.
- Fire Hydrant needed on south side of building.

Administrative/Planning

- Staff recommend approval of the expansion seeing as parking capacity, hours of operation, stormwater management and setback concerns were all addressed in the applicant's submittal. Additional information regarding the potential relocation of playground/recreational amenities would be a topic of interest to Staff so as to understand any impacts that change may have on the surrounding residential parcels.

January 5, 2022

Village of Jackson
Attn: Jilline Dobratz
N168 W19851 Main St
Jackson, WI 53037

Re: CUP Amendment – Morning Star Early Childhood Addition

Dear Ms. Dobratz,

This letter is in response to emailed comments received on December 29, 2021 regarding the review of the Conditional Use Amendment submittal for the proposed Morning Star Early Childhood addition to be located at N171 W20131 Highland Road.

Building Inspection

- Proposal includes a two-story, 15,110 sq. ft. addition to the existing structure to provide additional area for early childhood learning as well as a reconfiguration of certain areas of the existing parking lot and creation of a new driveway along the west side of the property.
Excel Response: Correct.
- All building, plumbing, HVAC and fire sprinkler/fire alarm systems, where proposed, shall be reviewed and approved by the State of WI.
Excel Response: Plans will be submitted to the State of WI for review.
- ADA parking requirements, including van-accessible spaces, shall comply with applicable regulations and shall be based on the total number of parking stalls provided. Passenger loading areas shall also be accessible. (Note: 31 parking stalls are proposed.)
Excel Response: 26-50 parking stalls require 2 handicap accessible stalls (2 are proposed). Accessible spaces are proposed to be constructed within ADA standards.
- Building plans do not disclose full construction details or proposed occupant loads so it is not possible to determine how the designer intends to meet the exception for not sprinklering the addition given the fact that the addition area exceeds the exceptions in both IBC 903.2.1.3 and 903.2.3.
Excel Response: The building addition is fire separated from the existing school and church. Also, each floor area of the addition is 7,655 sf and each floor is separated by 2hr floor construction.
- It is recommended that the proposed new refuse enclosure incorporate a personnel door for direct access.
Excel Response: A new refuse enclosure is not proposed or part of this project.
- Buffering is required between the subject parcel and the adjacent residential parcel. It is recommended that the buffering include both a privacy fence as well as a vegetative buffer to

attenuate noise.

Excel Response: The proposed lot is a PUD (Institution) with an adjacent R-6 residential lot. The evergreen vegetation buffer was being proposed as a good neighbor gesture. The owner would prefer to not have to add a privacy fence which would require maintenance and additional cost.

- Zoning designation language is included below for reference.

Sec. 48-150. - I-1 Institutional and Public Service District.

(a) *Generally*. The I-1 Institutional and Public Service District is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent.

(b) *Permitted uses*. None; all uses are conditional uses.

(c) *Lot area and width*. Lots shall be a minimum of 8,000 square feet in area and shall not be less than 70 feet in width at the setback line.

(d) *Setbacks and yards*. There shall be a minimum building setback of 30 feet from the right-of-way of all streets. There shall be a side yard on each side of all buildings not less than 12 feet in width and a rear yard of not less than 25 feet.

Public Works/Engineering

- The Stormwater Management Plan with date of December 8, 2021 per the design of maximum extent practicable approach is approved as submitted. Per the design, a new bio-retention area will be created and Dry Pond C will be expanded to accommodate the new stormwater run-off.

Excel Response: Ok.

- The building addition will cause an increase to the annual water usage to the existing building, recommend after a year of occupancy the water usage shall be calculated to determine if additional REUs have been generated for increase charge of Sewer Connect Fee and Water Impact Fee.

Excel Response: Noted.

Fire Department

- Fire sprinkler system may be needed in new addition as square footage of addition is over 12,000 square feet.

Excel Response: The building addition is separated into fire areas which are less than 12,000 sf.

- State approved plans will be required.

Excel Response: Plans will be submitted for review by the State of WI.

- Fire Hydrant needed on south side of building.

Excel Response: Upon further discussion, a fire hydrant will not be required since the building addition will not be sprinklered.

Administrative/Planning

- Staff recommend approval of the expansion seeing as parking capacity, hours of operation, stormwater management and setback concerns were all addressed in the applicant's submittal. Additional information regarding the potential relocation of playground/recreational amenities would be a topic of interest to Staff so as to understand any impacts that change may have on the surrounding residential parcels.

Excel Response: Owner will determine new location for swing set.

Additional Owner Comments:

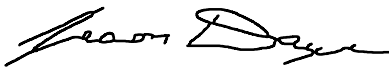
The plan set that was submitted reflected the "greatest degree of development that was perceived as part of this development". Since the submission and through further internal planning, the Owner has made the following plan determinations:

1. Drop off parking: Originally it was anticipated that there would be a need for a double loaded drop off parking aisle (31 spaces). From further planning it has been determined that only a single loaded parking aisle facing the building addition will be required. Local grading would be adjusted accordingly.
2. West drive aisle: Reviewing the submittal with the Fire Chief, it was determined that a 20' drive aisle for the use of the Fire Truck is not needed. As a result, the drive aisle would be narrowed to 12'-15' to accommodate one way drop off circulation traffic as originally intended.
3. Site Lighting on South and West Sides: With the narrowing of the drive aisle on the west side and the narrowing of the drop off parking on the south side, the existing cut of wall mounted lighting on the west side and similar new lighting on the south side would be utilized to minimize any impact to the adjacent property vs. the pole lighting shown.

Please accept for review and approval prior to the Plan Commission meeting on January 6th, 2022. Please let me know if you have any comments, questions, or need additional information.

Sincerely,

Excel Engineering, Inc.



Jason Daye, P.E.

**DRAFT MINUTES
PLAN COMMISSION MEETING
Thursday, January 6, 2022 at 7:00 p.m.
Jackson Municipal Complex
Village Board Room
N168 W19851 Main Street
Jackson, WI 53037**

1. Call to Order and Roll Call

Trustee Kruepke called the meeting to order at 7:00 p.m.

Members Present: Tr. Emmrich, Tr. Kruepke, Sarah Mleziva, Dan Reik, and Jon Weil

Member Excused: Pres. Schwab and Jon Molkentin

Village Board Member Present: Tr. Heckendorf

Staff Present: Building Inspector/Code Enforcement Officer Collin Johnson,
Administrator Jen Keller, and Clerk Jilline Dobratz

Also Present: Tom Schermerhorn and Ben Marschall of Excel Engineering, Jon Molkentin with Morning Star Building Committee

2. Approval of Minutes for the Plan Commission Meeting of December 2, 2021

Motion by Tr. Emmrich, second by Jon Weil to approve the Plan Commission minutes of December 2, 2021.

Vote: 4 ayes, 0 nays. Motion carried.

Dan Reik arrived at 7:05 p.m. after Item #2.

3. Conditional Use Amendment – Morning Star Lutheran Church – Early Childhood Learning Building Addition – N171W20131 Highland Road

Tom Schermerhorn, Excel Engineering, provided a project overview. Proposed site changes included an two-story addition to the south side of the building and connection of the current access points at the eastern and western edge of the property. The floor plan overview included that the lower level of the expansion would be for use by a new early childhood daycare and the upper level accommodated five classrooms for elementary school students. Items discussed included: the parking lot, traffic patterns, drop off/pick up, vegetative buffer, and hydrant spacing

Motion by Tr. Kruepke, second by Tr. Emmrich recommend Village Board approve the Conditional Use Amendment – Morning Star Lutheran Church – Early Childhood Learning Building Addition – N171W20131 Highland Road taking into consideration staff comments of relooking at the buffer area to the west of the new driveway going in, the traffic pattern for the new driveway going in on the west, north to south for early development drop off, and revisiting the south hydrant location with the Fire Department, subject to review and approval.

Vote: 5 ayes, 0 nays. Motion carried.

4. Citizens to Address the Plan Commission

None.

5. Adjourn

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

Vote: 5 ayes, 0 nays. Meeting adjourned at 7:31 p.m.

Respectfully submitted,

Jilline Dobratz, *CMC/WCPC*
Village Clerk

DRAFT

ORDINANCE #22-01

AMENDING CHAPTER 2 OF VILLAGE CODE REGARDING JOINT VILLAGE AND TOWN PARKS AND RECREATION COMMITTEE

WHEREAS, the Village Board and Town of Jackson approved the Release, Settlement and Termination Agreement on December 9th; and

WHEREAS, the Agreement included the dissolution of the Joint Village and Town Parks and Recreation Committee as established in the Development and Operations Agreement; and

WHEREAS, the Village must amend language in Chapter 2, Article IV, Division 3, Sec. 2-186 "Joint Village and Town Parks and Recreation Committee";

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board, Washington County Wisconsin ORDAINS AS FOLLOWS:

Section I. Repealing Chapter 2, Article IV, Division 3, Sec. 2-186 "Joint Village and Town Parks and Recreation Committee" and replacing with the following language:

Sec. 2-186. - Parks & Recreation Commission

(a)Purpose. The purpose of the commission is to provide assistance in the development, acquisition and maintenance of village parks, recreation and opens spaces. In addition, to provide direction and recommendations as related to annual budgets, policies, program & event continuity, the PROSP (Parks, Recreation & Open Space Plan) as required by the DNR and other duties as set forth in Wis. Stats. §27.08 as they apply.

(b)Membership. The commission shall consist of 5 members appointed by the village president. One member shall be a village board member and four citizen members. Appointments are made by the village president, subject to confirmation by the village board at the organizational meeting in April of each year or any other time if a vacancy occurs. Citizen members shall have staggered (3) year terms. The Commission Chairman will be selected by the Commission.

(c)Meetings. Generally, the Parks & Recreation Commission meets the third Tuesday of the month, as needed.

Section II. This Ordinance shall take effect from and after its passage and posting.

Introduced by: _____

Seconded by: _____

Vote: _____aye _____nay

Passed and approved _____

VILLAGE OF JACKSON

By: _____

Michael E. Schwab, Village President

Attest:

Jilline S. Dobratz, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

Village Official

Date

ORDINANCE #21-10

**TO REZONE VARIOUS PROPERTIES AND TO AMEND THE
ZONING MAP OF THE VILLAGE OF JACKSON PURSUANT
TO SECTION 48.34 OF THE MUNICIPAL CODE**

WHEREAS, the Village Board for the Village of Jackson adopted zoning regulations for the Village of Jackson and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 48 of the Village of Jackson municipal code, which is titled "Zoning;" and

WHEREAS, Neumann Developments has submitted a petition to the Village to change the zoning classification of tax parcel V3_0751 and tax parcel V3_075200A; and

WHEREAS, the proposed rezoning has been submitted to the Village of Jackson Plan Commission for report and recommendation; and

WHEREAS, the Village of Jackson Plan Commission considered the matter at its meeting on October 28, 2021 and recommended approval; and

WHEREAS, the Village Board conducted a public hearing on November 9, 2021; and

WHEREAS, the Village Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is consistent with the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Jackson, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

NOW, THEREFORE BE IT RESOLVED, the Village of Jackson Village Board,
Washington County Wisconsin ORDAINS AS FOLLOWS:

Section 1. The two properties listed below are rezoned as specified and the zoning map of the Village of Jackson is hereby amended to incorporate the zoning of the various properties.

1. Change the zoning designation of that portion of tax parcel V3_0751 identified as R-1 in Exhibit A, attached hereto, from PUD to R-1.
2. Change the zoning designation of that portion of tax parcel V3_0751 identified as R-3 in Exhibit A, attached hereto, from PUD to R-3.
3. Change the zoning designation of tax parcel V3_075200A from PUD to R-5.

Section 2. The rezoning of the subject properties as specified herein and the amendment of the zoning map of the Village of Jackson is conditioned on the following:

1. The property owner shall submit a preliminary plat for both of the properties to the Village and obtain approval of the same within 120 days of this date.
2. The property owner shall submit a final plat to the Village and obtain approval of the same within 2 years of the date of approval of the preliminary plat.
3. The property owner shall submit the final plat to the Washington County register of deeds office within 10 days of approval of the final plat.

Section 3. Upon certification by the Village Clerk that the conditions set forth in Section 2 have been satisfied within the time period established in that section, the Zoning Administrator shall change the zoning classification of the subject properties on the Village of Jackson zoning map as indicated herein.

Section 4. This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law subject to the conditions stated in Section 2, and this ordinance is null and void and the current zoning shall be in effect with no further notice if such conditions are not satisfied within each of the time periods specified or if the property owner submits a written notice to the Village Board stating his or her desire to revert back to the PUD zoning classification.

Section 5. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 6. The Village Clerk and Village Administrator are authorized and directed to make all changes within the Village of Jackson Code of Ordinances necessary to reflect this Ordinance.

Introduced by: _____

Seconded by: _____

Vote: _____aye _____nay

Passed and approved _____

VILLAGE OF JACKSON

By: _____

Michael E. Schwab, Village President

Attest:

Jilline S. Dobratz, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

Village Official

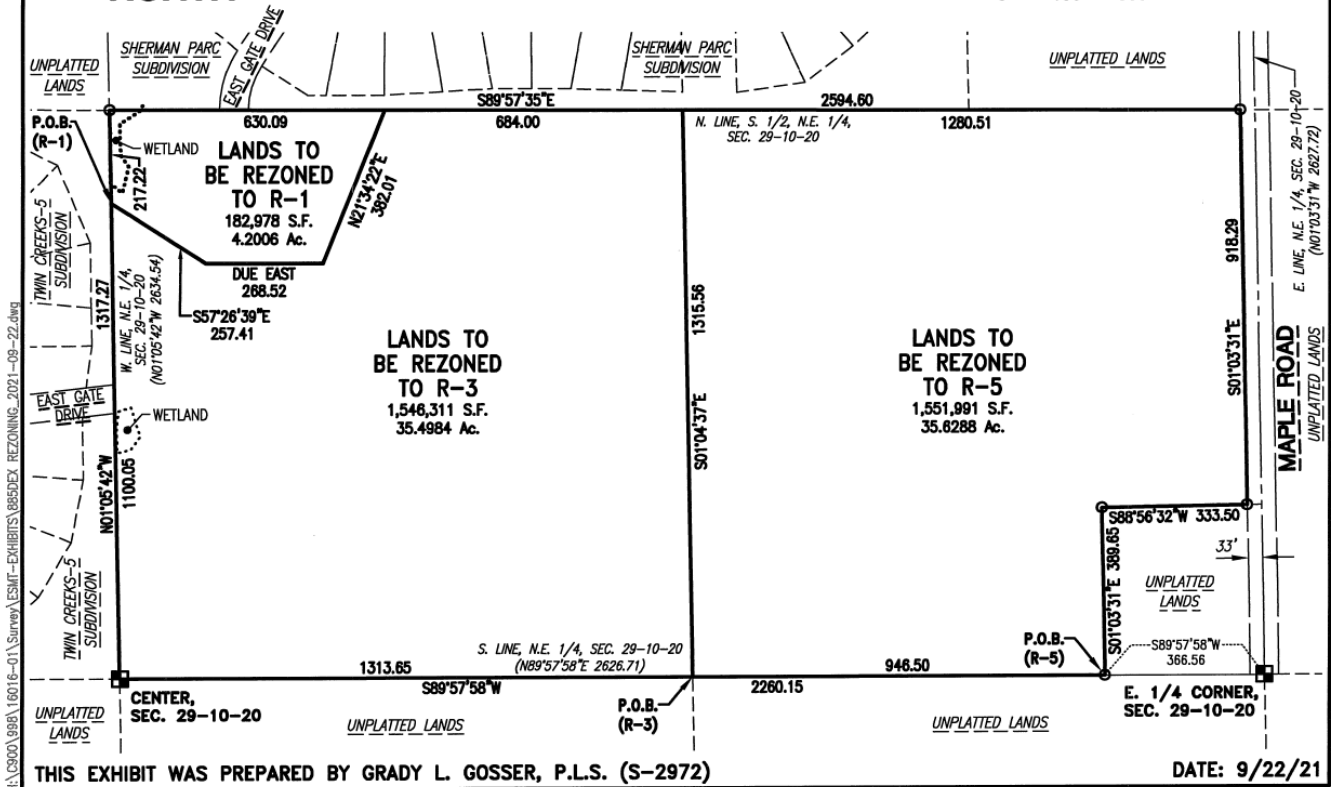
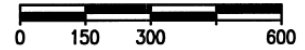
Date

REZONING EXHIBIT "A"

BEING A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29,
TOWN 10 NORTH, RANGE 20 EAST, IN THE VILLAGE OF JACKSON, WASHINGTON COUNTY, WISCONSIN.



