



AGENDA
VILLAGE BOARD MEETING
APRIL 30, 2020
7:00 P.M.

THIS MEETING WILL BE HELD VIRTUALLY ON WEBEX DUE TO THE GOVERNOR'S EMERGENCY "SAFER AT HOME" ORDER RELATED TO THE COVID-19 VIRUS. THIS MEETING CAN BE ACCESSED IN ONE OF THE FOLLOWING WAYS:

1. BY CALLING **408-418-9388** AND ENTERING "ACCESS CODE" **629319079#** THEN ENTERING IN "ATTENDEE ID" **11#**
 2. CLICKING THE FOLLOWING LINK: <https://meetingsamer9.webex.com/meet/administrator32>
 3. **PLEASE BE ADVISED:** REQUESTS FROM PERSONS WITH DISABILITIES WHO NEED ASSISTANCE TO PARTICIPATE IN THIS MEETING OR INDIVIDUALS WHO HAVE HEARING IMPAIRMENTS SHOULD NOTIFY THE VILLAGE CLERK'S OFFICE AT 262-628-2260 WITH AS MUCH ADVANCED NOTICE AS POSSIBLE.
 4. THE MEETING MATERIALS WILL BE AVAILABLE AT WWW.RICHFIELDWI.GOV
1. Call to Order/ Roll Call
 2. Verification of Compliance with Open Meeting Law
 3. Pledge of Allegiance
 4. PUBLIC COMMENTS (Public comments are an opportunity for citizens to voice concerns to the Board regarding reports and discussion/action items on the agenda, only. Public comments are not a public hearing and are typically a one-way conversation from a citizen to the Board. Individual comments shall not exceed 3 minutes, with a total time limit of approximately 20 minutes. Unless part of a Public Hearing, handouts will not be accepted by the Village. Comments beyond 20 minutes will be moved to the end of the meeting at the discretion of the President.)
 5. CONSENT AGENDA
 - a. Vouchers for Payment
 - b. Treasurer's Report
 - c. Meeting Minutes: February 27, 2020 – Regular Meeting
 - d. Applications for New Operator's Licenses
 - e. Contract with Yard-Lines LLC for turf management of public land
 - f. Resolutions R2020-04-01 through R2020-04-19 Recognizing the efforts of Washington County employees, Holy Hill Area School District Employees, Election Chiefs, and Poll Workers for their Contributions to the April 7th Election
 - g. Resolution R2020-04-20 a Resolution Ratifying the Village President's "Declaration of State of Emergency"
 6. PUBLIC HEARING
 - a. Discussion regarding a proposed Ordinance Amendment to Section 70.241 entitled Conditional Use Administration – *Village Board, Petitioners*
 7. DISCUSSION/ACTION ITEMS
 - a. Discussion/Action regarding an Ordinance Amendment to repeal and recreate Section 70.241 of the Village Code related Conditional Use Administration – *Ordinance O2020-03-01*
 - b. Discussion/Action regarding the reduction or elimination of alcohol beverage licensing renewals for applicable businesses for the licensing period of 2020-2021 – *Resolution R2020-04-21*
 - c. Discussion/Action regarding a memorandum of understanding (MOU) with the Village of Germantown related to an infrastructure study of the Northeast Corridor
 - d. Discussion/Action regarding Wisconsin Act 166 which allows a municipal governing body to delegate authority to issue operator licenses to a designated municipal official and the potential adoption of a policy related to the same
 - e. Discussion/Action regarding a change order for Patrol Truck #12 to add a "salt conveyor system"
 8. PUBLIC COMMENTS (...Continued)
 9. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at www.richfieldwi.gov. Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 or www.richfieldwi.gov with as much advanced notice as possible.



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Consent Agenda

DATE SUBMITTED: April 23, 2020

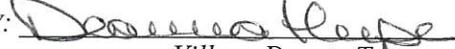
SUBMITTED BY: Donna Cox, Deputy Clerk

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO APPROVE THE ATTACHED CONSENT AGENDA?

ISSUE SUMMARY:

Included for your review are the Vouchers for Payment, Treasurer’s Report, Minutes of the February 27, 2020 Regular Meeting, New Operator’s License Applications, Contract with Yard-Lines LLC for turf management of public land, Resolutions R2020-04-01 through R2020-04-19, Resolutions Recognizing and Honoring the efforts of Washington County Employees, Holy Hill Area School District Employees, Chief Election Inspectors and Poll Workers while working during a Declaration of State of Emergency related to the COVID-19 pandemic, and Resolution R2020-04-20, A Resolution Ratifying the Village President’s “Declaration of State of Emergency”.

FISCAL IMPACT:

REVIEWED BY: 
Village Deputy Treasurer

Initial Project Costs:
Future Ongoing Costs:
Physical Impact (on people/space):
Residual or Support/Overhead/Fringe Costs:

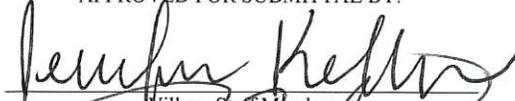
ATTACHMENTS:

1. Vouchers for Payment
2. Treasurer’s Report
3. Minutes of the February 27, 2020 Regular Meeting
4. Applications for New Operator’s Licenses (Per attached list)
5. Contract with Yard-Lines LLC
6. Resolutions R2020-04-01 through R2020-04-19 – Recognizing the efforts of Election Chiefs and Poll Workers (FORTHCOMING)
7. Resolution R2020-04-20, Ratifying the Village President’s “Declaration of State of Emergency”
8. Declaration of State of Emergency dated March 17, 2020 by Village President John Jeffords

STAFF RECOMMENDATION:

Motion to approve the Vouchers for Payment, Treasurer’s Report, Minutes of the February 27, 2020 Regular Meeting, Applications for New Operator’s Licenses per the attached list, Contract with Yard-Lines LLC for the amount of \$4,521.60, Resolutions R2020-04-01 through R2020-04-19, Resolutions Recognizing and Honoring the efforts of Washington County Employees, Holy Hill Area School District Employees, Chief Election Inspectors and Poll Workers while working during a Declaration of State of Emergency related to the COVID-19 pandemic, and Resolution R2020-04-20, a Resolution Ratifying the Village President’s “Declaration of State of Emergency”.

APPROVED FOR SUBMITTAL BY:


Village Staff Member


Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

5a

VILLAGE OF RICHFIELD
VOUCHERS FOR PAYMENT
APRIL 2020

BATCH #1					
CHECK #	TRV/PO#	DATE	PAYEE	AMOUNT	COMMENTS
16314	6529866	3/9/20	POSTMASTER	1,005.48	NEWSLETTER MARCH / APRIL 2020 POSTAGE
16315		3/13/20	SHIRLEY SCHUSTER	30.37	REIMBURSE DISINFECTANT WIPES
ACH		3/24/20	VILLAGE OF RICHFIELD	18,694.54	BIWEEKLY PR #7
ACH		3/25/20	ELECTRONIC FEDERAL TAX PMT	6,436.68	FED TAX DEP- BIWEEKLY PR #7
ACH		3/25/20	WISCONSIN DEFERRED COMP	770.00	PLAN 457- BIWEEKLY PR #7
ACH		3/25/20	WI DEPT OF REVENUE	1,366.02	STATE WITHHOLDING TAX- PE 3/15/20
ACH		3/17/20	POSTMASTER	440.00	REPLENISH POSTAGE MACHINE
ACH		3/24/20	POSTMASTER	440.00	REPLENISH POSTAGE MACHINE
16316	41311030120	3/31/20	CHARTER COMMUNICATIONS	173.35	SERVICE FROM 03/01/20 THROUGH 03/31/20
16317		3/31/20	CINTAS CORPORATION LOC	572.28	DPW UNIFORM SERVICE
16318		3/31/20	MENARDS	124.93	DPW SHOP SUPPLIES / OFFICE MAILBOX MOUNTING BRACKETS
16319	5402038037	3/31/20	MORTON SALT	22,886.47	BULK SAFE-T-SALT
16320		3/31/20	MUELLERS TREE SERVICE LLC	1,060.00	TREE REMOVAL 3-2-20 & 3-3-20- HISTORICAL PARK, PLEASANT HILL & HUBERTUS RD
16321		3/31/20	NORTH SHORE BANK LEASING LLC	750.94	VEHICLE LEASES- BUILDING INSPECTORS
16322		3/31/20	PORT A JOHN	440.00	HANDICAP RESTROOMS- BOAT LAUNCHES, NATURE PARK & BARK LAKE PARK
16323	916898 / 917411	3/31/20	ROAD EQUIPMENT PARTS CENTER	755.20	TRUCK #26- FRONT BRAKES / TRUCK #16- REAR BRAKES
16324	360539042	3/31/20	US CELLULAR	238.75	MONTHLY SERVICE CHARGES- 03/02/20 THROUGH 04/01/20
16325	6476370-2276-5	3/31/20	WASTE MANAGEMENT OF MILW	228.04	SERVICE PERIOD: 3/01/20 - 03/31/20
16326		3/31/20	WE ENERGIES	2,420.35	SERVICE FROM 02/13/20 TO 03/18/20
16327	0000-039-083	3/31/20	WE ENERGIES	844.73	SERVICE FROM 01/22/20 TO 03/19/20
16328		3/31/20	WISC DEPT OF JUSTICE	35.00	FEBRUARY BACKGROUND CHECKS
16329		3/31/20	RICHFIELD VOL FIRE DEPT CO	44,966.24	APRIL CONTRACT SERVICES
16330	2-20003	3/31/20	BURKE TRUCK & EQUIPMENT	697.48	TRUCK #16- WING TOE CYLINDER
16331	102772	3/31/20	CEDAR CORPORATION	1,935.52	PROFESSIONAL SERVICES THROUGH 2-15-2020
16332	29-132	3/31/20	CIVI TEK CONSULTING	7.30	FEBRUARY CONSULTING SERVICES
16333		3/31/20	DIGITAL EDGE COPY & PRINT	250.70	PERMIT APPLICATIONS & INSPECTION STICKERS / PLAT & LAMINATED MAPS
16334	23033960825	3/31/20	FOX BROS PIGGLY WIGGLY	168.83	POLL WORKERS BREAKFAST & LUNCH- ELECTION DAY FEBRUARY 18TH
16335	10-20009	3/31/20	INTERNATIONAL CODE COUNCIL	136.00	ICC MEMBERSHIP RENEWAL- JOEL JASTER
16336	1-20004	3/31/20	MINUTEMAN PRESS	26.99	BUSINESS CARDS- JOEL JASTER
16337	13058	3/31/20	MUNICIPAL LAW & LITIGATION	7,138.05	FEBUARY & MARCH LEGAL SERVICES
16338	59824	3/31/20	PROFESSIONAL COMM SYSTEM	99.00	SETUP VOICEMAIL TO E-MAIL- BRETT T & JEN K
16339	1824	3/31/20	WELLNTEL INC	10,350.00	GROUND WATER CONTRACT- QTR 1
16340	395-0000164214	3/31/20	WI DEPT OF TRANSPORTATION	185.76	PERMIT- WI 167 & RICHFIELD PW
16341	47195	3/31/20	ONTECH SYSTEMS INC	520.44	TECHNICIAN SERVICES- REMOTE & ONSITE
16342	510810-02-20	3/31/20	PREMIUM WATERS INC	53.99	MARCH BOTTLED WATER SERVICE
16343	19754768	3/31/20	IMPRINT	581.54	ABSENTEE VOTING PENS, SET-UP CHARGE, RUSH SERVICE & EXPEDITED SHIPPING
ACH		3/30/20	CAPITAL ONE	1,547.85	CREDIT CARD PURCHASES; FEB 06, 2020 - MAR 05, 2020
			TOTAL BATCH #1	128,267.82	Checks written end of March

BATCH #2					
CHECK #	TRV/PO#	DATE	PAYEE	AMOUNT	COMMENTS
ACH		4/3/20	VILLAGE OF RICHFIELD	2,058.64	MONTHLY PAYROLL #4
ACH		4/3/20	ELECTRONIC FEDERAL TAX PMT	543.07	FICA TAX- MONTHLY PAYROLL #4
ACH		4/1/20	POSTMASTER	440.00	REPLENISH POSTAGE MACHINE
ACH		4/7/20	VILLAGE OF RICHFIELD	21,544.84	BIWEEKLY PR #8
ACH		4/8/20	ELECTRONIC FEDERAL TAX PMT	7,232.66	FED TAX DEP- BIWEEKLY PR #8
ACH		4/8/20	WISCONSIN DEFERRED COMP	770.00	PLAN 457- BIWEEKLY PR #8
ACH		4/10/20	WI DEPT OF REVENUE	1,318.53	STATE WITHHOLDING TAX- PE 3/31/20
ACH		4/6/20	POSTMASTER	440.00	REPLENISH POSTAGE MACHINE
ACH		4/9/20	STATE OF WI E-PAYMENT SERVICES	18,167.90	MAY HEALTH INSURANCE PREMIUM
16344	1502178	4/13/20	AURORA HEALTH CARE	90.00	DOT ANNUAL CONSORTIUM FEE
16345	1487937248	4/13/20	CENTURYLINK	6.55	LONG DISTANCE CHARGES THROUGH 3/11/20
16346	1489221275	4/13/20	CENTURYLINK	18.00	LONG DISTANCE CHARGES THROUGH 3/31/20
16347	41311040120	4/13/20	CHARTER COMMUNICATIONS	173.35	SERVICE FROM 04/01/20 THROUGH 04/30/20
16348	4047147683	4/13/20	CINTAS CORPORATION LOC	143.07	DPW UNIFORM SERVICE
16349		4/13/20	EH WOLF & SONS INC	2,255.03	MARCH FUEL- GAS & DIESEL
16350		4/13/20	FALLS AUTO PARTS & SUPPLIES INC	487.26	DPW SHOP STOCK & MAGNETIC TOOL/ TRUCK #6- HEATER RESISTOR & BLOWER MOTOR
16351		4/13/20	NEU'S BUILDING CENTER INC	151.91	DPW SHOP STOCK
16352	AR109471	4/13/20	OFFICE COPYING EQUIPMENT LTD	496.38	SHARP COPIER CONTRACT- 2/12/2020 TO 3/11/2020
16353		4/13/20	PORT A JOHN	300.00	HANDICAP RESTROOMS- HERITAGE & HISTORICAL PARK
16354	510810-03-20	4/13/20	PREMIUM WATERS INC	45.99	APRIL BOTTLED WATER SERVICE
16355		4/13/20	MKL CONSTRUCTION LLC	2,000.00	ROAD BOND REFUND- PERMIT #953-18-11B
16356	918069	4/13/20	ROAD EQUIPMENT PARTS CENTER	140.47	PIGGY BACK BRAKE CHAMBERS
16357		4/13/20	SHAWNS DEER PICK UP	189.00	MARCH DEER REMOVAL
16358	3802-631-753	4/13/20	WE ENERGIES	2,048.32	SERVICE FROM 02/26/20 TO 03/25/20
16359	7402	4/13/20	WOLF BROS FUEL INC	26.25	KEROSENE
16360	147684	4/13/20	ASSOCIATED APPRAISAL	3,750.00	APRIL PROFESSIONAL SERVICES AGREEMENT
16361	1-20008	4/13/20	COMPETITIVE MAILING SOLUTIONS	121.90	POSTAGE METER INK CARTRIDGE SET
16362	1-20002	4/13/20	COMPLETE OFFICE OF WISCONSIN	35.50	NAME PLATES- HANK WALLENKAMP & ADAM LUDOVIC
16363	240528	4/13/20	KUNKEL ENGINEERING	2,641.25	2020 HIGHWAY IMPROVEMENT PROGRAM THROUGH FEBRUARY 29, 2020
16364		4/13/20	MENARDS	553.82	ELECTION SUPPLIES
16365		4/13/20	QUILL CORPORATION	205.07	ELECTION & OFFICE SUPPLIES
16366	31	4/13/20	TWO BROTHERS AND A MOP	530.00	MARCH CLEANING SERVICES- VILLAGE HALL & DPW
16367	14139	4/13/20	WASHINGTON CTY SHERIFFS OFFICE	29,476.84	FEBRUARY CONTRACT SERVICES
16368	54037	4/13/20	WISCONSIN STEAM CLEANERS	831.88	REPLACED BAD UNLOADER & FLOW SWITCH
16369		4/13/20	BARBARA FREUDIGMANN	27.15	REIMBURSE POSTAGE- POLL WORKER MASKS
16370		4/16/20	WE ENERGIES	75.00	REIMBURSE- RIGHT OF WAY PERMIT
			TOTAL BATCH #2	99,335.63	Checks written April

VILLAGE OF RICHFIELD
VOUCHERS FOR PAYMENT
APRIL 2020

BATCH #3					
CHECK #	INV / PO#	DATE	PAYEE	AMOUNT	COMMENTS
16371		4/20/20	EQUAL RIGHTS DIVISION	7.50	MARCH WORK PERMITS
16372	WJAC168700	4/20/20	FASTENAL	24.90	DPW SHOP STOCK
16373		4/20/20	LAKESIDE INTERNATIONAL TRUCKS	423.12	TRUCK #16- FRONT BRAKE DRUMS
16374	5402060738	4/20/20	MORTON SALT	19,275.95	BULK SAFE-T-SALT
16375		4/20/20	TOD HETZER	2,000.00	ROAD BOND REFUND- PERMIT #717-18-98
16376		4/20/20	ROAD EQUIPMENT PARTS CENTER	363.15	TRUCK #16- FRONT BRAKES / STOCK- FRONT BRAKE DUST SHIELDS
16377	SC044594	4/20/20	SHERWIN INDUSTRIES INC	893.01	SHERPATCH COLD ASPHALT BULK
16379		4/20/20	WISC DEPT OF JUSTICE	66.00	MARCH BACKGROUND CHECKS
16380	103093	4/20/20	CEDAR CORPORATION	5,937.74	PROFESSIONAL SERVICES THROUGH 3-21-2020
16381	1-20002	4/20/20	COMPLETE OFFICE OF WISCONSIN	35.50	NAME PLACE HOLDERS
16382	2-2007	4/20/20	DECKER SUPPLY CO INC	2,941.70	QWICK KURB AIR MARKERS
16383	27034	4/20/20	DIGITAL EDGE COPY & PRINT	54.00	PLAT MAPS
16384		4/20/20	FOX BROS PIGGLY WIGGLY	110.93	OFFICE & ELECTION SUPPLIES
16385	80513 / 80585	4/20/20	MENARDS	1,134.67	ELECTION SUPPLIES
16386	2-20006	4/20/20	MILWAUKEE SPRING AND ALIGNMENT	1,102.60	TRUCK #16- RIGHT FRONT LEAF ASSEMBLY REPLACED
16387		4/20/20	QUILL CORPORATION	255.47	OFFICE & ELECTION SUPPLIES
16388		4/20/20	US CELLULAR	243.75	MONTHLY SERVICE CHARGES 04/02/20 THROUGH 05/01/20
ACH		4/21/20	VILLAGE OF RICHFIELD	18,519.58	BIWEEKLY PR #9
ACH		4/22/20	ELECTRONIC FEDERAL TAX PMT	6,399.57	FED TAX DEP- BIWEEKLY PR #9
ACH		4/22/20	WISCONSIN DEFERRED COMP	770.00	PLAN 457- BIWEEKLY PR #9
ACH		4/22/20	WI DEPT OF REVENUE	1,543.53	STATE WITHHOLDING TAX- PE 4/15/20
ACH		4/27/20	WI RETIREMENT SYSTEM	7,003.96	MARCH CONTRIBUTIONS
			TOTAL BATCH #3	68,096.61	Checks written end of April
			TOTAL	224,700.00	

