AMENDED AGENDA
VILLAGE BOARD MEETING
4128 HUBERTUS ROAD
HUBERTUS, WI 53033
JULY 23, 2020
7:00 P.M.

1. Call to Order/ Roll Call
2. Verification of Compliance with Open Meeting Law
3. Pledge of Allegiance
4. PRESENTATION
    a. Washington County Highway Commissioner Scott Schmidt – Intersection of Hillside Rd. and CTH Q
    b. Richfield Volunteer Fire Company Fire Chief Tony Burgard - Operations Report for 2020
5. 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.)
6. CONSENT AGENDA
    a. Vouchers for Payment
    b. Treasurer's Report
    c. Applications for New Operator's Licenses
    d. Rejection of bids for Fireman's Park tennis court reconstruction
    e. Rebound program through R&R Insurance/LWMMI
7. PUBLIC HEARING
    a. Discussion regarding the making of "Restaurants, Standard" a Permitted Principal Use in the B-5, Downtown Business District
8. DISCUSSION/ACTION ITEMS
    a. Discussion/Action regarding Ordinance O2020-07-01, an Ordinance Amendment to Section 70.200.5(B) to allow "Restaurants, Standard" as a Permitted Principal Use in the B-5, Downtown Business Zoning District – *Village Board, Petitioners*
    b. Discussion/Action regarding the Reconsideration of a previously approved One-Lot Certified Survey Map (CSM) for properties identified by Tax Keys: V10_008200Z, V10_008100Z, V10_008000A – *Pleasant Hill Bar and Grill, Petitioner*
    c. Discussion/Action regarding a One-Lot CSM for property identified by Tax Key: V10_1073 – *Frank and Lori Windt, Petitioners*
    d. Discussion/Action regarding an extraterritorial final plat for property identified by Tax Key: LSBT_0167999, Town of Lisbon – *MK/S-EP, LLC., Petitioner*
    e. Discussion/Action regarding Ordinance O2020-07-02, an Ordinance Modifying the Speed Limits on portions of Scenic Road, Colgate Road, and Willow Creek Road – *Village Board, Petitioners*
9. PUBLIC COMMENTS (…Continued)
10. CLOSED SESSION
    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*
    b. Discussion/Action to enter into Closed Session pursuant to Section 19.85(1)(c) of the Wis Stats., considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. – *Jim Healy, Village Administrator*
    c. 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. – *Intergovernmental agreement with Washington County and Town of Lisbon*
11. RECONVENE IN OPEN SESSION
    a. Discussion/Action regarding matters addressed in Closed Session outlined above
12. 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.

4a

Report will be presented at meeting

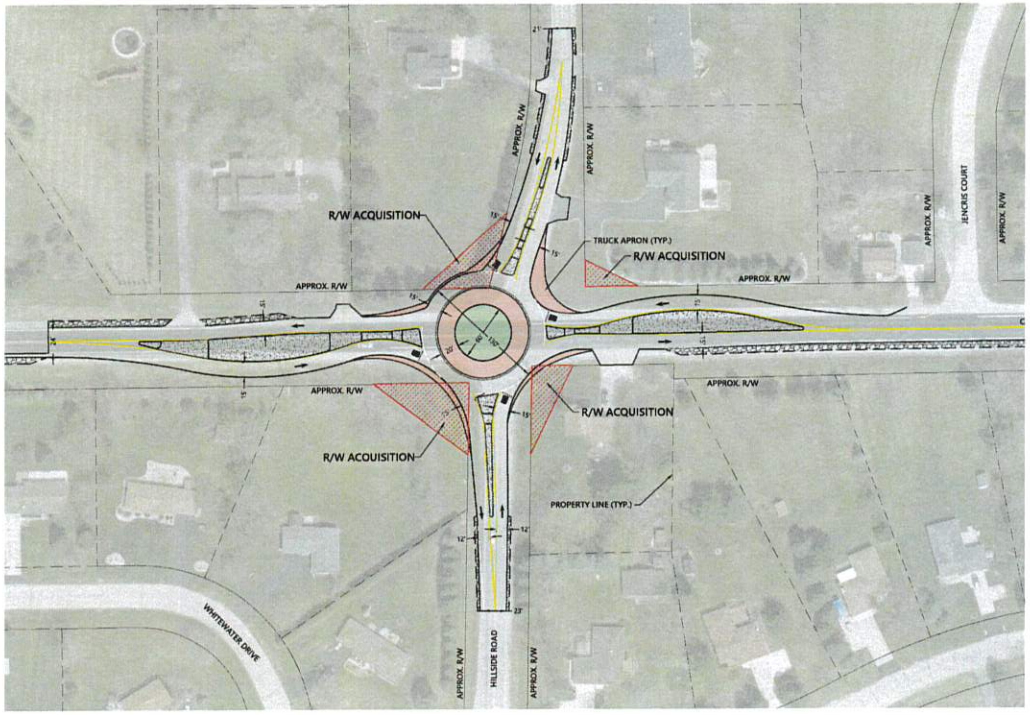
WASHINGTON COUNTY
EST 1836
WISCONSIN

CTH Q and Hillside Road Intersection

Village of Richfield Meeting

Introduction and Meeting Purpose

- Provide Information to the Village
- Request partnering in funding



CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

History and Past Improvements

Safety improvements were made in the area of the intersection in the fall of 2015 that included:

- Double "intersection ahead" signs being installed with proper spacing and flags attached
- Stop bar being painted on southbound Hillside Road.
- Re-alignment of southbound Hillside Road painting
- Previously, twin stop signs with reflective strips were placed on southbound Hillside Road and "cross traffic does not stop" signs installed
- Washington County radar trailer used to monitor speeds
- Vegetation trimmed near the intersection
- Intersection Sight Distances are above minimums
- Stopping sight distance are above minimums

Intersection Safety Analysis

- Included in the 2017-2019 Washington County Strategic Priorities
- Began the data collection in 2018
- Presented to the Public Works Committee in 2018 and 2019.
- Approved by the County Board in March of 2019 as "Traffic Safety Analysis Plan"
- Encompassed 472 intersection

County Highway Q (County Line Road) & Hillside Road

in the Village of Richfield

Current Traffic Control	Average Daily Traffic (ADT)		Speed Limit (mph)
	Current	Projected (2050)	
Two Way stop	11,200	16,020	50 on County Highway Q 40 on Hillside Rd

REPORTED CRASHES: 2013-2017					
Total Crashes		Crash Rate		Crash Severity	
Number of Crashes	Rank	Rate	Rank	Severity Index	Rank
30	4th	1.468	11th	2.37	16th

Rankings listed are in relation to all county-controlled intersections in Washington County in terms of greatest hazard.