SCALE: 1"=300'



THIS EXHIBIT WAS PREPARED BY GRADY L. GOSSER, P.L.S. (S-2972)

DATE: 9/22/21

ORDINANCE #21-11

AMENDING CHAPTER 16 OF THE VILLAGE CODE OF ORDINANCES REGARDING ENVIRONMENT

THE VILLAGE BOARD OF THE VILLAGE OF JACKSON, WASHINGTON COUNTY, WISCONSIN, at a public meeting with quorum present, hereby adopts the following amendments to Chapter 16 of the Village Code of Ordinances Regarding Environment:

WHEREAS, the Village of Jackson must comply with all NFIP and Chapter NR116 Wisconsin Administrative Code, and;

WHEREAS, the Village of Jackson was notified by the Wisconsin Department of Natural Resources that an adoption of the amended Floodplain Ordinance was required of the community to be prepared and approved on or before February 25, 2022,

NOW THEREFORE, the Village Board of the Village of Jackson, Washington County, Wisconsin does ordain as follows:

SECTION I. Amending Articles, I and II of the Village Code of Jackson is hereby changed as follows:

Sec. 16-19. Statutory authorization.

This article is adopted pursuant to the authorization in Wis. Stats. §§ 61.35 and 62.23 for villages and cities; Wis. Stats. §§ 59.69, 59.692, and 59.694 for counties; and the requirements in Wis. Stats. § 87.30.

(Ord. No. 13-06, § 23.1.1)

Sec. 16-20. Finding of fact.

Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

(Ord. No. 13-06, § 23.1.2)

Sec. 16-21. Statement of purpose.

This article is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;

- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

(Ord. No. 13-06, § 23.1.3)

Sec. 16-22. Title.

This article shall be known as the "Floodplain Zoning Ordinance for the Village of Jackson, Wisconsin."

(Ord. No. 13-06, § 23.1.4)

Sec. 16-23. General provisions.

- (a) *Areas to be regulated.* This article regulates all areas that would be covered by the regional flood or base flood as shown on the flood insurance rate map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the flood insurance study (FIS) and are shown as AE, A1-30, and AH zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional flood elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

- (b) *Official maps and revisions.*

Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH, AO, on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (a) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the Zoning Administrator, Village of Jackson

(a) OFFICIAL MAPS : Based on the Flood Insurance Study (FIS):

1. Flood Insurance Rate Map (FIRM), panel numbers 55131C0254E, 55131C0258E, 55131C0259E, 55131C0266E, 55131C0267E; dated 02/25/2022;
2. Flood Insurance Study (FIS) volumes 55131CV001C, 55131CV002C, 55131CV003C, 55131CV004C, 55131CV005C, 55131CV006C for Washington County here, dated 02/25/2022.

Approved by: The DNR and FEMA

(b) OFFICIAL MAPS: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

1. Washington County and incorporated areas Flood Storage Districts, Panel 8 dated 02/25/2022.
2. Washington County and incorporated areas Flood Storage Districts, Panel 9 dated 02/25/2022.

Approved by: The DNR

(c) *Establishment of floodplain zoning districts.* The regional floodplain areas are divided into districts as follows:

- (1) The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to s. 5.1(5).
- (2) The Floodfringe District (FF) is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to s. 5.1(5), within A Zones shown on the FIRM.
- (3) The General Floodplain District (GFP) is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.
- (4) The Flood Storage District (FSD) is that area of the floodplain where storage of floodwaters is calculated to reduce the regional flood discharge.

(d) Locating floodplain boundaries. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to s. 8.0 *Amendments*. The zoning administrator can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The zoning administrator shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the zoning administrator and an applicant over the district boundary line shall be settled according to s. 7.3(3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to s. 8.0 *Amendments*.

- (1) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.
- (2) Where flood profiles do not exist for projects, including any boundary of zone A, AO, the location of the boundary shall be determined by the map scale.

(e) REMOVAL OF LANDS FROM FLOODPLAIN.

- (1) Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to Division 8.0 *Amendments*.
- (2) The delineation of any of the Floodplain Districts may be revised by the community where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:
 - (a) The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation;
 - (b) The fill must be contiguous to land outside the floodplain; Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F;
- (3) Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

(f) COMPLIANCE

- (1) No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.
- (2) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with s. 9.0.
- (3) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Floodplain Administrator. Use, arrangement, or construction

contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with s. 9.0.

- (g) *Municipalities and state agencies regulated.* Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this article and obtain all necessary permits. State agencies are required to comply if Wis. Stats. § 13.48(13) applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the state department of transportation is exempt when Wis. Stats. § 30.2022 applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards
- (h) *Abrogation and greater restrictions.*
 - (1) This article supersedes all the provisions of any municipal zoning ordinance enacted under Wis. Stats. § 59.69, 59.692 or 59.694 for counties; Wis. Stats. § 62.23 for cities; Wis. Stats. § 61.35 for villages; or Wis. Stats. § 87.30, which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.
 - (2) This article is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this article imposes greater restrictions, the provisions of this article shall prevail.
- (i) *Interpretation.* In their interpretation and application, the provisions of this article are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by state statutes. If a provision of this article, required by Wis. Admin. Code ch. NR 116, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of the ordinance from which this article is derived or in effect on the date of the most recent text amendment to this article.
- (j) *Warning and disclaimer of liability.* The flood protection standards in this article are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by manmade or natural causes. This article does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This article does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this article.
- (k) *Severability.* Should any portion of this article be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this article shall not be affected.
- (l) *Annexed areas for cities and villages.* The Washington County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of Wis. Admin. Code ch. NR 116 and 44 CFR 59—72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. Washington County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal zoning administrator. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

Sec. 16-24. Enforcement and penalties.

Any violation of the provisions of this article by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00, together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this article is a public nuisance, and the creation may be enjoined, and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to Wis. Stats. § 87.30.

(Ord. No. 13-06, § 23.9.0)

Sec. 16-25. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A zones means those areas shown on the official floodplain zoning map which would be inundated by the regional flood. These areas may be numbered or unnumbered A zones. The A zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

AH zone. See *Area of shallow flooding*.

AO zone. See *Area of shallow flooding*.

Accessory structure or use means a facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building.

Alteration means an enhancement, upgrading or substantial change or modifications other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

Basement means any enclosed area of a building having its floor sub-grade on all sides

Building. See *Structure*.

Bulkhead line means a geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the department pursuant to Wis. Stats. § 30.11 and which allows limited filling between this bulkhead line and the original ordinary high-water mark, except where such filling is prohibited by the floodway provisions of this article.

Campground means any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by four or more camping units, or which is advertised or represented as a camping area.

Camping unit means any portable device, no more than 400 square feet in area, used as a temporary shelter, including, but not limited to, a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

Certificate of compliance means a certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this article.

Channel means a natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

Crawlways or *crawl space* means an enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

Deck means an unenclosed exterior structure that has no roof or sides, but has a permeable floor which allows the infiltration of precipitation.

Department means the state department of natural resources.

Development means any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

Dryland access means a vehicular access route which is above the regional flood elevation, and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

Encroachment means any fill, structure, equipment, use or development in the floodway.

Federal Emergency Management Agency (FEMA) means the federal agency that administers the National Flood Insurance Program.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- (1) The overflow or rise of inland waters;
- (2) The rapid accumulation or runoff of surface waters from any source;
- (3) The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- (4) The sudden increase caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

Flood frequency means the probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average, once in a specified number of years or as a percent chance of occurring in any given year.

Flood fringe means that portion of the floodplain outside of the floodway which is covered by floodwaters during the regional flood and associated with standing water rather than flowing water.

Flood hazard boundary map means a map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a flood insurance study and a flood insurance rate map.

Flood insurance rate map (FIRM) means a map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

Flood insurance study means a technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A-zones. Flood insurance rate maps, that accompany the flood insurance study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

Flood profile means a graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

Flood protection elevation means an elevation of two feet of freeboard above the water surface profile elevation designated for the regional flood. (Also see *Freeboard*.)

Flood storage means those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

Floodplain means land which has been or may be covered by floodwater during the regional flood. It includes the floodway and the flood fringe and may include other designated floodplain areas for regulatory purposes.

Floodplain island means a natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

Floodplain management means policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

Floodproofing means any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

Floodway means the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

Freeboard means a safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

Habitable structure means any structure or portion thereof used or designed for human habitation.

Hearing notice means publication or posting meeting the requirements of Wis. Stats. ch. 985. For appeals, a Class 1 notice, published once at least one week (seven days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (seven days) before the hearing, is required. Local ordinances or bylaws may require additional notice, exceeding these minimums.

High flood damage potential means damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is either:

- (1) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

Increase in regional flood height means a calculated upward rise in the regional flood elevation greater than 0.00 feet, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

Land use means any nonstructural use made of unimproved or improved real estate. (Also see *Development*.)

Lowest adjacent grade means elevation of the lowest ground surface that touches any of the exterior walls of a building.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor,

provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR 60.3.

Maintenance means the act or process of restoring to original soundness, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment, with equivalent fixtures, systems or structures.

Manufactured home means a structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

Mobile/manufactured home park or subdivision means a parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

Mobile/manufactured home park or subdivision, existing, means a parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of the ordinance from which this article is derived. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

Mobile/manufactured home park, expansion to existing, means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading or the pouring of concrete pads.

Mobile recreational vehicle means a vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

Model, corrected effective, means a hydraulic engineering model that corrects any errors that occur in the duplicate effective model, adds any additional cross sections to the duplicate effective model, or incorporates more detailed topographic information than that used in the current effective model.

Model, duplicate effective, means a copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

Model, effective, means the hydraulic engineering model that was used to produce the current effective flood insurance study.

Model, existing (pre-project), means a modification of the duplicate effective model or corrected effective model to reflect any manmade modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the corrected effective model or duplicate effective model.

Model, revised (post-project), means a modification of the existing or pre-project conditions model, duplicate effective model or corrected effective model to reflect revised or post-project conditions.

Municipality or *municipal* means the county, village or village governmental units enacting, administering and enforcing this article.

NAVD or *North American Vertical Datum* means elevations referenced to mean sea level datum, 1988 adjustment.

New construction, structures for which the start of construction commenced on or after the effective date of floodplain zoning regulations adopted by this community and includes any subsequent improvements to such structures.

NGVD or *National Geodetic Vertical Datum* means elevations referenced to mean sea level datum, 1929 adjustment.

Nonconforming structure means an existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this article for the area of the floodplain which it occupies. (For example, an existing residential structure in the flood fringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

Nonconforming use means an existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this article for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

Obstruction to flow means any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

Official floodplain zoning map means that map, adopted and made part of this article, as described in section 16-23(b), which has been approved by the department and FEMA.

Open space use means those uses having a relatively low flood damage potential and not involving structures.

Ordinary high-water mark means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

Person means an individual, or group of individuals, corporation, partnership, association, municipality or state agency.

Private sewage system means a sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. The term "private sewage system" also means an alternative sewage system approved by the department of safety and professional services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure, or a system located on a different parcel than the structure.

Public utilities means those utilities using underground or overhead transmission lines, such as electric, telephone and telegraph, and distribution and collection systems, such as water, sanitary sewer and storm sewer.

Reasonably safe from flooding means base floodwaters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Regional flood means a flood determined to be representative of large floods known to have occurred in the state. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

Start of construction means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

Subdivision has the meaning given in Wis. Stats. § 236.02(12).

Substantial damage means damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term "substantial improvement" does not, however, include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Unnecessary hardship means where special conditions affecting a particular property, which were not self-created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

Variance means an authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

Violation means the failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

Water surface profile means a graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

Watershed means the entire region contributing runoff or surface water to a watercourse or body of water.

Well means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

(Ord. No. 13-06, § 23.10.0)

Secs. 16-26—16-49. Reserved.

DIVISION 2. GENERAL STANDARDS APPLICABLE TO ALL FLOODPLAIN DISTRICTS

Sec. 16-50. Basic requirements.

- (a) The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; be constructed with flood-resistant materials; be constructed to minimize flood damages and to ensure that utility and mechanical equipment is designed and/or located so as to prevent water from entering or accumulating within the equipment during conditions of flooding.
- (b) If a subdivision or other proposed new development is in a flood-prone area, the community shall assure that:
 - (1) such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the flood-prone area;
 - (2) public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - (3) adequate drainage is provided to reduce exposure to flood hazards.

All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in s. 16-193(b).

(Ord. No. 13-06, § 23.2.0)

Sec. 16-51. Hydraulic and hydrologic analyses.

- (a) No floodplain development shall:
 - (1) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
 - (2) Cause any increase in the regional flood height due to floodplain storage area lost.
- (b) The zoning administrator shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of division 8 of this article are met.

(Ord. No. 13-06, § 23.2.1)

Sec. 16-52. Watercourse alterations.

- (a) No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of section 16-51 must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.
- (b) As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to division 8 of this article, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

(Ord. No. 13-06, § 23.2.2)

Sec. 16-53. Wis. Stats. chs. 30 and 31, development.

Development which requires a permit from the department, under Wis. Stats. chs. 30 and 31, such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to division 8 of this division.

(Ord. No. 13-06, § 23.2.3)

Sec. 16-54. Public or private campgrounds.

Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

- (1) The campground is approved by the Department of Agriculture, Trade and Consumer Protection;
- (2) A land use permit for the campground is issued by the zoning administrator;
- (3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;

- (4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;
- (5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated, by the officials identified in subsection (4) of this section, to remain in compliance with all applicable regulations, including those of the State Department of Agriculture, Trade and Consumer Protection and all other applicable regulations;
- (6) Only camping units that are fully licensed, if required, and ready for highway use are allowed;
- (7) The camping units shall not occupy any site in the campground for more than 180 consecutive days, at which time the camping unit must be removed from the floodplain for a minimum of 24 hours;
 - (a) A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.
- (8) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;
- (9) The municipality shall monitor the limited authorizations issued by the campground operator to ensure compliance with the terms of this section;
- (10) All camping units that remain in place for more than 180 consecutive days must meet the applicable requirements in either division 3, 4 or 5 of this article for the floodplain district in which the structure is located;
- (11) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and
- (12) All service facilities, including, but not limited to, refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells, shall be properly anchored and placed at or floodproofed to the flood protection elevation.

(Ord. No. 13-06, § 23.2.4)

Secs. 16-55—16-81. Reserved.

DIVISION 3. FLOODWAY DISTRICT (FW)

Sec. 16-82. Applicability.

This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to section 16-149.

(Ord. No. 13-06, § 23.3.1)

Sec. 16-83. Permitted uses.

The following open space uses are allowed in the floodway district and the floodway areas of the general floodplain district, if they are not prohibited by any other ordinance, they meet the standards in section 16-84 and 16-85, and all permits or certificates have been issued according to section 16-193.

- (1) Agricultural uses, such as farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.
- (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of section 16-84(d).
- (4) Uses or structures accessory to open space uses or classified as historic structures that comply with sections 16-84 and 16-85.
- (5) Extraction of sand, gravel or other materials that comply with section 16-84(d).
- (6) Functionally water-dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with Wis. Stats. chs. 30 and 31.
- (7) Public utilities, streets and bridges that comply with section 16-83(c).
- (8) Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.
- (9) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.
- (10) Wastewater treatment ponds or facilities permitted under s. NR 110.15(3)(b), Wis. Adm. Code.
- (11) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

(Ord. No. 13-06, § 23.3.2)

Sec. 16-84. Standards for developments in the floodway.