5b

VILLAGE OF RICHFIELD
Treasurer's Report for March 31, 2020

BANK ACCOUNT BALANCES

	Interest Rate	Beginning Balance March 1, 2020	Interest Earned	Ending Balance March 31, 2020
Landmark Checking Account	0.25%	\$ 1,590,879.54	\$ 287.19	\$ 1,286,190.76
LGIP General Fund	1.14%	\$ 3,037,653.18	\$ 2,925.96	\$ 3,040,579.14
LGIP Fire Impact Fees	1.14%	\$ 49,733.84	\$ 46.37	\$ 224.56
LGIP Park Impact Fees	1.14%	\$ 72,640.64	\$ 69.97	\$ 72,710.61
LGIP Tax Account	-	\$ -		
FNB Entrepreneur Plus Account	0.05%	\$ 127,927.24	\$ 5.61	\$ 127,932.85
FNB Comm Choice MMDA Account	0.26%	\$ 260,043.35	\$ 59.13	\$ 260,102.48
Westbury Bank MM Account	0.46%	\$ 258,087.43	\$ 103.66	\$ 258,191.09

CERTIFICATES OF DEPOSIT

	Purchase Date	Expiration Date	Interest Rates	Amount
Westbury Bank- 18 Month	April 24, 2018	April 24, 2021	1.74%	\$ 270,013.78
Westbury Bank- 9 Month	September 13, 2019	June 13, 2020	2.09%	\$ 266,794.69

**** All CD's are fully FDIC insured****

LETTERS OF CREDIT/PERFORMANCE BONDS/DEVELOPER GUARANTEES

	Purchase Date	Expiration Date	Amount
US Bank National Association (Kwik Trip Inc)	January 4, 2019	January 4, 2021	\$ 1,353,000.00
Horicon Bank (Steven Schmidt- Whitetail Run Road Ext)	January 17, 2019	January 17, 2021	\$ 33,600.00
First National Bank (Monches Investments LLC- Escrow of Funds)	July 2, 2019		\$ 209,078.59

excel/mydocuments/treasurersreport.xls

5c

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes February 27, 2020
7:00 pm

1. Call to Order/ Roll Call

The meeting was called to order by Village President John Jeffords at 7:00 PM. A quorum of the Village Board was present. Present: Village Board of Trustees; Bill Collins, Dan Neu, Tom Wolff, and Rock Brandner.

Also present: Village Administrator Jim Healy and Deputy Clerk Donna Cox

2. Verification of Compliance with Open Meeting Law

Village Administrator Healy verified that the meeting was posted per statute at three local post offices and at the Village Hall. Digital copies of the agenda were sent to the *West Bend Daily News*, *Germantown Express News*, *Hartford Times Press*, and the *Milwaukee Journal Sentinel*.

3. Pledge of Allegiance

4. PRESENTATION: 2019 Goundwater Monitoring Program – Jenny Ulbricht, Wellntel

Ms. Ulbricht with Wellntel assists with the operation and maintenance of the Village's groundwater monitoring network. Some topics in the report included: quarterly site visits, costs associated with monitoring, parts replacements, and maintenance. Additional topics discussed included historical data, manual measurements/downloads information and projected 2020 requirements of each of the 40 wells in Richfield's monitoring network.

5. PUBLIC COMMENTS: None

6. CONSENT AGENDA

- a. Vouchers for Payment
- b. Treasurer's Report
- c. Meeting Minutes
 - i. January 23 – Regular Meeting
- d. Applications for New Operator's Licenses
- e. Contract for services with Wellntel for the Village's Groundwater Monitoring Program
- f. Contract for services with David J. Frank Landscaping for property maintenance violations
- g. Appointment of Henry G. Wallenkamp to the Park Commission

Motion by Trustee Neu to approve the Vouchers for Payment, Treasurer's Report, Minutes of the January 23, 2020 Regular Meeting, Applications for New Operator's Licenses per the attached list, 2020 Grounds Maintenance Agreement with David J. Frank Landscape Contracting for delinquent property maintenance violations, contract for services with Wellntel for the 2020 Groundwater Monitoring Program per the adopted budget and the appointment of Mr. Henry G. Wallenkamp to the Park Commission for the remainder of Mr. Dick Becker's term, Seconded by Trustee Wolff; Motion passed without objection.

7. PUBLIC HEARING

Village President Jeffords read aloud the Public Hearings.

Motion by Trustee Neu to Open the Public Hearing for items 7a and 7b; Seconded by Trustee Wolff; Motion carried without objection by voice vote.

- a. Discussion regarding a Rezoning petition for property located at 4167 Pioneer Road (V10_0066) from A-1, Exclusive Agricultural District to A-2, General Agricultural District – *Lofy Asset Trust, Petitioner*
- b. Discussion regarding a Rezoning petition for a portion of property identified by Tax Key: V10_008400Z and V10_008700Z from A-1, Exclusive Agricultural District to Rs-3, Single Family Residential District – *Lofy Asset Trust, Petitioner*

Public Hearing Comments: No Comments

Motion by Trustee Neu to Close the Public Hearing for items 7a and 7b; Seconded by Trustee Brandner; Motion carried without objection by voice vote.

8. DISCUSSION/ACTION

- a. **Discussion/Action regarding the awarding of a contract for the 2020 Highway Improvement Program –**

Motion by Trustee Collins to accept the recommendation of Village Engineer Mitchell Leisses to award the 2020 Highway Improvement Program contract to Payne & Dolan, Inc. of Waukesha in the stated amount of \$1,517,610 which comprises Base Bid A, B, C, Alternate 2, and Alternate 6; Seconded by Trustee Neu; Motion passed without objection.

- b. **Discussion/Action regarding a Rezoning petition for property located at 4167 Pioneer Road (V10_0066) from A-1, Exclusive Agricultural District to A-2, General Agricultural District; Ordinance O2020-02-01 – Lofy Asset Trust, Petitioner**

Motion by Trustee Wolff to approve Ordinance 2020-02-01, an Ordinance to Rezone the Lofy Asset Trust for property located at 4167 Pioneer Road (Tax Key: V10_0066) from A-1, Exclusive Agricultural District to A-2, General Agricultural District as stated in the Ordinance; Seconded by Trustee Neu; Motion passed without objection.

- c. **Discussion/Action regarding a One-Lot Certified Survey Map (CSM) for property located at 4167 Pioneer Road (Tax Key: V10_0066) – Lofy Asset Trust, Petitioner**

Motion by Trustee Wolff to approve the proposed One-Lot CSM for Lofy Asset Trust for property located at 4167 Pioneer Road (Tax Key: V10_0066) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The Plan Commission Signature Block be removed from page 3 of the CSM.
2. The Village Board approve the proposed Rezoning of the subject property from A-1 to A-2.

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per Ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per Ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. **Payment of Charges:** Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes, or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

Seconded by Trustee Brandner; Motion Passed without objection.

- d. **Discussion/Action regarding a Rezoning petition for a portion of property identified by Tax Key: V10_008400Z and V10_008700Z from A-1, Exclusive Agricultural District to Rs-3, Single Family Residential District; Ordinance O2020-02-02 – Lofy Asset Trust, Petitioner**

Motion by Trustee Neu to approve the petitioned rezoning for David W. Lofy and Mary J. Lofy for property located at 2207 Hillside Road (Tax Key: V10_008400B) from A-1, Exclusive Agricultural District to Rs-3, Single Family Residential District as stated in the Ordinance; Seconded by Trustee Wolff; Motion Passed without objection.

(Editors Note: the land petitioned to be rezoned was owned by Lofy Asset Trust which comprises the same ownership group as David W. Lofy and Mary J. Lofy)

- e. **Discussion/Action regarding a One-Lot CSM for property located at 2207 Hillside Road (Tax Key: V10_008400B) – David W Lofy, Mary J Lofy, Petitioners**

Motion by Trustee Wolff to approve the proposed One-Lot CSM for David W. Lofy and Mary J. Lofy for property located at 2207 Hillside Road (Tax Key: V10_008400B) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes February 27, 2020
7:00 pm

1. The Plan Commission Signature Block be removed from page 3 of the CSM.
2. The Village Board approve the proposed Rezoning of the subject property from A-1 to Rs-3.
 - f. **Discussion/Action regarding a request for “camping cabin campground” ordinance amendment as a Conditional Use in the P-1, Parks and Recreation District from Washington County Planning and Parks Department for Glacier Hills Park – Eric Hyde, Parks and Trails Manager for Washington County Planning and Parks Department**

Village Administrator Healy discussed the process for conditional use administration and that any discussion by the Village Board regarding the County’s plans for having a “camping cabin campground” would create ex-parte communications and may compromise the Board’s ability to hear the petition. Village Administrator Healy also discussed the Ordinance petition itself and that the Village Attorney has issued concerns regarding how “camping cabin campgrounds” would be included as a Conditional Use.

The Board members expressed interest on introducing the new conditional use administration ordinance

Motion by Trustee Tom Wolff to direct Staff to prepare for public hearing in March the draft ordinance for Conditional Use Administration; Seconded by Trustee Collins; Motion Passed without objection.

- g. **Discussion/Action regarding the transfer of Park Impact Fee funds to the General Fund and the preparation of an RFP for the construction of tennis/pickleball courts at Fireman’s Park**

Village President John Jeffords clarified that the Park Impact Fee funds were paying back the General Fund and in a separate accounting transaction, these General Fund dollars may be used at some point in the future for the expenditure of reconstructing the tennis courts at Fireman’s Park.

Motion by Trustee Wolff to authorize the transfer of funds from the Park Impact Fees in the amount of \$75,835 to the fund related to the Park Reserve of the General Fund for the purpose of reconstructing the tennis courts in Fireman’s Park and to direct Village Staff to work with the Village Engineer to prepare bidding documents related to the same; Seconded by Trustee Brandner; Motion Passed without objection.

9. CLOSED SESSION

President John Jeffords read item 9a aloud.

- a. **Discussion / Action to enter into Closed Session under Wis. Stats. 19.85 (1)(e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – Intermunicipal Agreement for a Regional Transportation Impact Analysis (TIA)**

Motion by Trustee Collins to enter into Closed Session at 8:37 PM pursuant to Wisconsin State Statutes, Section 19.85(1)(g); Seconded by Trustee Neu; Motion carried unanimously by voice vote.

10. RECONVENE IN OPEN SESSION

Motion by Trustee Collins to Reconvene in Open Session; Seconded by Trustee Brandner; Motion carried unanimously by voice vote.

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Village Board Meeting Minutes February 27, 2020
7:00 pm

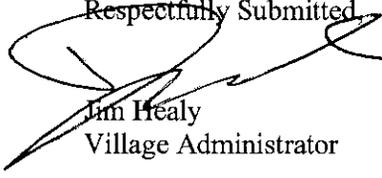
a. **Discussion/Action regarding matters addressed in Closed Session outlined above.**

Motion by Trustee Wolf to authorize the Village Administrator to execute an intermunicipal agreement with the Village of Germantown and Washington County for a traffic impact analysis (TIA) and to further direct Administrator Healy to negotiate with a private property owner to pay a portion of the Village's assumed cost with a separate agreement; Seconded by Trustee Collins; Motion passed without objection.

11. ADJOURNMENT

Motion by Trustee Wolff to adjourn the meeting at 9:27 PM; Seconded by Trustee Neu; Motion carried without objection.

Respectfully Submitted,


Jim Healy
Village Administrator

DRAFT

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2019-2020
“NEW”
OPERATOR’S
LICENSE
APPLICATIONS

- See Attached List

2019-20 "NEW" OPERATOR'S LICENSE APPLICATIONS

Meeting Date: April 30, 2020

Submitted by: Deputy Clerk, Cox

	FIRST NAME	LAST NAME	ESTABLISHMENT	COURSE OR LICENSE
1	Julia	Alberti	Joe Mama's	COURSE
2	Christopher	Curka	Joe Mama's	COURSE
3	Micaela	DeMars	Country Mart BP	LICENSE
4	Julie	Lewandowski	EJ's	COURSE
5	Jeremy	Miller	Joe Mama's	COURSE
6	Reilly	Page	Country Mart BP	COURSE
7	Ashley	Pomeroy	Joe Mama's	COURSE
8	Joshuah	Schmidt	Richfield RoadHouse	COURSE
9	Joshepine	Schneider	American Legion Post	COURSE
10	William	Schneider	American Legion Post	COURSE
11	Sarah	Schultz	Fox & Hounds	COURSE

**** TO VIEW THE COMPLETE APPLICATIONS AND ASSOCIATED FORMS, PLEASE SEE DONNA COX***

5e

THREE YEAR BID PROPOSAL FOR TURF MANAGEMENT FOR PARKS AND ATHLETIC FIELDS OWNED BY THE VILLAGE OF RICHFIELD

1. Parties. Parties to this Agreement are the Village of Richfield, a Wisconsin municipal corporation located in Washington County, Wisconsin, with its primary offices located at 4128 Hubertus Road and YARD-LINES LLC, a Wisconsin based turf and Landscape Company in Washington County, Wisconsin, with its primary offices located at WEST BEND, WI.
2. Purpose. The Purpose of this Agreement is to provide the framework in which the Contractor will provide up to 2, seasonal herbicide and fertilizer applications throughout Village parks and athletic fields with the ability to accept in whole or in part by the Village (hereinafter "Purpose").
3. Term. This Agreement shall take effect one day after the adoption of this Agreement by both parties and shall remain in effect until December 31st, 2023. Thereinafter the agreement can be renewed based on the terms and conditions outlined herein. The Village has the right to cancel the Agreement upon 60-days advance notice.
4. Equipment and Personnel Provided. Pursuant to this Agreement, the Contractor agrees to provide the appropriate equipment required to apply fertilizer and weed control chemicals to an array of turf surfaces. The Contractor must also provide signage and information at each treated location indicating the chemicals used for each application including any other information regarding grounds access post application. An employee(s) to operate all necessary equipment. The Village will provide access to water to Contractor as needed. This Equipment shall be provided on Village property, specifically, the Village of Richfield Heritage Park (hereinafter referred to as "Heritage Park"), and Village of Richfield Fireman's Park (hereinafter referred to as "Fireman's Park").
5. Rates. The parties to this Agreement agree that the Village will be billed a "lump sum" fee of \$ 72,000 per acre of fertilizer to the 22.5 acres of Soccer and Baseball Athletic Fields located at Heritage Park and Fireman's Park, using a 25-0-3 fertilizer, at an application rate of 1 pound per 1,000 square feet.. The Village will be billed a "lump sum" fee of \$ 52,000 per acre of a 2,4-D with Dicamba, Herbicide chemical to the 55.8 acres of Soccer and Baseball Athletic Fields and common grounds at Heritage Park and Fireman's Park. Total acreage may be adjusted due to construction or other projects limiting access to specific areas within the park system. Invoices for services rendered shall be submitted upon completion of work and paid within 30 days.

6. Exceptions. The parties hereby agree that in the event of an emergency breakdown of either the Contractors or Village equipment, both parties will make all possible efforts to get the equipment running at no additional charge/penalty to either party. The parties also agree that in the event there is a need for additional fertilizer or Herbicide applications, the parties will work together to complete those operations under terms separate from this agreement.
7. Equipment Maintenance. The costs incurred for maintenance of the Contractor's equipment shall be the responsibility of the Contractor. Village equipment used to assist the Contractor shall be the Village's responsibility.
8. Insurance and Qualifications of Contractor. The Contractor agrees to carry sufficient comprehensive general liability, automobile and any other necessary insurance to cover the equipment and operator of their equipment. The Contractor will provide proof of insurance prior to the execution of this agreement. The Contractor shall further verify that any operator using the contractor's equipment pursuant to this Agreement, is properly qualified and insured, and has the appropriate and necessary licensing and training for the Purpose of this Agreement.
9. Indemnity, Release, and Hold Harmless. The Village shall not be liable to the Contractor or any third party for injuries, expenses, or damages resulting from the use of Village equipment pursuant of this Agreement. The Contractor shall indemnify, release, and save harmless the Village, its officers and employees, from all suits, actions or claims or costs of any kind, including actual reasonable attorney's fees, brought because of injuries or damages received or sustained by any person, or persons of property on account of or related to this Agreement; or because of any claims or amounts arising or recovered under the Worker's Compensation Act relating to employees of the Contractor; or any other law, ordinance, order or decree relating to the work done pursuant to the Agreement.
10. Miscellaneous:
 - a. Expenses. Each party shall pay its own expenses and fees of council, other agents, or representatives in connection with the negotiation of the Agreement.
 - b. Entire Agreement. This Agreement constitutes the entire agreement between the parties hereto relating to the subject matter hereof, and all prior agreements, correspondence, discussions and understandings of the parties are merged herein and made part of hereof, it being the intention of the parties hereto that this Agreement (including the exhibits attached hereto) shall serve as the complete and exclusive statement of the terms of the agreements between the parties. No amendment, waiver or modification hereto or

hereafter shall be valid unless in writing signed by an authorized signatory of the parties to be affected thereby.