THE PROBLEM: HIGH NUMBER OF CRASHES AND CRASH RATE

INTERSECTION DESCRIPTION

- Four-legged intersection
- 2-way stop with stop signs on Hillside Road
- ADT projected to increase by 43.0% by 2050

POTENTIAL CAUSES OF HAZARDOUS TRAVEL

- The northern leg (Hillside Road) connects to the intersection at an angle
- Apparent trend of traffic from the north failing to stop/yield for through traffic on CTH Q

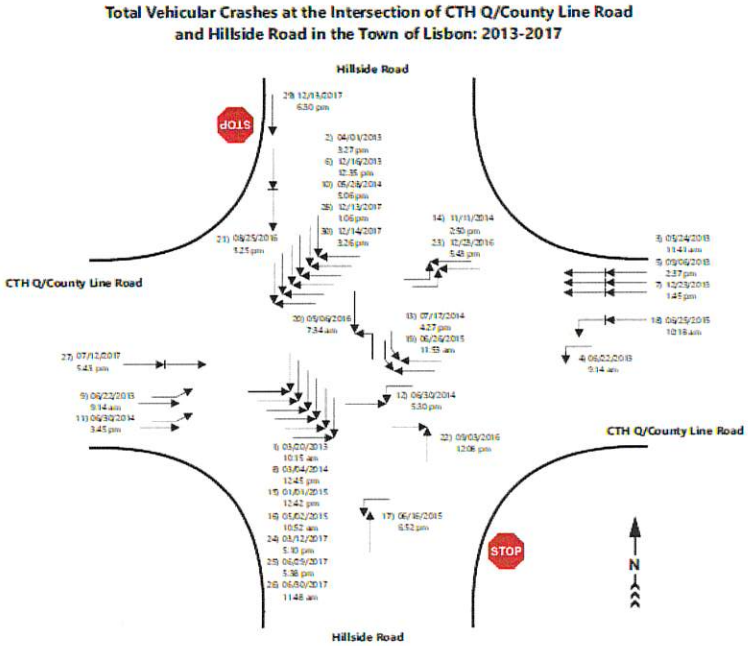
NARRATIVE

CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

Intersection Safety Analysis

A Crash Diagram was completed by SEWRPC which depicts the crash date, location, and type of crash



CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

Intersection Safety Analysis

A tabular listing of the crashes was also created by SEWRPC that included additional data on the crashes

Total Vehicular Crashes at the Intersection of CTH Q/County Line Road and Hillside Road in the Town of Lisbon: 2013-2017

Year	Number on Figure	Date	Time	Type	Severity[a]	Driver Cause	Other Causes
2013	1	March 20	10:15 am	Angle	PDO	Failure to Yield	--
	2	April 1	3:27 pm	Angle	C	Failure to Yield	--
	3	May 24	11:41 am	Rear-end	B	Following Too Close	--
	4	June 22	9:14 am	Single	PDO	Inattentive Driving	Wet Road
	5	September 6	2:37 pm	Rear-end	PDO	Following Too Close	--
	6	December 16	12:35 pm	Angle	B	Failure to Yield	--
	7	December 23	1:45 pm	Rear-end	PDO	Too Fast for Conditions	Wet Road
2014	8	March 4	12:45 pm	Angle	B	Failure to Yield	Wet Road
	9	May 21	10:46 am	Sideswipe, Same Direction	PDO	Following Too Close	--
	10	May 28	5:06 pm	Angle	C	Failure to Yield	--
	11	June 30	3:45 pm	Sideswipe, Same Direction	PDO	Inattentive Driving, Improper Overtake	--
	12	June 30	5:30 pm	Angle	PDO	Failure to Yield	Rain
	13	July 17	4:27 pm	Angle	B	Failure to Yield	--
	14	November 11	2:50 pm	Angle	PDO	Failure to Yield	Wet Road
2015	15	January 1	12:42 pm	Angle	A	Failure to Yield	--
	16	May 2	10:52 am	Angle	C	Failure to Yield	--
	17	June 16	6:52 pm	Bike	C	Inattentive Driving	--
	18	June 25	10:18 am	Rear-end	B	Inattentive Driving	--
	19	June 26	11:53 am	Angle	B	Failure to Yield	--
2016	20	May 6	7:34 am	Angle	C	Failure to Yield	--

Intersection Safety Analysis

2018 had 7 crashes
2019 had 8 crashes

2016	20	May 6	7:34 am	Angle	C	Failure to Yield	--
	21	August 25	5:25 pm	Rear-end	PDO	Following Too Close	--
	22	September 3	12:08 pm	Angle	C	Failure to Yield	--
	23	December 23	5:43 pm	Angle	PDO	Failure to Yield	Snow
2017	24	March 12	5:10 pm	Angle	C	Failure to Yield, Disregarded Traffic Control, Inattentive Driving	--
	25	June 29	5:38 pm	Angle	B	Failure to Yield, Failure to Keep Vehicle Under Control, Disregarded Traffic Control, Inattentive Driving	--
	26	June 30	11:48 am	Angle	B	Failure to Yield, Disregarded Traffic Control	--
	27	July 12	5:43 pm	Rear-end	PDO	Failure to Yield, Following Too Close, Failure to Keep Vehicle Under Control, Inattentive Driving	--
	28	December 13	1:06 pm	Angle	PDO	Too Fast for Conditions, Failure to Yield	Snow
	29	December 13	6:30 pm	Single	PDO	--	Snow
	30	December 14	3:26 pm	Angle	B	Failure to Yield	--

[a] A fatal injury is indicated by "K," an incapacitating injury is indicated by "A," a non-incapacitating injury is indicated by "B," a possible injury is indicated by "C," and a property damage only crash is indicated by "PDO."

Note: Crashes involving deer are not included in this analysis.

Source: Wisconsin Traffic Operations and Safety (TOPS) Laboratory and SEWRPC

CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

Intersection Safety Analysis

Conclusions for CTH Q and Hillside Road intersection:

- Inexpensive options are no longer effective.
- Washington County reached out to SEWRPC engineers and DOT safety engineers for recommendations.
- Decision was made to hire a consultant to review the data, obtain additional data, and provide a recommendation on possible improvements.
- Traffic Analysis and Design Incorporated (TADI) selected for further review of the intersection.

Safety and Operational Analysis

Traffic Count and movements completed in February and March of 2019
Crash Data compiled 2013-2017 for County report, 2014-2018 for TADI report

Options:

- Two way stop controlled with left turn lanes on CTH Q (2019 LOS D, 2029 LOS D)
- Four way stop controlled (2019 LOS F, 2029 LOS F)
- Traffic signal control with left turn lanes on CTH Q (2019 LOS B, 2029 LOS B)
- Roundabout (2019 LOS A, 2029 LOS A)