(a) *Generally.*

- (1) Any development in the floodway shall comply with division 2 of this article and have a low flood damage potential.
 - (2) Applicants shall provide the following data to determine the effects of the proposal according to sections 16-51 and 16-193(b)(3):
 - a. A cross section elevation view of the proposal, perpendicular to the watercourse, showing if the proposed development will obstruct flow; or
 - b. An analysis calculating the effects of this proposal on regional flood height.
 - c. The analysis must be completed by a registered professional engineer in the state of Wisconsin.
 - (3) Any encroachment in the regulatory floodway is prohibited unless the data submitted for subd. 3.3(1)(b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in s. 16-23(d)(2).
- (b) *Structures.* Structures accessory to permanent open space uses or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:
- (1) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;
 - (2) Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:
 - a. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;
 - b. Have structural components capable of meeting all provisions of Section 16-84(b)(7) and;
 - c. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 16-84(b)(7).
 - (3) Must be anchored to resist flotation, collapse, and lateral movement;
 - (4) Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - (5) Must not obstruct flow of floodwaters or cause any increase in flood levels during the occurrence of the regional flood.
 - (6) For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets s. 3.3(2)(a) through 3.3(2)(e) and meets or exceeds the following standards:
 - a. The lowest floor must be elevated to or above the regional flood elevation;
 - b. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

- c. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.
 - d. The use must be limited to parking, building access or limited storage.
- (7) Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:
- a. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;
 - b. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in Sections 16-83;
 - c. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
 - d. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
 - e. Placement of utilities to or above the flood protection elevation.
- (c) *Public utilities, streets and bridges.* Public utilities, streets and bridges may be allowed by permit, if:
- (1) Adequate floodproofing measures are provided to the flood protection elevation; and
 - (2) Construction meets the development standards of section 16-51.
- (d) *Fills or deposition of materials.* Fills or deposition of materials may be allowed by permit, if:
- (1) The requirements of section 16-51 are met;
 - (2) No material is deposited in navigable waters unless a permit is issued by the department pursuant to Wis. Stats. ch. 30, and a permit pursuant to section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 USC 1344 has been issued, if applicable, and all other requirements have been met;
 - (3) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
 - (4) The fill is not classified as a solid or hazardous material.

(Ord. No. 13-06, § 23.3.3)

Sec. 16-85. Prohibited uses.

All uses not listed as permitted uses in section 16-83 are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open-space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and department-approved campgrounds that meet the applicable provisions of local ordinances and Wis. Admin. Code ch. SPS 383;
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and Wis. Admin. Code chs. NR 811 and 812;
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under Wis. Admin. Code § NR 110.15(3)(b); and
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

(Ord. No. 13-06, § 23.3.4)

Secs. 16-86—16-113. Reserved.

DIVISION 4. FLOOD FRINGE DISTRICT (FF)

Sec. 16-114. Applicability.

This section applies to all flood fringe areas shown on the floodplain zoning maps and those identified pursuant to section 16-149.

(Ord. No. 13-06, § 23.4.1)

Sec. 16-115. Permitted uses.

Any structure, land use, or development is allowed in the flood fringe district if the standards in section 16-116 are met, the use is not prohibited by this article, or any other ordinance or regulation and all permits or certificates specified in section 16-193 have been issued.

(Ord. No. 13-06, § 23.4.2)

Sec. 16-116. Standards for development in the flood fringe.

Section 16-51 shall apply in addition to the following requirements according to the use requested. Any existing structure in the flood fringe must meet the requirements of division 6 of this article *Nonconforming Uses*;

- (1) **Residential Uses.** Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of s. 6.0 Nonconforming Uses;
- (a) All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet s. 1.5(5).
 - (b) Notwithstanding s. 4.3 (1)(a), a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation;
 - (c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in subd. (d).
 - (d) In developments where existing street or sewer line elevations make compliance with subd. (c) impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:
 - 1. The municipality has written assurance from police, fire and emergency services that rescue, and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or
 - 2. The municipality has a DNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.
- (2) *Accessory structures or uses.* Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.
- (3) *Commercial uses.* Any commercial structure which is erected, altered or moved into the flood fringe shall meet the requirements of subsection (1) of this section. Subject to the requirements of subsection (5) of this section, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (4) *Manufacturing and industrial uses.* Any manufacturing or industrial structure which is erected, altered or moved into the flood fringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in section 16-197. Subject to the requirements of subsection (5) of this section, storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.
- (5) *Storage of materials.* Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with section 16-

197. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

- (6) *Public utilities, streets and bridges.* All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and:
 - a. When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with section 16-197.
 - b. Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.
- (7) *Sewage systems.* All sewage disposal systems shall be designed to minimize or eliminate infiltration of floodwater into the system, pursuant to section 16-197(c), to the flood protection elevation and meet the provisions of all local ordinances and Wis. Admin. Code ch. SPS 383.
- (8) *Wells.* All wells shall be designed to minimize or eliminate infiltration of floodwaters into the system, pursuant to section 16-197(c), to the flood protection elevation and shall meet the provisions of Wis. Admin. Code chs. NR 811 and 812.
- (9) *Solid waste disposal sites.* Disposal of solid or hazardous waste is prohibited in flood fringe areas.
- (10) *Deposition of materials.* Any deposited material must meet all the provisions of this article.
- (11) *Manufactured homes.*
 - a. Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.
 - b. In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:
 - 1. Have the lowest floor elevated to the flood protection elevation; and
 - 2. Be anchored so they do not float, collapse or move laterally during a flood.
 - c. Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the flood fringe in subsection (1) of this section.
- (12) *Mobile recreational vehicles.* All mobile recreational vehicles that are on site for 180 consecutive days or more or are not fully licensed and ready for highway use shall; or shall meet the elevation and anchoring requirements in subsection (11)(b) and (c) of this section. A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

(Ord. No. 13-06, § 23.4.3)

Secs. 16-117—16-145. Reserved.

DIVISION 5. GENERAL FLOODPLAIN DISTRICT (GFP)

Sec. 16-146. Applicability/Floodway Boundaries.

- (a) Applicability. The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in s. 16-23(b)(2).
- (b) Floodway Boundaries. For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in s. 16-23(b)(2), the boundaries of the regulatory floodway shall be determined pursuant to s. 16-148. If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of s. 3.0. If the development is located entirely within the floodfringe, the development is subject to the standards of s. 4.0.

(Ord. No. 13-06, § 23.5.1)

Sec. 16-147. Permitted uses.

- (a) Pursuant to section 16-149, it shall be determined whether the proposed use is located within the floodway or flood fringe.
- (b) Those uses permitted in the floodway (section 16-83) and flood fringe (section 16-115) districts are allowed within the general floodplain district, according to the standards of section 16-148, provided that all permits or certificates required under section 16-193 have been issued.

(Ord. No. 13-06, § 23.5.2)

Sec. 16-148. Standards for development in the general floodplain district.

Division 3 of this article applies to floodway areas, and division 4 of this article applies to flood fringe areas. The rest of this article applies to either district.

- (1) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:
 - a. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
 - b. If the depth is not specified on the FIRM, to or above two (2) feet above the highest adjacent natural grade.
- (2) New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.
- (3) In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.

- (4) All development in zones AO and zone AH shall meet the requirements of division 4.0 applicable to flood fringe areas.

(Ord. No. 13-06, § 23.5.3)

Sec. 16-149. Determining floodway and flood fringe limits.

Upon receiving an application for development within the general floodplain district, the zoning administrator shall:

- (1) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and floodproofing measures; and the flood zone as shown on the FIRM.
- (2) Require the applicant to furnish any of the following information deemed necessary by the department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries:
 - a. A hydrologic and hydraulic study as specified in section 16-193(b)(3).
 - b. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information.
 - c. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

(Ord. No. 13-06, § 23.5.4)

Sec. 16-150 Flood Storage District.

The flood storage district delineates that portion of the floodplain where storage of floodwaters has been taken into account and is relied upon to reduce the regional flood discharge. The district protects the flood storage areas and assures that any development in the storage areas will not decrease the effective flood storage capacity which would cause higher flood elevations.

- (a) Applicability. The provisions of this section apply to all areas within the Flood Storage District (FSD), as shown on the official floodplain zoning maps.
- (b) Permitted uses. Any use or development which occurs in a flood storage district must meet the applicable requirements in s. 16-116
- (c) Standards for development in flood storage districts.
 1. Development in a flood storage district shall not cause an increase equal or greater than 0.00 of a foot in the height of the regional flood.
 2. No development shall be allowed which removes flood storage volume unless an equal volume of storage as defined by the pre-development ground surface and the regional flood elevation shall be provided in the immediate area of the proposed development to compensate for the volume of storage, which is lost,

(compensatory storage). Excavation below the groundwater table is not considered to provide an equal volume of storage.

3. If compensatory storage cannot be provided, the area may not be developed unless the entire area zoned as flood storage district – on this waterway – is rezoned to the floodfringe district. This must include a revision to the floodplain study and map done for the waterway to revert to the higher regional flood discharge calculated without floodplain storage, as per s. 8.0 *Amendments* of this ordinance.
4. No area may be removed from the flood storage district unless it can be shown that the area has been filled to the flood protection elevation and is contiguous to other lands lying outside of the floodplain.

Secs. 16-151 – 16-166. Reserved.

DIVISION 6. NONCONFORMING USES

Sec. 16-167. General standards.

(a) Applicability.

1. The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with s. 87.30, Stats. and §§ NR 116.12-14, Wis. Adm. Code and 44 CFR 59-72., these standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.
2. As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value and a list of the costs of those activities associated with changes to those buildings.

(b) Conditions. The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this article may continue subject to the following conditions:

- (1) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this article. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

- (2) The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.
- (3) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon shall conform to the applicable requirements of this article.
- (4) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent.
- (5) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50 percent of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with section 16-116(1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50 percent provisions of this subsection;
- (6) No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with s. 16-116(1). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.
- (7) If on a per event basis the total value of the work being done under subsections (b)(5) and (6) of this section equals or exceeds 50 percent of the present equalized assessed value, the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this article. Contiguous dry land access must be provided for residential and commercial uses in compliance with section 16-116(1).
- (8) Except as provided in subsection (b)(9) of this section, if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current article requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50 percent of the structure's present equalized assessed value.

(9) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the minimum Federal Code requirements below are met, and all required permits have been granted prior to the start of construction.

a. Residential structures shall:

1. Have the lowest floor, including basement, elevated to or above the base flood elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of section 16-197(b).
2. Be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, and shall be constructed with methods and materials resistant to flood damage.
3. Be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
4. In A zones, obtain, review and utilize any flood data available from a federal, state or other source.
5. In AO zones with no elevations specified, have the lowest floor, including basement, meet the standards in section 16-148(1).
6. In AO zones, have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

b. Nonresidential structures shall:

1. Meet the requirements of subsection (b)(9)a of this section.
2. Either:
 - (i) Have the lowest floor, including basement, elevated to or above the regional flood elevation; or
 - (ii) Together with attendant utility and sanitary facilities, meet the standards in section 16-197(a) or (b).
3. In AO zones with no elevations specified, have the lowest floor, including basement, meet the standards in section 16-148(1).

(c) *Alteration, repair and rehabilitation of historic structure.* A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with section 16-84(a), flood-resistant materials are used, and construction practices and floodproofing methods that comply with section 16-197 are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of subsection (b)(9)a of this section if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(Ord. No. 13-06, § 23.6.1)

Sec. 16-168. Floodway district.

- (a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:
 - (1) Has been granted a permit or variance which meets all article requirements;
 - (2) Meets the requirements of section 16-167;
 - (3) Shall not increase the obstruction to flood flows or regional flood height;
 - (4) Any addition to the existing structure shall be floodproofed, pursuant to section 16-197, by means other than the use of fill, to the flood protection elevation; and
 - (5) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of floodwaters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d. The use must be limited to parking, building access or limited storage.
 - (b) No new on-site sewage disposal system, or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the floodway district. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, section 16-197(c) and Wis. Admin. Code ch. SPS 383.
 - (c) No new well or modification to an existing well used to obtain potable water shall be allowed in the floodway district. Any replacement, repair or maintenance of an existing well in the floodway district shall meet the applicable requirements of all municipal ordinances, section 16-197(c) and Wis. Admin. Code chs. NR 811 and 812.
- (Ord. No. 13-06, § 23.6.2)

Sec. 16-169. Flood fringe district.

- (a) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality, and meets the requirements of section 16-116, except where subsection (b) of this section is applicable.
- (b) Where compliance with the provisions of subsection (a) of this section would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the board of adjustment/appeals,

using the procedures established in section 16-195, may grant a variance from those provisions of subsection (a) of this section for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

- (1) No floor is allowed below the regional flood elevation for residential or commercial structures;
 - (2) Human lives are not endangered;
 - (3) Public facilities, such as water or sewer, shall not be installed;
 - (4) Flood depths shall not exceed two feet;
 - (5) Flood velocities shall not exceed two feet per second; and
 - (6) The structure shall not be used for storage of materials as described in section 16-116(5).
- (c) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, section 16-197(c) and Wis. Admin. Code ch. SPS 383.
- (d) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this article, section 16-197(c) and Wis. Admin. Code chs. NR 811 and 812.

(Ord. No. 13-06, § 23.6.3)

Sec. 16-170 Flood Storage District.

No modifications or additions shall be allowed to any nonconforming structure in a flood storage area unless the standards outlined in 16-150(c) are met.

Secs 16-171—16-191. Reserved.

DIVISION 7. ADMINISTRATION

Sec. 16-192. Officials previously appointed to administer zoning regulations.

Where a zoning administrator, planning agency or a board of adjustment/appeals has already been appointed to administer a zoning ordinance adopted under Wis. Stats. § 59.69, 59.692 or 62.23(7), these officials shall also administer this article.

(Ord. No. 13-06, § 23.7.0)

Sec. 16-193. Zoning administrator.

- (a) *Duties and powers.* The zoning administrator is authorized to administer this article and shall have the following duties and powers:
- (1) Advise applicants of the article provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
 - (2) Issue permits and inspect properties for compliance with provisions of this article and issue certificates of compliance where appropriate.

- (3) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- (4) Keep records of all official actions, such as:
 - a. All permits issued, inspections made, and work approved.
 - b. Documentation of certified lowest floor and regional flood elevations.
 - c. Floodproofing certificates.
 - d. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures, including changes, appeals, variances and amendments.
 - e. All substantial damage assessment reports for floodplain structures.
 - f. List of nonconforming structures and uses.
- (5) Submit copies of the following items to the department regional office:
 - a. Within ten days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments.
 - b. Copies of case-by-case analyses and other required information, including an annual summary of floodplain zoning actions taken.
 - c. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.
- (6) Investigate, prepare reports, and report violations of this article to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the department regional office.
- (7) Submit copies of amendments to the FEMA regional office.
- (b) *Land use permit.* A land use permit shall be obtained before any new development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the zoning administrator shall include:
 - (1) *General information.*
 - a. Name and address of the applicant, property owner and contractor;
 - b. Legal description, proposed use, and whether it is new construction or a modification.
 - (2) *Site development plan.* A site plan drawn to scale shall be submitted with the permit application form and shall contain:
 - a. Location, dimensions, area and elevation of the lot;
 - b. Location of the ordinary high-water mark of any abutting navigable waterways;
 - c. Location of any structures with distances measured from the lot lines and street center lines;
 - d. Location of any existing or proposed on-site sewage systems or private water supply systems;
 - e. Location and elevation of existing or future access roads;

- f. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;
 - g. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study—either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);
 - h. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of division 3 or 4 of this article are met; and
 - i. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to section 16-51. This may include any of the information noted in section 16-84(a).
- (3) *Hydraulic and hydrologic studies to analyze development.* All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the state. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the department.
- a. *Zone A floodplains and AE zones within which a floodway is not delineated:*
 - 1. *Hydrology.* The appropriate method shall be based on the standards in Wis. Admin. Code § NR 116.07(3), Hydrologic analysis: Determination of regional flood discharge.
 - 2. *Hydraulic modeling.* The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4), Hydraulic analysis: Determination of regional flood elevation, and the following:
 - (i) Determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.
 - (ii) Channel sections must be surveyed.
 - (iii) Minimum four foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.
 - (iv) A maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope, including a survey of the channel at each location.
 - (v) The most current version of HEC-RAS shall be used.
 - (vi) A survey of bridge and culvert openings and the top of road is required at each structure.
 - (vii) Additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.
 - (viii) Standard accepted engineering practices shall be used when assigning parameters for the base model, such as flow, Manning's

N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high-water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

- (ix) The model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

3. *Mapping.* A work map of the reach studied shall be provided, showing all cross section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

- (i) If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.
- (ii) If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

b. *Zone AE floodplains.*

1. *Hydrology.* If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on Wis. Admin. Code § NR 116.07(3), Hydrologic analysis: Determination of regional flood discharge.

2. *Hydraulic model.* The regional flood elevation shall be based on the standards in Wis. Admin. Code § NR 116.07(4), Hydraulic analysis: Determination of regional flood elevation, and the following:

- (i) Duplicate effective model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated that duplicate the FIS profiles and the elevations shown in the floodway data table in the FIS report to within 0.1 foot.
- (ii) Corrected effective model. The corrected effective model shall not include any manmade physical changes since the effective model date, but shall import the model into the most current version of HEC-RAS for department review.
- (iii) Existing (pre-project conditions) model. The existing model shall be required to support conclusions about the actual impacts of the

project associated with the revised (post-project) model or to establish more up-to-date models on which to base the revised (post-project) model.