- c. Governing Law. This Agreement, the exhibits attached hereto and the agreements executed and delivered simultaneously herewith shall be governed by and construed and enforced in accordance with the internal laws of the State of Wisconsin.
- d. Counterparts; Facsimile Signatures. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Facsimile signatures shall be deemed original signatures for the Purpose of this Agreement.
- e. Severability. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable laws; provided, however, that if any provision of the Agreement shall be held to be prohibited or invalid under such applicable law such provision shall be ineffective only to the extent of such prohibition of invalidity without invalidating the remainder of such provision or remaining provisions of this Agreement.
- f. Further Assurances. The parties hereto shall execute and deliver, or cause to be executed and deliver, all such other powers, instruments and documents, and will take all such other action, as may be reasonably necessary in order to carry out the provisions of this Agreement.
- g. Section Headings. The section headings used herein are for the conveniences of reference only, and shall not affect in any way the meaning or interpretation on any of the provisions of this Agreement.
- h. Inurement. This Agreement shall insure to the benefit of and be binding upon the Parties hereto and their respective successors, assigns, beneficiaries, heirs and personal representatives, as applicable, provided that any assignment of this Agreement or the rights hereunder by any party hereto without the written consent of the other parties shall be void.
- i. Waiver. Failure on part of any party to complain of any act or failure to act of another party or to declare another party in default or in breach, irrespective of how long such failure continues, shall not constitute a waiver by that party of its rights under this Agreement or otherwise.
- j. Warranty of Authority. Each party warrants and represents to the other that they have the requisite power and authority to enter into this Agreement and that this Agreement is effective and legally binding on such party in accordance with its terms and the execution and performance of the same does and will not constitute a breach, default or violation of any other agreement, restriction or undertaking or of any law, rule, regulation, or order as to which such party is subject. Each person executing this Agreement on behalf of any Party (as an officer, agent, or otherwise) is duly authorized and empowered to do so and all signatures and approvals of persons for such Party have been

obtained as necessary to make this Agreement legally enforceable and effective.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement or caused the same to be executed as of the date first above written:

VILLAGE OF RICHFIELD

Dated: _____

Jim Healy, Village Administrator

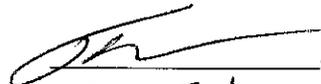
Dated: _____

Brett Thicke, Public Works Supervisor

CONTRACTOR

YARD LINES LLC

Dated: 2-25-2020

 _____, Company President
Travis Eichmann

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Will be forthcoming

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RESOLUTION R2020-04-20

A RESOLUTION RATIFYING THE VILLAGE PRESIDENT JOHN JEFFORDS' "DECLARATION OF STATE OF EMERGENCY" ON MARCH 17, 2020 DUE TO COVID-19

WHEREAS, an emergency, namely the COVID-19 Pandemic, has impacted or is anticipated to impact the Village of Richfield; and

WHEREAS because of such emergency conditions, the Governing Body is unable to meet with promptness; and

WHEREAS, pursuant to sections 323.11 and 323.14(4)(b) of the Wisconsin Statutes, as the chief executive officer of the Village of Richfield, Village President John Jeffords proclaimed a State of Emergency on March 17, 2020 until the Village Board could meet; and

WHEREAS, pursuant to Sections 323.11 and 323.14(4)(b) of the Wisconsin Statutes, as Village President, the chief executive officer, of the Village of Richfield, Wisconsin, authorized:

- Authorize emergency purchases of goods and materials
- Authorize emergency purchases of services
- Authorize emergency costs to the labor force

NOW, THEREFORE BE IT RESOLVED that the Village Board of the Village of Richfield does hereby ratify Village President John Jeffords' Emergency Proclamation due to the COVID-19 Pandemic, and

BE IT FURTHER RESOLVED, that the Village Board of the Village of Richfield hereby declares a State of Emergency, which continues and extends the powers granted by the Village President's Declaration dated March 17, 2020 until the State of Wisconsin's State of Emergency is lifted.

John Jeffords, Village President

Rock Brandner, Village Trustee

Daniel Neu, Village Trustee

Bill Collins, Village Trustee

Tom Wolff, Village Trustee

ATTEST:

Jim Healy, Village Administrator



**VILLAGE OF RICHFIELD
WASHINGTON COUNTY, WI
DECLARATION OF STATE OF EMERGENCY**

WHEREAS, the novel coronavirus, also known as COVID-19, is a virus that has not previously been detected in humans, and that is spreading throughout the world and has been detected in Wisconsin;

WHEREAS, the World Health Organization has declared COVID-19 a pandemic, the United States Department of Public Health and Human Services has declared a Public Health Emergency, the State of Wisconsin declared a Public Health Emergency pursuant to Wis. Stat. 323.02(L6) on March 12, 2020, President Trump declared a national emergency under the Stafford Act on March 13, 2020; and Washington County Board Chairperson Donald Kriefall proclaimed a State of Emergency in accordance with Section 26-11 of the Washington County Code;

WHEREAS, given the worldwide response to this health emergency it is necessary for the health, safety, and protection of the people of the Village of Richfield, that all necessary steps be taken to reduce the risk of infection and contain the spread of COVID-19;

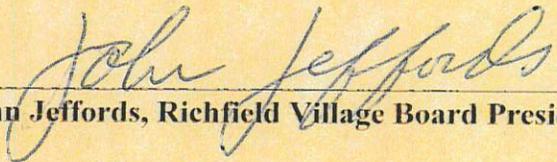
WHEREAS, declaring a State of Emergency in the Village of Richfield will facilitate and expedite the use of public resources to combat the spread of COVID-19;

Now, THEREFORE, I, John Jeffords, Village of Richfield President, in accordance with Chapter 30 of the Village of Richfield Code, hereby DECLARE that a State of Emergency now exists within the Village of Richfield in light of the health risks posed by COVID-19.

DATED this 17th day of March 2020

IN TESTIMONY WHEREOF, I, John Jeffords, Richfield Village Board President, hereby sign this Declaration and affix the Seal of Richfield on this 17th day of March 2020.





John Jeffords, Richfield Village Board President

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VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Conditional Use Administration – Ordinance Amendment

DATE SUBMITTED: March 11, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION FOR THE APPROVAL OF THE PROPOSED ORDINANCE?

ISSUE SUMMARY:

As the Village Board knows, we repealed all Conditional Uses in the Village Code as a result of Act 67. However, the actual “process” Conditional Use Permit (CUP) applicants must go through was not repealed. The Village Board directed Staff to prepare for a Public Hearing in March for this very process. On the night of the meeting, Village Staff would like to discuss the pillars of the new CUP process. For reference, I have included our existing Section of the Village Code dealing with Conditional Use Administration, which is Section 70.241. One thing that you will notice immediately upon a review of the same, is that the actual “process” is very limited. There are virtually no criteria for the Plan Commission or Village Board to base a decision on, ergo the Wisconsin State Legislature requiring the concept of “substantial evidence” being introduced into the process. Below is a summary of the Ordinance:

1. **Applicability and Limitations:**
 - 70.532(A): First and foremost, to apply for a CUP, you must live in an area of the Village which allows for the desired CUP to be on the property.
2. **Initiation:**
 - 70.533: CUPs are petitioned by property owners (or their agents on a form provided by the Village).
3. **Review Procedure:**
 - 70.534: This language is nearly identical to existing Code Section 70.241(C) “Review and Approval”.
4. **Steps in the Review Process:**
 - 70.534(B): As a part of this process, as we do currently, we will require a “Pre-Submittal Meeting” to meet with the Planning and Zoning Administrator to discuss the petition. Following the meeting, there is a submittal of materials. This kicks-off a 10-day review process for determining the completion of the materials. After all the materials have been submitted and determined to be complete, the matter is scheduled for a “Review Date” at the next regularly scheduled meeting. This is a “Joint Meeting” between the Village Board and Plan Commission where the rules of the CUP process are explained to the general public. If notices are required to be sent to the DNR, they are also notified. Staff reports will be prepared and required to be sent to the applicant and any other interested party upon request. A Joint Public Hearing is scheduled between the Village Board and the Plan Commission. At the conclusion of the Public Hearing, Staff will be directed by the Plan Commission to prepare a “Preliminary Decision Document” or otherwise referred to as a finding of fact and conclusion of law memoranda- very similar to how we handle Board of Zoning Appeals meetings. After this document has been reviewed by the Plan Commission, they will make a recommendation to the Village Board where they will make the decision. The decision is given to the applicant for acceptance. A copy is retained at Village Hall. Then the document is recorded with the Washington County Register of Deeds. The potential exists that the process will take 65-95 days or longer.
5. **Basis of Decision:**
 - 70.535: These are the areas which the proposal must comply with. Amongst other things, the basis of decision must be based on “Substantial Evidence” as dictated by Wisconsin State Statutes.



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

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DATE SUBMITTED: March 11, 2020

SUBMITTED BY: Jim Healy, Village Administrator

6. **Special Conditions of Approval:**
 - 70.536: These are “Special Conditions of Approval” which the Plan Commission may consider.
7. **Conditional Use Performance Standards:**
 - 70.537: These enumerated performance standards create an equitable and objective basis for control to ensure the community is adequately protected from potential hazardous and nuisance-like impacts. These performance standards are included right now in just about every CUP the Village Staff writes. This language codifies these standards.
8. **Standard terms for an approved conditional use:**
 - This series of verbiage and conditions are also included in virtually every CUP written by Staff. However, if they are not codified, they cannot be considered, that is why they are not included in our Section series for Conditional Use Administration.
9. **Application Form and Content & Staff report content:**
 - These provisions in 70.539 and 70.540 are self-explanatory.
10. **Content of Decision Document:**
 - What is required to be included in the document if it is both “Approved” or “Denied”. Enumerated criteria helps to define expectations and creates a “checklist” for Staff to administer as to what needs to be touched on.
11. **Term of Approval:**
 - 70.542: Unless otherwise spelled out in the CUP, the term of approval is five (5) years. The ability also exists to make applicants come back to the Plan Commission for periodic reviews.
12. **Effect of Approval:**
 - The approval runs with the land unless otherwise specified. There is also a provision for “Temporary Use”.
13. **Expiration of an Approval:**
 - If the CUP does not commence within 12 months, the process to terminate the approval shall be followed. The Planning and Zoning Administrator may grant an extension not to exceed six (6) months provided they can meet specified criteria.
14. **Amendment of an approved conditional use:**
 - 70.545: Minor alternations as determined by the Plan Commission, may be approved at a regular or special meeting without following the review procedure. If there is a “major alteration” as determined by Staff and/or the Plan Commission the process for obtaining a CUP shall be followed.
15. **Appeal**
 - 70.456: A court of “competent jurisdiction” may hear an appeal within 30 days of the date of the final decision.
16. **Effect on Comprehensive Plan**
 - 70.547: A CUP does not need to be consistent with our Comprehensive Plan. Although it’s worth mentioning the land use must be compatible with our Future Land Use Map.

The drafted Conditional Use Administration ordinance has been amended pursuant to Plan Commission direction and Village Attorney amendments. Plan Commission amendments to the previously drafted language include the following:

- 70.534 B (8) Joint public hearings conducted by the Village Board and Plan Commission be chaired by



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Conditional Use Administration – Ordinance Amendment
DATE SUBMITTED: March 11, 2020
SUBMITTED BY: Jim Healy, Village Administrator

the Village President or his/her designee.

- 70.538 (4) maintenance of buildings and grounds be pursuant to Chapter 286 of Village Zoning Code.
- 70.538(22) Conditional Uses granted by the Plan will be required to appear for a review every two (2) years to ensure compliance.

Village Attorney amendments to the previously drafted language include the following:

- 70.534 B (3) Removal of 10-day requirement for administrative review of application materials
- 70.534 B (7) Changing language to state Administrator may prepare a staff report
- 70.534 B (10) Removal of 35-day requirement of Plan Commission recommendation
- 70.534 B (16) Should an application be approved, the applicant must sign the written decision and return to within 6 months of receiving the written decision or the approval becomes null and void.
- 70.540, 70.541, 70.542 amending “should” to “may” for duties of staff report creation, decision document provisions, and conditional use orders with five (5) year terms.
 - 70.544 A clarification was added to the 12-month substantial work requirement
 - 70.545 added language stating after a conditional use is approved, “The permittee shall submit an application to the Plan Commission for its consideration of any changes to the use, before any changes to the use are made”

Tonight, a Public Hearing has been scheduled. The matter has been published in the Daily News with a Class II Public Hearing notice. At the Plan Commission’s meeting on March 5, the proposed Ordinance was recommended for approval with the aforementioned changes.

FISCAL IMPACT:

REVIEWED BY: 
Village Deputy Treasurer

Initial Project Costs: N/A
Future Ongoing Costs: Administrative
Physical Impact (on people/space): N/A
Residual or Support/Overhead/Fringe Costs: N/A

ATTACHMENTS:

1. Section 70.241 Conditional Use Administration (Existing)
2. Ordinance O2020-03-01, an Ordinance to Repeal and Recreate Sec. 70.241 related to Conditional Use Administration
3. Class II Public Hearing Notice to repeal and recreate Sec. 70.241
4. Letter dated March 2, 2020 from Village Attorney John Macy

STAFF RECOMMENDATION:

Motion to approve Ordinance O2020-03-01, an Ordinance to Repeal and Recreate Sect. 70.241 related to Conditional Use Administration subject to the final review and approval of the Village Attorney.



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Conditional Use Administration – Ordinance Amendment

DATE SUBMITTED: March 11, 2020

SUBMITTED BY: Jim Healy, Village Administrator

APPROVED FOR SUBMITTAL BY:

Village Staff Member

Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

Village of Richfield, WI
Thursday, August 15, 2019

Chapter 70. Zoning

ARTICLE IV. Uses

70.241. Conditional use administration.

[Ord. No. 01-04-02, § 2, 4-19-2001; Ord. No. 02-05-01, Exh. A, 5-16-2002; Ord. No. 05-01-03, § 1, 1-20-2005]

- A. Permits. The Village Board may authorize the Planning and Zoning Administrator to issue a conditional use permit for conditional uses after review and a public hearing, provided that such conditional uses and related structures are in accordance with the purpose and intent of this chapter and are found to be not hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.
- B. Application. Applications for conditional use permits shall be made in triplicate to the Village Clerk on forms furnished by the Planning and Zoning Administrator or designated Village employees and shall include the following:
1. Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor, and all opposite and abutting property owners of record within 300 feet.
 2. Description of the subject site by lot, block, and recorded subdivision or by metes and bounds; address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees; and the zoning district within which the subject site is located. For floodland conditional uses, such description shall also include information that is necessary for the Plan Commission and county park and planning commission to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human or animal life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing elevations or contours of the ground at two-foot intervals; fill or storage elevations; first floor elevations of structures; size, location, and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets, water supply, and sanitary facilities; photographs showing existing land uses and vegetation upstream and downstream; soil types and other pertinent information.
 3. Plat of survey prepared by a registered land surveyor showing all of the information required under section 70.131 for a zoning/building permit as well as the following: mean and historic high-water lines and floodlands on or within 40 feet of the subject premises; and existing and proposed landscaping.
 4. Additional information as may be required by the Plan Commission, Village Engineer, Planning and Zoning Administrator, or Building Inspector.
- C. Review and approval. The Village Plan Commission shall review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewage disposal and water systems, and the

proposed operation and, prior to Village Board action, shall hold a public hearing as set forth in section 70.45.

1. Conditions such as landscaping, architectural design, type of construction, drainage, floodproofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this chapter.
2. Notice to state department of nature resources (DNR). The Plan Commission shall transmit a copy of each application for a conditional floodland use to the county park and planning commission and the state department of natural resources (DNR) for review and comment. Action on the application shall not be taken for 30 days or until the county and department of natural resources (DNR) have made their recommendation, whichever comes first. A copy of all floodland conditional use permits shall be transmitted to the county and department of natural resources (DNR) within 10 days of the effective date of such permit.

D. Village Board action.

1. Following a public hearing by the Plan Commission and after careful consideration of the Village Plan Commission's recommendations, the Village Board may grant the conditional use permit as applied for, grant the conditional use permit with conditions deemed appropriate by the board, or deny the permit. Compliance with all other provisions of this chapter, such as lot width and area, yards, height, parking, loading, traffic, highway access, and performance standards, shall be required of all conditional uses, unless otherwise stipulated in the individual districts regulations. Variances shall only be granted as provided in sections 70.104 and 70.163.
2. When the Village Plan Commission believes either by observation or by citizen complaint, that a permitted conditional use has been or is being violated, the Plan Commission may convene a public hearing as set forth in section 70.45 giving at least 30 days notice to the holder of the conditional use permit and advising the permit holder, as well as property owners within 300 feet of the conditionally permitted use, of the purpose of the hearing which may be to recommend to the Village Board that the conditional use permit then in effect be altered, rescinded or reaffirmed. The Village Board, after receiving the recommendation of the Village Plan Commission, may take action to alter, rescind, or reaffirm the conditional use permit then in effect. The Village Clerk shall take the steps necessary to alter or rescind any covenants or other pertinent documents concerning the conditional use which may be on file in the office of the county register of deeds.

E. Conditional uses allowed in all zoning districts.

1. Any principal use other than the initial principal use on a parcel or property.
2. Solar and wind energy collection and electric production devices. Any active or passive solar and wind energy collection, reflection, conversion, generation, transmission, or storage system and device external to the principal use structure or placed as an accessory or principal use on property within the Village shall be required to secure a permit for the erection of such system or device from the Building Inspector prior to such erection or placing. Application for placement or erection of such system or device shall include detailed construction drawings of the entire system including any modification to existing structures, dimensions of the system and the structure to which it is affixed or connected, distances to the boundaries of the individual property on which the system or device is proposed to be placed, names of the owners of the property as well as names and addresses of individual persons or firms involved in the sale, fabrication, erection, placing, connection and insuring of such system or device. In addition, the applicant for such permit shall provide the Building Inspector with a site plan showing: the location of the system or device on the site and the

approximate distance to any structures on adjacent properties; landscaping screens; fences; overhead electric, telephone and TV cables; and, permanent ponds or pools of water. The applicant shall, in addition, provide evidence that all applicable county, state and federal regulations have been met and that all applicable regulations of the affected electric utility company have been met.