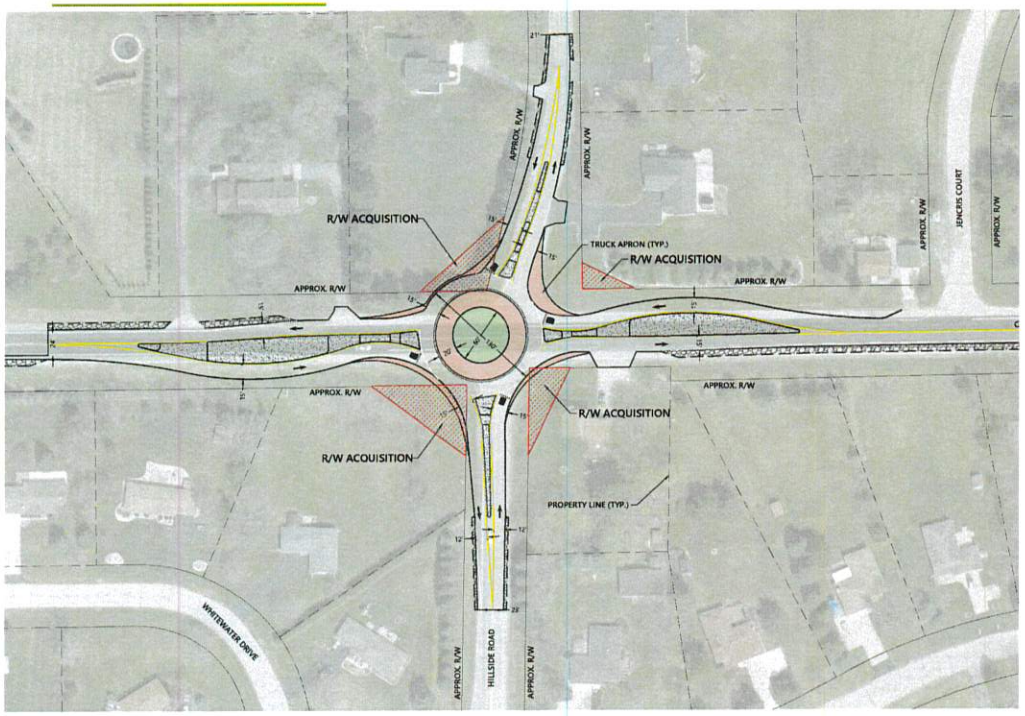
TADI report conclusions

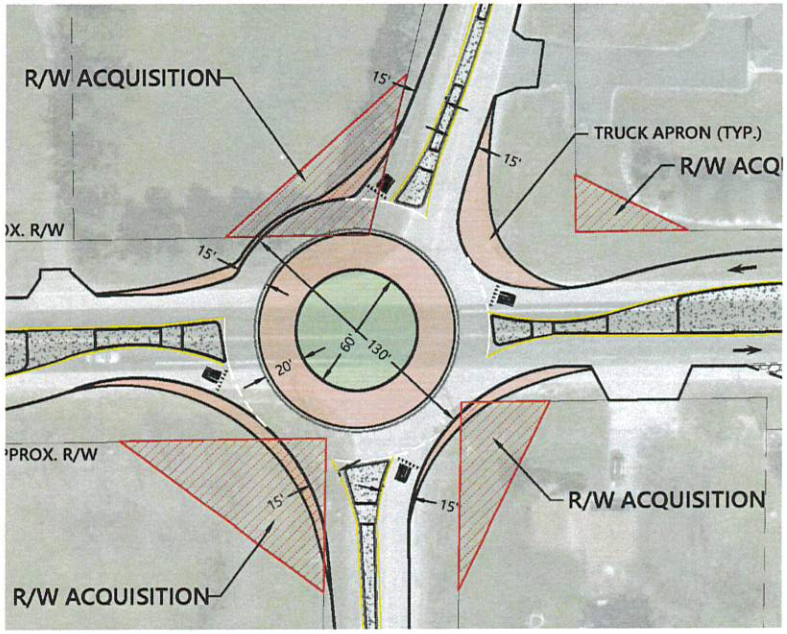
The all-way stop control option does not provide acceptable operations for Year 2019 or Year 2029 despite the all-way stop control warrants being met by the crash frequency criterion. Traffic signals are not warranted under Year 2019 or Year 2029 traffic volumes. Therefore, the two-way stop control with modified geometrics and the roundabout options are viable alternatives for this intersection.

While modifying the two-way stop control with left-turn lanes could improve the safety of the intersection for left-turning vehicles, it does little to better accommodate vehicles trying to cross or turn onto CTH Q from Hillside Road. Therefore, the overall crash reduction resulting from a geometric modification of the two-way stop control is expected to be minimal.

A single lane modern roundabout, however, would be expected to address the severe angle crashes observed at this intersection. WisDOT currently reports a 50 percent reduction in injury and fatal crashes when two-way stop control intersections are converted to modern roundabouts. WisDOT reports an expected increase in property damage only crashes of 16 percent, but the benefit/cost of reducing severe crashes substantially outweighs the addition of property damage only crashes. Therefore, a single lane roundabout is recommended as the best option to improve traffic safety.

Conceptual Roundabout





CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

Roundabouts – Ruekert & Mielke Inc.

Roundabouts can have major advantages over a traditional stop sign or signal-controlled intersection. These benefits include **an increase in driver safety, a more efficient traffic flow, a more aesthetically pleasing intersection, lower construction and maintenance costs, and a positive environmental impact.**

SAFETY FIRST

The greatest benefit of roundabout implementation is the increase in motorist safety. Reasons for this advantage include:

- Drivers are approaching the intersection at a reduced speed and typically drive slower around a curve.
- Drivers aren't speeding up to beat a yellow traffic light.
- The geometry of roundabouts prevents the possibility for T-bone or head-on collisions, which are the most fatal.
- Fewer turning directions results in fewer potential contact points between vehicles and pedestrians.

Roundabouts - Ruekert & Mielke, Inc.

Studies by the Insurance Institute for Highway Safety (IIHS) and Federal Highway Administration have shown that roundabouts typically achieve:

- 37% reduction in overall collisions
- 75% reduction in injury collisions
- 90% reduction in fatality collisions
- 40% reduction in pedestrian collisions

Washington State DOT reports replacing traditional traffic signals and 4-way stops with roundabouts resulted in the following environmental benefits:

- 32% reduction of carbon monoxide emissions
- 34% reduction in nitrous oxide emissions
- 37% reduction in carbon dioxide emissions
- 42% reduction in hydrocarbon emissions

Nevada DOT that without the necessary start and stop used at traditional intersections, **vehicles use up to 30% less gasoline** as traffic moves more efficiently through roundabouts. At 10 intersections studied in Virginia, this savings amounted to more than 200,000 gallons of fuel per year.

CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

Project Schedule

- Public Information Meeting July 31, 2019
- Solicit comments until August 8, 2019
- Submit for HSIP grant funding by August 15, 2019
- HSIP grant 90/10 split approved by the State, construction in **2023**
- Washington County provided a State Municipal Agreement (SMA) – contract to complete project and provide local match
- Next Public Information Meeting roughly 12-18 months prior to construction

Project Funding

- As part of our application, we had an anticipated cost of $1,970,000 while the DOT has an anticipated cost of $1,801,000 (which included a $1,000 non-participating cost funded 100% locally). Utilizing the DOT cost estimate, the local share amount would be $181,000, and any costs over their $1,801,000 estimate would be paid 100% by the local municipality. Thus it is possible that the local share cost could increase.
- On January 27, 2020 the DOT altered the total cost estimate to $1,942,834, and increased the local share to be $322,834.
- Town of Lisbon and Village of Richfield have each been asked to fund ¼ of the local match amount, since they each have ¼ of the legs of the intersection.
- Those amounts would each be $45,250 ($181,000/4) for each local municipality and Washington County would be responsible for $90,500 ($181,000/2).