- (iv) Revised (post-project conditions) model. The revised (post-project conditions) model shall incorporate the existing model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.
 - (v) All changes to the duplicate effective model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.
 - (vi) Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and top widths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The effective model shall not be truncated.
3. *Mapping.* Maps and associated engineering data shall be submitted to the department for review which meet the following conditions:
- (i) Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or flood boundary floodway maps (FBFMs), construction plans, bridge plans.
 - (ii) Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.
 - (iii) Annotated FIRM panel showing the revised one percent and 0.2 percent annual chance floodplains and floodway boundaries.
 - (iv) If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used, then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) Projection and state plane coordinate system in accordance with FEMA mapping specifications.
 - (v) The revised floodplain boundaries shall tie into the effective floodplain boundaries.
 - (vi) All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.
 - (vii) Both the current and proposed floodways shall be shown on the map.
 - (viii) The stream centerline, or profile baseline used to measure stream distances in the model, shall be visible on the map.

- (4) *Expiration.* All permits issued under the authority of this article shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.
- (c) *Certificate of compliance.* No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the zoning administrator, except where no permit is required, subject to the following provisions:
- (1) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this article;
 - (2) Application for such certificate shall be concurrent with the application for a permit;
 - (3) If all article provisions are met, the certificate of compliance shall be issued within ten days after written notification that the permitted work is completed;
 - (4) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of section 16-197 are met.
 - (5) Where applicable pursuant to s. 16-148, the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.
 - (6) Where applicable pursuant to s. 16-148, the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by s. 16-148.
- (d) *Other permits.* Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including, but not limited to, those required by the U.S. Army Corps of Engineers under section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 USC 1344.

(Ord. No. 13-06, § 23.7.1)

Sec. 16-194. Plan commission.

- (a) The plan commission shall:
- (1) Oversee the functions of the office of the zoning administrator; and
 - (2) Review and advise the governing body on all proposed amendments to this article, maps and text.
 - (3) publish adequate notice pursuant to Ch. 985, Stats., specifying the date, time, place and subject of the public hearing.
- (b) The plan commission shall not:
- (1) Grant variances to the terms of the article in place of action by the board of adjustment/appeals; or

(2) Amend the text or zoning maps in place of official action by the governing body.
(Ord. No. 13-06, § 23.7.2)

Sec. 16-195. Board of adjustment/appeals.

The board of adjustment/appeals, created under Wis. Stats. § 59.694 for counties or Wis. Stats. § 62.23(7)(e) for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this article. The board shall exercise the powers conferred by state statutes and adopt rules for the conduct of business. The zoning administrator shall not be the secretary of the board.

(1) *Powers and duties.* The board of adjustment/appeals shall:

- a. *Appeals.* Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this article;
- b. *Boundary disputes.* Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- c. *Variances.* Hear and decide, upon appeal, variances from the ordinance standards.

(2) *Appeals to the board.*

- a. *Procedure.* Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the zoning administrator or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.
- b. *Notice and hearing for appeals including variances.*
 1. *Notice.* The board shall:
 - (i) Fix a reasonable time for the hearing;
 - (ii) Publish adequate notice pursuant to state statutes, specifying the date, time, place and subject of the hearing; and
 - (iii) Ensure that notice shall be mailed to the parties in interest and the department regional office at least ten days in advance of the hearing.
 2. *Hearing.* Any party may appear in person or by agent. The board shall:
 - (i) Resolve boundary disputes according to subsection (3) of this section;
 - (ii) Decide variance applications according to subsection (4) of this section; and
 - (iii) Decide appeals of permit denials according to section 16-196.
- c. *Decision.* The final decision regarding the appeal or variance application shall:

1. Be made within a reasonable time;
 2. Be sent to the department regional office within ten days of the decision;
 3. Be a written determination signed by the chairman or secretary of the board;
 4. State the specific facts which are the basis for the board's decision;
 5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and
 6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the board proceedings.
- (3) *Boundary disputes.* The following procedure shall be used by the board in hearing disputes concerning floodplain district boundaries:
- a. If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary. If none exist, other evidence may be examined;
 - b. The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the board; and
 - c. If the boundary is incorrectly mapped, the board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to division 8 of this article.
- (4) *Variances.*
- a. The board may, upon appeal, grant a variance from the standards of this article if an applicant convincingly demonstrates that:
 1. Literal enforcement of the article will cause unnecessary hardship;
 2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the article or map must be amended;
 3. The variance is not contrary to the public interest; and
 4. The variance is consistent with the purpose of this article in section 16-21.
 - b. In addition to the criteria in subsection (4)a of this section, to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:
 1. The variance shall not cause any increase in the regional flood elevation;
 2. The applicant has shown good and sufficient cause for issuance of the variance; and
 3. Failure to grant the variance would result in exceptional hardship;
 4. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;

5. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.
- c. A variance shall not:
 1. Grant, extend or increase any use prohibited in the zoning district;
 2. Be granted for a hardship based solely on an economic gain or loss;
 3. Be granted for a hardship which is self-created;
 4. Damage the rights or property values of other persons in the area;
 5. Allow actions without the amendments to this article or map(s) required in division 8 of this article; and
 6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.
- d. When a floodplain variance is granted, the board shall notify the applicant in writing that it may increase risks to life, and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

(Ord. No. 13-06, § 23.7.3)

Sec. 16-196. To review appeals of permit denials.

- (a) The zoning agency (section 16-194) or board shall review all data related to the appeal. This may include:
 - (1) Permit application data listed in section 16-193(b);
 - (2) Floodway/flood fringe determination data in section 16-149;
 - (3) Data listed in section 16-84(a)(2) where the applicant has not submitted this information to the zoning administrator; and
 - (4) Other data submitted with the application, or submitted to the board with the appeal.
- (b) For appeals of all denied permits, the board shall:
 - (1) Follow the procedures of section 16-195;
 - (2) Consider zoning agency recommendations; and
 - (3) Either uphold the denial or grant the appeal.
- (c) For appeals concerning increases in regional flood elevation, the board shall:
 - (1) Uphold the denial where the board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of division 8 of this article; and
 - (2) Grant the appeal where the board agrees that the data properly demonstrates that the project does not cause an increase, provided no other reasons for denial exist.

(Ord. No. 13-06, § 23.7.4)

Sec. 16-197. Floodproofing standards for nonconforming structures or uses.

- (a) No permit or variance shall be issued for a nonresidential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to the flood protection elevation and submits a FEMA floodproofing certificate. Floodproofing is not an alternative to the development standards in Divisions 2, 3, 4, or 5.
- (b) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:
 - (1) Certified by a registered professional engineer or architect; or
 - (2) That meets or exceeds the following standards:
 - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - b. The bottom of all openings shall be no higher than one foot above grade; and
 - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
- (c) Floodproofing measures shall be designed, as appropriate, to:
 - (1) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
 - (2) Protect structures to the flood protection elevation;
 - (3) Anchor structures to foundations to resist flotation and lateral movement;
 - (4) Minimize or eliminate infiltration of floodwaters; and
 - (5) Minimize or eliminate discharges into floodwaters.
 - (6) Placement of essential utilities to or above the flood protection elevation; and
 - (7) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:
 - a. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
 - b. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
 - c. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
 - d. The use must be limited to parking, building access or limited storage.

(Ord. No. 13-06, § 23.7.5)

Sec. 16-198. Public information.

To provide information regarding the status of real property, marks shall be placed on structures to show the depth of inundation during a regional flood. In addition, all maps, engineering data and regulations shall be available and widely distributed and real estate transfer should show what floodplain district the transferred property is located in.

(Ord. No. 13-06, § 23.7.6)

Secs. 16-199—16-219. Reserved.

DIVISION 8. AMENDMENTS

Sec. 16-220. Required for obstructions or increases.

Obstructions or increases may only be permitted if amendments are made to this article, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with section 16-221.

- (1) In AE zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a conditional letter of map revision from FEMA and amendments are made to this article, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with section 16-221. Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A zones, increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a conditional letter of map revision from FEMA and amendments are made to this article, the official floodplain maps, floodway lines, and water surface profiles, in accordance with section 16-221.

(Ord. No. 13-06, § 23.8.0)

Sec. 16-221. Events requiring amendment of article and letter of map change.

The governing body shall change or supplement the floodplain zoning district boundaries and this article in the manner outlined in section 16-222. Actions which require an amendment to this article or submittal of a letter of map change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in section 16-23(b)(2);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;
- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by Wis. Admin. Code § NR 116.05, or otherwise required by law, or for changes by the municipality; and

- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the flood fringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

(Ord. No. 13-06, § 23.8.1)

Sec. 16-222. Procedures.

Article amendments may be made upon petition of any party according to the provisions of Wis. Stats. § 62.23 for cities and villages, or Wis. Stats. § 59.69 for counties. The petitions shall include all data required by sections 16-149 and 16-193(b). The land use permit shall not be issued until a letter of map revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the department regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of Wis. Stats. § 62.23 for cities and villages or Wis. Stats. § 59.69 for counties.
- (2) No amendments shall become effective until reviewed and approved by the department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

(Ord. No. 13-06, § 23.8.2)

SECTION II. This ordinance shall take effect from and after its passage and posting.

All other provisions of Chapter 16 of the Village Code of Ordinances Regarding Courts remain in full force and effect.

The Village Clerk and Village Attorney are hereby authorized and directed to make all changes within the Village Code of Ordinances necessary to reflect this Ordinance.

Introduced by: _____

Seconded by: _____

Vote: _____aye _____nay

Passed and approved _____

VILLAGE OF JACKSON

By: _____

Michael E. Schwab, Village President

Attest:

Jilline S. Dobratz, Village Clerk

Proof of Posting:

I, the undersigned, certify that I posted copies of this Ordinance on bulletin boards at the Village Hall, Post Office and one other location in the Village.

Village Official

Date

W168N19851 Main Street
Jackson, WI 53037
Voice (262) 677-9001
FAX (262) 677-1710



Internal Procedure

Employee Multi-Factor Authentication

Like other businesses, the Village of Jackson continues to manage multiple cybersecurity threats including malicious links, attachments with embedded virus, and ransomware. Serious attacks can cost over \$100,000.00 to resolve and can take entire systems off-line for multiple days. Please be diligent when reviewing links to click on, file you download, monitoring who sent you an email, and what email address it is coming from. If there is ever a concern about a link, attachment, or email, please contact your department head to submit a ticket to the I.T. company. DO NOT forward the email to anyone.

The Village I.T. company deploys multiple behind-the-scenes security features to help protect the Village and its employees. To help tighten up the security, the Village is requiring all users of Village Email accounts to utilize Multi-Factor Authentication. This is a proven method of decreasing the changes of an outside actor taking control of your account and information. In addition, Multi-Factor Authentication is also being required by our cyber insurance carrier to keep our rates as low as possible and reduce risk of exposure.

What is Multi-Factor Authentication? Also known as MFA, it is a process that after you fill in your username and password, a third authentication method is used such as a six-digit code, text message with a code, or other methods as provided by the I.T. company. This login method is similar to what many people already experience with their bank accounts, credit card online portals, etc. When Multi-Factor Authentication is implemented, the user is notified when someone tries to access their account or sensitive data and without the third authentication method access to the account, the information is denied.



Taking the lead in Washington County.

MEMO

TO: Jen Keller, Village Administrator

FROM: Darlene Smith, Village Treasurer

RE: Wire Fund Transfers

DATE: January 6, 2022

Attached you will find an Internal Procedure Policy for Wire Fund Transfers.

Examples of Wire Fund Transfers:

- **Bond Principal & Interest Payments**
- **Impact Fees**
- **Taxing Jurisdiction Settlements**
- **Payable Vendors - (Land Sale, Big Purchases, etc.)**

N168W19851
Main Street
Jackson, WI 53037
Phone: 262-677-9001
Fax: 262-677-1710

Mailing Address:
P.O. Box 637

www.villageofjackson.com

W168N19851 Main Street
Jackson, WI 53037
Voice (262) 677-9001
FAX (262) 677-1710

Darlene A. Smith
Treasurer



Internal Procedure

Wire Fund Transfers

INTRODUCTION:

The following internal procedure is developed for the disbursement or transfer of funds Via Wire Transfers only. The objective is to establish a uniform method for requesting, reviewing, and authorizing the disbursement or transfer of funds via electronic wire.

GENERAL GUIDELINES:

- All wire transfer activity shall be the responsibility of the Treasurer's Office.
- The Treasurer department shall be responsible for the review of wire requests in order to assure compliance, completeness, and proper general ledger recording.
- All wire transfers require a complete Wire Transfer Request Form (see attachment "A"). Requesting departments are responsible for submitting the form and other required information, if applicable to the Treasurer.
- When a wire transfer is executed, the total cost of the wire transfer should be provided by the department or agency requesting the wire transfer.
- Once a wire transfer request is approved by the Treasurer, the requesting department/agency cannot cancel or modify the wire transfer request.

PROCEDURES:

1. Requesting departments shall complete the Wire Transfer Request Form (see attachment "A"), attach supporting documentation, and submit to the Treasurer for approval and recording.
2. Wire Transfer Request forms must include supporting documentation detailing the goods or service purchased, the cost of the goods or services, and the date of the purchase.
3. Upon receipt of the Wire Transfer Form, the Treasurer shall verify request for compliance, availability of funds, and completeness. The documentation shall be promptly reviewed, approved for disbursement, and submitted for release of funds.
4. The Treasurer's Office must have a complete and properly approved Wire Transfer Request form before initiating a wire.
5. After the Wire has been completed, the Treasurer's Office will notify requestor and provide confirmation number. Expenditure must be recorded to the account as provided in the Wire Transfer Form. Original request form will be filed and copy made for the Treasurer's records.
6. If any, the Treasurer shall allocate any processing fees to the requesting department under the proper expenditure line item.

Attachment "A"



Village of Jackson
Treasurer's Department

W168N19851 Main Street
Jackson, WI 53037
Voice (262) 677-9001
FAX (262) 677-1710

Wire Transfer Request Form

Name and Title: _____

Department: _____

Phone No.: _____ Date: _____

Amount: Requested Transfer Date:

RECEIVING BANK:

Bank and Branch Name: _____

Address: _____

City, State and Zip Code: _____

Routing Number: _____

BENEFICIARY INFORMATION:

Name on Account: _____

Address: _____

City, State and Zip Code: _____

Account Number: _____

ORIGINATOR TO BENEFICIARY INFORMATION / OTHER INSTRUCTIONS:

Account Number(s):

GL Number	Amount

Authorization:

By signing the Department Head is certifying that the charges are legitimate expenses and the accounts charged are appropriate as per budget authorization.

Print Name (Department Head) Date Signature

Financial Services Authorization:

Print Name Date Signature

Treasurer's Office:

--	--	--

Processed By: _____ Date and Time _____ Confirmation No. _____ Signature _____

Wire Transfer Request Form

Instructions

1. **Name and Title:** Enter name and title of person requesting Wire transfer; it must be Department Head or his/her designee.
2. **Department:** Enter Village of Jackson Department or agency requesting transfer.
3. **Phone No.:** Enter phone number where requestor can be reached.
4. **Date:** Enter Date form is being completed.

5. **Amount:** Enter total amount to be disbursed to vendor or beneficiary. (Do not include our transaction fees).
6. **Requested Transfer Date:** Enter date funds to be transferred.

7. **Bank and Branch:** Enter Bank Name and branch that will be receiving transfer.
8. **Address:** Enter address of branch receiving transfer.
9. **City, State and Zip Code:** Enter City, State and Zip Code of branch receiving transfer.
10. **Routing Number: IMPORTANT** Acquire routing number from receiving branch. Wire won't be processed without this information.

11. **Name on Account: IMPORTANT** Enter name of beneficiary as it appear on the account.
12. **Address:** Enter if available.
13. **City, State and Zip Code:** Enter if available.
14. **Account number: IMPORTANT** Account number must be provided. Wire won't be processed without this information.

15. **Other Instructions:** Additional instructions to Beneficiary or receiving bank. Also include special instructions to the Treasurer's office prior to processing wire request.

16. **Account Number:** Enter General Ledger approved account number combination. Request will be returned if incomplete or inaccurate account information is provided.

17. **Departmental Authorization:** Department Head must sign request form. Print name first, enter date and acquire Department's head signature.

18. **Finance Authorization:** Treasurer or designee must sign attesting proper compliance has been met.

19. **Treasurer's Office:** For the Treasurer's Office process. Once transaction is completed Treasurer must file original and make a copy for their records.

