

**Minutes of the Village Board Meeting
August 24, 2020 at 6:30 p.m.
Village Hall Board Room**

Call to Order

Village President Burt R. McIntyre called the meeting to order at 6:30 p.m.

Roll Call

In Person: Village President Burt R. McIntyre; Trustee Chris Nielsen, Wards 3 & 4; Trustee John Muraski, Wards 7 & 8; Trustee Scott Beyer, Wards 9 & 10; Trustee Ray Suennen, Wards 11 & 12; Trustee Adam Lemorande, Wards 13-14 & 18; Trustee Craig McAllister, Wards 15-17

By Phone: Trustee Maria Lasecki, Wards 1 & 2; Trustee Cathy Hughes, Wards 5 & 6

Also, staff in person: Paul Evert, Chris Haltom, Ed Janke, Dave Wiese, Geoff Farr, Mike Kaster, Leigh Ann Wagner Kroening

The board recited the Pledge of Allegiance.

B. McIntyre confirmed the Village Board's compliance with state open meeting laws.

Approve Agenda

A. Lemorande moved to approve the agenda. C. Nielsen seconded. **The motion carried unanimously.**

Public Appearances

The following people spoke during public appearances.

- i. Jeremy Patenaude, 3436 Glendale Ave., thanked the Public Works Department for help with flooding issues resulting from the pond across from his property. He also thanked the staff for help leveling the sidewalk near his home. He requested the Village Board review the ordinance regarding the management of trees located on lot lines, as his neighbor's trees have matured in a way that they are now substantially in his yard.
- ii. Gene Ament, 1310 Graceland Terrace, thanked the Public Works Department for fixing the broken watermain in his neighborhood but said he is still experiencing drainage issues with the ditch and culvert in his area.
- iii. David Pickering, 3583 Evergreen Ave., said he has concerns with speeding on Evergreen Avenue and the hazards to children, pedestrians, and bicyclists in the area.
- iv. Corey Holton, 1316 Graceland Terrace, said he also has concerns about speeding in his neighborhood, and the issue has become more problematic since the new developments have increased the density in the area.

**Future Agenda Items/
Announcements**

C. McAllister requested that once Deputy Sanford completes his traffic studies on Evergreen and Greenfield avenues that the results be brought to the Village Board for review and possible action.

Consent Agenda

R. Suennen moved to approve the consent agenda. C. Nielsen seconded. **The motion carried unanimously**, and the following items were approved as part of the Consent Agenda:

Village Board meeting minutes from Aug. 10, 2020

Municipal Invoices paid with checks #69356-69435 totaling \$698,620.22

Operator's licenses for the following individuals:

- i. Daniel J. Pless
- ii. Shelbea L. Schultz

The Class B Retailer's License for the Packerland Sunrise Rotary to host the beer tent at the Rock the Commons event 3 to 7 p.m. Sept. 13, 2020 in the Village Center

Change order #1 with McKeefry & Sons for the Lancaster Creek Estates Roadway contract involving a \$15,040.72 increase

Change order #2 with McKeefry Excavating for the Village Green Site Earthwork project involving a \$21.33 increase

Change order #4 with MCC Inc. for the 2020 Resurfacing Construction project involving a \$16,693.57 decrease

Change order #1 with Feaker & Sons for the Lancaster Creek Estates Utility project involving a \$31,346.60 decrease

Change order #3 with DeGroot Inc. for the 2020 Utility Rehabilitation project involving a \$23,676.64 decrease

Change order #7 with Carl Bowers and Sons for the Cottages at Hidden Creek Road project involving a \$439.10 decrease

New Business
**Development agreement
with Wade Micoley**

P. Evert reviewed the terms of a development agreement with Wade Micoley for VH-34-1, VH-34, and VH-28-1, which would include:

1. Micoley purchases the entire 73 acres from Jacobs Brothers.
2. Micoley rezones most of the land to R-1. The northern-most portion of the property that abuts NWTC and the industrial site would be zoned through a PDD to allow for 75-foot lots. The remaining lots in the subdivision would be at or above our 80-foot minimum.
3. The village purchases fill (100,000 cubic yards at \$1 per yard) from Micoley to be taken to TIF #6 to raise up the KRAM properties and other properties in that TIF. The TIF has enough cash balance to cover the costs of the purchase and hauling.
4. The village purchases from Micoley the land for the regional detention pond at \$35,000 per acre.
5. Micoley would proceed with the first phase of the development, and he would finance the remaining improvements.