Project Funding

- Washington County is proposing that the amounts paid by the Town of Lisbon and Village of Richfield are capped amounts. Any cost overruns would be the responsibility of Washington County.
- If the final project amount comes in lower than the estimates, we would revert the percentage cost breakdowns.

Project Collaboration

- By providing funding, each municipality would (if desired):
  - Be on the selection committee for the design firm
  - Be involved in design meetings
  - Be involved in design decisions
  - Be involved in construction decisions and meetings
  - Be included in all e-mail correspondence from the DOT and design firm
  - Be involved in selecting the Public Information Meeting date(s)

Questions?

Scott M. Schmidt
Washington County Highway Commissioner
900 Lang Street
West Bend, WI 53090
262-335-4435
scott.schmidt@co.washington.wi.us

CTH Q and Hillside Road Intersection

DISCOVER. CONNECT. PROSPER.

4b

Will be presented at meeting

VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: July 23, 2020

SUBJECT: Consent Agenda
DATE SUBMITTED: July 17, 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, Applications for New Operator's Licenses, Rejection of bids for Fireman's Park Tennis Court Reconstruction Project, and Rebound Program through R&R Insurance/LWMMI.

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. Applications for New Operator's Licenses (Per attached List)
4. Rejection of bids for Fireman's Park Tennis Court Reconstruction Project
5. Rebound Program through R&R Insurance / LWMMI

STAFF RECOMMENDATION:
Motion to approve the Vouchers for Payment, Treasurer's Report, Applications for New Operator's Licenses per the attached list, Rejection of bids for Fireman's Park Tennis Court Reconstruction Project and Rebound Project with R&R Insurance / LWMMI.

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. _____

6a

VILLAGE OF RICHFIELD
VOUCHERS FOR PAYMENT
JULY 2020

BATCH #1

CHECK #	INVOICE	DATE	PAYEE	AMOUNT	COMMENTS
16535	1492795390	6/22/20	CENTURYLNK	16.94	MAY LONG DISTANCE CHARGES
16536		6/22/20	MENARDS	252.54	DPW STOCK & PARKS SUPPLIES
16537		6/22/20	NORTH SHORE BANK LEASING LLC	750.94	VEHICLE LEASES- BUILDING INSPECTORS
16538	266321	6/22/20	SUPERIOR CHEMICAL CORP	124.70	RUGGES HAND CLEANER
16539	1677407	6/22/20	PAYNE & DOLAN INC	125.45	ROAD MATERIALS- 4LT 12.5MM
16540	435903-IN	6/22/20	PORT A JOHN	185.00	HANDICAP & SEASONAL RESTROOM- FIREMAN'S PARK
16541	510810-05-20	6/22/20	PREMIUM WATERS INC	45.99	JUNE BOTTLED WATER SERVICE
16543	376455078	6/22/20	US CELLULAR	238.75	MONTHLY SERVICE CHARGES 06/02/20 THROUGH 07/01/20
16544	40	6/22/20	WASHINGTONCTY HUMANE SOCIETY	1,710.00	CAT CONTRACT- FINAL PAYMENT
16545	6508105-2275-7	6/22/20	WASTE MANAGEMENT OF MILW	211.60	SERVICE PERIOD: 06/01/20 - 06/30/20
16546		6/22/20	WISC DEPT OF JUSTICE	70.00	MAY BACKGROUND CHECKS
16547		6/22/20	RICHFIELD VOL FIRE DEPT CO	44,966.24	JULY CONTRACT SERVICES
16548	103685	6/22/20	CEDAR CORPORATION	5,494.96	PROFESSIONAL SERVICES PROVIDED THROUGH 05-16-20
16549	27231	6/22/20	DIGITAL EDGE COPY & PRINT	21.60	WEIGHTS & MEASURES STICKERS 2020-2021
16550	13181	6/22/20	MUNICIPAL LAW & LITIGATION	8,047.35	MAY & JUNE LEGAL SERVICES
16551	49103	6/22/20	ONTECH SYSTEMS INC	465.44	TECHNICIAN SERVICES- REMOTE & ONSITE
16552	323771	6/22/20	VON BRIESEN & ROPER SC	171.00	PROFESSIONAL SERVICES THROUGH MAY 31, 2020
16553	395-0000174733	6/22/20	WI DEPT OF TRANSPORTATION	33,817.44	PERMIT- WI 167 & RICHFIELD PW
16554		6/22/20	TODD FILTER	2,000.00	ROAD BOND REFUND- PERMIT #906-18-11B
ACH		6/23/20	WI DEPT OF REVENUE	1,339.40	STATE WITHHOLDING TAX- PE 6/15/20
ACH		6/22/20	POSTMASTER	440.00	REPLENISH POSTAGE MACHINE
ACH		6/26/20	CAPITAL ONE	508.57	CREDIT CARD PURCHASES: MAY 06, 2020 - JUN 05, 2020
16555	262628750106	6/29/20	AT&T	14.08	MONTHLY SERVICES- JUN 19 THRU JUL 18
16556	144848	6/29/20	AURORA HEALTH CARE	48.00	DRUG SCREEN- REASE THORESON
16557		6/29/20	CINTAS CORPORATION LOC	286.14	DPW UNIFORM SERVICE
16558		6/29/20	DIGITAL EDGE COPY & PRINT	259.00	OPEN FOR BUSINESS SIGNS / PARK SIGNS & PAPER
16559	189103-1	6/29/20	EQUIPMENT RENTALS INC	117.70	RENTAL- MINI SKIDLOADER
16560	IV-52736	6/29/20	GEO SYNTHETICS INC	735.00	FASTENERS- UVD BLANKETS & ROUND TOP METAL PINS
16561	1310792P	6/29/20	LAKESIDE INTERNATIONAL TRUCKS	29.18	TRUCK #5 & STOCK- WINDSHIELD WASHER TANK CAPS
16562	84376	6/29/20	MENARDS	51.29	DPW SUPPLIES, GLOVES & SAFETY SHIRTS
16563		6/29/20	PORT A JOHN	330.00	HANDICAP RESTROOMS- BARK & LITTLE FRIESS LAKE BOAT LAUNCH AND NATURE PARK
16564	1831767-00	6/29/20	REINDERS BROTHERS INC	275.86	ROUNDUP
16565	156082	6/29/20	ST LAWRENCE EQUIPMENT INC	245.52	EQUIPMENT PARTS
16566	150650	6/29/20	WAYSIDE NURSERIES INC	1,262.00	TREES- COMMUNITY ROOTS DONOR PROGRAM
16567		6/29/20	WE ENERGIES	881.52	SERVICE FOR 05/13/20 TO 06/17/20
16568	0000-039-083	6/29/20	WE ENERGIES	942.37	SERVICE FOR 04/17/20 TO 06/18/20
ACH		6/26/20	POSTMASTER	1,440.00	REPLENISH POSTAGE MACHINE
ACH		6/30/20	VILLAGE OF RICHFIELD	19,108.07	BIWEEKLY PR #15
16569		6/29/20	ELIZABETH BLAZEK	50.00	REFUND DEPOSIT- HERTIGAGE PARK SHELTER 1 ON 6/6/20
16570	2-20011	6/29/20	BURKE TRUCK & EQUIPMENT	38,339.25	PATROL TRUCK #19 BODY PACKAGE- 2ND PAYMENT
16571	29-135	6/29/20	CIVI TEK CONSULTING	14.60	MAY CONSULTING FEES
16572	33	6/29/20	TWO BROTHERS AND A MOP	530.00	JUNE CLEANING SERVICES- VILLAGE HALL & DPW
16573		6/29/20	WE ENERGIES	6,272.28	WORK REQUEST #4512878- LIGHTING AT STH 164 & HANSEN DR
			TOTAL BATCH #1	**172,235.77**	**Checks written end of June**