DRAFT MINUTES
Village Board Meeting
Tuesday, December 14, 2021 at 7:30 p.m.
Jackson Municipal Complex
Village Board Room
N168 W19851 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 Engelhardt, Heckendorf, Kruepke, Matter, and Wells.

Member Excused: Trustee Emmrich

Staff Present: Building Inspector Collin Johnson, Administrator Jen Keller, Director of Public Works/Village Engineer Brian Kober, Fire Chief Aaron Swaney, Parks & Recreation Director Kelly Valentino, Police Chief Ryan Vossekuil and Village Clerk Jilline Dobratz.

Also Present: Representative Rick Gundrum and Bryan Lindgren, Neumann Development.

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 – Holly and Maxwell Krajnik – Three Dogs – W207N17349 Parkview Drive

Pres. Schwab opened the Public Hearing.

Nancy Traucht, W207N17385 Parkview Drive, spoke regarding the Village having an Ordinance allowing two dogs and that is what the Village should abide by.

Pres. Schwab closed the Public Hearing.

Motion by Pres. Schwab, second by Tr. Kruepke, to approve the Conditional Use Permit – Holly and Maxwell Krajnik – Three Dogs – W207N17349 Parkview Drive for the life of the pet.

Vote: 6 ayes, 0 nays. Motion carried.

5. Public Hearing – Proposed Amendments to Chapter 16 of Village Code

Pres. Schwab opened the Public Hearing, nobody spoke. Pres. Schwab closed the Public Hearing.

6. Ordinance #21-11 – Amending Chapter 16 of the Village Code of Ordinances Regarding Environment

Motion by Pres. Schwab, second by Tr. Heckendorf, to introduce Ordinance #21-11 – Amending Chapter 16 of the Village Code of Ordinances Regarding Environment.

Director Kober gave background information on the Village floodplain Ordinance language compared to the DNR floodplain requirements.

Vote: 6 ayes, 0 nays. Motion carried.

7. Presentation: Offer to Purchase Publicly Owned Property at N168W20733 Main St. – Andrew Rein

Andrew Rein stated the intended uses for the property would be to relocate his business "CAB Construction" which is in the Town of Barton and operate out of the Police Department building with 10-12 employees. In two years, a privacy fence would be placed at the south end of the property. The building addition, or Village Hall portion of the property included a cafe style restaurant in the Board Room and leasing office spaces in the old Village Hall administrative offices. Parking lot use would be for employees.

8. Acceptance of Housing Analysis – Vandewalle and Associates Inc.

Motion by Pres. Schwab, second by Tr. Heckendorf, the Housing Analysis – Vandewalle and Associates Inc. be accepted and placed on file

Vote: 6 ayes, 0 nays. Motion carried.

9. Acceptance of Intersection Control Study Report – Eagle Drive and Main Street – SRF Consulting

Director Kober stated the ICE report was a requirement of the Wisconsin DOT to be completed prior to authorizing intersection control improvement. Improving the intersection has been a request of many members of Staff and community members that feel the intersection is not safe and will need additional controls with future growth planned for this area. Improvement to the intersection could occur in conjunction with the DOT resurfacing project to occur in 2024. Should the Village accept the report, it would then be submitted to the Wisconsin DOT for review.

Motion by Tr. Engelhardt, second by Tr. Matter, to accept the Intersection Control Study Report – Eagle Drive and Main Street – SRF Consulting.

Vote: 6 ayes, 0 nays. Motion carried.

10. Appointment of Zoning Administrator – Jen Keller, Village Administrator

Motion by Pres. Schwab, second by Tr. Engelhardt, to appoint Administrator Jen Keller as Zoning Administrator.

Vote: 6 ayes, 0 nays. Motion carried.

11. Approval of Minutes for the Village Board Meeting of November 9, 2021 and Special Village Board Meetings of November 18, 2021 and November 29, 2021

Motion by Tr. Heckendorf, second by Tr. Wells, to approve the minutes for the Village Board Meeting of November 9, 2021 and Special Village Board Meetings of November 18, 2021 and November 29, 2021.

Vote: 6 ayes, 0 nays. Motion carried.

12. Approval of Licenses

- Entertainment License:
 - Coffeerville Company, Jackson Pub LLC
- Operator's Licenses:
 - East Side Mart, Main Street Mart & The Village Mart: Kiana Anderson, Vincent Brabec, Sondra Kelly, Alicia Ortiz

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

Vote: 5 ayes, 0 nays, 1 abstain (Tr. Kruepke). Motion carried.

13. Appointment of Election Officials for the 2022-2023 Term

Motion by Tr. Wells, second by Tr. Heckendorf, to approve Appointment of Election Officials for the 2022-2023 Term as listed.

Vote: 6 ayes, 0 nays. Motion carried.

14. Employee Recognition – Gregg Rathke First Responder of the Year Award – Assembly District 58

Representative Rick Gundrum read and presented the First Responder of the Year of Assembly District 58 Resolution to Gregg Rathke.

15. Budget & Finance Committee

- **Pay Request #19 – Municipal Complex Building**

Motion by Pres. Schwab, second by Tr. Heckendorf, to recommend Village Board approve payment for Pay Request #19 – Municipal Complex Building in the amount of \$153,564.62.

Vote: 6 ayes, 0 nays. Motion carried.

- **Pay Request #20 – Municipal Complex Building**

Motion by Pres. Schwab, second by Tr. Wells, to approve payment for Pay Request #20 – Municipal Complex Building in the amount of \$181,995.17.

Vote: 6 ayes, 0 nays. Motion carried.

- **2022 Jackson Fire Department Services Agreement – Town of Polk**

Motion by Tr. Wells, second by Tr. Kruepke, to approve 2022 Jackson Fire Department Services Agreement – Town of Polk in the amount of \$74,916.18.

Vote: 6 ayes, 0 nays. Motion carried.

- **2022 Jackson Fire Department Services Agreement – Town of Jackson**

Motion by Tr. Wells, second by Tr. Kruepke, to approve the 2022 Jackson Fire Department Services Agreement – Town of Jackson in the amount of \$231,169.20.

Vote: 6 ayes, 0 nays. Motion carried.

- **Resolution #21-27 Amending the 2021 Budget**

Motion by Tr. Heckendorf, second by Tr. Engelhardt, to approve Resolution #21-27 Amending the 2021 Budget.

Vote: 6 ayes, 0 nays. Motion carried.

- **Review of License Agreement to Farm Public Land – Robert Loduha**

Motion by Tr. Heckendorf, second by Tr. Kruepke, to approve the License Agreement to Farm Public Land – Robert Loduha.

Tr. Engelhardt voiced concern for placing a limit to the re-payment amount to Robert Loduha, should the land be sold before the crop is harvested.

Motion amended by Tr. Heckendorf, second by Tr. Kruepke, to amend the agreement verbiage to state the maximum allowable repayment to Robert Loduha would be the sum of any costs incurred to date.

Vote: 6 ayes, 0 nays. Motion carried.

- **Resolution #21-28 Resolution for Funding of Urban NPS & Stormwater Management Program Grant**

Motion by Pres. Schwab, second by Tr. Engelhardt, to approve Resolution #21-28 Resolution for Funding of Urban NPS & Stormwater Management Program Grant in the amount of \$44,981.00

Vote: 6 ayes, 0 nays. Motion carried.

- **Review of Service for Stormwater Pond Compliance – CDM Smith**

Motion by Pres. Schwab, second by Tr. Engelhardt, to approve the Service for Stormwater Pond Compliance - CDM Smith but allow homeowners associates to contract with professional engineers on their own as they see fit based on CDM Smith costs provided.

Vote: 6 ayes, 0 nays. Motion carried.

- **Revised Pay Request #4 – 2019 Jackson Park Alley Project**

Motion by Pres. Schwab, second by Tr. Wells, to approve the final Revised Pay Request #4 – 2019 Jackson Park Alley Project in the amount of \$9,581.79.

Vote: 6 ayes, 0 nays. Motion carried.

- **Pay Request #3 – Willow Ridge Reconstruction Project – Soper Companies**

Motion by Tr. Matter, second by Tr. Wells, to recommend Village Board approve Pay Request #3 – Willow Ridge Reconstruction Project in the amount of \$238,128.22.

Vote: 6 ayes, 0 nays. Motion carried.

- **Purchase of SnowEx Liquid Spray System**

Motion by Pres. Schwab, second by Tr. Engelhardt, to approve payment for Purchase of SnowEx Liquid Spray System in the amount of \$12,375.00.

Vote: 6 ayes, 0 nays. Motion carried.

16. Plan Commission

- Preliminary Plat – Neumann Developments, Inc. – Maple Fields Subdivision – 3245 Maple Road

Motion by Pres. Schwab, second by Tr. Heckendorf, to approve Preliminary Plat – Neumann Developments, Inc. – Maple Fields Subdivision – 3245 Maple Road following specific conditions 1-12 and general conditions 1-4 as outlined in the Plan Commission minutes.

Vote: 5 ayes, 1 nay (Tr. Engelhardt). Motion carried.

17. Board of Public Works

- Approval of CSM for W198 N16876 Ridgeway Drive Lot Line Correction
Motion by Tr. Heckendorf, second by Tr. Wells, to approve CSM for W198 N16876 Ridgeway Drive Lot Line Correction.

Vote: 6 ayes, 0 nays. Motion carried.

- Acceptance of Water & Sewer Expansion Analysis – City Water

Motion by Tr. Heckendorf, second by Tr. Kruepke, to accept the Water & Sewer Expansion Analysis – City Water.

Vote: 6 ayes, 0 nays. Motion carried.

18. Village Municipal Complex – Update – Cedar Corp

Administrator Keller stated Cedar Corp was unavailable to attend. A memo was provided.

19. West Bend School District Report

Tr. Wells stated the West Bend School District is working with the Health Department. Weekly newsletters are sent to families and can be received electronically via subscription services. Kelly Valentino reported the Head Start program has moved to the next phase and has to wear masks. January 6, 2022 is virtual Parents Night the 4K Program for the 2022-2023 school year from 6:30 p.m. to 7:30 p.m.

20. Washington County Board Report

County Supervisor Bob Hartwig gave an update on road repairs this year. The County Executive, Josh Schoemann, declared November 29th as Snowplow Driver Appreciation Day. He thanked everyone for their service and looks forward to working with everyone in 2022. Wished everyone a Merry Christmas and a Happy New Year.

21. Greater Jackson Business Alliance Report

Tr. Matter reported the 2022 schedule of meetings has been set. The gift check program of supporting area businesses is being promoted. The January meeting speaker is Deb Sielski from Washington County. She will be presenting on the NexGen Housing issues in the County. Administrator Keller is part of the Housing Advisory Committee.

22. Mid-Moraine Municipal Association Report

Tr. Wells next meeting is Wednesday, January 12, 2022 and the next dinner meeting is January 26, 2022 in Germantown.

23. Department Reports

Pres. Schwab commented on relying on weekly update and omit this item in the future. Suggestion was made to change the item to Citizen or Staff to Address the Village Board. Administrator Keller commented on properly noticing items and requested to eliminate Departmental Reports. The request will be taken into consideration.

Parks & Recreation Director Valentino thanked everyone for participating in the Tree Lighting Ceremony.

24. Citizens to Address the Village Board

None.

25. Future Agenda Items

Pres. Schwab explained per Village Ordinance, Trustees interested in making additions to the agenda shall submit it in writing to the presiding officer not less than four business days prior to the scheduled meeting. It shall be the function of the Presiding Officer of the applicable Committee or Commission to consider public discussion or action that may be warranted.

26. Closed Session pursuant to Wis. Stats. §19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, and conducting other public business because competitive and bargaining reasons require a closed session and pursuant to Wis. Stats. §19.85(1)(f) Considering financial, medical, social or personal histories or disciplinary data of specific persons,

preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any persons referred to in such histories or data, or involved in such problems or investigations; concerning a Village employee;

During the closed session, the Village Board will discuss matters related to personnel and the purchase of public land.

Motion by Pres. Schwab, second by Tr. Wells, to convene into closed session at 8:35 p.m. first portion to include the Village Board, the Village Administrator, the Village Engineer and the Parks and Recreation Director. The second discussion to include the Village Board and the Village Administrator only.

Roll Call Vote: 6 ayes, 0 nays. Motion carried.

Reconvene into Open Session with Possible Action related to the closed session, including personnel matters, and the purchase and sale of public land.

Motion by Pres. Schwab, second by Tr. Matter, to reconvene into open session at 10:22 p.m. Vote: 6 ayes, 0 nays. Motion carried.

No motions were made following reconvening in open session.

27. Adjourn

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

Vote: 6 ayes, 0 nays. Meeting was adjourned at 10:23 p.m.

Respectfully submitted:

Jilline Dobratz, *CMC/WCPC*
Village Clerk



engineering | architecture | environmental | surveying
landscape architecture | planning | economic development

W61 N497 Washington Avenue
Cedarburg, WI 53012
262-204-2360
800-472-7372
FAX 262-375-2688
www.cedarcorp.com

January 5, 2022

Village of Jackson
N168 W20733 Main Street
PO Box 637
Jackson, WI 53037

Attn: Mr. Brian Kober, P.E., Director of Public Works

Re: Contractor's Application for Payment No. 21
Municipal Complex
Project No. J05789-0002

Dear Mr. Kober:

Enclosed for your use in payment to Mike Koenig Construction Co., Inc. in the amount of \$94,431.33 is Contractor's Application for Payment No. 21.

Please Note: As the Contractor received payment from the Village related to their Application for Payment Nos. 19 and 20 on 12/27/21, this application does not include lien waivers from subcontractors and/or material suppliers associated with Application Nos. 19 and 20. These lien waivers will be submitted and included with Contractor's application for payment no. 22.

Following your review and approval, please complete the application for payment forms within the areas reserved for the Owner. Thereafter, retain one copy for your records, provide the second copy to the Contractor with payment and provide the third copy to our office.

Should you have any questions, please feel free to contact me at our Cedarburg office.

Sincerely,

CEDAR CORPORATION

Douglas T. Kroes
Senior Construction Manager

Enclosed: Contractor's Application for Payment No. 21
General Contractor Lien Waivers – Application for Payment Nos. 19, 20 & 21

Cc: Pete Schmoll, Project Manager – Mike Koenig Construction Co., Inc.