3. Radio and television reception and transmission devices not governed by section 70.271. Any radio or television reception or transmission system or device external to the principal use structure or placed as an accessory use on property within the Village shall be required to secure a permit for the erection of such system or device. The application therefor shall include detailed construction drawings of the entire system including any modifications to existing structures, dimensions of the system and the structure to which it is affixed or connected, distances to the boundaries of the individual property on which the system or device is proposed to be placed, names of the owners of the property as well as names and addresses of individual persons or firms involved in the sale, fabrication, erection, placing, connection and insuring of such system or device. In addition, the applicant for such permit shall provide the Building Inspector with a site plan showing: the location of the system or device on the site and the approximate distance to any structures on adjacent properties, landscaping screens, fences, overhead electric, telephone and TV cables, and permanent ponds or pools of water. The applicant shall also provide evidence that all applicable county, state and federal regulations have been met and that all applicable regulations of the affected utility company have been met. Such uses may not be placed in the front yard area of any principal use within the Village.
4. Short-term mining or mineral extraction activities.
 - a. A special conditional use permit issued under this subsection (E)(4) shall be limited to a term of not more than five years; shall be limited to parcels of less than 20 acres in size; and shall be limited to the following mining and mineral extraction activities:
 - i. The mining or extraction of rock, gravel, sand or topsoil;
 - ii. The separation, crushing and washing of rock and gravel;
 - iii. The processing and washing of sand;
 - iv. The processing of topsoil; and
 - v. The temporary storage of processed materials. In addition, a permit issued under this shall require the completion of a restoration plan within the terms of the permit.
 - b. In determining whether to issue a permit under this subsection (E)(4), the following factors may be considered:
 - i. The relationship of the proposed final grades to the surrounding terrain;
 - ii. The proposed post-extraction use of the land;
 - iii. The impact of the extraction activities upon surrounding properties and inhabitants in terms of sound, dust and sight;
 - iv. The effect of such activities upon roadways and traffic;
 - v. Any other factors affecting the health and general welfare of the immediate neighborhood and the Village in general.
 - c. Permits issued under this subsection (E)(4) shall specify:

- i. The physical limits of the extraction activity including setbacks, slopes and other grading features, all of which shall be set forth in an approved engineering plan;
 - ii. The hours of operation;
 - iii. The machinery and equipment to be used;
 - iv. The location and height of temporary storage piles of extracted materials;
 - v. Any required sound, dust or sight buffers, barriers or control devices;
 - vi. Special safety measures;
 - vii. The required restoration plan including a landscaping plan;
 - viii. The nature and amount of financial guarantees; the date of completion of the activities, in stages, if applicable, and in total;
 - ix. Any other condition deemed necessary to protect the public health, safety and general welfare.
 - d. Failure to operate within the conditions established shall result in immediate suspension of the permit and shall be deemed a violation of the zoning code subject to the penalties set forth in section 70.43.
5. Reserved.
6. Raising horses and other livestock. Notwithstanding other restrictions that may apply to a particular lot or parcel, either by deed, title or restrictive covenant, the keeping and raising of livestock, including horses, on lots and parcels located in any residential zoning district may be allowed by the Village Board with a conditional use permit provided the following minimum standards and criteria can be met:
- a. Parcel area. The minimum lot or parcel area required shall be four acres.
 - b. Accessory use. The keeping and raising of livestock shall be an accessory use of the lot or parcel exclusively for the personal enjoyment and/or consumption of the owner(s) of the property and not related to nor part of a commercial business or operation.
 - c. Type and number. The type and number of animals that may be allowed as set forth in the permit shall not exceed one livestock unit per whole acre where one livestock unit shall be the equivalent of the following:
 - i. One cow, steer or buffalo;
 - ii. One horse, llama or emu;
 - iii. Two pigs or hogs;
 - iv. Two sheep or goats;
 - v. Ten poultry.

Specific requirements and limitations addressing the type and number of animals, structures, fencing, manure management, noise, odor, and other nuisances and impacts may be required as conditions of approval.

This provision is intended to allow the raising of such animals on lots or parcels that are not included in or made part of a recorded subdivision platted prior to the

effective date of the ordinance adopting this provision, unless:

- d. The raising of such animals is specifically allowed on the subject lot or parcel as set forth in the subdivision deed restrictions or covenants; or
- e. The subject lot or parcel is specifically exempt from the operation or affect of the subdivision deed restrictions or covenants.

ORDINANCE O2020-03-01

AN ORDINANCE TO REPEAL AND RECREATE CONDITIONAL USE ADMINISTRATION
SECTION 70.241 OF THE VILLAGE CODE

WHEREAS, the Wisconsin State Legislature adopted 2017 Act 67 on November 27, 2017 and on April 4, 2018, the Act was signed into law by Governor Scott Walker; and

WHEREAS, most notably, the Act made substantial revisions to how conditional uses are treated at the local level; and

WHEREAS, historically, conditional uses were reviewed on a case-by-case basis to determine if the proposed use fit the parcel and fit in with surrounding land uses. If the use was deemed a good fit, it would be approved, potentially with conditions, to address on-site and off-site impacts; and

WHEREAS, under the new law, conditional uses must be approved unless the applicant does not show by "substantial evidence" they will comply with the conditional use standards for that particular use; and

WHEREAS, at the direction of the Plan Commission in October of 2018, the Village Staff was directed to delete all conditional uses from the Zoning Districts until such time as new legislation can be drafted to ensure the taxpayers are adequately protected; and

WHEREAS, on March 5, 2020, the Plan Commission recommended approval to the Village Board of the proposed Ordinance which has been scheduled for Public Hearing on April 30, 2020; and

WHEREAS, the Village Board of the Village of Richfield having carefully reviewed the recommendation of the Village Plan Commission, being fully informed and advised, having determined that all procedural requirements and notice requirements have been satisfied, hereby determines that this ordinance is consistent with the public necessity, convenience, and general welfare and good zoning practice.

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

Section 1. Intent

The intent of this ordinance shall be to repeal section 70.241 of Village Code and recreate it as shown in Exhibit A attached hereto and incorporated by reference.

Section 2. Severability. 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 3. Effective Date. This ordinance shall become effective upon passage and publication/posting.

Adopted this 30th day of April, 2020.

Attest:

John Jeffords, Village President

Jim Healy, Village Clerk/Administrator

Exhibit A

CONDITIONAL USE ADMINISTRATION

70.531 Generally

Although each zoning district is primarily intended for a predominant type of land use, there are a number of uses that may be appropriate under certain conditions. These are referred to as conditional uses. This division describes the requirements and procedures for reviewing a conditional use, including an amendment of an approved conditional use.

70.532 Applicability and Restrictions

- A. **General applicability.** Those land uses designated as a conditional use in the land-use matrix (Appendix A) must comply with the requirements in this division.

70.533 Initiation

The owner of the subject property may submit an application for the establishment of a conditional use.

70.534 Review procedure

- A. **Review and approval.** The Plan Commission and Village Board shall review existing and proposed site conditions, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, the proposed operation, and other factors the Plan Commission and/or Village Board determines are appropriate when considering a conditional use application.
- B. **Steps in the review process.** The general steps outlined below shall be used in the review of a conditional use application.
1. **Pre-submittal meeting.** Before submitting an application, the applicant or the applicant's agent must meet with the zoning administrator to review applicable regulations and procedures and the proposal. Upon request, the zoning administrator may waive the requirement to hold a pre-submittal meeting when he or she determines such meeting is not necessary given the nature of the project and/or the extent to which the applicant understands the Village's zoning requirements.
 2. **Submittal of application materials.** The applicant submits a completed application and other required materials to the zoning administrator along with the application fee as may be established by the Village Board.
 3. **Determination of completeness.** The zoning administrator reviews the submittal to make sure it is complete and ready for further review. If it is not complete, the zoning administrator will notify the applicant in writing of such deficiencies and that the applicant has 3 months from the date of the notice to resubmit the application or forfeit the application fee. The zoning administrator will take no further steps to process the application until the deficiencies are remedied. The incomplete application is retained as a public record. A determination that an application is complete means the application is ready for formal review and does not suggest the applicant has provided sufficient information in all regards or preclude the reviewing authority from requesting additional information it deems appropriate.
 4. **Review date.** When the zoning administrator determines the application is complete, he or she schedules the review with the Village Board and the Plan Commission consistent with its adopted calendar.
 5. **Special notice to Department of Natural Resources.** If the application relates to the floodplain regulations in this chapter, the zoning administrator shall send a copy of the application and public hearing notice to the regional office of the Wisconsin Department of Natural Resources at least 10 calendar days before the date of the public hearing.
 6. **General notice.** Consistent with Division 2 of Article 4, the zoning administrator shall provide for a class 2 public notice, property owner notice, and meeting agenda notice.
 7. **Staff report preparation and distribution.** The zoning administrator may prepare a written staff report as described in this division and provides a copy of it to each member of the Plan Commission and Village Board, the applicant, and any other interested person upon request.
 8. **Public hearing.** Allowing for proper notice, the Village Board and the Plan Commission conduct a joint public hearing to review the application consistent with Division 3 of Article 4, with the Village President serving as the presiding officer. Prior to the close of the public hearing, the applicant, Village Board, or the Plan Commission may request a continuance consistent with Division 3 of Article 4. If the public hearing is adjourned, the Village Board and/or Plan Commission may direct the zoning administrator, the village engineer, and/or village attorney to conduct additional

research. In addition, the Plan Commission may direct the zoning administrator to prepare such documents it deems necessary, including a preliminary decision document.

9. **Staff follow-up.** After the close of the public hearing, the Plan Commission may direct the zoning administrator to prepare a preliminary decision document.
10. **Plan Commission recommendation.** After the public hearing has been closed, the Plan Commission will make a recommendation to the Village Board for approval or denial. The recommendation shall state the terms of the approval or reasons for denial as set forth in a draft conditional use order. The burden of proof is on the applicant to prove they have met the standards of the chapter and those set forth by the Plan Commission/Village Board during the process.
11. **Village Board meeting.** The Village Board shall consider the application at a regular or special meeting.
12. **Decision.** After considering all of the information submitted by the applicant, public comments received at the public hearing, the staff report, if any, and the Plan Commission's recommendation, the Village Board makes a decision to (i) approve the conditional use, (ii) approve the conditional use with conditions, or (iii) deny the conditional use.
13. **Preparation of final decision document.** Based on the action of the Village Board, the zoning administrator prepares a final decision document consistent with this division, subject to the direction provided to the zoning administrator from the Village Board.
14. **Applicant notification.** Within a reasonable time following the Village Board's decision, but not more than 10 days, the zoning administrator sends the decision document to the applicant by regular mail and/or email.
15. **Notification to Department of Natural Resources.** If the application relates to the floodplain regulations in this chapter, the zoning administrator sends a copy of the decision document to the regional office of the Wisconsin Department of Natural Resources via regular mail and/or email within 10 calendar days of the date of decision.
16. **Acceptance by property owner.** If the application is approved, the property owner must sign the decision document to acknowledge the terms of the approval and return the same to the zoning administrator within 6 months of receipt of the written decision. Prior to the expiration of the previously specified time period, the property owner may submit a petition to the zoning administrator requesting an extension and the zoning administrator may, with cause, extend the period within which the decision document must be signed. If the signed decision document is not returned within the initial or extended time period, if any, the decision shall automatically become null and void without any further action by the Village at the expiration of such time limit. The decision document shall only become effective when all required signatures have been obtained and the original signature copy is returned to the zoning administrator.
17. **Public record copy.** A copy of the decision document is retained as a public record.
18. **Recording of decision document.** If the property owner returns the decision document within the required time period with the required signatures, the zoning administrator records the decision document against the subject property in the office of the Washington County register of deeds.
19. **Administrative steps.** If the conditional use is approved and the zoning administrator has created a map showing conditional uses, the zoning administrator adds the conditional use to that map.

70.535 Basis of decision

The Plan Commission in making its recommendation and the Village Board in making its final decision shall consider whether the proposal complies with (1) each of the special conditions of approval set forth in s. 70.536, (2) each of the performance standards set forth in s. 70.537, (3) each of the development standards prescribed for the requested conditional use, (4) all other applicable sections of the zoning code, and (5) all other applicable sections of the municipal code, including the Village's groundwater regulations. The recommendation of the Plan Commission and the decision by the Village Board must be based on substantial evidence.

70.536 Special conditions of approval

- A. **Generally.** Based on substantial evidence, the Plan Commission may recommend and the Village Board may impose may impose one or more conditions of approval as may be necessary to grant approval. Such conditions and restrictions may relate to the establishment, location, construction, maintenance, operation of the use, off-site impacts, and any other aspect of the use that impacts the public health, safety, or general welfare. Examples of such conditions are listed below.

Issue	Potential Condition
1. Hours of operation	Limit hours of operation to hours to be more compatible with surrounding uses.
2. Buffering	Require more of a buffer than what is otherwise required by this chapter. Buffering may include landscaping, walls or fences, berms, and other features to physically separate adjoining uses.
3. Maximum floor area	Establish a maximum floor area that may be less than what is otherwise allowed.
4. Maximum number of patrons	Limit the size of the use by establishing maximum patron loads, often by seats and/or tables
5. Uses within buildings	Limit commercial uses to the first floor of a multistory building.
6. Number and/or location of entrances	Design the site and building so that entrances are located in areas away from adjoining properties.
7. Outdoor activity	Restrict locations and/or times of outdoor activity.
8. Outdoor storage	Establish a maximum area for outdoor storage that may be less than what is otherwise allowed.
9. Take-out food service	Prohibit drive-up service windows and/or walk-up service windows in certain areas of the property (e.g., near a residential use). If these are allowed, limitations could be set.
10. Delivery services	Prohibit deliver services that entail frequent trips or establish upper limits on the activity.
11. Signage	Prohibit signage in areas of the property that may cause an impact on surrounding areas.

- B. **Limitation on imposing conditions.** A condition of approval shall not lessen a development standard or other requirement in this chapter.
- C. **Effect on contracts with another party.** The review authority shall not condition or withhold approval based upon the property owner entering into a contract or discontinuing, modifying, extending, or renewing any contract, with a third party under which the third party is engaging in a lawful use of the property.¹
- D. **Special condition for business as property owner.** As a condition of approval of a conditional use, the property owner if it is a business entity, such as a limited liability company or a corporation, shall for the life of the conditional use continuously maintain a registered office in the state of Wisconsin as evidenced by registration with the Wisconsin Department of Financial Institutions.

70.537 Conditional use performance standards

- A. **Generally.** This section describes performance standards for the regulation of uses and to establish an objective and equitable basis for control and to ensure that the community is adequately protected from potential hazardous and nuisance-like effects. These performance standards are designed to limit, restrict, and prohibit the effects of those uses outside their premises or zoning district. In addition, these performance standards are intended to comply with other applicable local, state and federal codes and standards. All structures, lands, air, and water shall hereafter comply with the performance standards set forth in this section.
- B. **Odors.** No operation or activity shall emit any substance or combination of substances in such quantities that create an objectionable odor. The Plan Commission and/or Village Board reserves the right to request an odor control plan from the applicant to identify potential odors and implement recommendations from the plan.
- C. **Fire and explosive hazards.**
1. All uses involving the manufacturing, utilization, processing, or storage of flammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate firefighting and fire suppression equipment and devices as may be required by the Fire Prevention Code.
 2. All materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed buildings which have noncombustible exterior walls and an automatic fire extinguishing system.

¹ Commentary: See s. 62.23(7)(gm), Wis. Stats. The Village, for example, could not require an applicant to terminate an existing contract with another party that is engaged in a lawful use of the property.

3. The storage of fuels and other materials that produce flammable or explosive vapors shall be permitted only after review and approval by the village fire department and in accord with their requirements to minimize fire and explosive hazards.
- D. Glare, heat and external lighting.**
1. No operation or activity shall produce any intense lighting, glare or heat with the source directly visible beyond the boundary of the property line. Operations producing light, glare, or heat shall be conducted within an enclosed building.
 2. External lighting shall be shielded so that light rays do not adversely affect adjacent uses.
- E. Water quality.**
1. No activity shall locate, store, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature that might runoff, seep, percolate, or wash into surface or subsurface waters so as to contaminate, pollute or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste or unsightliness, or be harmful to human, animal, plant, or aquatic life.
 2. No activity shall withdraw water or discharge any liquid or solid materials so as to exceed or contribute toward exceeding the minimum standards and those other standards and the application of those standards set forth in Wis. Adm. Code NR 102 or in other applicable Chapters which regulate water quality.
- F. Noise.** No operation or activity shall transmit any noise beyond the boundaries of the property so that it becomes a nuisance.
- G. Vibration.** No operation or activity shall transmit any physical vibration that is above the vibration perception threshold of an individual at or beyond the property line of the source. Vibration perception threshold means the minimum ground- or structure-borne vibrational motion necessary to cause a reasonable person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. Vibrations not directly under the control of the property user and vibrations from temporary construction or maintenance activities are exempt from this standard.
- H. Traffic impact.** The Plan Commission and/or the Village Board reserves the right to require a traffic impact study in order to identify impacts to adjacent properties and roadways and to identify improvements or actions required to minimize or eliminate impacts. No use shall be approved unless the applicant implements the conclusions and recommendations of the study. The traffic study shall be prepared by a registered professional engineer in accordance with the following standards:
1. Manual on Transportation Studies (Institute of Transportation Engineers (ITE))
 2. Traffic Impact Analysis Guidelines (Wisconsin Department of Transportation)
 3. Manual on Uniform Traffic Control Devices (Federal Highway Administration)
 4. Trip Generation Manual (Institute of Transportation Engineers)
 5. Other local, county or state standards

70.538 Standard terms for an approved conditional use

The terms and conditions listed below are automatically incorporated into a conditional use order authorizing a use, unless otherwise stated in the conditional use order.

1. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Plan Commission for determination.
2. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing in this order shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the Washington County of, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a building permit, nor shall this order constitute any other license or permit required by Village ordinance or other law.
3. The approved conditional use shall be confined to the subject property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission as being in compliance with all pertinent ordinances.

4. All buildings and grounds shall be maintained in a neat, attractive and orderly way pursuant to Chapter 286 of the Village Code.
5. The property shall comply with all rules and regulations of the Village of Richfield and the local fire department, including submission to routine inspections by the village staff and fire department staff.
6. Prior to the execution of the conditional use permit, the applicant must obtain any and all approvals that must be obtained before the use may be established or the commencement of any land-disturbing activity related to the approved conditional use.
7. Should the permitted conditional use be abandoned in any manner, or discontinued in use for 12 months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to the Village, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Plan Commission, pursuant to the enforcement provisions of this conditional use order, and all applicable ordinances.
8. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises, structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
9. Unless this conditional use order expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Plan Commission if the Plan Commission finds the plan amendment to be minor and consistent with the conditional use permit. Any change in any plan that the plan commission feels, in its sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
10. As a condition precedent to the issuance of the conditional use permit, the owner of the subject property shall approve the issuance of this conditional use order upon the terms and conditions described herein in writing, and the petitioner is required to accept the terms and conditions of the same in its entirety in writing.
11. Petitioner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this application, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of the necessary documents or attendance at meetings or other related professional services for this application, as well as for any actions the Village is required to take to enforce the conditions in this conditional approval due to a violation of these conditions.
12. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within 30 days of billing by the Village, pursuant to s. 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.
13. The petitioner is obligated to file with the village clerk a current mailing address and current phone number at which the petitioner can be reached, which must be continually updated by the petitioner if such contact information should change, for the duration of the conditional use. If the petitioner fails to maintain such current contact information, the petitioner thereby automatically waives notice of any proceedings that may be commenced under this conditional approval, including proceedings to terminate this conditional use.
14. All conditions of approval imposed by duly adopted motion of the Village Board in its consideration of the petitioner's application, as noted in the minutes of the Village Board meeting at which approval was granted, are specifically incorporated herein by reference.
15. Should any paragraph or phrase of this conditional use order be determined by a court to be unlawful, illegal or unconstitutional, said determination as to the particular phrase or paragraph shall not void the rest of the conditional use order and the remainder shall continue in full force and effect.
16. If any aspect of this conditional use order or any aspect of any plan contemplated and approved under this conditional use is in conflict with any other aspect of the conditional use or any aspect of any plan of the conditional use, the more restrictive provision shall be controlling as determined by the Plan Commission.
17. If the property owner/operator is a business entity, such as a limited liability company or a corporation, such entity shall for the life of the conditional use continuously maintain a registered office in the state of Wisconsin as evidenced by registration with the Wisconsin Department of Financial Institutions.