BATCH #2

CHECK #	INVOICE	DATE	PAYEE	AMOUNT	COMMENTS
ACH		7/1/20	ELECTRONIC FEDERAL TAX PMT	6,457.93	FICA TAX- BIWEEKLY PR #14
ACH		7/1/20	WISCONSIN DEFERRED COMP	770.00	PLAN 457- BIWEEKLY PR #14
ACH		7/2/20	VILLAGE OF RICHFIELD	2,058.64	MONTHLY PAYROLL #7
ACH		7/3/20	ELECTRONIC FEDERAL TAX PMT	543.07	FICA TAX- MONTHLY PAYROLL #7
ACH	339000202008	7/8/20	STATE OF WI E-PAYMENT SERVICES	18,167.90	AUGUST HEALTH INSURANCE PREMIUM
16574	41311070120	7/8/20	CHARTER COMMUNICATIONS	122.19	SERVICE FROM 07/01/20 THROUGH 07/31/20
16575		7/8/20	CINTAS CORPORATION LOC	264.26	DPW UNIFORM SERVICE
16576		7/8/20	EH WOLF & SONS INC	3,656.17	JUNE FUEL- GAS & DIESEL
16577	V0123947	7/8/20	HALLMAN LINDSAY PAINTS	47.45	GOAL LINE READY- MIX WHITE
16578	245305	7/8/20	MATCO TOOLS	75.95	1/2" IMPACT GUN PARTS
16579		7/8/20	NEU'S BUILDING CENTER INC	105.89	JUNE PURCHASES- DPW STOCK, SUPPLIES & EPOXY REPAIR
16580	AR115358	7/8/20	OFFICE COPYING EQUIPMENT LTD	306.34	SHARP COPIER CONTRACT- 5/12/2020 TO 6/11/2020
16581	1314092-IN	7/8/20	PORT A JOHN	110.00	HANDICAP RESTROOM- BARK LAKE PARK
16582		7/8/20	BADGER HOME BUILDERS	2,000.00	ROAD BOND REFUND- PERMIT #406-19-5B
16583		7/8/20	VIRGIL OR AGATHA DAWSON	2,000.00	ROAD BOND REFUND- PERMIT #152-19-3B
16584		7/8/20	MIKE OR SHERRI SCHROEDER	2,000.00	ROAD BOND REFUND- PERMIT #248-18-4B
16585		7/8/20	MATT SWANGER	2,000.00	ROAD BOND REFUND- PERMIT #118-19-2B
16586	14334	7/8/20	SCHMITT SANITATION	90.00	PUMP HOLDING TANK- CONCESSION STAND
16587	3802-631-753	7/8/20	WE ENERGIES	2,048.32	SERVICE FOR 05/27/20 TO 06/24/20
16588	115-0000017174	7/8/20	STATE OF WISCONSIN	2,400.00	WEIGHTS & MEASURES CONTRACT INSPECTION- JULY 1, 2019 THROUGH JUNE 30, 2020
16589	27328	7/8/20	DIGITAL EDGE COPY & PRINT	280.00	BARK LAKE & WILD MARSH BOAT LAUNCH DAILY PASSES
16590	242191	7/8/20	KUNKEL ENGINEERING GROUP	780.00	2020 HIGHWAY IMPROVEMENT PROGRAM THROUGH MAY 31, 2020
16591	10-20010	7/8/20	LANGE ENTERPRISES	311.34	3 & 4 DIGIT FRAMES AND REFLECTIVE TILE NUMBERS
16592		7/8/20	ONTECH SYSTEMS INC	367.00	TECHNICIAN SERVICES- REMOTE / JUNE WEBROOT & MANAGED SECURITY AGREEMENT
16593		7/8/20	PREMIER BUILDING INSPECTIONS	140.00	NSPECTIONS FOR SUSSEX- 6/22/2020 TO 6/26/2020
16594	14318	7/8/20	WASHINGTON CTY SHERIFFS OFFICE	29,073.14	MAY CONTRACT SERVICES
16595	308-183226	7/13/20	BADGER STATE INDUSTRIES	440.70	PAPER TOWEL & GREASE
16596	INV-53067	7/13/20	GEO SYNTHETICS	30.00	STAPLES
16597	V0124466	7/13/20	HALLMAN LINDSAY PAINTS	47.45	GOAL LINE READY- MIX WHITE
16598	1314447-IN	7/13/20	PORT A JOHN	110.00	HANDICAP RESTROOM- HISTORICAL PARK
16599	7502451-00	7/13/20	REINDERS BROTHERS INC	90.50	SEED MIX
ACH		7/14/20	VILLAGE OF RICHFIELD	18,735.52	BIWEEKLY PR #15
ACH		7/15/20	ELECTRONIC FEDERAL TAX PMT	6,339.16	FICA TAX- BIWEEKLY PR #15
ACH		7/15/20	WISCONSIN DEFERRED COMP	760.00	PLAN 457- BIWEEKLY PR #15
ACH		7/13/20	WI DEPT OF REVENUE	2,627.26	STATE WITHHOLDING TAX- PE 6/30/20
16600		7/13/20	ASSOCIATED APPRAISAL	3,750.00	JULY PROFESSIONAL SERVICES AGREEMENT
16601	12111	7/13/20	INTERSTATE PUMP & TANK LLC	145.00	GAS PROGRAM- INSTALLED WINC6 VERSION TO MATCH OLD SYS & CONNECT TO DATABASE
16602	1-20010	7/13/20	WASHINGTON COUNTY CLERK	1,490.81	APRIL ELECTION SUPPLIES- CERTIFICATE ENVELOPES, MEMORY CARDS, PENS & SEALS
ACH		7/22/20	WI RETIREMENT SYSTEM	10,457.73	JUNE CONTRIBUTIONS
			TOTAL BATCH #2	**121,199.72**	**Checks written July**
			TOTAL		

6b

VILLAGE OF RICHFIELD
Treasurer's Report for June 30, 2020

BANK ACCOUNT BALANCES

	Interest Rate	Beginning Balance June 1, 2020	Interest Earned	Ending Balance June 30, 2020
Landmark Checking Account	0.25%	$ 989,567.49	$ 195.80	$ 817,313.82
LGIP General Fund	0.14%	$ 3,042,349.29	$ 358.20	$ 3,042,707.49
LGIP Fire Impact Fees	0.14%	$ 16,447.68	$ 1.94	$ 16,449.62
LGIP Park Impact Fees	0.14%	$ 79,332.58	$ 9.34	$ 79,341.92
LGIP Tax Account	-	$ -		
FNB Entrepreneur Plus Account	0.05%	$ 127,943.19	$ 5.61	$ 127,948.80
FNB Comm Choice MMDA Account	0.25%	$ 260,207.60	$ 57.03	$ 260,264.63
Westbury Bank MM Account	0.25%	$ 258,295.15	$ 56.46	$ 258,351.61