☒ Owner ☐ Engineer
☐ Contractor ☐ Funding Agency

Contractor's Application for Payment No. 21

Application Period: 12/1/2021 to 12/31/2021		Application Date: 12/31/2021
To (Owner): Village of Jackson	From (Contractor): Mike Koenig Construction Co., Inc.	Via (Engineer): Cedar Corporation
Project: Municipal Complex	Contract: B-20	
Owner's Contract No:	Contractor's Project No: 200500	Engineer's Project No: J5789-0002

Application For Payment Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
1 & 2	\$98,969.67	
3		\$16,234.00
4	\$16,392.00	
5		\$759.00
6 & 7	\$29,586.75	
8 & 9	\$41,388.69	
10	\$9,248.25	
11	\$6,814.76	
TOTALS	\$202,400.12	\$16,993.00
NET CHANGE BY CHANGE ORDERS	\$185,407.12	

1. ORIGINAL CONTRACT PRICE.....	\$	\$11,595,340.00
2. Net change by Change Orders.....	\$	\$185,407.12
3. Current Contract Price (Line 1 ± 2).....	\$	\$11,780,747.12
4. TOTAL COMPLETED AND STORED TO DATE (Column 1 total on Progress Estimates).....	\$	\$11,532,358.91
5. RETAINAGE:		
a. 5% X \$11,532,358.91 Work Completed.....	\$	\$576,617.95
b. 5% X _____ Stored Material.....	\$	
c. Total Retainage (Line 5.a + Line 5.b).....	\$	\$576,617.95
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c).....	\$	\$10,955,740.96
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application).....	\$	\$10,861,309.63
8. AMOUNT DUE THIS APPLICATION.....	\$	\$94,431.33

Contractor's Certification

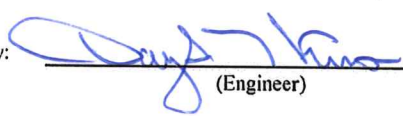
The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature

By:  Date: 12/31/21

Payment of: \$ 94,431.33
(Line 8 or other - attach explanation of the other amount)

is recommended by:  (Engineer) 1-5-22 (Date)

Payment of: \$ 94,431.33
(Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) _____ (Date)

Approved by: _____ Funding or Financing Entity (if applicable) _____ (Date)

Unit Price Progress Estimate

Contractor's Application

Project: Municipal Complex						Application Number: 12/31/2021							
Application Period: 12/1/2021 to 12/31/2021						Application Date: December 31, 2021							
A				B	C	D	E	F	G	H	I	J	
Bid No.	Item Description	Estimated Bid Quantity	Unit Price	Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.	
				Previous Applications		This Application		Materials Stored					
				Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount		Quantity
1	Imported Fill Material-Soil Class D-2	115 CY	\$22.75	115	\$2,616.25						115	\$2,616.25	100.0%
2	Footing Foundation Stabilization	700 CY	\$12.50	700	\$8,750.00						700	\$8,750.00	100.0%
3	Excavation												
3	Footing Foundation Stabilization												
4	Backfill - 1 1/4" CABC Dense	1400 TN	\$16.00	1400	\$22,400.00						1400	\$22,400.00	100.00%
4	Excavation Below Subgrade (EBS) - Building												
5	Structural Backfill - Building Pad - Soil Class D-3	1115 CY	\$12.55	1115	\$13,993.25						1115	\$13,993.25	100.00%
5	Crushed Aggregate Base Course - 1 1/4" Dense - Site	4400 TN	\$16.00	4400.03	\$70,400.00						4400.03	\$70,400.00	100.00%
6	Crushed Aggregate Base Course - 1 1/4" Dense - Site	17500 TN	\$16.80	17433.91	\$292,889.69						17433.91	\$292,889.69	99.62%
7	Crushed Aggregate Base Course - 1 1/4" Dense -Building	TN	\$16.80										
8	Geogrid - Site	13000 SY	\$2.80	13000	\$36,400.00						13000	\$36,400.00	100.0%
CO1	Add Transoms to Entry Doors (8 EA)	1 LS	\$3,566.50	1	\$3,566.50						1	\$3,566.50	100.0%
CO1	Removal & Disposal of Concrete Debris												
CO1	Pile	1 LS	\$7,363.00	1	\$7,363.00						1	\$7,363.00	100.0%
CO1	CREDIT Fire Dept. Log w/i Precast Panel	1 LS	-\$1,722.00	1	-\$1,722.00						1	-\$1,722.00	100.0%
CO2	Geogrid - Building Pad Stabilization	5450 SY	\$3.55	4905	\$17,412.75						4905	\$17,412.75	90.0%
CO2	3" Dense Graded Base - Building Pad Stabilization	7500 TN	\$19.75	5858.87	\$115,712.68						5858.87	\$115,712.68	78.1%
CO2	4"-8" Stone (6/18/20 Bldg Pad Stabilization Test Strip)	42.45 TN	\$40.00	42.45	\$1,698.00						42.45	\$1,698.00	100.0%
CO2	Existing Foundation Debris Disposal	1 LS	\$4,258.17	1	\$4,258.17						1	\$4,258.17	100.0%
CO2	Alternate Exterior Brick Material	1 LS	\$38,274.00	1	\$38,274.00						1	\$38,274.00	100.0%
CO3	Water Main Extension	1 LS	\$4,445.00	1	\$4,445.00						1	\$4,445.00	100.0%
CO3	Export Surplus Excavated Material	1 LS	\$58,690.00	1	\$58,690.00						1	\$58,690.00	100.0%
CO3	Additional Roof Drain Lateral	1 LS	\$4,231.00	1	\$4,231.00						1	\$4,231.00	100.0%
CO3	Tornado Siren Electrical Siren	1 LS	\$4,633.00	1	\$4,633.00						1	\$4,633.00	100.0%
CO3	Increased Window Size - Fire Dept. K	1 LS	\$3,142.00	1	\$3,142.00						1	\$3,142.00	100.0%

Unit Price Progress Estimate

Contractor's Application

Project: Municipal Complex						Application Number: 12/31/2021						
Application Period: 12/1/2021 to 12/31/2021						Application Date: December 31, 2021						
A				B	C	D	E	F	G	H	I	J
Item		Estimated Bid Quantity	Unit Price	Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.
Bid No.	Description			Previous Applications		This Application		Materials Stored				
				Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	
CO4	Revision to Monument Sign Conduits	1 LS	\$673.00	1	\$673.00					1	\$673.00	100.0%
CO4	Revision to Elevator shaft wall locations and footings/structural slab	1 LS	\$4,848.00	1	\$4,848.00					1	\$4,848.00	100.0%
CO4	Addition of Rip Rap to 6" roof drain discharge to pond embankment	1 LS	\$847.00	1	\$847.00					1	\$847.00	100.0%
CO4	Enlarge Window Size - Fire Dept. Resource Report Watch Room	1 LS	\$4,165.00	1	\$4,165.00					1	\$4,165.00	100.0%
CO4	Building D Stairwell, West - Add access door to stairwell from hallway	1 LS	\$5,424.00	1	\$5,424.00					1	\$5,424.00	100.0%
CO4	CMU Partition Wall Footing - Room 1D27/1D28	1 LS	\$435.00	1	\$435.00					1	\$435.00	100.0%
CO5	Movable Partition Wall Strt. Support	1 LS	\$3,045.00	1	\$3,045.00					1	\$3,045.00	100.0%
CO5	High Speed OH Doors - PD	1 LS	\$2,254.00	1	\$2,254.00					1	\$2,254.00	100.0%
CO5	Waste Line Relocations - ADA rtms	1 LS	\$697.00	1	\$697.00					1	\$697.00	100.0%
CO5	Precast Plank Support Hanger/CMU	1 LS	-\$1,677.00	1	-\$1,677.00					1	-\$1,677.00	100.0%
CO5	Tower Windows - Material Revision	1 LS	-\$12,140.00	1	-\$12,140.00					1	-\$12,140.00	100.0%
CO5	Countertop - Material Revision	1 LS	-\$295.00	1	-\$295.00					1	-\$295.00	100.0%
CO5	Thin brick Handling Charge	1 LS	\$7,357.00	1	\$7,357.00					1	\$7,357.00	100.0%
CO6	Burn Tower Structure Foundation	1 LS	\$26,455.00	1	\$26,455.00					1	\$26,455.00	100.0%
CO6	Interior Bollards - Bldg E - Fire Dept	1 LS	-\$5,758.00	1	-\$5,758.00					1	-\$5,758.00	100.0%
CO6	Additional Electrical Outlets Bldg D	1 LS	\$2,803.28	1	\$2,803.28					1	\$2,803.28	100.0%
CO6	Revision to Hallway Windows Glass	1 LS	\$144.00	1	\$144.00					1	\$144.00	100.0%
CO6	HVAC Return Air Ductwork Bldg D	1 LS	\$4,203.00	1	\$4,203.00					1	\$4,203.00	100.0%
CO6	Relocation of Emergency Services	1 LS	-\$958.71	1	-\$958.71					1	-\$958.71	100.0%
CO6	IT Switch Gear - Bldg D 2nd Floor	1 LS	\$898.75	1	\$898.75					1	\$898.75	100.0%
CO6	Changes to Proposed Ceiling Bldg D	1 LS	\$2,180.14	1	\$2,180.14					1	\$2,180.14	100.0%
CO6	Work Station Case Work - Bldg A	1 LS	-\$1,135.00	1	-\$1,135.00					1	-\$1,135.00	100.0%
CO6	653 CY Footing Foundation Excavat.	653 CY	-\$12.50	653	-\$8,162.50					653	-\$8,162.50	100.0%
CO6	1265.33 TN Ftg Foundation Backfill	1265.33 TN	-\$16.00	1265.33	-\$20,245.28					1265.33	-\$20,245.28	100.0%
CO6	Modify Ceiling Sound Break Gypsum	1 LS	\$5,473.00	1	\$5,473.00					1	\$5,473.00	100.0%
CO7	2 Windows w/ Building C Village Adm	1 LS	\$4,087.00	1	\$4,087.00					1	\$4,087.00	100.0%
CO7	Electric and Data Outlets Floor Box	1 LS	\$2,465.07	1	\$2,465.07					1	\$2,465.07	100.0%
CO7	Heated Air Curtin Rough-in Prov.	1 LS	\$2,500.00	1	\$2,500.00					1	\$2,500.00	100.0%
CO7	12"W x 4'-2" H Display Cabinet	1 LS	\$11,022.00	1	\$11,022.00					1	\$11,022.00	100.0%
CO7	Depository Recepticle	1 LS	\$3,615.00	1	\$3,615.00					1	\$3,615.00	100.0%
CO8	Excavation Below Subgrade (EBS)	1000 CY	-\$12.55	1000	-\$12,550.00					1000	-\$12,550.00	100.0%

Unit Price Progress Estimate

Contractor's Application

Project: Municipal Complex						Application Number: 12/31/2021						
Application Period: 12/1/2021 to 12/31/2021						Application Date: December 31, 2021						
A				B	C	D	E	F	G	H	I	J
Bid No.	Item	Estimated Bid Quantity	Unit Price	Quantity Completed						Total Completed & Stored to Date (C+E+G)		% Comp.
	Previous Applications			This Application		Materials Stored						
	Description			Quantity	Amount	Quantity	Amount	Quantity	Amount	Quantity	Amount	
CO8	Structural Backfill - Building Pad	410.05 TN	-\$16.00	410.05	-\$6,560.80					410.05	-\$6,560.80	100.0%
CO8	Crushed Aggregate Base Course	900 TN	-\$16.80	900	-\$15,120.00					900	-\$15,120.00	100.0%
CO8	Revision to Police Department	1 LS	\$369.00	1	\$369.00					1	\$369.00	100.0%
CO8	Electrical Fused Panel - Panel 4-EM-1	1 LS	\$3,714.20	1	\$3,714.20					1	\$3,714.20	100.0%
CO8	Valley Curb Installation - STH60	1 LS	\$3,132.00	1	\$3,132.00					1	\$3,132.00	100.0%
CO8	Owner Furnished Rm Access. Inst	1 LS	\$2,000.00	1	\$2,000.00					1	\$2,000.00	100.0%
CO8	Revisions to Sidewalk/ Curb & Gutter	1 LS	-\$3,966.00	1	-\$3,966.00					1	-\$3,966.00	100.0%
CO8	Add Clothers Dryer Exhaust Fan	1 LS	\$536.00	1	\$536.00					1	\$536.00	100.0%
CO8	Rev Location of Four-Fold Door Swit	1 LS	\$2,365.85	1	\$2,365.85					1	\$2,365.85	100.0%
CO8	Revision to Elctrical Dist System	1 LS	\$2,357.00	1	\$2,357.00					1	\$2,357.00	100.0%
CO8	Revision to Curb Inlet Casting Types	1 LS	\$11,052.42	1	\$11,052.42					1	\$11,052.42	100.0%
CO8	Reconfigure Air Drop Locations	1 LS	\$12,872.00	1	\$12,872.00					1	\$12,872.00	100.0%
CO8	Metal Canopy - Main Lobby Entrance	1 LS	\$12,992.00	1	\$12,992.00					1	\$12,992.00	100.0%
CO9	Deduct security bollard	1 EA	-\$2,325.00	1	-\$2,325.00					1	-\$2,325.00	100.0%
CO9	Tornado Siren Circuit Wiring	1 LS	\$1,972.90	1	\$1,972.90					1	\$1,972.90	100.0%
CO9	Security Monitor Provisions	1 LS	\$1,738.50	1	\$1,738.50					1	\$1,738.50	100.0%
CO9	Data Cables Addit Security Cameras	1 LS	\$5,413.50	1	\$5,413.50					1	\$5,413.50	100.0%
CO9	Deduct Revised Plantings & Landscape	1 LS	-\$993.20	1	-\$993.20					1	-\$993.20	100.0%
CO9	Electrical Cord Drop Offsets	1 LS	\$3,171.32	1	\$3,171.32					1	\$3,171.32	100.0%
CO9	Precast Concrete Cores	1 LS	\$4,608.00	1	\$4,608.00					1	\$4,608.00	100.0%
CO9	Upgrade to Appartus Bay Veh Exh	1 LS	\$12,681.00									
CO9	Install of Owner Supplied Data Rack	1 LS	\$1,928.00	1	\$1,928.00					1	\$1,928.00	100.0%
CO10	Deduct Traffic Alert System	1 LS	-\$3,792.00	1	-\$3,792.00					1	-\$3,792.00	100.0%
CO10	Raise cabinet base height	1 LS	\$2,737.00	1	\$2,737.00					1	\$2,737.00	100.0%
CO10	Pylon/Monument Sign Electric Circuit	1 LS	\$1,420.00	1	\$1,420.00					1	\$1,420.00	100.0%
CO10	Reroute Data Cable to Addt Switch Gr	1 LS	\$4,168.75	1	\$4,168.75					1	\$4,168.75	100.0%
CO10	Revised Speaker Wiring Plan/Volume	1 LS	\$4,714.50	1	\$4,714.50					1	\$4,714.50	100.0%
CO11	Repair Hose Tower Lift Winch	1 LS	\$6,814.76									
	TOTAL				\$792,328.98						\$792,328.98	

Progress Estimate - Lump Sum Work

Contractor's Application

Project: Muniepal Complex				Application Number: 21				
Application Period: 12/1/2021 to 12/31/2021				Application Date: 12/31/2021				
			Work Completed		E	F		G
A		B	C	D	Materials Presently Stored (not in C or D)	Total Completed and Stored to Date (C + D + E)	% (F / B)	Balance to Finish (B - F)
Specification Section No.	Description	Scheduled Value (\$)	From Previous Application (C+D)	This Period				
	General Conditions	\$280,000.00	\$270,000.00	\$5,000.00		\$275,000.00	98.2%	\$5,000.00
	Bond	\$80,000.00	\$80,000.00			\$80,000.00	100.0%	
	Site Utilities	\$225,200.00	\$225,200.00			\$225,200.00	100.0%	
	Site Work	\$96,371.10	\$96,371.10			\$96,371.10	100.0%	
	Asphalt	\$213,247.00	\$137,065.60	\$71,181.40		\$208,247.00	97.7%	\$5,000.00
	Fencing	\$23,834.00	\$23,834.00			\$23,834.00	100.0%	
	Landscaping	\$25,500.00	\$7,280.00	\$18,220.00		\$25,500.00	100.0%	
	Concrete Foundations	\$180,000.00	\$180,000.00			\$180,000.00	100.0%	
	Concrete Flatwork	\$515,000.00	\$515,000.00			\$515,000.00	100.0%	
	Precast Concrete	\$1,690,000.00	\$1,690,000.00			\$1,690,000.00	100.0%	
	Masonry	\$325,000.00	\$325,000.00			\$325,000.00	100.0%	
	Structural Steel	\$780,000.00	\$780,000.00			\$780,000.00	100.0%	
	Carpentry	\$180,000.00	\$180,000.00			\$180,000.00	100.0%	
	Cabinets	\$162,454.37	\$162,454.37			\$162,454.37	100.0%	
	Insulation	\$2,980.00	\$2,980.00			\$2,980.00	100.0%	
	Roofing	\$330,875.00	\$330,875.00			\$330,875.00	100.0%	
	EIFS	\$21,782.00	\$21,782.00			\$21,782.00	100.0%	
	Caulking	\$15,000.00	\$15,000.00			\$15,000.00	100.0%	
	HM & Wood Doors	\$206,860.00	\$206,860.00			\$206,860.00	100.0%	
	Aluminum Entrances	\$272,555.00	\$272,555.00			\$272,555.00	100.0%	
	Overhead Doors	\$287,700.00	\$287,700.00			\$287,700.00	100.0%	
	Gypsum Board Assemblies	\$543,000.00	\$543,000.00			\$543,000.00	100.0%	
	Flooring	\$217,739.00	\$217,739.00			\$217,739.00	100.0%	
	Epoxy Flooring	\$100,749.30	\$76,915.02			\$76,915.02	76.3%	\$23,834.28
	Painting	\$131,975.00	\$131,975.00			\$131,975.00	100.0%	
	Acoustic Ceilings	\$73,623.49	\$73,623.49			\$73,623.49	100.0%	
	Specialties	\$80,000.00	\$75,755.00			\$75,755.00	94.7%	\$4,245.00
	Lockers	\$116,505.49	\$116,505.49			\$116,505.49	100.0%	
	Mobil Storage Shelving	\$35,000.00	\$9,000.00			\$9,000.00	25.7%	\$26,000.00
	Furnishings - Blinds	\$7,245.00	\$7,245.00			\$7,245.00	100.0%	
	Elevator	\$59,050.00	\$56,098.00			\$56,098.00	95.0%	\$2,952.00
	Firehose Lift	\$53,000.00	\$53,000.00			\$53,000.00	100.0%	
	Firehouse Slide Pole	\$21,500.00	\$21,500.00			\$21,500.00	100.0%	
	Mechanical HVAC	\$1,215,000.00	\$1,145,069.00			\$1,145,069.00	94.2%	\$69,931.00
	Sprinklers	\$109,510.00	\$109,510.00			\$109,510.00	100.0%	
	Plumbing	\$613,850.00	\$613,850.00			\$613,850.00	100.0%	
	Electrical	\$1,146,400.00	\$1,146,400.00			\$1,146,400.00	100.0%	
	OH, Supervision & Profit	\$513,179.25	\$433,486.46	\$5,000.00		\$438,486.46	85.4%	\$74,692.79