18. The property owner shall not change the size and/or shape of the subject property by any means without the approval of the Village Board. If the Village Board determines that a proposed change is substantial with regard to the overall size of the parcel and/or configuration, such change shall require issuance of a new conditional use approval pursuant to the requirements in effect at the time of application.
19. This approval is given under the Village's zoning code and is not to be, in any way, interpreted to abrogate any private rights other property owners may have pursuant to deed restrictions or restrictive covenants.
20. If this conditional use terminates for any reason, the property owner is obligated to remove any improvements specifically related to the conditional use and which cannot be utilized for an approved use (i.e., a use permitted by right or a different conditional use as approved).
21. In the event the subject property is found to be in violation and then brought into compliance, the Village Board reserves the right to impose periodic reviews to ensure continued compliance.
22. Every two (2) years, the applicant shall appear before the Plan Commission at a regular or special meeting, with a 30-day advance notice, to verify compliance with the conditional use approval.

70.539 Application form and content

The application submittal shall include an application form as may be used by the Village and a project map prepared at an appropriate scale depicting the information listed in Appendix F.

70.540 Staff report content

The staff report may contain preliminary findings for the decision criteria listed in this division and other information deemed appropriate.

70.541 Content of decision document

- A. **Approval.** If the application for a conditional use is approved, the decision document may include the following:
 1. a statement that the conditional use is approved;
 2. a description of the conditional use;
 3. a description of where the conditional use will occur on the property;
 4. reasons for the decision based on the criteria listed in this division;
 5. conditions of approval that must be satisfied prior to the establishment of the conditional use, if any;
 6. conditions of approval that must be complied with during the life of the conditional use, if any;
 7. a statement indicating that the property owner must sign the decision document and return it to the zoning administrator to acknowledge acceptance of the same;
 8. a statement that the applicant may appeal the decision to a court of competent jurisdiction;
 9. a statement that an aggrieved person, other than the applicant, may appeal the decision to a court of competent jurisdiction and that any work done by the applicant as authorized by the approval is done at the applicant's risk;
 10. a statement indicating the nature of the approval (i.e., personal to the property owner or runs with the land);
 11. other information the Village Board or zoning administrator deems appropriate;
 12. the signature of the zoning administrator on behalf of the Village Board; and
 13. the date of the decision.
- B. **Denial.** If the application for a conditional use is denied, the decision document may include the following:
 1. a statement that the conditional use is denied,
 2. a description of the project, including acreage and proposed use characteristics,
 3. reasons for the decision based on the criteria listed in this division,
 4. a statement indicating that the denial does not limit the applicant's ability to resubmit a revised application for consideration,
 5. a statement that the decision may be appealed as provided for in this division,
 6. other information the Village Board or zoning administrator deems appropriate,

7. the signature of the zoning administrator on behalf of the Village Board, and
8. the date of the decision.

70.542 Term for an approval

A conditional use order authorizing a conditional use shall have a standard 5-year term unless otherwise specified in the conditional use order. The order may describe an administrative renewal process to allow for streamlined renewal of the conditional use order with a provision that allows the Plan Commission and/or the Village Board to remove the conditional use order from automatic renewal if there are concerns with compliance with the conditional use order or concerns raised by the public about the applicant's operations. If the Plan Commission or the Village Board pulls the conditional use order from automatic approval the conditional use order shall remain in effect while the Plan Commission provides due process to the applicant in reviewing the conditional use order and its potential renewal.

70.543 Effect of approval

- A. **Generally.** Unless otherwise specified in the conditional use order, approvals run with the land.
- B. **Temporary uses.** If a use is listed as a temporary use in Appendix A and is approved by the Village Board as a conditional use, the use may be re-established with the written approval of the zoning administrator if he or she determines that the use to be re-established is substantially the same as what was originally approved and that the approved use did not create any potentially adverse impacts on the public health, safety, or welfare.

70.544 Expiration of an approval

- A. **Non-establishment of use.** If the zoning administrator determines that substantial work as authorized by a conditional use approval did not commence within 12 months of the date of approval or if substantial work did commence within 12 months of the date of approval but has not continued in good faith to completion, unless different consequences are specified in the conditional use order the zoning administrator may initiate the process to terminate the approval pursuant to Division 13 of this article. Upon petition and with cause, the zoning administrator may grant a one-time extension, not to exceed 6 months, provided (1) the permit holder requests the extension prior to the expiration of the approval, (2) the permit holder clearly demonstrates that circumstances beyond his or her control prevented the start of construction and the continuation of the same, and (3) the project complies with this chapter in effect at the time the extension is granted.
- B. **Cessation of use.** If the zoning administrator determines that a conditional use has ceased to operate for any reason, whether intentional or otherwise, for more than 12 continuous months, he or she shall initiate the process to terminate the approval pursuant to Division 13 of this article.

70.545 Amendment of an approved conditional use

Following approval of a conditional use, the permittee shall submit an application to the Plan Commission for its consideration of any changes to the use, before any changes to the use are made. The Plan Commission shall review all proposed changes to the approval. If in the opinion of the Plan Commission, the proposed change constitutes a minor alteration, the Plan Commission may approve the requested change in writing at a regular or special meeting of the Plan Commission without following the review procedure in this division. If the proposed change constitutes a major alteration, the review procedure in effect at the time of submittal shall be followed.

70.546 Appeal

An aggrieved person may appeal a final decision made pursuant to this division by filing an appeal with a court of competent jurisdiction within 30 calendar days of the final decision.

70.547 Effect of Comprehensive Plan

Pursuant to Wis. Stats. 66.1001(2m)(b), a conditional use approval that may be issued by the Village Board does not need to be consistent with the Village's adopted comprehensive plan.

70.548 to 70.570 Reserved

(Class II Public Notice)
NOTICE OF PUBLIC HEARING
VILLAGE OF RICHFIELD
Thursday, April 30, 2020

PLEASE TAKE NOTICE:

Notice is hereby given, pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Village Board will conduct one (1) public hearing on Thursday, April 30, 2020 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the following:

- 1) Ordinance amendment to repeal and recreate Section 70.241 of the Village Code related to Conditional Use Administration – Village Board, petitioners

The Public Hearing was previously scheduled for March 19, 2020, then it was rescheduled to April 16th, but out of concern for COVID-19 and following the Governor’s “Safer at Home” Order, it has been rescheduled to April 30th. For information regarding these petitions, please contact Jim Healy, Village Administrator at (262)-628-2260. This application is available during normal business hours. All interested parties will be heard. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk’s Office at (262)-628-2260 with as much advanced notice as possible.
Dated this 14th day of April 2020

Publication Dates:

April 16, 2020
April 23, 2020

Jim Healy
Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
(262)-628-2260

Municipal LAW

& LITIGATION GROUP

DALE W. ARENZ, RETIRED
DONALD S. MOLTER, JR., RETIRED
JOHN P. MACY
H. STANLEY RIFFLE
COURT COMMISSIONER
ERIC J. LARSON
REMZY D. BITAR

730 N. GRAND AVENUE
WAUKESHA, WISCONSIN 53186
Telephone (262) 548-1340
Direct (262) 806-0213
Facsimile (262) 548-9211
Email: jmacy@ammr.net

PAUL E. ALEXY
MATTEO REGINATO
LUKE A. MARTELL
SAMANTHA R. SCHMID
STEPHEN J. CENTINARIO, JR.
AMY E. FRY-GALOW
CHRISTOPHER R. SCHULTZ

March 2, 2020

Jim Healy, Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033

**Re: Conditional Use Permit Administration
Ordinance Review
Draft Dated December 26, 2019**

Dear Mr. Healy:

I received the conditional use permit procedure document that you forwarded to me with your email message of February 24, 2020. I have had an opportunity to carefully consider this matter.

I note that I received this as a .pdf, so I cannot insert my comments into the document. I have several comments regarding the draft, as follows:

1. On page 5-11, Section 70.534 B.3., I recommend this change:

"The zoning administrator reviews the submittal ~~within 10 days of receiving the application and other required materials~~ to make sure it is complete and ready for further review."

I recommend against imposing such a limitation on your review time, because these issues can vary in complexity, and we do not want to create ambiguity about what would happen if we would miss that deadline.

2. On page 5-11, Section 70.534 B.7., I recommend this change:

"The zoning administrator ~~may prepare~~ prepares a written staff report ..."

Again, this should be good guidance to the Village staff, but we do not want to create liability for the Village if for any reason this staff report would not be done in any particular case, so I propose changing it to "may" which is permissive, not mandatory.

3. On page 5-11, Section 70.534 B.10., I recommend deleting the last sentence:

MUNICIPAL LAW & LITIGATION GROUP, S.C.
ARENZ, MOLTER, MACY, RIFFLE, LARSON & BITAR

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Jim Healy
March 2, 2020
Page 2

~~“The Plan Commission shall render its recommendation within 35 days from the close of the public hearing unless an extension is consented to in writing by the appellant.”~~

Again, there is no reason to impose such a mandatory obligation for which the Village could be held accountable and face liability risks.

4. On page 5-11, Section 70.534 B.11., I recommend this change:

~~“Allowing for proper notice, the The Village Board shall consider ...”~~

The phrase, “allowing for proper notice” was used earlier in this Section in a situation where class 2 notice is required. Class 2 notice is not required for the Village Board to take it up, after the hearing, so I recommend deleting that phrase to avoid any ambiguity.

5. On page 5-11, Section 70.534 B.12., I recommend this change:

“... the staff report, if any, and the Plan Commission’s recommendation, ...”

6. On page 5-12, Section 70.534 B.13., I recommend this change:

“Based on the action of the Village Board, the zoning administrator prepares a final decision document consistent with this division, subject to the direction provided to the zoning administrator from the Village Board.”

7. On page 5-12, Section 70.534 B.16, I recommend this change:

“If the application is approved, the property owner must sign the decision document to acknowledge the terms of the approval and return the same to the zoning administrator within 6 months of receipt of the written decision. ... If the signed decision document is not returned within the initial or extended time period, if any, the decision shall become null and void without any further action by the Village automatically, at the expiration of such time limit.”

8. On page 5-16, Section 70.540, I recommend this change:

“The staff report should-may contain preliminary findings ...”

9. On page 5-16, Section 70.541 A.(intro), I recommend this change:

“If the application for a conditional use is approved, the decision document should-may include the following:”

10. On page 5-17, Section 70.541 B.(intro), I recommend this change:

“If the application for a conditional use is denied, the decision document should-may include the following:”

MUNICIPAL LAW & LITIGATION GROUP, S.C.

Jim Healy
March 2, 2020
Page 3

11. On page 5-17, Section 70.542, I recommend this change:

“A conditional use order authorizing a conditional use shall ~~generally~~ have a 5-year ~~term~~terms unless otherwise specified in the conditional use order. The order ~~shall~~may describe ...”

I suggest that you establish a default term, as noted above, keeping in mind that in any individual case you can modify that term as appropriate.

12. On page 5-17, Section 70.544 A., I recommend this change:

“If the zoning administrator determines that substantial work as authorized by a conditional use approval did not commence within 12 months of the date of approval or if substantial work did commence within 12 months of the date of approval but has not continued in good faith to completion, unless different consequences are specified in the conditional use order the zoning administrator may ~~he or she shall~~, initiate the process ...”

13. On page 5-18, Section 70.545, I recommend this change:

“Following approval of a conditional use, the permittee shall submit an application to the Plan Commission for its consideration of any changes to the use, before any changes to the use are made. ~~The~~ the Plan Commission shall review ...”

14. I am not able to confirm the internal citations and Code references that are noted throughout the document that you forwarded. Those internal references are not consistent with the current Code that is shown online. You will want to be sure to closely review the internal Code citations before this is adopted.

If you should have any questions or concerns regarding these matters, please do not hesitate to contact me.

Yours very truly,

MUNICIPAL LAW & LITIGATION GROUP, S.C.

John P. Macy

John P. Macy

JPM/egm

cc: Donna Cox, Village Deputy Clerk
Tim Schwecke, Village Planner

C:\MyFiles\JPM\Richfield\Razing a Property\Healy ltr 10.4.19.docx

7b



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Reduction or Elimination of Alcohol Beverage Licensing Renewals

DATE SUBMITTED: April 23, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO REDUCE OR ELIMINATE THE FEES ASSOCIATED WITH ALCOHOL BEVERAGE LICENSING RENEWALS, BY RESOLUTION, FOR THE 2020 LICENSING PERIOD?

ISSUE SUMMARY:

As the Village of Richfield is preparing for the upcoming alcohol beverage licensing period, there has been considerable discussion internally regarding the challenges facing our business community. To attempt to assist these small businesses during these difficult times, the Village President suggested the Board discuss the potential of deferring, reducing or eliminating alcohol beverage licensing for the 2020-2021 period. Per the Village Code, these fees are established by the Village Board via the Fee Schedule and not by Ordinance. However, there are both maximums and minimums that State Statutes prescribe, so while certain fees could be completely waived, others cannot. The breakdown of these fees is below. The notations in **RED** represent the potential reduction of fees to Wisconsin State Statute minimums:

Combination "Class B" Liquor and Beer: 23 x \$475 = **\$10,925 or \$1,150**

Class "A" Beer: 1 x \$100(ea.) = **\$100 or \$0**

Combination "Class A" Liquor and Beer: 4 x \$475 = **\$1,900 or \$200**

Class "B" Beer: 3 x \$100(ea.) = **\$300 or \$0**

"Class B" Winery and Beer only: 1 x \$475 = **\$475 or \$0**

Class "B" Beer and "Class C" Wine: 1 x \$200 = **\$200 or \$0**

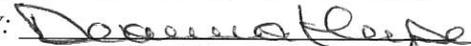
Unenclosed Premise: 24 x \$20 = **\$480 or \$0**

Estimated 2020 Revenues from Liquor Licensing: \$14,380

Projected 2020 Revenues with Fee Modification: \$1,350

The Village could, at its discretion, reduce the 2020 renewal fees for Class "A" Beer, Class "B" beer, and "Class C" wine to zero. Legally, the fees for Combination "Class A" Liquor and Beer, Combination "Class B" Liquor and Beer could be reduced to \$50.00, each, as shown above. Village Staff also researched whether these fees could be deferred to a later point in time and our conclusion after speaking with the Village Attorney is that is not possible.

FISCAL IMPACT:

REVIEWED BY: 
Village Deputy Treasurer

Initial Project Costs: Administrative

Future Ongoing Costs: Administrative

Physical Impact (on people/space): Reduction or Elimination of Alcohol Beverage Licensing Renewals

Residual or Support/Overhead/Fringe Costs: Administrative

ATTACHMENTS:

1. Memo from the League of Wisconsin Municipalities dated April 21, 2020
2. Resolution R2020-04-21, A Resolution Amending the Fee Schedule for the Reduction or Elimination of Alcohol Beverage Licensing Renewals for the 2020-2021 Licensing Period

STAFF RECOMMENDATION:

Motion to approve Resolution R2020-04-21, A Resolution Amending the Fee Schedule for the Reduction or Elimination of Alcohol Beverage Licensing Renewals for the 2020-2021 Licensing Period with the following changes in fees for applicable businesses:

Combination "Class B" Liquor and Beer:

Class "A" Beer:

Combination "Class A" Liquor and Beer:

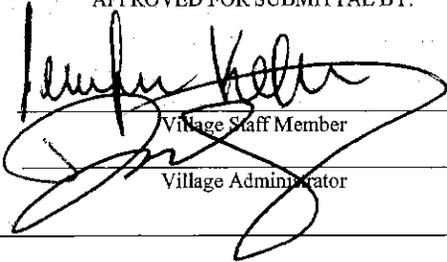
Class "B" Beer:

"Class B" Winery and Beer only:

Class "B" Beer and "Class C" Wine:

Unenclosed Premise:

APPROVED FOR SUBMITTAL BY:



Village Staff Member

Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____



131 W. Wilson St., Suite 505
Madison, Wisconsin 53703
phone (608) 267-2380; (800) 991-5502
fax: (608) 267-0645
league@lwm-info.org; www.lwm-info.org

Reducing Alcohol Beverage Licensing Fees in Response to COVID-19 Pandemic

League of Wisconsin Municipalities
April 21, 2020

The League of Wisconsin Municipalities has received many questions relating to whether municipalities may reduce alcohol beverage licensing fees for the upcoming 2020 licensing renewal period or take other steps to help restaurants and bars hurt by the COVID-19 pandemic and resulting “Safer-at-Home” order.

Reducing Licensing Fees. Municipal governing bodies may reduce alcohol beverage licensing fees for the 2020 licensing renewal period. Licensing fees are determined locally but must be within the maximum and minimum ranges specified by state law.

Maximum and Minimum license fees under state law:

Class “A” beer – no state maximum or minimum; the amount is determined by the municipality

Class “B” beer -- \$100 maximum; no minimum

“Class A” liquor -- \$500 maximum; \$50 minimum

“Class B” liquor -- \$500 maximum; \$50 minimum

Reserve “Class B” liquor renewal -- \$500 maximum; \$50 minimum

“Class C” wine license -- \$100 maximum; no minimum

A community could, at its discretion, reduce the 2020 renewal fees for Class “A” beer, Class “B” beer, and “Class C” wine to zero. The fees for “Class A” liquor, “Class B” liquor, and Reserve “Class B” liquor renewal licenses could be reduced to \$50 each. Restaurants and bars typically hold Class B licenses and restaurants without an intoxicating liquor license may have a Class C wine license. Class A licenses are typically held by stores and sell for consumption off premise.

In communities that set license fees by ordinance, governing bodies wishing to reduce fees will need to adopt an ordinance modifying the alcohol beverage licensing renewal fees for the July 1, 2020 to June 30, 2021 licensing year. In communities with ordinances specifying that fees are amended by resolution of the governing body, the governing body will need to adopt a resolution modifying the fees.

Waiving Late Fees for Alcohol Beverage Renewal Applications. Another step communities might consider taking to provide partial relief to restaurants and bars hurt by the COVID-19 pandemic is to waive any late fees the municipality imposes when applicants file their alcohol beverage renewal applications after the deadline for submittal.