CERTIFICATES OF DEPOSIT

	Purchase Date	Expiration Date	Interest Rates	Amount
Westbury Bank- 18 Month	April 24, 2018	April 24, 2021	1.74%	$ 271,181.92
Westbury Bank- 9 Month	September 13, 2019	June 13, 2020	Trans to BMO	$ -
BMO Harris Bank- 11 Month	June 24, 2020	May 24, 2021	0.80%	$ 267,983.43

**** 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		$ 71,417.40

excel/mydocuments/treasurersreport.xls

6c

2020-2021

"NEW"

OPERATOR'S LICENSE

APPLICATIONS

- See Attached List

2020-21 "NEW" OPERATOR'S LICENSE APPLICATIONS

Meeting Date: July 23, 2020
Submitted by: Deputy Clerk, Cox

	FIRST NAME	LAST NAME	ESTABLISHMENT	COURSE OR LICENSE
1	Holly	Boggs	Sawmill Inn	LICENSE
2	Debra	Brock	Johnny Manhattans	COURSE
3	Angela	Castillo Santillan	LaCabana	COURSE
4	Linda	Corrao Miota	Kwik Trip	COURSE
5	Fany	Cortes Cortes	LaCabana	LICENSE
6	Amy	Cramer	Kwik Trip	LICENSE
7	Martin	Fenton II	Johnny Manhattans	LICENSE
8	John	Schumaker	Sawmill Inn	LICENSE
9	Timothy	Schwartz	Terrace 167	COURSE
10	Tiffany	Gaedke	Sloppy Joes	LICENSE
11	Erin	Schamberger	LaCabana	COURSE
12	Cody	Dietz	Fox & Hounds	COURSE
13	Stephanie	Reuteler	Sawmill Inn	LICENSE
14	Karleigh	Brown	Sawmill Inn	LICENSE
15	Abbey	Reinke	Johnny Manhattans	LICENSE
16	Haleigh	Reinbold	Kettle Hills Golf Course	LICENSE
17	Melissa	Geppert	Kwik Trip	LICENSE
18	Jessica	Gildersleeve	Fat Charlies	COURSE
19	Alissa	Bruening	Johnny Manhattans	COURSE
20	Kimberly	Carver	LaCabana	COURSE
21	Hannah	Wentz	Kettle Hills Golf Course	LICENSE
22	Rachel	Daubner	Kwik Trip	LICENSE

23	Jessie	Braden	EJ's	LICENSE
24	Kirstin	Cornwall	Joe Mama's	LICENSE
25	Kristin	Brighty	Badger Burger Company	COURSE
26	Lindsay	Hoeppner	Country Mart BP	COURSE
27	Arielle	West	Daniel Boone Conservation League	LICENSE

6d

VILLAGE OF RICHFIELD

PARK COMMISSION COMMUNICATION FORM

MEETING DATE: July 21, 2020

SUBJECT: Fireman's Park Tennis Courts Reconstruction Plan
DATE SUBMITTED: July 13, 2020
SUBMITTED BY: Jen Keller, Administrative Services Coordinator

POLICY QUESTION: DOES THE PARK COMMISSION WISH TO RECOMMEND VILLAGE BOARD DENIAL OF THE BID TO RECONSTRUCT THE TENNIS COURT AND PICKLE BALL COURTS IN FIREMAN'S PARK AND TO REBID THE PROJECT IN SPRING OF 2021?

ISSUE SUMMARY:

In 2019, after considerable discussion and community input, the Village Park Commission identified a need to improve the tennis courts located in Fireman's Park. The courts, originally constructed in 1977, had been enjoyed by many families and summer school camps for decades beyond the average 25-year life expectancy of new tennis courts. After a site visit was conducted in March of 2019, it was determined by the Park Commission the Fireman's Park tennis courts required extensive repairs and utilizing funds in the most efficient way possible, lead discussions to recommend approval of the reconstruction of the courts. After discussing many construction designs, the Park Commission request Staff and Village Engineers seek funding and establish a project design for the reconstruction of the double tennis courts into one (1) tennis court and two (2) pickle ball courts with permanent nets and single line painting on each court.

On February 19th, the Village Board approved the transfer of $75,835 from the Park Impact Fees to the General Fund for the purpose of reconstructing the tennis courts in Fireman's Park and directed Village Staff to work with the Village Engineers to prepare bidding documents related to the same. With an additional $23,953 available in the Capital Improvement Fund for the Parks Department and a monetary $2,000 donation from a community member, a total amount of $101,788 was secured as funding for the reconstruction of a tennis court and pickle ball courts in Fireman's Park. Once the engineered drawings were approved by the Park Commission with estimates for Base Bid work totaling $89,570 and Alternate Bid items totaling $22,882, the project proceeded to be publicly bid.

Due to COVID-19 delays, Park Commission proceedings were halted until reconvening in May 2020 when the final rendering of the courts was approved. On July 2nd, a public bid opening was held. The three (3) bids for work received were from Poblacki Paving Corp., Munson Inc., and Frank Armstrong Enterprise, Inc. The lowest bid for work was submitted by Munson, Inc. for the Base Bid totaling $119,916 and an Alternate Bid totaling $26,068.

	Base Bid Total	Alternate Bid Total
Poblacki Paving Corp.	$153,681.38	$79,752.56
Munson Inc.	$119,916.00	$26,068.00
Frank Armstrong Enterprise, Inc.	$124,762.50	$55,511

VILLAGE OF RICHFIELD

PARK COMMISSION COMMUNICATION FORM

MEETING DATE: July 21, 2020

SUBJECT: Fireman's Park Tennis Courts Reconstruction Plan
DATE SUBMITTED: July 13, 2020
SUBMITTED BY: Jen Keller, Administrative Services Coordinator

After identifying a funding gap of approximately $20,000 - $40,000 for Base and Alternate Bid items, Staff consulted with Engineers and the Municipal Attorney to identify any cost saving changes that could be agreed upon so the project could proceed as planned. Unfortunately, it was determined it was not possible. As such, it is the Staff recommendation that the Park Commission recommend Village Board denial of all bids for the reconstruction of the Fireman's Park tennis courts.

If the Park Commission is amenable to this recommendation, Staff would work to improve the project design for the pickleball and tennis courts so that items which were more expensive previously and/or unclear to contractors are amended in the re-bid project. The improved project proposal would be presented before the Park Commission during the November 2020 and/or January 2021 Park Commission meeting so the reconstruction of the courts could be publicly bid in early spring of 2021. Those funds could also then be formally included in the 2021 budget. It is the hopes of Staff that this additional time to re-bid the project would allow Staff the necessary time to apply for US Tennis Association grants, seek private donations with the help of project designs, and utilize additional Park Impact revenues collected as new homes continue to be permitted in 2020. Bidding a project early in the 2021 calendar year would also provide the opportunity for lower bids for work because contractors are in the process of "filling up" their spring-fall 2021 project calendars.