Progress Estimate - Lump Sum Work

Contractor's Application

Project: Municipal Complex				Application Number: 21				
Application Period: 12/1/2021 to 12/31/2021				Application Date: 12/31/2021				
			Work Completed		E	F		G
A		B	C	D	Materials Presently Stored (not in C or D)	Total Completed and Stored to Date (C + D + E)	% (F / B)	Balance to Finish (B - F)
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	Cabinets	\$162,454.37	\$162,454.37			\$162,454.37	100.0%	
	Insulation	\$2,980.00	\$2,980.00			\$2,980.00	100.0%	
	Roofing	\$330,875.00	\$330,875.00			\$330,875.00	100.0%	
	EIFS	\$21,782.00	\$21,782.00			\$21,782.00	100.0%	
	Caulking	\$15,000.00	\$15,000.00			\$15,000.00	100.0%	
	HM & Wood Doors	\$206,860.00	\$206,860.00			\$206,860.00	100.0%	
	Aluminum Entrances	\$272,555.00	\$272,555.00			\$272,555.00	100.0%	
	Overhead Doors	\$287,700.00	\$287,700.00			\$287,700.00	100.0%	
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	Painting	\$131,975.00	\$131,975.00			\$131,975.00	100.0%	
	Acoustic Ceilings	\$73,623.49	\$73,623.49			\$73,623.49	100.0%	
	Specialties	\$80,000.00	\$75,755.00			\$75,755.00	94.7%	\$4,245.00
	Lockers	\$116,505.49	\$116,505.49			\$116,505.49	100.0%	
	Mobil Storage Shelving	\$35,000.00	\$9,000.00			\$9,000.00	25.7%	\$26,000.00
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	Elevator	\$59,050.00	\$56,098.00			\$56,098.00	95.0%	\$2,952.00
	Firehose Lift	\$53,000.00	\$53,000.00			\$53,000.00	100.0%	
	Firehouse Slide Pole	\$21,500.00	\$21,500.00			\$21,500.00	100.0%	
	Mechanical HVAC	\$1,215,000.00	\$1,145,069.00			\$1,145,069.00	94.2%	\$69,931.00
	Sprinklers	\$109,510.00	\$109,510.00			\$109,510.00	100.0%	
	Plumbing	\$613,850.00	\$613,850.00			\$613,850.00	100.0%	
	Electrical	\$1,146,400.00	\$1,146,400.00			\$1,146,400.00	100.0%	
	OH, Supervision & Profit	\$494,959.25	\$433,486.46	\$5,000.00		\$438,486.46	88.6%	\$56,472.79

Progress Estimate - Lump Sum Work

Contractor's Application

Project: Municipal Complex				Application Number: 21				
Application Period: 12/1/2021 to 12/31/2021				Application Date: 12/31/2021				
			Work Completed		E	F		G
A		B	C	D	Materials Presently Stored (not in C or D)	Total Completed and Stored to Date (C + D + E)	% (F / B)	Balance to Finish (B - F)
Specification Section No.	Description	Scheduled Value (\$)	From Previous Application (C+D)	This Period				
		\$10,933,465.00	\$10,640,628.53	\$99,401.40		\$10,740,029.93		\$193,435.07

WAIVER OF LIEN

January 4, 2022

For value received, we hereby waive partial rights and claims for lien on land and on Buildings about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

for Village of Jackson Owner

by Mike Koenig Construction Co., Inc., contractor

for Application No. 21 Invoice #11380 \$94,431.33 contingent on payment

same being situated in Washington County, State of Wisconsin, described as

Village of Jackson Municipal Complex

New facility

N168W19721 Main Street

Jackson, WI 53037

for all labor performed and for all material furnished for the erection, construction, alteration, repair of said buildings and appurtenances, upon receipt of payment.

MIKE KOENIG CONSTRUCTION CO., INC.



(Signature)

12/31/21
(Date)

NAME: Pete Schmoll
TITLE: Project Manager

UNCONDITIONAL WAIVER OF LIEN

DATE CHECK RECEIVED: 12/27/2021

For value received, we hereby waive partial rights and claims for lien on land and on Buildings about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,
for **Village of Jackson** Owner
by **Mike Koenig Construction Co., Inc.**, contractor
for Applications #19 & 20 Invoices #11348 & 11366 \$335,559.79 same being situated in Washington County, State of Wisconsin, described as

**Village of Jackson Municipal Complex
New facility
N168W19721 Main Street
Jackson, WI 53037**

for all labor performed and for all material furnished for the erection, construction, alteration, repair of said buildings and appurtenances.

MIKE KOENIG CONSTRUCTION CO., INC.

Donna Tewelis
(Signature)

1/4/2022
(Date)

NAME: Donna Tewelis
TITLE: Office Manager

Village of Jackson Main Street Revitalization Plan Scope of Services January 6, 2022

Why Plan? The former Village Hall site in Jackson reflects an opportunity to shape the future of the Main Street and downtown area. The next user of this site has the potential to set the trajectory for downtown Jackson for decades to come. Now is the time for the Village to consider the future of the downtown and Main Street area. A planning process would enable to engage with Jackson residents and stakeholders, explore possible futures, determine a clear vision for the area, and determine an action plan to make it happen. The alternative is to accept that the current conditions in the downtown will continue into the next decades (or may decline), as the private sector has not initiated significant improvements in the downtown to-date. A high level of private sector investment that brings in the types of businesses and uses that Village is currently seeking are unlikely to occur without a strong vision and leadership from the Village.

What Will the Plan Accomplish? Through our preparation of the *Village of Jackson Opportunity Analysis and Redevelopment Plan* and recent housing development assistance for the Spruce Street area, Vandewalle & Associates has gained significant insight about Jackson's downtown and Main Street area. Although general community conversations about the downtown have taken place, the time has come to have a focused discussion on the future of the downtown and Village's role in bringing about redevelopment that reflects residents' wishes for the future. Building on the broader *Opportunity Analysis and Redevelopment Plan*, this focused planning effort will focus on developing a clear vision for the area and gauge the public's level of support for proactive efforts and investments by the Village.

The Main Street Revitalization Plan would address crucial topics such as the highest and best use of the former Village Hall, identify potential for catalytic projects, discuss methods of driving redevelopment on private properties, elaborate on the Public Space and Village Square concepts introduced in the *Opportunity Analysis*, explore public realm improvements, address bicycle/pedestrian connectivity to other destinations in Village, and discuss economic benefit for the Village. This will result in a high-level vision and a specific action plan for the downtown that can be used to guide future decision making.

What Will it Take? Vandewalle & Associates is prepared to begin this work immediately with completion of all tasks expected to take approximately four months from execution of the contract. Work on this effort could be funded by Jackson's allocation from the Washington County Site Redevelopment Program (80%) and by Village funding source (20%). The total budget for all time and materials would be a lump sum fee of \$30,000, not including any optional tasks selected by the Village. A 20% match for this effort would be \$6,000.

Task 1: Data Gathering

Using the Washington County GIS, Vandewalle & Associates (V&A) will prepare a downtown parcel-based study area map and list of current property ownership and values. V&A will conduct a property-by-property analysis of general property/building conditions, uses/business types, potential brownfields, historic integrity, and rehabilitation potential.

Deliverables:

- *Summary of existing conditions in graphics with brief supporting text that include the following:*
 - o *Current parcel configurations and land uses*
 - o *Identification of potential contamination issues as available from the Village and state Department of Natural Resources*
 - o *Potential catalytic sites*
 - o *Assessment of general infrastructure conditions*

Task 2: Kickoff Site Visit & Stakeholder Interviews

V&A will conduct the following site visits/virtual meetings to gather local knowledge and stakeholder input to inform development of the Main Street Revitalization Plan.

- Meet with Village staff and tour project area
- Conduct small group/stakeholder interviews of key interested parties such as area property and business owners, area real estate and development professionals, and representatives from the Village's redevelopment partner organizations listed in the RFP
- Conduct project kick-off meeting with the Steering Committee to discuss the scope, schedule, area issues, and expected outcomes
 - o At this meeting the Steering Committee will provide direction on the format of the Public Visioning Workshop and methods to obtain feedback/input
 - o Discussion of the study area in terms of overall development objectives including potential land uses, arrangement/orientation of buildings, vehicular and pedestrian connections, open space, and selection of up to three key sites

Deliverables:

- *All meeting materials*
- *Summary of Village and stakeholder input gathered*

Task 3: Building and Site Reuse Analysis

V&A will evaluate all structures in the area. For those with most reuse potential, V&A will conduct a cursory inspection, review all available plans and documents, and provide recommendations and general cost estimates for rehabilitation. The former Village Hall site is expected to be the top site for evaluation, but up to three structures, ideally potential brownfield sites, could be evaluated if desired.

Deliverables:

- *Summary evaluation of up to three existing structures, as identified by the Village*
- *Identification of existing structures to be retained*
- *General cost estimates for building rehabilitation*

Task 4: Public Visioning Workshop

V&A will lead a Community Visioning Session for Jackson residents, property owners, and business owners to share their thoughts about the future of Main Street. The visioning session will go beyond a simple open house; it will be a facilitated, highly-interactive workshop in which ideas can be exchanged and where participants will help determine the future role and character of the downtown within the community as a whole. This workshop will incorporate small-group sessions and larger group discussions divided into sections that build on one another. Additional interactive components could include visual preference surveys,

special places photos submissions, facilitated mapping exercises, or live keypad polling – which allows participants to see real-time polling results. The ultimate meeting format and topics will be finalized through further discussion with Village staff.

Deliverables:

- *Flyer or invitation to promote meeting*
- *All meeting materials*
- *Summary of public input gathered*

Task 5: Draft Vision and Action Strategy

Elaborating on the recommendations included in the *Village of Jackson Opportunity Analysis and Redevelopment Plan*, V&A will prepare:

- A Downtown/Main Street Vision in text and graphics that describes:
 - o The role of the downtown in the community
 - o The predominate land uses
 - o The scale of development
 - o The character of development and public realm
- Downtown/Main Street Concept Plans and supporting brief text that address:
 - o Overall development goals consistent with the Vision;
 - o Mix of land uses
 - o General building arrangements/orientation
 - o Vehicular and pedestrian access
 - o General building design considerations
 - o Location and function of open spaces
 - o Supporting infrastructure and public facilities
- Implementation and Funding Strategy, including:
 - o Prioritized action items with timeframes
 - o Roles and responsibilities of the Village, other Village committees, and outside partners
 - o Potential funding opportunities, such as TIF and grants

Deliverables:

- *Downtown/Main Street Vision*
- *Downtown/Main Concept Plans*
- *Implementation and Funding Strategy*

Task 6: Key Sites Development Objectives and Concepts (3)

For each of the three key sites identified by the Steering Committee at the Kickoff, V&A will prepare a list of development objectives that, depending on the particulars of a given site, may include significant site features to be preserved, Separation/screening from adjoining development, vehicular and pedestrian access points/connections and route extensions, preferred land uses, building orientation, scale of development (height, lot coverage, overall size of buildings), character of development (basic design, preferred materials), open space and landscaping, location/screening of parking, loading, utilities, etc., and development phasing.

V&A will prepare concept site plans that include building and parking locations, open space, etc., to be consistent with all objectives and represent only one possible layout.

Deliverables:

- *Development Objectives (three sites)*
- *Conceptual Site Plan (one layout each)*

Task 7: Village Review of Draft Work Products & Revisions

V&A will combine the draft Vision and Action Strategy and Key Site Objectives and Concept Plans into a draft Main Street Area Revitalization Plan. V&A will attend and facilitate a meeting with the Steering Committee to review and discuss this document. At this meeting, the Steering Committee will provide direction on the options to be used for the Public Open House.

Deliverables:

- *Meeting materials*
- *Draft Main Street Area Revitalization Plan*

Task 8: Public Open House

V&A will facilitate an open house presenting the draft Main Street Area Revitalization Plan to the public. V&A will prepare materials for the public to review, evaluate and refine the draft Main Street Area Revitalization Plan. The meeting format and public engagement techniques will be finalized through further discussion with Village staff.

Deliverables:

- *Flyer or invitation to promote meeting*
- *All meeting materials*
- *Summary of public input gathered*

Task 9: Village Review of Final Work Products

V&A will attend and facilitate a meeting with the Village Board to review and discuss the input received at the Public Open House and review, discuss, and finalize the Main Street Area Revitalization Plan.

Deliverables:

- *Meeting materials*
- *Final Main Street Area Revitalization Plan*

Optional Tasks

The following optional tasks could be added at the direction of the Village. Additional costs are provided.

- Understanding potential environmental issues onsite will guide possible reuse and development options. If directed by the Village, Stantec will Prepare a Phase 1 Environmental Assessment for the Village Hall to understand the potential for environmental concerns. A Phase 2 Environmental Assessment may be warranted by the results of the Phase 1. Cost for a typical Phase 1 is \$5,000.
- If directed by the Village, V&A will attend additional in-person meetings for an additional fee of \$1,500 to \$1,750 per meeting depending upon the number of V&A team members required.

- If directed by the Village, V&A will attend additional virtual meetings for an additional fee of \$250 to \$400 per meeting depending upon the number of V&A team members required.

Village Responsibilities

To meet the Village's desired timeline and maximize efficiency and cost effectiveness, Village staff shall undertake the following responsibilities throughout the project:

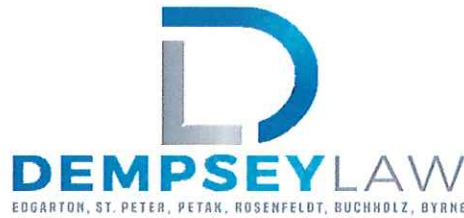
- Provide V&A with copies of all existing plans and ordinances, research, inventory information, and digital mapping data relevant to this process, as needed.
- Review and provide V&A with professional feedback on all draft documents.
- Print/copy and distribute all documents and meeting materials, except as otherwise specified in the Scope of Services.
- Post, mail and publish all required meeting notices (drafts to be provided by V&A)
- Where needed, update the Plan Commission and Village Board (based on reports provided by V&A) at meetings not included in the Scope of Services.
- Identify and reserve adequate meeting facilities, finalize meeting dates and times, and provide all accommodations for disabled participants as may be required by law.
- Arrange for provide any refreshments to be provided at public meetings.
- Co-lead public participation events, where appropriate.
- Provide a parcel-based ArcView shapefile including existing zoning, property ownership, and addresses for each parcel.

PARTNERS:

CHARLES J. HERTEL
 JOHN A. ST. PETER
 PAUL W. ROSENFELDT
 RONALD P. HAMMER
 BRIAN D. HAMILL
 MATTHEW PARMENTIER
 HEATH G. MYNSBERGE
 JESSICA E. SLAVIN

OF COUNSEL:

WILLIAM E. BUCHHOLZ
 RYAN M. PLISCH
 DEJAN ADZIC
 CHRISTOPHER J. PENZA
 JOSHUA R. COOK

**ASSOCIATES:**

ELIZABETH A. HARTMAN
 ALANA BUSCH-ELL
 ALEX R. ACKERMAN
 LEE D. TURONIE
 NATHANIEL J. VERVELDE
 JAMES D. MILLER
 EVAN M. SEIBEL

RETIRED:

TIMOTHY M. DEMPSEY
 A.D.(DAN) EDGARTON
 ROBERT V. EDGARTON
 RONALD L. PETAK
 TERRENCE J. BYRNE

MEMORANDUM

TO: Village of Jackson Board of Trustees

FROM: Matt Parmentier, Village Attorney

DATE: January 5, 2022

RE: D2C Development Agreement – Incentive Payment

The Village is a party to a Development Agreement with a developer called “D2C/Jackson, LLC” (also known as “Design 2 Construct”). The Development Agreement governs the development known as the “Northwest Business Park – Phase 6,” which is located in Tax Incremental District No. 6.