RESOLUTION R2020-04-21

A RESOLUTION AMENDING THE FEE SCHEDULE FOR THE REDUCTION OR ELIMINATION OF ALCOHOL BEVERAGE LICENSING RENEWALS FOR THE 2020-2021 LICENSING PERIOD

WHEREAS, the Village Board of the Village of Richfield, Washington County, Wisconsin, has determined that it is prudent that the alcohol beverage licensing fees be reviewed, reduced, or eliminated as a result of the global pandemic COVID-19 which has negatively impacted the Village’s business community; and

WHEREAS, at the Village Board meeting on April 30th, the Board made the following modifications to the applicable alcohol beverage licensing renewal fees for the licensing period of 2020-2021 which runs from July 1, 2020 to June 30, 2021:

Combination “Class B” Liquor and Beer: From \$475 to _____

Class “A” Beer: From \$100 to _____

Combination “Class A” Liquor and Beer: From \$475 to _____

Class “B” Beer: From \$100 to _____

“Class B” Winery and Beer only: From \$475 to _____

Class “B” Beer and “Class C” Wine: From \$200 to _____

NOW, THEREFORE, BE IT RESOLVED, by the Village Board of the Village of Richfield, that the above-referenced fee schedule amendment be approved and become effective upon passage and posting of this resolution.

PASSED THIS 30th DAY OF APRIL, 2020 BY THE VILLAGE BOARD OF THE VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

John Jeffords, Village President

Attest: Jim Healy, Administrator/Clerk

7c



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

7c

MEETING DATE: April 30, 2020

SUBJECT: MOU with Germantown regarding the Village's Northeast Corridor

DATE SUBMITTED: April 22, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO AUTHORIZE THE VILLAGE PRESIDENT TO SIGN THE ATTACHED MEMORANDUM OF UNDERSTANDING WITH THE VILLAGE OF GERMANTOWN?

ISSUE SUMMARY:

At the Village Board's meeting in February, the Board authorized the Village to enter into an intergovernmental agreement with the Village of Germantown and Washington County to have a traffic engineering firm called Traffic, Analysis and Design (TADI) analyze the projected traffic growth along the STH 167 corridor. For the last few months, both communities and the County have been working cooperatively with the Wisconsin Department of Transportation (WisDOT) to ensure we are effectively planning for infrastructure needs now and into the future. A draft copy of the assumptions for traffic volumes has been prepared by TADI and is currently under review by WisDOT. It is expected we will have a response from WisDOT within the next few weeks. After WisDOT traffic engineers accept the assumptions for traffic volume, TADI will be able to finalize their modeling.

Along those same lines, in late 2019, the Village reviewed and approved an Infrastructure Analysis that was prepared by Stantec Consulting Services, Inc. It is online for the general public to view under the Comprehensive Plan portion of our website. This engineering study was funded by federal dollars as a part of our Washington County EPA Brownfields Redevelopment Coalition. The report looked at the costs of obtaining a sewer and water system for the roughly 300 acres of land directly north of the newly constructed Kwik Trip. To bring utilities to this limited area from Germantown would cost approximately \$2M. If they were to come from the Village of Jackson, it would be more than double the cost at \$4M. If the Village were seeking to develop its own utility (it is most certainly not), the cost would be over 10x that amount at \$43M. In all scenarios, it is envisioned that these types of improvements would be developer funded and tied to significant job creation in our Village.

The subject area, located north of Kwik Trip and east of STH 175, south of Pleasant Hill Road, has long been discussed as being a site "ripe" for economic development. For the Village, the economic winds would tend to suggest the use appropriate for this area is light industrial/office. Which is consistent with previous Town/Village planning efforts for this area. Given the area's access and visibility along I-41 and potential access to the railroad, this site is truly unique. This small geographic area can be able to provide hundreds, if not thousands, of family supporting jobs as well as the potential to increase the Village's tax base over time if it is done correctly. Right now, this area generates very little by way of taxes. Businesses that may be looking to locate to this area like the recent news of Milwaukee Tool in West Bend or Briggs and Stratton in Germantown could be transformative to our local economy and continue to diversify our tax base. One only needs to look at the economic development going on with our neighbors to our east in Germantown and frankly, our region, to understand why it was important for the Village of Richfield to better understand these types of costs if it is serious about considering economic development and helping to minimize the property tax burden on our residents.

At the March 16, 2020 Village of Germantown Board meeting, the Germantown Village Board approved the attached MOU. A copy of their meeting minutes is attached herein for your convenience. The attached MOU was drafted at a



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: MOU with Germantown regarding the Village's Northeast Corridor

DATE SUBMITTED: April 22, 2020

SUBMITTED BY: Jim Healy, Village Administrator

Staff-level between me and my counterpart in Germantown, Mr. Steve Kreklow. We believe this is a commonsense approach to understanding the "pros" and "cons" of any regional collaboration aimed towards economic development. Given Staff's understanding of the past sensitivity towards this topic, this was a featured item in the March/April edition of the Richfield Happenings Newsletter. The feedback received from citizens both on Election Day and through my ordinary interactions with residents has been very positive.

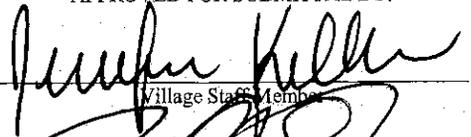
ATTACHMENTS:

1. March/April Richfield Happenings Newsletter Pg. 1-2
2. Village of Germantown Village Board meeting minutes from March 16, 2020
3. Letter dated April 16, 2020 from Village Clerk Deanna Braunschweig and related MOU

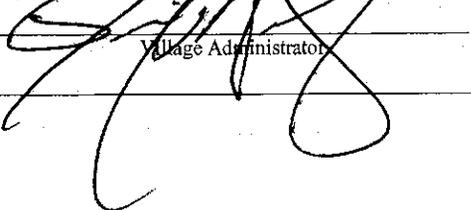
STAFF RECOMMENDATION:

Motion to authorize the Village President to execute the proposed Memorandum of Understanding (MOU) with the Village of Germantown.

APPROVED FOR SUBMITTAL BY:



 Village Staff Member



 Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____

RICHFIELD



Happenings

March/April 2020

Updates from Around the Village

Holy Hill Road –Regional Traffic Study and Collaboration: At the Village Board’s meeting in February, the Board authorized the Village to enter into an intergovernmental agreement with the Village of Germantown and Washington County to have a traffic engineering firm called TADI analyze the projected traffic growth along the STH 167 corridor. For the last few months, both communities and the County have been working cooperatively with the Wisconsin Department of Transportation (WisDOT) to ensure we are effectively planning for infrastructure needs now and into the future.

Along those same lines, in late 2019, the Village reviewed and approved an Infrastructure Analysis that was prepared by Stantec Consulting Services, Inc. It is online for the general public to view under the Comprehensive Plan portion of our website. This engineering study was funded by federal dollars as a part of our Washington County EPA Brownfields Redevelopment Coalition. The report looked at the costs of obtaining a sewer and water system for the roughly 300 acres of land directly north of the newly constructed Kwik Trip. To bring utilities to this limited area from Germantown would cost approximately \$2M. If they were to come from the Village of Jackson, it would be more than double the cost at \$4M. If the Village were seeking to develop its own utility (it is most certainly not), the cost would be over 10x that amount at \$43M. In all scenarios, it is envisioned that these types of improvements would be developer funded and tied to significant job creation in our Village.

This area has long been discussed as being a site “ripe” for economic development. For the Village, the economic winds would tend to suggest the use appropriate for this area is light industrial/office. This is consistent with our previous planning efforts for this area. Given its access and visibility along I-41, this site is truly unique. This small geographic area has the ability to be able to provide hundreds, if not thousands, of family supporting jobs as well as the potential to increase the Village’s tax base over time. Right now, this area generates very little by way of taxes. Businesses that may be looking to locate to this area like the recent news of Milwaukee Tool in West Bend or Briggs and Stratton in Germantown could be transformative to our local economy and continue to diversify our tax base. One only needs to look at the economic development going on with our neighbors to our east in Germantown and frankly, our region, to understand why it was important for the Village of Richfield to better understand these types of costs if it is serious about considering economic development and helping to minimize the property tax burden on our residents.

Road Construction Update: In February, the Village Board awarded the 2020 road construction contract. The roads to be constructed, listed below, totals approximately 3.8 miles compared to 5.8 miles in 2019. The total contract was \$1.58M and will start in Spring.

Hubertus Road from Hillside Road to St. Hubert’s Drive- \$498,090

Hubertus Road from St. Hubert’s Drive to Mayfield Road - \$311,700

Elmwood Road from STH 164 to Hillside Road - \$398,350

Krueser’s Ridge - \$203,800

Jencris Court - \$105,670

Village of Richfield

4128 Hubertus Road
Hubertus, WI 53033



Village Board

John Jeffords (President)
(262) 628-0385

Dan Neu
(262) 628-0177

Rock Brandner
(262) 628-1665

Bill Collins
(262) 628-4278

Tom Wolff
(414) 520-3566

Village Staff

Village Administrator
(262) 628-2260 Ext. 115

Public Works Supervisor
(262) 628-2260 Ext. 118

Deputy Clerk
(262) 628-2260 Ext. 111

Deputy Treasurer
(262) 628-2260 Ext. 114

Building Inspector
(262) 628-2260 Ext. 117

Administrative Services
(262) 628-2260 Ext. 113



Zoning Code Recodification: At each of the Plan Commission meetings so far in 2020, we have had a focused discussion on potential updates to the Village's Zoning Code. The last time these Ordinances were updated was 1983. As you can imagine, lots has changed in the world and State regulations since that time. So far, our Zoning Code Subcommittee has held 19 public meetings and these topics have been discussed at the Plan Commission level nine (9) times. In the coming months, the Village will be creating a webpage on our website devoted to helping the public understand the proposed changes as well as an unveiling of a web-based tool to help demystify our Zoning Code.

What are YOU interested in reading about?: If there are topics you are interested in hearing about, let us know! The goal of this newsletter is to create a publication which has wide appeal, is plainly written, timely, and informative.

Jim Healy, Village Administrator

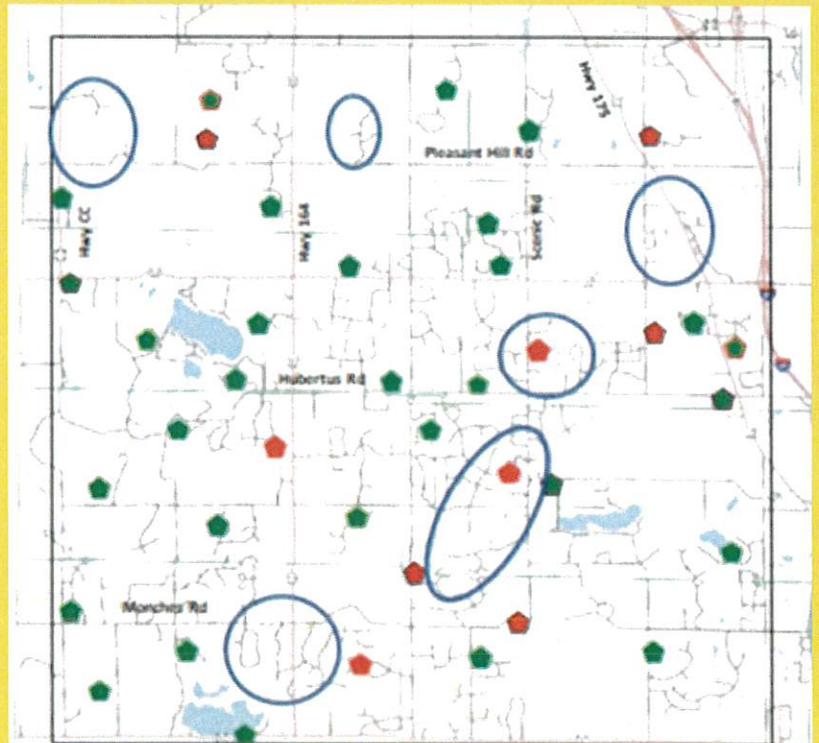
Calling All Volunteers: Protecting Richfield's Groundwater Resource

Ground water is the source of water supply for all residents of Richfield – our most important natural resource. All residential wells draw from a shallow aquifer comprised of sand and gravel, in much of the Village and dolomitic bedrock, mostly in the east. To protect our resource, the Town (at the time) Board adopted a 3-part Ground-Water Protection Plan in 2003:

1. A land-use plan which maximizes ground water re-charge;
2. A Ground-Water Protection Ordinance that requires new developments to limit water table drawdown to 1 foot or less at their property boundaries; and
3. A program to monitor water levels in representative wells.

Figure 1 to the right shows the current array of 38 monitored wells (the pentagons) in Richfield (area within the black square). Green pentagons are sites that are automated; red require manual readings.

Monitoring is important, because it establishes trends in water level. If they are declining in an area, that indicates a possible reduction of supply, and alerts us to examine why it's occurring. Over the past 4 years, Richfield has begun to automate the monitoring, installing sonic sensors on 28 wells we currently monitor (green pentagons). A Milwaukee firm, WellIntel (www.wellintel.com) builds and maintains the systems, and as of early 2019, the Village has contracted with them to run the monitoring program. The system consists of a sensor that sits atop the well cap and sends sonic waves into the well twice a day. The sensor captures return signals and sends them, via radio, to a communications gateway plugged into the well owner's router. The gateway sends the signal to WellIntel's servers where it is processed to determine the depth to water in the well. Data from a well is available to that well's owner. We're now getting over 700 readings a year as opposed to the 6 we traditional would have from manual monitoring efforts. Currently, there are some homes in the array that don't have internet connections or where we can't automate for other reasons (the red pentagons).



Therefore, we're seeking volunteer home owners who'd be interested in joining the monitoring program. There are a number of blue ellipses on Figure 1 showing the areas where we'd like to find volunteer well owners. Locating a WellIntel system in these areas would fill gaps in the automated monitoring array.

If you live in one of these blue areas and are interested in volunteering or learning more about the WellIntel system, first check out the website cited above. You can then contact Marian Singer via email at mjsinger@wellintel.com or myself at aquadoc@uwm.edu. We will then work to determine which of the volunteer wells we can add to the monitoring array and to set up a time to meet with you in person and potentially arrange an installation. If you'd like to see what one of the systems looks like, there is one installed on the well on the east side of Village Hall. Check it out!

Dr. Doug Cherkauer, Aqua Hydrogeologist

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
March 16, 2020**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter.

ROLL CALL: Present: President Wolter, Trustees Baum, Hughes, Kaminski, Miller, Warren, Wing, and Zabel. Trustee Myers was absent excused. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Rath, Director Schroeder, and Director Ratayczak.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

Clerk Braunschweig reported that voters are encouraged to request an absentee ballot to be mailed to them. Myvote.wi.gov allows voters to make a request. In Person Absentee voting for the April 7th election starts on Tuesday, March 17th.

President Wolter read the letter from the Department of Transportation in regards to the Holy Hill project. The Department of Transportation will reimburse up to 1 million or 21% of the project.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST/DEPARTMENT AND COMMITTEE REPORTS:

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

Pres. Wolter reported that item C has been removed from the Agenda based on the number of people that would be here for that item.

Email from Matt Cudney was read by Pres. Wolter. Mr. Cudney requested a special meeting for the Rezoning of item C. He objects of the item being removed from the meeting.

CONSENT AGENDA:

A. Approval of Minutes: March 2, 2020 Regular Village Board Meeting.

B. Accounts payable/payroll

1.	February 29, 2020	Accounts Payable	\$	9,938.21
2.	February 3, 2020	Payroll (Hourly)	\$	247,909.29
3.	February 10, 2020	Accounts Payable	\$	713,883.03
4.	February 15, 2020	Payroll (Salary)	\$	109,227.73

C. Operators License: April Fossum, Sarah Fretthold. [Recommended].

The following items were forwarded from **Public Works** with a unanimous recommendation.

D. Resolution 18-2020, Contract with CTW Corporation in an amount of \$114,520, for the purposes of Well #11 Maintenance Rehab, and authorization for an additional \$90,860 included in Supplemental Section Part B to address items that may not be reusable for a total award not to exceed the amount of \$205,380.00.

E. Resolution 19-2020, Dheinsville Park Pavilion Project Funding Agreement.

F. Resolution 20-2020, Contract with Keller, Inc. in an amount not to exceed \$563,633 for the purposes of Construction of the Dheinsville Park Pavilion.

G. Resolution 21-2020, Cost Sharing Agreement with the Village of Richfield, Washington County, and a private individual for an individual amount of \$7,250.00 for the Holy Hill Road Traffic Impact Analysis.

H. Resolution 22-2020, Contract with Traffic Analysis & Design Inc. (TADI) in the amount of \$29,000 for the Holy Hill Traffic Impact Analysis.

I. Resolution 23-2020, Establish 2020 Village Labor and Equipment Rates.

MOTION (Baum/Miller) to approve Consent Agenda Items A-I. Roll Call Vote Carried Unanimously.

OLD BUSINESS:

A. None.

PUBLIC HEARING:

Resolution to Discontinue a Portion of the 66 Foot Public Road Dedication Shown on CSM No. 455 Located North of County Line Road Approximately 640 Feet East of Fond du Lac Avenue, Requested by Waste Management of Wisconsin.

Director Ratayczak came forward and gave background of the item of the Right of Way discontinuance. The Approved CSM and area vacated were shown.

Pres. Wolter read the Public Hearing Notice at 7:13 pm.

No One came forward.

Pres. Wolter closed the public hearing at 7:14 p.m.

NEW BUSINESS:

Resolution 24-2020, Discontinuing a Portion of the 66 Foot Public Road Dedication Shown on CSM No. 455 Located North of County Line Road Approximately 640 Feet East of Fond du Lac Avenue, Requested by Waste Management of Wisconsin.

Motion (Baum/Zabel) to approve Resolution 24-2020, Discontinuing a Portion of the 66 Foot Public Road Dedication Shown on CSM No. 455 Located North of County Line Road Approximately 640 Feet East of Fond du Lac Avenue, Requested by Waste Management of Wisconsin. Motion carried unanimously.

Certified Survey Map Lot Combination for Steven & Elizabeth Green - N116 W16033 & N116 W16011 Main Street.

Motion (Baum/Kaminski) to approve Certified Survey Map Lot Combination for Steven & Elizabeth Green - N116 W16033 & N116 W16011 Main Street. Motion carried unanimously.

Ordinance 05-2020, Rezoning from A-2: Agricultural to Rs-4: Single-Family Residential Zoning District for a 16-Lot Residential Development Veridian Homes, LLC, Agent for Germantown School District, Property Owner - N104 W14942 Donges Bay Road.

No action was taken on Ordinance 05-2020, Rezoning from A-2: Agricultural to Rs-4: Single-Family Residential Zoning District for a 16-Lot Residential Development Veridian Homes, LLC, Agent for Germantown School District, Property Owner - N104 W14942 Donges Bay Road.