Anna McAllister, 4441 Milltown Road, came forward to ask for clarification of how the price per acre was determined and how it makes financial sense for the village. She also asked about the variation in the lot sizes. M. Kaster explained the assessed value of the property and the

benefits of the stormwater pond. P. Evert said the smaller lots make sense on the part of the property that borders the NWTC driving school, while the other part of the property is more valuable and warrants larger lots.

Kathy McAllister, 4301 Milltown Road, said she objects to the village subsidizing a developer when there is no assistance for the residents who are going to be assessed for the interchange and related projects that will negatively impact their properties. She said it's unfair that the developers always benefit on the backs of the taxpayers.

The board discussed. C. Nielsen moved to approve the terms of a development agreement with Wade Micoley for a single-family development with some Planned Development for VH-34-1, VH-34, and VH-28-1 with terms that the village will purchase 100,000 cubic yards of fill at \$1 per cubic yard and 10 acres of land for a regional stormwater pond, and Micoley will finance the remaining public improvements. R. Suennen seconded. **The motion carried 7-1-1 (C. McAllister voted no, and M. Lasecki abstained.)**

Nouryon Park soccer Lighting change order

M. Kaster reviewed the change order for the Nouryon Park Soccer Field lighting project. A. Lemorande moved to approve Change Order #2 with Unlimited Enterprises for the Nouryon Park Soccer Field lighting installation contract involving a \$10,946.76 increase. S. Beyer seconded. **The motion carried unanimously.**

Off-street parking in Residential areas

D. Wiese discussed the current village ordinances regarding off-street parking in residential areas and reviewed the policies of other local municipalities. The board discussed the complaints they've received, concerns with the existing ordinances, and discrepancies with enforcing them. J. Muraski moved to amend Sec. 50-1179 (4) Surfacing to remove crushed stone or gravel as an equivalent hard surface. R. Suennen seconded. **The motion carried 8-1 (No: C. McAllister).** The item will get published for a public hearing and will come back to the board for formal action as an ordinance amendment.

CTH VV Sanitary Construction project

M. Kaster reviewed the CTH VV Sanitary Construction project. C. Hughes moved to award the CTH VV Sanitary Construction project contract to PTS Construction for \$1,991,779.00, contingent on attorney review of the contracts. C. Nielsen seconded. **The motion carried 8-1 (No: C. McAllister).**

CTH VV Watermain Construction project

M. Kaster reviewed the CTH VV Watermain Construction project. C. Nielsen moved to award the CTH VV Watermain Construction project contract to Superior Sewer and Water Inc. for \$793,571.45, contingent on attorney review of the contracts. S. Beyer seconded. **The motion carried 8-1 (No: C. McAllister).**

Closing Duck Creek

Quarry beach

P. Evert proposed to close the Duck Creek Quarry beach for the season after Labor Day weekend, as has been done in previous years. R. Suennen moved to close Duck Creek Quarry beach for the 2020 season effective Sept. 8, 2020. M. Lasecki seconded. **The motion carried unanimously.**

Reports of Village Officials

C. Haltom provided the financial reports for the period ended July 31, 2020 for the General Fund, Howard Commons Apartments, and Village Green Golf Course.

Adjourn

A. Lemorande moved to adjourn. S. Beyer seconded. **The motion carried unanimously, and the board adjourned at 7:53 p.m.**

Respectfully submitted,

Leigh Ann Wagner Kroening
Administrative Assistant