Pursuant to the Development Agreement, the Village agreed to make “economic incentive payments” to D2C provided that the development meets certain standards. Those standards are the following:

- That the taxable value of the project is at least \$16,260,000.
- That “industrial development” creates an actual tax increment of at least \$340,000 per acre with a minimum of three acres per year developed.
- That the economic incentive payments are limited to 20% for plats started during the first five years of the TID, 15% for plats started during the second five years of the TID, and 10% for plats started during the third five years of the TID.
- That there are no delinquent property taxes, special assessments, or special charges due to the Village with respect to the particular plat to which the incentive relates.
- That the D2C otherwise maintains compliance with the Development Agreement.

{07564158.DOCX.1}

Fond du Lac
 10 Forest Avenue, Ste 200
 Fond du Lac, WI 54935
 (p)920-922-0470
 (f)920-922-9091

De Pere
 2079 Lawrence Drive
 De Pere, WI 54115
 (p)920-235-7300
 (f)920-235-2011

Dempsey & Buchholz
 95 S Harris Avenue
 Waupun, WI 53963
 (p)920-324-9736
 (f)920-235-2011

Byrne & Dempsey
 115 Forest St
 Wausau, WI 54403
 (p)715-848-2966
 (f)715-842-5189

Oshkosh
 210 North Main St
 Oshkosh, WI 53903
 (p)920-235-7300
 (f)920-235-2011



A copy of Section 13.7 of the Development Agreement, which further describes the economic incentive payments, is attached as Exhibit A.

D2C recently requested two economic incentive payments from the Village for projects that have been completed. The first is the “Delaney Group, LLC” project – a 36,456 square foot multi-tenant office warehouse. The incentive payment amount if this project qualifies is \$186,440. The second is for a 72-unit apartment development. The incentive payment amount if this project qualifies is \$561,780.

We have advised D2C that these projects do not qualify for incentive payments. We have determined that the 72-unit apartment project does not qualify because the economic incentive provisions says that it only applies to “industrial development.” Further, the overall increment has not yet reached \$16,260,000, which is another condition of economic incentive payments. This disqualifies both projects.

D2C has requested that the Village amend the Development Agreement to remove both of these conditions. They contend that the “industrial development” requirement was not intended to be a limitation on what types of projects qualify. Rather, they contend that the phrase was simply used as a non-restrictive descriptor because the area is an industrial park.

They would like to remove the \$16,260,000 valuation requirement in consideration of the “shortfall guaranty” provided under the Development Agreement. That valuation requirement was imposed in order to ensure that the project generates sufficient property tax revenue to make the Village whole for its contributions. If the project generates insufficient revenue to make the Village whole, the Development Agreement then requires the developer to pay the shortfall itself. This obligation is secured by personal guarantees.

We do not recommend eliminating the \$16,260,000 valuation requirement. This is an essential component of ensuring the financial viability of the TID. However, the “industrial development” condition is not essential to the viability of the TID. It will affect what types of projects qualify for incentives, but by keeping the valuation requirement in place, the TID will remain financially solvent.

Whether to remove the “industrial development” condition is a policy matter for the Board to decide. We did locate a portion of the original Project Plan for the TID that shows anticipated residential development. A copy is attached as Exhibit B. This is consistent with D2C’s contention that the “industrial development” provision was not meant as a substantive limitation on the types of projects that qualify for incentives.

Finally, I am including a draft Amendment to the Development Agreement that would maintain the \$16,260,000 valuation requirement while eliminating the “industrial development” condition. Of course, it is up to the Board whether it prefers such an amendment, but I want the Board to have the Amendment in hand both for review, and for execution if this is the way it wishes to proceed.

terminates prior to the full repayment of the Developer's prior advances, then the outstanding amounts will be forgiven and no further payments will be due the Developer.

- (b) The Developer's shortfall guaranty shall be reduced on an annual basis in proportion to the reduction of the Construction Debt Service. However, the Developer's shortfall guaranty cannot be less than 115% of the then-current Construction Debt Service. The Developer's obligation to guaranty the shortfall, and the obligation of the Developer to provide personal guaranties, shall terminate when the annual Actual Tax Increment is equal to or greater than 115% of the Construction Debt Service for three consecutive years.

- 13.6 Refinancing Village Construction Borrowing. The Village reserves the right to refinance the debt incurred for one or more of the Village construction borrowings; provided, however, that the annual amount of the Village's Construction Debt Service shall not be increased without the Developer's prior written consent, which shall not be unreasonably withheld, conditioned or delayed. Consequently, the parties acknowledge that the relevant debt repayment schedule may change due to increases or decreases from the projected interest rates. Upon completion of any refinancing transaction, the relevant debt repayment schedule shall be replaced with a similar schedule showing the exact repayment to which the Village is committed, and this revised schedule shall be used to calculate the obligation of the parties.

- 13.7 Developer Economic Incentives. The Developer shall be entitled to economic incentive payments, more particularly described below, provided that the Actual Tax Increment exceeds the Minimum Taxable Value calculated on a Plat by Plat basis. The underlying assumptions for the economic incentive payments are (a) a Minimum Taxable Value of \$16,260,000.00; (b) industrial development that creates an Actual Tax Increment of at least \$340,000 per acre with a minimum of three acres per year to be developed; (c) the economic incentive payments will be limited to 20% for Plats started during the first 5 years of the life of TID No. 6, 15% for Plats started during the second 5 years of the life of TID No. 6, and 10% for Plats started during the third 5 years of the life of TID No. 6; (d) there are no delinquent property taxes, special assessments, or special charges due to the Village respecting the particular Plat to which the particular incentive relates; and (e) the Developer is in material compliance with the terms and conditions of this Agreement. Attached hereto and incorporated by reference as Exhibit 8 is a sample calculation illustrating over-performance incentive payments to developer.

14. SURETY.

- 14.1 The Developer shall furnish the Village, simultaneously with the execution of this Agreement, with the personal guarantees of Messrs. Michael Weiss (currently the President of General Capital Group, with headquarters at 6938 N. Santa Monica



Development Assumptions

Village of Jackson, Wisconsin Tax Increment District # 6 Development Assumptions						
Construction Year		Industrial Development 1	Residential Development 2	Annual Total	Construction Year	
1	2018			0	2018	1
2	2019	1,020,000	2,133,333	3,153,333	2019	2
3	2020	1,020,000	2,133,333	3,153,333	2020	3
4	2021	1,020,000	2,133,333	3,153,333	2021	4
5	2022	1,020,000		1,020,000	2022	5
6	2023	1,020,000		1,020,000	2023	6
7	2024	1,020,000		1,020,000	2024	7
8	2025	1,020,000		1,020,000	2025	8
9	2026	1,020,000		1,020,000	2026	9
10	2027	1,020,000		1,020,000	2027	10
11	2028	680,000		680,000	2028	11
12	2029			0	2029	12
13	2030			0	2030	13
14	2031			0	2031	14
15	2032			0	2032	15
16	2033			0	2033	16
17	2034			0	2034	17
18	2035			0	2035	18
19	2036			0	2036	19
20	2037			0	2037	20
Totals		9,860,000	6,400,000	16,260,000		

Notes:

¹Assumes a total of 29 acres of industrial land with 3 acres being developed @\$340K per acre from 2019 through 2027. In 2028 the remaining 2 acres would be developed.

²Assumes 8 acres of residential - 80 units of residential @\$80K per unit. Built out over 3 - years.

**FIRST AMENDMENT TO AGREEMENT FOR PUBLIC
IMPROVEMENTS AND OTHER MATTERS
RELATING TO D2C/GC JACKSON, LLC**

This First Amendment to Agreement for Public Improvements and Other Matters Relating to D2C/GC Jackson, LLC is entered into as of the latest date set forth below by and between the Village of Jackson, Washington County, Wisconsin (“Village”) and D2C/GC, Jackson, LLC (“Developer”)

Recitals

- A. The Village and Developer are parties to a development agreement entitled “Agreement for Public Improvements and Other Matters Relating to D2C/GC Jackson, LLC” (the “Development Agreement”).
- B. The Development Agreement concerns the development known as “Northwest Business Park – Phase 6,” which is located in the Village’s Tax Incremental District No. 6.
- C. Among other things, the Development Agreement provides for “economic incentive payments” from the Village to Developer if certain conditions are met. These conditions are set forth in Section 13.7 of the Development Agreement.
- D. The parties now wish to modify the conditions for economic incentive payments as described herein.

NOW, THEREFORE, in consideration of the above recitals, which are contractual, and for other good and valuable consideration, the receipt and sufficiency of which is mutually acknowledged, the parties agree as follows:

1. Amendment to Section 13.7. Section 13.7 of the Development Agreement is hereby amended to read:

The Developer shall be entitled to economic incentive payments, more particularly described below, provided that the Actual Tax Increment exceeds the Minimum Taxable Value calculated on a Plat by Plat basis. The conditions for the economic incentive payments are (a) a Minimum Taxable Value of \$16,260,000; (b) development that creates an Actual Tax Increment of at least \$340,000 per acre with a minimum of three acres per year to be developed; (c) the economic incentive payments will be limited to 20% for Plats started during the first 5 years of the life of TID No. 6, 15% for Plats started during the second 5 years of the life of TID No. 6, and 10% for Plats started during the third 5 years of the life of TID No. 6; (d) there are no delinquent property taxes, special assessments, or special charges due to the Village respecting the

particular Plat to which the particular incentive relates; and (e) the Developer is in material compliance with the terms and conditions of this Agreement. Attached hereto and incorporated by reference as Exhibit 8 is a sample calculation illustrating over-performance incentive payments to developer.

2. Other Provisions Unaffected. All other provisions of the Development Agreement shall remain in full force and effect.

Dated this _____ day of January, 2022.

VILLAGE OF JACKSON

By: _____
Mike Schwab, Village President

Attest: _____
Jilline Dobratz, Village Clerk

Dated this _____ day of January, 2022.

D2C/GC JACKSON, LLC

By: _____
Authorized Representative

Dec 29, 2021

Village Board
c/o Jen Keller, Administrator
Village of Jackson
N168 W19851 Main St.
Jackson, Wisconsin 53037

Dear Trustees:

I send this note as a formal request to please fix a 'matter of confusion' in our TID #6 Development Agreement.

Section 13.7(b) references "industrial development" when the intent was simply any "development".

Because of the extra word "industrial", there has been some discussion and lack of clarity as to whether the new apartments qualify for incentive payments.

My strong feeling is that any development within the park qualifies for incentive payments.

Since some Trustees are not familiar with all the history, perhaps the following points will be helpful.

- D2C has been involved as a partner with the Village of Jackson for over 25 years.
- We have developed multiple TID district phases totaling over 280 acres.
- The Northwest Business Park has over 40 buildings housing >70 businesses (and now apartments) – all due to our successful long-term partnership with the Village.
- Each phase has exceeded the financial performance targets outlined in the respective Development Agreements.
- TID #6 kicked off 3 years ago when we collaborated with the Village to buy the property from Wundruck.
- You'll recall the Village had given Wundruck the land, then over 10 years he accomplished absolutely nothing - other than putting >\$1 million of mortgage debt on it.
- As a result, the Village had to sue Wundruck.
- It was our 2018 purchase that resolved the situation, getting the land back from Wundruck and putting it into productive use.
- We even reimbursed the Village for the legal fees it spent chasing Wundruck.
- The current Development Agreement guarantees a minimum of \$16 million of assessment.
- We already have \$9 million of value in place, plus \$8 million under construction, and an additional \$7 million dollars approved/ready to start in spring 2022.
- The latest phase was meant to be "the same" as the earlier phases, in which we receive incentives for "over performance", just like we have for the last 25 years.
- The question of whether the incentive is 'for industrial only' (and for not apartments) is a technical drafting oversight.
- The clear intent of everyone involved was for 'all' projects to be eligible.
- The apartment deal has been an early and very positive win for the Village.
- There was never any mention of the incentive not applying when the Village Board enthusiastically approved the apartments.

Please know that my 25 year excellent relationship with Village is of the utmost importance.

Thanks very much for your consideration and ongoing good faith.

Jim Blise

DATE: January 6, 2022
TO: Village Trustees of Jackson
FROM: Cory A. Scheidler / Ron Dalton / Kris Dressler/ Doug Kroes
REGARDING: Jackson Municipal Complex – CONSTRUCTION UPDATE
PROJECT # J5789-002

Please find the following construction related update associated with the Jackson Municipal Complex contract for the last month:

CONSTRUCTION:

A. Construction Support/Administrative Activities:

1. Continued contractor coordination, on-site meetings and site reviews and punch list inspections.
2. Continue facilitation of monthly construction progress and periodic coordination meetings.
3. Assisting Owner's staff with commissioning of building systems with related Contractor coordination.
4. Continued Owner's staff assistance related to expense/budget tracking and department cost allocations.
5. Assist Owner's staff with the coordination of remaining Audio/Visual installation items.
6. Review and processing of Contractor Applications for Payment. Contractor Payments To-Date = \$10,955,740.96 (93% of Contract Amount)

B. Remaining Work Items & Schedules:

1. HVAC Balancing: Balancing report and site results are currently under review by A/E with related Contractor coordination.
2. Lighting Control Settings / Occupancy/Vacancy Sensors: On site settings meeting scheduled for 1/21/22
3. FD Resource Watch Room Door Close Mechanism – Additional Work Item: Materials ordered.
4. FD Chief Office Closet Door Replacement: Materials ordered.
5. Apparatus Bay Overhead/4 Fold Door Seals: Testing to be scheduled by Contractor
6. Apparatus Bay Vehicle Exhaust Ventilation System: Most equipment is delivered and stored. Some backordered materials in route with installation to follow delivery.
7. Specified Parking Area Lighting. (Temporary Lights Currently Installed): Material delivery date 1/29/22. Installation to follow.
8. Specified Building Exterior Lighting (Temporary Lights Currently Installed): Material delivery date 1/26/22. Installation to follow.
9. Police Dept. Mobile Storage Units – Installation scheduled for 1/10/22
10. Elevator final inspection: State inspection scheduled for 1/11/21
11. Punch list completion items/completion inspection coordination: Punch list completion inspections scheduled for the week of 1/17/22.

12. Delivery of project completion documents: O&M Manuals, Record Drawings, etc.:
Initial submittals have been received and A/E has started the review process.

SUMMARY:

- A. Remaining furnishing items/accessories (punch list items) are scheduled for completion during the week of 1/10/22.
- B. Certain equipment/system installations such as systems requiring Electrical Components (temporary components installed within the interim) remain delayed but recently, tentative delivery dates have been provided. Coordination of delayed work items will occur with the respective staff.
- C. Certain Audio/Visual hardware components associated with the Training and Board rooms are on hold related to delayed delivery dates. Delayed components are currently expected to be delivered and installed within January/February.

CONSTRUCTION BUDGET STATUS:

Construction Budget (Const. Estimate + Contingency)	=	\$12,537,053
<u>Project to Date (PTD) Construction Contract Total</u>	=	<u>\$11,780,747</u>
PTD Construction Budget Balance	=	\$ 756,305
PTD Contract Total as Percent of Construction Budget	=	94.0%
PTD Change to Contract Total as Percent of Original Contract Amount	=	1.57%

TOTAL PROJECT BUDGET STATUS:

Total Project Budget (Borrowing)	=	\$14,286,526
Construction Contract Total to Date	=	\$11,780,774
Owner's Projected Expense Items Amount (Furnishings, Equip, IT, etc.)	=	\$1,420,801
*Construction Utility Costs	=	\$0
A/E / Soft Cost Estimate	=	\$993,467
Project Budget Balance	=	\$91,484
Percent of Project Budget Allocated To-Date	=	99.4%

**Construction Utility Costs Reimbursed by Contractor through contract change order*

DEPARTMENT COST ALLOCATIONS:

			Fire	Police	Village Admin.	Comments
% of Occupancy:			51%	34%	15%	
Cost Category	Project to Date Cost	Distribution Method				
Construction Contract	\$11,780,774	% of Occupancy	\$6,008,195	\$4,005,463	\$1,767,116	FFE (Furniture/Fixtures/Equipment) IT, Audio Visual, Security, Phone
Expense Items	\$856,132	Actual Cost	\$659,770	\$153,228	\$43,135	
Building Systems	\$564,669	% of Occupancy	\$287,981	\$191,987	\$84,700	
A/E Soft Costs	\$993,467	% of Occupancy	\$506,668	\$337,779	\$149,020	
TOTALS =	\$14,195,042		\$7,462,614	\$4,688,457	\$2,043,971	

NOTE: Department Costs DO NOT INCLUDE Construction Utility Costs