FISCAL IMPACT:

REVIEWED BY: _____
Village Deputy Treasurer

Initial Project Costs: Variable but estimated to be $130,000
Future Ongoing Costs: 8-year maintenance costs of approx. $16,000
Physical Impact (on people/space): Potential construction of multi-use sport court
Residual or Support/Overhead/Fringe Costs: Administrative and labor

ATTACHMENTS:

1. Cedar Corporation Rendering for Tennis Court and Pickleball Courts, Dated May 8, 2020
2. Cedar Corporation Estimated Opinion of Probable Cost, dated May 8, 2020
3. Draft Donor Letter for Tennis Court Reconstruction, Dated July 31, 2020
4. Cedar Corporation Tennis Court Reconstruction Bid Tabulation dated July 2, 2020

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the rejection of all bids for the reconstruction of a tennis court and pickleball courts in Fireman's Park and to rebid the project in spring of 2021, pending budgetary approval.

APPROVED FOR SUBMITTAL BY:

Jennifer Keller
Village Staff Member

Village Administrator

VILLAGE CLERKS USE ONLY
BOARD ACTION TAKEN

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

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

Cedar corporation

BID TABULATION

Fireman's Park Pickleball / Tennis Courts
Village of Richfield
Washington County, WI

July 2, 2020

Item	Qty	Unit	Munson, Inc. Glendale, WI		Frank Armstrong Enterprises, Inc. Butler, WI		Poblocki Paving Corp. West Allis, WI	
			Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
Common Excavation / Site Grading	300	CY	$37.50	$11,250.00	$38.00	$11,400.00	$41.25	$12,375.00
6" Base Aggregate Under Sidewalk and Courts, Compacted	350	TN	$32.00	$11,200.00	$23.00	$8,050.00	$32.20	$11,270.00
2.5" Asphalt	175	TN	$100.00	$17,500.00	$133.00	$23,275.00	$118.00	$20,650.00
4" Concrete Sidewalk	1050	SF	$9.00	$9,450.00	$16.00	$16,800.00	$9.50	$9,975.00
6" Concrete	80	SF	$13.50	$1,080.00	$22.00	$1,760.00	$12.00	$960.00
10' Fence	355	LF	$44.00	$15,620.00	$40.00	$14,200.00	$93.60	$33,228.00
6' Fence	240	LF	$28.00	$6,720.00	$31.00	$7,440.00	$56.40	$13,536.00
4' Fence	26	LF	$62.00	$1,612.00	$39.00	$1,014.00	$38.40	$998.40
3' Gate	4	EA	$1,100.00	$4,400.00	$1,000.00	$4,000.00	$600.00	$2,400.00
Pickleball Net Posts / Ground Sleeves	4	EA	$210.00	$840.00	$350.00	$1,400.00	$1,740.00	$6,960.00
Pickleball Nets / Center Strap / Anchors / Accessories	2	EA	$150.00	$300.00	$410.00	$820.00	$518.40	$1,036.80
Tennis Net Posts / Ground Sleeves	2	EA	$250.00	$500.00	$300.00	$600.00	$1,740.00	$3,480.00
Tennis Net/ Center Strap / Anchors / Accessories	1	EA	$180.00	$180.00	$290.00	$290.00	$518.40	$518.40
All Court and Asphalt Coatings	1	LS	$13,565.00	$13,565.00	$10,968.00	$10,968.00	$13,000.00	$13,000.00
Concrete Net Footings	6	EA	$850.00	$5,100.00	$690.00	$4,140.00	$600.00	$3,600.00
Practice Wall 10' x 20'	1	EA	$14,000.00	$14,000.00	$11,800.00	$11,800.00	$14,160.00	$14,160.00
5" Topsoil	42	CY	$62.00	$2,604.00	$60.00	$2,520.00	$77.00	$3,234.00
Silt Fence	306	LF	$2.50	$765.00	$3.00	$918.00	$1.38	$422.28
Erosion Mat	120	SY	$4.00	$480.00	$4.00	$480.00	$3.50	$420.00
Restoration	550	SY	$5.00	$2,750.00	$5.25	$2,887.50	$2.65	$1,457.50
Project Total				**$119,916.00**		**$124,762.50**		**$153,681.38**

Item	Qty	Unit	Munson, Inc. Glendale, WI		Frank Armstrong Enterprises, Inc. Butler, WI		Poblocki Paving Corp. West Allis, WI	
			Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
Alternate Bid								
10' Fence Coating *	355	LF	$10.00	$3,550.00	$50.00	$17,750.00	$103.40	$36,707.00
6' Fence Coating *	240	LF	$4.00	$960.00	$38.00	$9,120.00	$62.90	$15,096.00
4' Fence Coating *	26	LF	$3.00	$78.00	$56.00	$1,456.00	$43.06	$1,119.56
3' Gate Coating *	4	EA	$200.00	$800.00	$1,500.00	$6,000.00	$720.00	$2,880.00
Landscaping Beds - Mulch	1100	SF	$4.00	$4,400.00	$3.75	$4,125.00	$2.95	$3,245.00
Bullet Edgers	130	LF	$13.00	$1,690.00	$15.00	$1,950.00	$23.00	$2,990.00
Plants / Shrubs	30	EA	$140.00	$4,200.00	$160.00	$4,800.00	$96.00	$2,880.00
Accent Boulder	7	EA	$320.00	$2,240.00	$330.00	$2,310.00	$425.00	$2,975.00
Benches	2	EA	$1,850.00	$3,700.00	$2,500.00	$5,000.00	$2,500.00	$5,000.00
Trash Receptacle	1	EA	$1,950.00	$1,950.00	$600.00	$600.00	$1,700.00	$1,700.00
Planters	4	EA	$625.00	$2,500.00	$600.00	$2,400.00	$1,290.00	$5,160.00
Alternate Bid Total				**$26,068.00**		**$55,511.00**		**$79,752.56**

** This represents an additional cost over the base cost above.*

6e

REBOUND
We protect those who protect us

Master Services Agreement

Parties to this Agreement

In this Agreement, the words "you," "your," and "yours," and "Client" mean Village of Richfield, State of Wisconsin.

The words "we," "our," "ours," and "Rebound" mean Rebound LLC, a Delaware limited liability company with its affiliates.

What we do

Rebound uses a network of medical service providers to manage the treatment of orthopedic injuries for government employees and their immediate family members. The purpose is to reduce injury-related costs, streamline treatment, and lead to sustainable health and fitness programs (the "Business").

THIS MASTER SERVICES AGREEMENT TAKES EFFECT AS OF July 1, 2020.

What constitutes the Master Agreement

References to "Master Agreement" or "Agreement" mean this Master Agreement and all Statements of Work ("SOWs"). If the terms of this Master Agreement and a SOW conflict, the Master Agreement rules.

The Parties agree as follows

1. SERVICES

Rebound provides services described in Statements of Work which might include software for Client's use. Each SOW must describe the scope and nature of the services including pricing and payment; be executed by an authorized representative for each Party; and include other matters and agreements between the Parties.

SOWs added at a later date are considered accepted only if signed by the Parties.