Animal Fancier License: Cherie and Robert Carty, W154N10230 Regency Court, Germantown. **Motion (Baum/Kaminski) to approve Animal Fancier License: Cherie and Robert Carty, W154N10230 Regency Court, Germantown. Emails were read into the record. Marliee and Kim Kolinski and Todd Poppe did not have any objection. Dick Mainz and Merry McCollum were opposed. Motion carried. Hughes voted no.**

Resolution 25-2020, Memorandum of Understanding, Village of Germantown and Village of Richfield Relating to the Exploration of the Extension of Water and Sewer Utilities from Germantown to Richfield along Holy Hill Road.

Motion (Baum/Kaminski) to approve Resolution 25-2020, Memorandum of Understanding, Village of Germantown and Village of Richfield Relating to the Exploration of the Extension of Water and Sewer Utilities from Germantown to Richfield along Holy Hill Road.

Village Administrator Kreklow reported on the item. The Memorandum of Understanding lists a series of responsibilities. The Village of Richfield would agree to absorb the cost for drafting and the consultants. Work may begin this summer. Reports of feasibility and potential benefits would come back.

Village Attorney Sajdak reported that this agreement gives the staff the go ahead to work out the frame work of the service. There would be a future formal agreement before the Village Board. This agreement is designed to give staff the authority to explore an extension of water and sewer utilities.

Motion carried. Wing and Zabel voted no.

Declaring a Public Health Emergency in Response to the Covid-19 Coronavirus.

Administrator Kreklow reported that items are moving quickly. He presented information I regards to the Covid-19 Coronavirus. This has been declared a pandemic and national emergency. K-12 Schools in the State of Wisconsin are closed. The Library is closed, Kids Club is closed, Senior Center is closed. Voters are encouraged to vote by mail. Election Staffing will be an issue. The financial markets are being monitored for the April 6th bond sale.

The Village Attorney distributed a Resolution declaring a public health emergency. The current response to Covid-19 may assist with disaster relief. This is a way to accomplish that.

The Resolution appoints the Village President as the Chief Executive Officer and then the next in seniority amongst the board.

This addresses and allows the meetings by way of telephone or video conference in a meeting. There are proposals to relax the open meetings requirements.

Motion (Zabel/Baum) to approve Resolution Declaring a Public Health Emergency in response to the COVID-19 Coronavirus. Motion carried unanimously.

ADJOURNMENT.

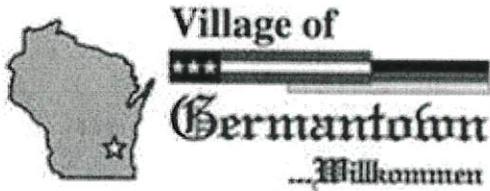
ADJOURNMENT: There being no further business, the meeting adjourned at 8:00 p.m.

The next regular meeting of the Village Board will be on Monday, April 6, 2020 at 7:00 p.m.

Respectfully Submitted,

Deanna Braunschweig

Deanna B. Braunschweig, WCMC/CMC
Village Clerk



OFFICE OF THE VILLAGE CLERK
N112W17001 Mequon Road,
PO Box 337
Germantown WI 53022-0337
Phone (262)250-4740
FAX (262)253-8255

April 16, 2020



Mr. Jim Healy
Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033

Jim Healy,

At the March 16, 2020, Village of Germantown Board meeting, the Village Board approved the Memorandum of Understanding Between the Village of Germantown and Village of Richfield.

Two of the signed agreements are enclosed. Please execute both agreements and keep one for yourself and return one in the self addressed stamped envelope.

Sincerely,

Deanna

Deanna Braunschweig
Village Clerk

enclosures

MEMORANDUM OF UNDERSTANDING

BETWEEN

***VILLAGE OF GERMANTOWN
AND
VILLAGE OF RICHFIELD***

This Memorandum of Understanding (MOU), made and entered freely into by the respective Village Boards of the Village of Germantown, hereinafter called the "VOG" and the Village of Richfield, hereinafter called the "VOR".

RECITALS

WHEREAS, VOG and VOR are authorized under Wis. Stat. § 66.0301(2) to contract with each other for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and

WHEREAS, this MOU is predicated on the belief that both communities believe it is in their best interest to analyze the feasibility of sewer and water utilities being extended from the VOG to the VOR along Holy Hill Road and/or Rockfield Road to serve a very limited portion of the VOR known in Richfield as the "Northeast Corridor," which is depicted in Exhibit A; and

WHEREAS, VOR desires to encourage commercial development in the Northeast Corridor based in part due to its proximity to I-41, a major transportation arterial connecting the Village with major economic development centers in our region; and

WHEREAS, VOR has determined that serving the Northeast Corridor with water and sewer should be explored because the geological makeup of the area is primarily made up of clay with shallow dolomite bedrock which does not contain the same groundwater recharge properties as the glacial sand and gravel found throughout the majority of the rest of the VOR which geologically is largely glacial sand and gravel; and

WHEREAS, to illustrate its commitment that sewer and water service is only appropriate in the Northeast Corridor, in 2012 VOR created Sections 2.05(E) and (f) of the Richfield Code of Ordinances which generally requires a public referendum by VOR taxpayers for any public works project if it 1) is funded by Village property tax dollars, 2) is located west of STH 175, 3) requires the immediate connection of all property owners in a residential subdivision and the Village does not have express written consent of 50% or more of the residents being considered for sewer and water utilities, and 4) is not required by any Federal, State, County Ordinances or Rules and/or Court orders; and

WHEREAS, water service is further limited to the Northeast Corridor based upon the location of the subcontinental divide which sends water east of STH 175 to Lake Michigan and water west of STH 175 to the Mississippi River; and

WHEREAS, over the course of the last several years, considerable economic development has been occurring in the VOG along the "Holy Hill Corridor" which has brought utilities in close proximity to the VOR boundaries; and

WHEREAS, VOG has determined that serving the Northeast Corridor of the VOR will benefit the financial health of its water and sewer utilities by increasing the customer base and also determined that compatible development of the Northeast Corridor serves to continue to drive development within the Holy Hill Corridor; and

WHEREAS, VOG supports VOR's desire to benefit from the economic development occurring along the Holy Hill Road corridor that has resulted from land use policy and financial investment decisions made by VOG and both communities agree to work together in the spirit of regional collaboration to develop land use patterns that are complimentary to one another and does not put either community in a competitive disadvantage or otherwise impede the type, amount, location of future development in VOG for which land use plans and significant public investment decisions have already been made;

WHEREAS, the VOG and the VOR endeavor to work collaboratively together to better understand whether this type of regional partnership makes sense for each community; and

WHEREAS, it is envisioned that, should the results of the activities contemplated in this MOU lead to more serious discussions about the extension of sewer and water utilities to the Northeast Corridor, a subsequent agreement formalizing that extension will be necessary along with public education and outreach to better inform the respective taxpayers of the findings and analysis undertaken as a part of this MOU; and

WHEREAS, the VOG and the VOR endeavor to seek this partnership to create "Win-Win" economic development scenarios where cooperation rather than competition benefits the collective taxpayers while recognizing that innovative Board leadership and a transparent organizational partnership are essential to the success of any proposed partnership.

NOW, THEREFORE, based upon the foregoing recitals, its is agreed by and between both parties that:

MUNICIPAL RESPONSIBILITIES

- A. The parties agree to explore the feasibility of providing utility service from VOG to VOR. This feasibility study will include engineering and technical studies and review, legal and regulatory (Public Service Commission, SEWRPC, MMSD, etc) analysis, financial analysis, and an exploration of the use of a cooperative program of zoning and economic development tools to better serve the communities.
- B. The VOR accepts the cost and responsibility for drafting legal agreements and/or legal instruments along with any necessary engineering plans related to the potential extension of sewer and water utilities from the VOG. It is understood that these costs may or may not be able to be recouped through subsequent agreements or future development opportunities with third-parties.
- C. The VOG will be utilizing its professional staff, at its cost, to review any documents created by the VOR related to the potential extension of sewer and water utilities to the VOR. It is understood that these costs may or may not be able to be recouped through subsequent agreements or future development opportunities.
- D. The VOR will provide to the VOG, upon request, any previously conducted engineering and/or planning studies or information which may be beneficial that are subject to Wisconsin's Open Records Requests.

- E. The VOG will provide to the VOR, upon request, any previously conducted engineering and/or planning studies or information which may be beneficial that are subject to Wisconsin's Open Records Requests.
- F. To the extent that there are any engineering or planning studies or information which may be beneficial but that may be confidential in nature and subject to an exemption from the Open Records law, the parties may agree to share the same provided that appropriate safeguards are put in place to preserve its confidentiality.
- G. VOG and VOR agree to meet with Economic Development Washington County (EDWC) to help develop a set of mutually agreeable financial incentives, if any, to present to the respective Boards that each community may want to consider uniformly offering any potential developer.
- H. VOG and VOR agree to utilize EDWC, SEWRPC or other similar entities to assist them in arriving at a mutually beneficial zoning and land use plan for the area designed to provide for the largest benefit to the communities as a whole while minimizing direct competition for development where appropriate.

DUTY TO COOPERATE

- A. Each party hereto shall commence, carry on and complete its obligations under this agreement with all deliberate speed and in a sound, economical and efficient manner, in accordance with this agreement and all applicable laws.

SEVERABILITY

- A. The various provisions of this agreement are declared to be severable and the finding of any court that any particular clause or clauses is or are unlawful or unenforceable shall not operate to invalidate the remainder of this agreement and the same shall continue in effect unless modified by the parties.

NO THIRD-PARTY RIGHTS

- A. This is an agreement between the VOG and the VOR and nothing herein creates any vested rights to any third-party, organization, or company (as broadly defined).

LIABILITY

- A. Each party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, boards, commissions, agencies, officers, and representatives and shall be responsible for any losses, claims, and liabilities which are attributable to such acts, errors, or omissions including providing its own defense. In situations including joint liability, each party shall be responsible for the consequences of its own acts, errors, or omissions and those of its employees, agents, boards, commissions, agencies, officers and representatives. It is not the intent of the parties to impose liability beyond that imposed by state statutes. The obligations of the parties under this paragraph shall survive the expiration or termination of this agreement. Nothing contained within this paragraph or contract is intended to be a waiver or estoppel of the municipality or its insurer to rely up on the limitations, defenses, and immunities contained with Wisconsin law, including those contained with Wisconsin Statutes 893.80, 895.52., and 345.05. To the extent that indemnification is available and enforceable, the municipality or its insurer shall not be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin law.

ENTIRE AGREEMENT AND AMENDMENTS

A. The entire agreement of the parties is contained herein and this agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. The parties expressly agree that this agreement shall not be amended by any fashion except in writing, executed by both parties.

Village of Germantown

By: _____

Title: _____

Date: _____

Village of Richfield

By: _____

Title: _____

Date: _____

EXHIBIT A



7d



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Wisconsin Act 166 – Administrative Approval of Operator (Bartender) Licenses

DATE SUBMITTED: April 22, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO AUTHORIZE VILLAGE STAFF TO PREPARE AN ORDINANCE WHICH WOULD ALLOW AN ADMINISTRATIVE APPROVAL OF PETITIONED OPERATOR LICENSES ALONG WITH A CORRESPONDING POLICY RELATED TO THE SAME?

ISSUE SUMMARY:

Under prior law, operator's licenses (commonly referred to as bartender licenses) and provisional operator's license were issued exclusively by the municipal governing body. 2019 Wisconsin Act 166 allows the municipal governing body to, by ordinance, authorize a designated municipal official to issue operator's licenses. This newly enacted Wisconsin State Statute went into effect on March 5, 2020.

In practice, if an applicant had no outstanding issues of concern on their record through conducting a background investigation, a license could easily be approved provided the governing body formally approves the petition. Sometimes this causes undue delay for our petitioners. For example, if an application were submitted the week of a Village Board meeting, the petitioner might be waiting upwards of five (5) weeks to receive an operator's license. This waiting period seems unnecessarily bureaucratic given the potential for flexibility granted with this new law enacted last month. This law, as adopted, gives local governing bodies the option to pass an ordinance delegating the issuance of an operator's license to a municipal official, such as a clerk or an administrator. This law also provides flexibility to the governmental entity to decide for itself any sort of due process for an administrative denial of a petitioned license.

As you well-know, the consideration to allow the administrative approvals of operator's licenses would be a stark change from our current modus operandi. The impacts to public safety are important and noteworthy. Our community takes the issuance of operator's licenses very seriously. Under the Village's current process, potential operators must submit to a background check performed by the Washing County Sheriff's Office (WCSO) as well as provide Staff confirmation that they have successfully completed a seller/server course recognized by the State of Wisconsin. These types of licensing classes are required by the Department of Revenue for petitioners to receive operator's licenses from municipal entities in this State. The role of licensed operators is very important, and our Village Board plays an important role in reflecting the public safety concerns of our residents.

Wisconsin Act 166 gives the Village a way to help streamline our license process which is a benefit to the potential operators who are looking to get to work right away, as well as businesses looking to fill those positions, quickly. With our current economic situation and the Governor's "Safer at Home" Order, it stands to reason that next month and beyond we may see a flurry of new operator's licenses. Should this predicted increase in applications occur, this will help improve efficiencies of our municipal operations and make our community that much more "business friendly".

Potential Corresponding Policy

As a part of any potential ordinance adoption, Village Staff would also recommend the development of a formal policy that closely mirrors our administrative review process right now. Whereby, the WCSO, Village President, and Clerk (or Deputy Clerk) still individually reviews each application and signs-off on the issuance of a license, just like they would before its placed on any Village Board Consent Agenda. There could be provisions for due process, as previously mentioned, that any application that Staff denies (under law there are only a handful of reasons why they can be denied) or Staff did not feel comfortable approving administratively, would be forwarded to the Village Board for further review and consideration.



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Wisconsin Act 166 – Administrative Approval of Operator (Bartender) Licenses
DATE SUBMITTED: April 22, 2020
SUBMITTED BY: Jim Healy, Village Administrator

Additional language could be worked into the policy regarding the timing of this review so that it was clear to any petitioned operator or business owner how quickly a license could be processed. In the opinion of Staff, this could likely be administratively handled in 7-10 days, based on the availability of the WCSO, the Village President, and Staff to conduct the background investigation as well as prepare the requisite license.

FISCAL IMPACT:

Initial Project Costs: N/A
Future Ongoing Costs: N/A
Physical Impact (on people/space): N/A
Residual or Support/Overhead/Fringe Costs: N/A

REVIEWED BY:
Village Deputy Treasurer

ATTACHMENTS:

1. 2019 Wisconsin Act 166
2. Village of Richfield Operators License Application

STAFF RECOMMENDATION:

Motion to direct the Deputy Clerk and Village Administrator to prepare an Ordinance for adoption which would authorize the administrative review and approval of operator licenses in the Village as well as a corresponding policy which closely mirrors our current practice of reviewing petitioned applications to the Village Board.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Village Administrator

Resolution No. _____
Ordinance No. _____
Approved _____
Other _____

Continued To: _____
Referred To: _____
Denied _____
File No. _____

Date of enactment: **March 3, 2020**

2019 Senate Bill 203 Date of publication*: **March 4, 2020**

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2019 WISCONSIN ACT 166

AN ACT to amend 125.17 (1), 125.17 (4) (intro.), 125.17 (5) (b), 125.17 (6) (a) (intro.) and 125.17 (6) (b) of the statutes; **relating to:** issuance by municipalities of alcohol beverage operator's licenses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 125.17 (1) of the statutes is amended to read:

125.17 (1) **AUTHORIZATION.** Every municipal governing body shall issue an operator's license to any applicant who is qualified under s. 125.04 (5), except that the municipal governing body may by ordinance authorize a designated municipal official to issue operator's licenses. Operators' licenses may not be required other than for the purpose of complying with ss. 125.32 (2) and 125.68 (2) or s. 125.06 (3g). Operators' licenses may be issued only upon written application.

SECTION 2. 125.17 (4) (intro.) of the statutes is amended to read:

125.17 (4) **TEMPORARY LICENSE.** (intro.) Any municipal governing body or designated municipal official may issue a temporary operator's license under the terms of subs. (1) to (3), except that:

SECTION 3. 125.17 (5) (b) of the statutes is amended to read:

125.17 (5) (b) A provisional license may be issued only to a person who has applied for an operator's license under sub. (1). A provisional license may not be issued to any person who has been denied a license under sub. (1) by the municipal governing body or designated municipal official.

SECTION 4. 125.17 (6) (a) (intro.) of the statutes is amended to read:

125.17 (6) (a) (intro.) Except as provided in par. (b), no municipal governing body or designated municipal official may issue an operator's license unless the applicant has successfully completed a responsible beverage server training course at any location that is offered by a technical college district and that conforms to curriculum guidelines specified by the technical college system board or a comparable training course, which may include computer-based training and testing, that is approved by the department or the department of safety and professional services, or unless the applicant fulfills one of the following requirements:

SECTION 5. 125.17 (6) (b) of the statutes is amended to read:

125.17 (6) (b) A municipal governing body or designated municipal official shall issue a provisional operator's license to a person who is enrolled in a training course under par. (a) and who meets the standards established by the municipality by ordinance, if any. The municipal governing body shall revoke that license if the applicant fails successfully to complete the course in which he or she enrolls.



NEW APPLICANT
(Complete Background)

RENEWAL
(Renew Only)

RECEIVED PROVISIONAL

OPERATOR LICENSE APPLICATION CHECKLIST

Applicant Name: _____ Date Application Received: _____

Copy of Drivers License:

Responsible Server Course Completed in Last 2 Years: OR

Hold Valid Operator's License: _____
Municipality Name: _____ License No: _____

Background Check Attached:

Street Review Date: _____ President Review Date: _____ Clerk Review Date: _____

Approved/Denied: _____ Approved/Denied: _____ Approved/Denied: _____

Date Reporting to Village Board: _____

Date Fees Paid: _____ Receipt No: _____

New Operator License Fee (\$50.00)
Renewal Operator License Fee (\$25.00)
Provisional License Fee (\$10.00)
Temporary Operator License Fee (\$10.00) **-> Public Only Use!**

1 OF THIS APPLICATION FOR OPERATORS LICENSE HAS BEEN PROVIDED TO THE DEPUTY CLERK. (Place copy in mail folder)

Home: 440.525.5401 / Permits > Applications > Operator License > Top / 2015-07-24 09:00



VILLAGE OF RICHFIELD
 4128 HUBERTUS RD, HUBERTUS, WI 53033
 262-628-2260

License #: _____

APPLICATION FOR OPERATOR/BARTENDER LICENSE TO SERVE FERMENTED MALT BEVERAGES AND INTOXICATING LIQUORS

- New License (\$50)** **Renewal License (\$25)** **Provisional License (\$10)**
 (2 Months Only)

*** A **FALSE** or **INCOMPLETE** answer or statement in this application could result in denial or revocation of the license***

Applicant Information

NAME OF APPLICANT: _____
 LAST FIRST MI
 RESIDENCE STREET ADDRESS: _____
 CITY: _____ STATE: _____ ZIP: _____ CONTACT NO: _____
 EMAIL: _____

The following information is required for background check

DL #: _____ ISSUING STATE: _____

Attach a copy
 BIRTHDATE: ____/____/____ AGE ____ GENDER: M F RACE: _____

ESTABLISHMENT YOU WILL BE SERVING AT? _____

HAVE YOU COMPLETED THE RESPONSIBLE BEVERAGE SERVICE COURSE WITHIN THE LAST 2 YEARS? YES NO **Attach a copy**
 ----- **OR** -----

HELD A VALID OPERATOR LICENSE IN THE STATE OF WISCONSIN WITHIN THE LAST 2 YEARS? YES NO **Attach a copy**
 IF YES, INDICATE MUNICIPALITY: _____ AND LICENSE NO. _____

Have you **ever** been **CONVICTED** of committing any crimes (felony or misdemeanor - including traffic crimes, operating while intoxicated, eluding, operating while revoked, etc)? YES NO

Have you **ever** been **CONVICTED** of violating ANY State Law, or Local Ordinances that regulate alcoholic beverages (ie: procure/sell/dispense/give to underage person, licensee furnishing to underage person)? YES NO

If you answered YES to any of the above questions, please complete the information below.
 List any and all convictions separately. If additional space is needed, use the back of this form.

Date	Offense	Municipality

Are you currently on probation and/or parole? YES NO
 If yes, for what offense? _____

Are you currently on bond restrictions? YES NO
 If yes, in what county? _____

Do you have any PENDING criminal cases against you for violating ANY State Law or Local Ordinances? YES NO
 *PENDING means an offense that you were cited or arrested for, that has not yet been resolved.

OFFENSE: _____

Name of Law Enforcement Agency: _____

-- CONTINUED ON BACK --

WAIVER AND CONSENT

I hereby certify that the answers on the above application are complete, true and correct to the best of my knowledge and belief. I am eighteen years of age or older. I agree in the consideration of the granting of this license, for the term ending **June 30, 20**__, to comply with the laws of the State of Wisconsin, the Ordinances of Washington County, and all the provisions of the Municipal Code of Ordinances of the Village of Richfield.

I, by the signing of this application, consent to the full investigation of my background by law enforcement officials and also consent to the use and disclosure by the Village of Richfield, its elected officials, its employees and its agents of any and all information obtained in said investigation relative to my fitness to be a licensed operator in the Village of Richfield.

I hereby waive all rights to privacy or privilege that I may have in the use of the material and information obtained from said investigation. Further, I do hereby release and hold harmless, and agree to release and hold harmless the Village of Richfield, its elected officials, its employees and its agents from any and all manner of action or cause of action, judgments, executions, debts, claims and demands which I may have or my heirs or assigns may have regarding the investigation of my background and use of said material and information obtained from said investigation.

APPLICANT'S SIGNATURE: _____ DATE: _____

I hereby apply for a license to serve from the date hereof to **June 30, 20**__, inclusive (unless sooner revoked), Fermented Malt Beverages and Intoxicating Liquors subject to the limitations imposed by Sections 125.32(2) and 125.68(2) of the Wisconsin Statutes and all acts amendatory thereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances, and regulations, Federal, State or Local affecting the sale of such beverages and liquors if a license is granted to me.

APPLICANT'S SIGNATURE: _____ DATE: _____

Please Note:

FEES ARE NON- REFUNDABLE

Should you withdraw your application or the application be denied by the Village Board.

7e



VILLAGE OF RICHFIELD

7e.

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: April 30, 2020

SUBJECT: Patrol Truck Body – Dual Auger System
DATE SUBMITTED: April 22, 2020
SUBMITTED BY: Brett Thicke, Public Works Supervisor

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO AUTHORIZE A CHANGE ORDER TO PATROL TRUCK #12 FOR THE UPGRADE OF SALT CONVEYOR SYSTEM?

ISSUE SUMMARY:

One of the most essential roles that the Village of Richfield Public Works Department oversees is the plowing of 146 center lane miles of roadway. During any given snow event, plow operators use 250 to 300 pounds of salt per lane mile based solely on weather conditions. With the price of salt increasing at a rate of 4 to 6% annually, it is critical to find more efficient ways of material usage.

At the January 2019 Village Board meeting, Staff was authorized to execute an agreement for the purchase of an International Truck from Burke Truck and Equipment per the adopted 2019 Village Budget. Currently, the truck body and chassis are being held to the side while the specifics of the truck plow package are under review. An important component of the plow package is the conveyer for salt – the system that has been ordered historically is a chain conveyer system. Tonight, Staff is putting forth a proposal to consider upgrading the conveyer system to replace the chain conveyer with a XT3 A2 Type III dual auger conveyer system.

Currently, each of our plow trucks have a chain conveyer system which transports salt from the front of the box on the truck to the rear. A known fault in this system, is the “spottiness” of the spread dispersion pattern which does not cast salt in a consistent manner along the roadway. Other concerns related to the chain conveyer system, include the cost of chain replacement. In 2013, Shop Foreman Muesch replaced the conveyer chain on truck No. 5 at a cost of \$1,185. Five (5) years later, on the same truck, a conveyer chain was replaced for the second time at the cost of \$1,044. In 2019, the conveyer shaft bearing was replaced which equated to several hundred dollars in parts. These repairs are common amongst our fleet. In addition to intermittent repairs and chain breaks, routine maintenance of chain conveyer systems is also necessary. Our Shop Foreman adjusts the conveyer chain three (3) times annually, at a rate of 2-3 hours per adjustment. At his hourly rate of \$26.36 per hour, averaging 2.5 hours per truck, three (3) times per year for all eight (8) of the Village’s active plow trucks that cost is \$1,581 in labor or just shy of 60 hours of work.

Included for your review is a letter from Jeff Smith at Burke Truck and Equipment detailing what upgrades are available for Truck #12 as well as fact sheets for the proposed XT3 A2 Type III auger conveyer system. This system spreads salt at a similar rate to the chain conveyer, a rate of 100 to 200 pounds per lane mile. However, the spread pattern becomes more consistent down the roadway, which ultimately provides a more efficient use of materials. Another advantage to the proposed auger conveyer system is the box of the truck is completely self-contained. Meaning, salt is not able to spread onto the chassis of the truck. Photos in “Exhibit A” show the deterioration on the undercarriage of our plow fleet which is common and typical. In order to maintain the expected 22-year life span of a plow truck, the more rapid deterioration of the chassis from the fallen salt may be considered another substantial short coming of the chain conveyer system. Members of the Village Board are welcomed to visit the shop at any time to see the corrosion of our plow trucks’ undercarriage first-hand if they are interested. The purchase price of this proposed upgrade from a chain conveyer system to XT3 A2 Type II auger system is \$5,800. After consultation with our Shop Foreman, Staff believes this upgrade would pay for itself in salt and maintenance savings within two (2) years of use. The proposed conveyer system upgrade to Truck #12 would also increase the future resale value of the equipment. To pay for the system, Staff would reallocate \$5,800 from the \$9,000 Bunker Rake that we did not purchase.



VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

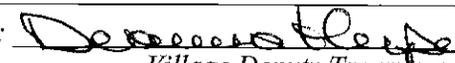
MEETING DATE: April 30, 2020

SUBJECT: Patrol Truck Body – Dual Auger System

DATE SUBMITTED: April 22, 2020

SUBMITTED BY: Brett Thicke, Public Works Supervisor

FISCAL IMPACT:

REVIEWED BY: 
Village Deputy Treasurer

Initial Project Costs: \$5,800

Future Ongoing Costs: maintenance

Physical Impact (on people/space): improved plow package

Residual or Support/Overhead/Fringe Costs: N/A

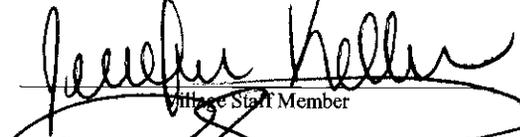
ATTACHMENTS:

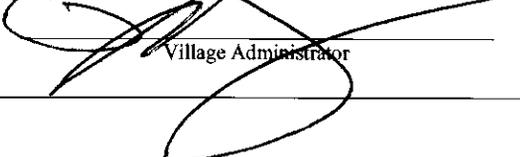
1. Letter from Jeff Smith, Burke Truck and Equipment
2. Hi-Way XT3 A2 Type III Auger Conveyor Fact Sheet
3. Photo Exhibit A

STAFF RECOMMENDATION:

Motion to authorize Staff to amend the plow package, purchased for Truck #12 to include the upgrade of an XT3 A2 Type III double auger system for the additional cost of \$5,800.

APPROVED FOR SUBMITTAL BY:


Village Staff Member


Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____
 Ordinance No. _____
 Approved _____
 Other _____

Continued To: _____
 Referred To: _____
 Denied _____
 File No. _____



XT3 A² Type III

WHY AN AUGER CONVEYOR?

- No carryback of material
- Lower maintenance than chain conveyor
- Counter-rotating augers break up clumps and reduce potential for material bridging.
- Precision delivery of material to spinner

FEATURES/BENEFITS OF XT3 A² AUGER CONVEYOR

- Auger / Conveyor components:

- 7" diameter augers with variable pitch flighting for even unloading of material from the body.
- Flighting is made from AR500 steel, with a Rockwell hardness of 50 to 55. Longer life than hard surfaced (welded) auger.
- Auger pipe is constructed from 4" diameter schedule 80 pipe. Superior strength at high torque.
- Independent 4-bolt flange bearings are grease-able from the back of the machine without needing to remove access panels"
- Auger to gear case connection is single pin with poly bushing. No maintenance – ease in disassembly.
- Planetary gear case is 3.6:1 – made in USA
- 24.7 cubic inch motors with one motor containing a 60 pulse sensor. High feedback rate for accuracy of material delivery.
- 7-gauge 304 stainless steel trough with formed vee for optimum feed and auger cleanout. Superior strength and long life.

FEATURE/BENEFIT XT3 A² PREWET

- ¾" stainless pipe introduces liquid over flighting. Liquid is blended into material prior to discharge onto the spinner through auger rotation.
- Liquid pipe can be easily removed (one bolt) for service and/or calibration of liquid application.

FEATURE/BENEFIT XT3 ALL

- Largest Capacity / lowest center of gravity of any radius style body produced.



XT3 A² Type III

Specifications



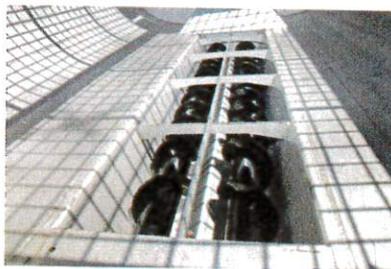
Body Length	Width	CA/CT*	Body Weight (Approx.)	Struck Cap.	Struck Cap. w/Sideboards
10'	95.5" (243 cm)	84" (213 cm)	4323 lbs. (1961 kg)	7.6 yds ³ (5.80 m ³)	11.2 yds ³ (8.57 m ³)
12'	95.5" (243 cm)	108" (274 cm)	4703 lbs. (2133 kg)	9.2 yds ³ (7.05 m ³)	13.6 yds ³ (10.39 m ³)
13'	95.5" (243 cm)	108" (274 cm)	4893 lbs. (2219 kg)	10.0 yds ³ (7.68 m ³)	14.7 yds ³ (11.31 m ³)
14'	95.5" (243 cm)	120" (305 cm)	5083 lbs. (2306 kg)	10.9 yds ³ (8.30 m ³)	16.0 yds ³ (12.22 m ³)

*Typical Cab-to-Axle measurement. Please consult federal, state and local weight laws and chassis manufacturer's rating to ensure neither government weight restrictions nor the GVWR and GAWRs are exceeded.



Prewet System:

Liquid is blended into material prior to discharge onto the spinner through auger rotation.



Dual Auger:

Precision delivery of material to spinner. No carryback of material.



Hoist:

The XT3 is supplied with nitrided telescopic cylinders only. The nitriding process provides enhanced protection against corrosion and wear. This cylinder is supplied with a two year warranty.



Spinner:

The rear spinner assembly (shown) adjusts up/down, side-to-side, and fore/aft for precise spread pattern control.



Body:

95.5" (243cm) wide body provides maximum capacity. Body side sheets and floor feature one-piece construction.

Highway Equipment Company

1330 76th Ave. SW • Cedar Rapids, IA 52404-7052

Phone: (319) 363-8281 or (800) 363-1771

Fax: (319) 286-3351 or (800) 363-8267

Online: www.highwayequipment.com

E-mail: information@highwayequipment.com



Highway Equipment Company

Building the best since 1939.

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BURKE TRUCK & EQUIPMENT, INC.

5337 REINER RD., MADISON, WISCONSIN 53718

888-249-9788 / 608-249-9788 / FAX: 608-837-7530

Web: www.burketruck.com / Email: sales@burketruck.com

3/6/20

Village of Richfield
1345 Hillside Rd.
Hubertus, WI 53033

Attn: Bob Muesch

Subject: XT3 options

Mr. Muesch, thank you for the opportunity to quote you on the following XT3 dump body options. Please feel free to contact me with any questions. All prices are valid for 90 days.

All prices are based on upgrades from the XT3 Type III the village is currently using.

Optional upgrades

1. XT3 A2 double auger body in lieu of chain currently using, add....\$5,800.00
2. Electric Pre-Wet system to include 2 65 gallon stainless steel fender mounted tanks, all plumbing, pump and wiring, add.....\$5,510.00
3. XT3 A2 and XT3 type III Electric Pre-Wet system to include 4 50 gallon poly tanks mounted to a 4 inch subframe under body fenders, plumbing, pump and wiring, add.....\$7,100.00
4. Frame mounted Electric Pre-Wet system to include stainless steel brackets, 100 gallon poly tank, plumbing, pump and wiring.....\$3,500.00

Sincerely

Jeff Smith
Burke Truck & Equipment Inc.

Burke Truck & Equipment, Inc. detailed spec list

Village of Richfield
4128 Hubertus Road
Hubertus, Wi. 53033

Attn: Village Board Members

Subject: Truck Equipment

Thank you for the opportunity to quote you on the equipment listed in this specification. If there are any questions or changes that need to be addressed, please feel free to contact me. All prices are valid for the Village of Richfield for 60 days.

Total equipment package as specified..... \$87,025.00

Burke Truck & Equipment is pleased to offer the Village of Richfield a 1 ½% discount on the equipment package, if they choose to pay one half of the package price at the time of order, with the balance due after delivery of the completed unit. (see below)

Total package price.....	\$87,025.00
First half payment.....	\$43,512.50
1 ½% discount.....	\$1,305.37
Second half payment.....	\$42,207.13
Total package price after discount.....	\$85,719.63

Sincerely

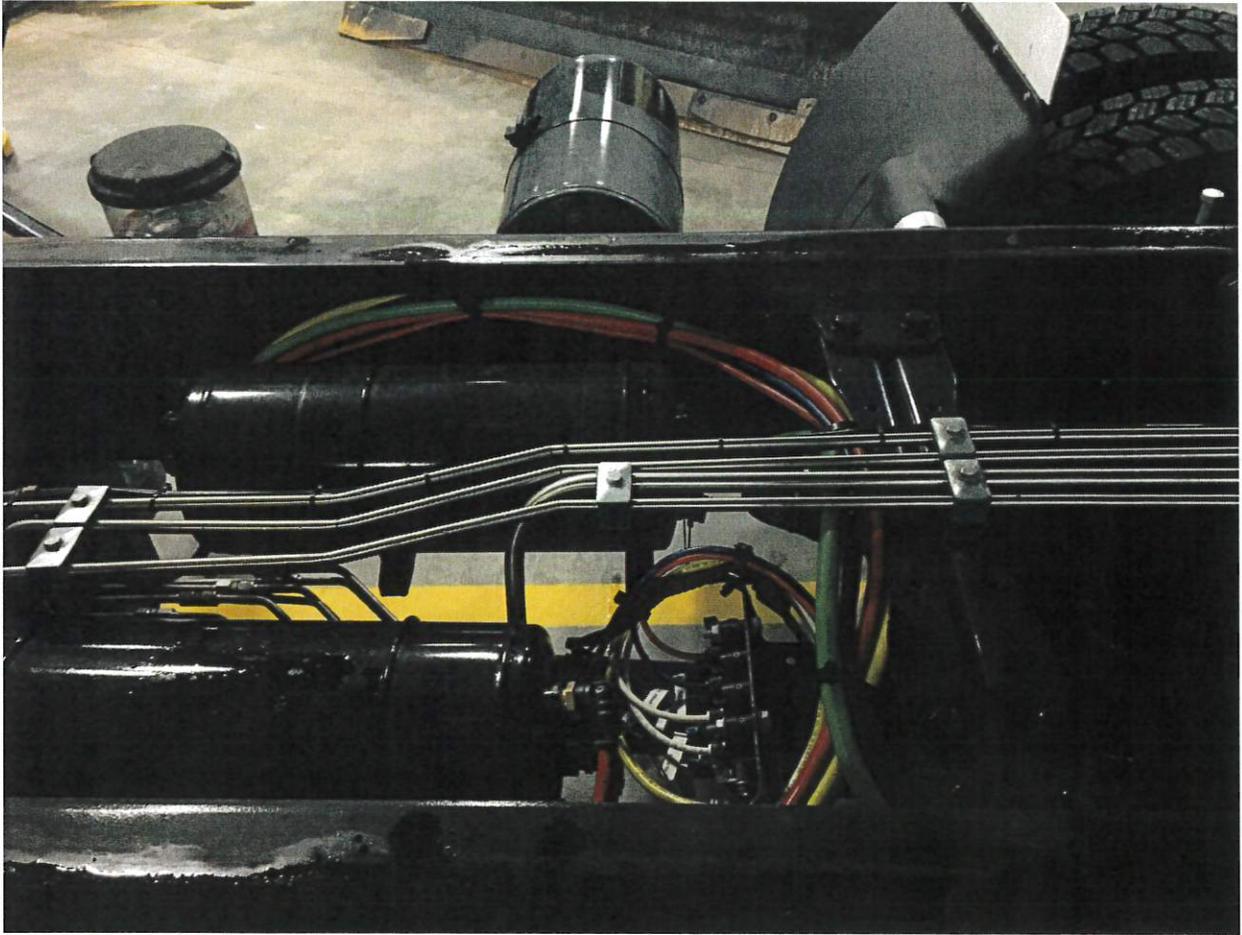
Jeff Smith
Burke Truck & Equipment Inc.

PHOTO EXHIBIT A



PICTURED ABOVE AND BELOW IS THE CHASIS OF A RICHFIELD PLOW WITH A CHAIN CONVEYOR SYSTEM





PICTURED ABOVE IS THE CHASIS OF A WASHINGTON COUNTY PLOW WITH A DUAL AUGER CONVEYOR SYSTEM