2. FEES AND PAYMENT

You will pay Rebound's fees within 30 days of accepting the SOW during the Initial Term of this Agreement. The Parties will agree upon fees for any Subsequent Term at least 90 days prior to the expiration of the current Term. We will be entitled to stop work if you fail to pay any Fees within 10 days of the due date following written notification that they are past due.

3. DURATION OF AGREEMENT AND TERMINATION

3.1 **The "Term(s)"** of this Master Agreement is 3 years and will automatically renew for additional terms of 1 year at the end of the 3 years, unless either Party notifies the other at least 180 days prior to the expiration. All notifications must be made in writing.

3.2 **Material Breach.** Either Party may terminate due to the other Party's material breach of this Master Agreement and must give 30 days' notice identifying the specific breach. The Breaching Party has 30 days to cure the breach.

Material breach includes:

- if you do not pay our Fees,
- either of us fails to fulfill any of our responsibilities in an applicable SOW, or
- you do not cooperate in good faith with Rebound.

If Rebound is the Non-Breaching Party, during the notice period, Rebound has the right to suspend work.

6. CONFIDENTIALITY

6.1 Either party might provide information that is not publicly available or must be kept confidential. To protect such confidential information, the recipient agrees not to use or disclose the confidential information to anyone except as contemplated by this Agreement, unless required to do so by law. Both parties will comply with applicable state-mandated Freedom of Information Act requirements. If a subpoena is received, the recipient will notify the other party promptly. You will protect our Confidential Information using at least the same measures you take to protect your own Confidential Information but in no event using a standard less than reasonable care and will restrict access to the Confidential Information to your personnel on a need-to-know basis.

Examples of confidential information include price quotes, marketing proposals, branding strategies, creative designs, technical data, research, employee lists, forecasts, business strategy, finances, and personally identifiable data of individuals (including data or information regarding the treatment or injuries of individuals).

6.2 Nothing in this Agreement will restrict the Receiving Party from using information:

(a) that is or becomes publicly available through no breach of this Master Agreement;

(b) is lawfully acquired via the applicable state's freedom of information laws;

(c) independently developed by it without any use of or access to the disclosing party's Confidential Information;

(d) previously known to it; or

(e) acquired by it from a third party which is not, to its knowledge, under an obligation of confidentiality.

7. INDEPENDENT CONTRACTORS

Our relationship is not one of principal and agent, employer and employee, joint venture, a partnership nor any relationship other than that of independent contracting parties. Neither of us can act on behalf of the other. Neither party's employees or agents are employees or consultants of the other party, and we will each compensate our own.

8. NOTICES

Notices regarding day-to-day matters may be sent via email to Client's Representative as indicated in the SOW. All other communications relating to the terms of this Master Agreement (including notices pertaining to termination, breach or threatened breach) will be deemed delivered:

(a) when delivered by hand,

(b) when received by the addressee if sent by a nationally recognized overnight courier (receipt requested), or

(c) on the third business day after the date mailed, by certified or registered mail, return receipt requested, postage prepaid.

Communications must be sent to the respective parties at the following addresses (or at such other address for a Party as shall be specified in a notice given in accordance with this Section):

IF TO THE COMPANY:

Rebound LLC
Attn: Timothy J. Sharpee
2505 N. Oakland Avenue
Milwaukee, Wisconsin 53211

IF TO CLIENT:

Village of Richfield

Attn:_____

_____

_____

9. MISCELLANEOUS

9.1 **Governing Law; Jurisdiction and Venue.** The Parties agree that this Master Agreement, all exhibits and schedule(s) and all SOWs will be governed by the laws of the State of Wisconsin, without application of its conflict of laws principles. Any suit relating to this Agreement will be instituted in a state or federal court in Milwaukee County, Wisconsin, and the Parties irrevocably consent and waive all objections to the jurisdiction.

9.2 **Survival.** The following provisions survive the termination of this Master Agreement: Section 3 (Duration of Agreement and Termination), Section 4 (Installation; Intellectual Property), Section 5 (Warranty, Indemnification and Limitation of Liability), Section 6 (Confidentiality), Section 7 (Independent Contractors), Section 8 (Notices), and Section 9 (Miscellaneous).

9.3 **Severability.** The unenforceability of any term or provision of this Master Agreement will not affect the validity or enforceability of any other term or provision.

9.4 **Entire Agreement.** This Master Agreement, all exhibits and schedule(s) attached, and any SOW subsequently executed by the Parties, constitute the entire agreement between the Parties.

9.5 **Waiver.** Any waiver or delay by either Party in exercising any default will not waive any other default provision or make the remedy unavailable.

9.6 **Rights Cumulative.** The rights, remedies and powers of each of the Parties contained in this Master Agreement are cumulative and do not exclude any others.

9.7 **Amendment.** This Master Agreement may be modified by a document signed by both Parties (an "Amendment") and will be subject to the terms of this Master Agreement.

9.8 **Assignment.** Rebound has the right to assign this Master Agreement (and any SOW) to any affiliate or to any entity that acquires all of Rebound's business. Client may not assign this Master Agreement (or any SOW) without Rebound's prior written consent.

9.9 **Counterparts.** This Master Agreement may be executed in any number of counterparts, each of which is considered an original and taken together shall constitute one agreement. Delivery of an electronically executed counterpart in legible form is acceptable.

SIGNATURE PAGE FOLLOWS

Signatures

The Parties understand and agree to all of the provisions of this Master Agreement as of the Effective Date.

REBOUND

Rebound, LLC
A Delaware limited liability company

BY: _____

NAME: _____

TITLE: _____

Client

CLIENT: Village of Richfield, WI

BY: _____

NAME: _____

TITLE: _____

EXHIBIT A
STATEMENT OF WORK to be attached

Jim Healy

From: King II, Bill <Bill.King@rrins.com>
Sent: Friday, July 17, 2020 9:45 AM
To: Jim Healy
Cc: tsharpee@justrebound.com; Deputy Treasurer
Subject: RE: Village of Richfield Contract & Master Service Agreement

Jim:

The Village will be reimbursed 100% for all three years. Rebound should be billing yearly (or less, although I don't know why since you're being reimbursed). Municipalities typically don't want to pay up front for three years or even show it that way on the books even if they're being full reimbursed.

In other words, there is no monetary cost to the Village but there is the investment in time that I needed for the onboarding process and to monitor the program as you move forward.

It's a great deal. I can't recommend it highly enough.

Take care,
Bill

From: Jim Healy [mailto:administrator@richfieldwi.gov]
Sent: Friday, July 17, 2020 9:35 AM
To: King II, Bill
Cc: tsharpee@justrebound.com; Deputy Treasurer
Subject: [EXTERNAL] RE: Village of Richfield Contract & Master Service Agreement

THIS IS AN EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Bill,

I just want clarification on R&R's reimbursement policy for this program. Will the Village be reimbursed for each year of the three (3) years it is enrolled in the Rebound program or just Year 1?

Be well,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
LIKE us on Facebook!
Follow us on Twitter, @RichfieldWis

"Far and away the best prize that life has to offer is the chance to work hard at work worth doing." – President Theodore Roosevelt

7a & 8a

VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: July 23, 2020

SUBJECT: Restaurants, Standard – Proposed Ordinance Amendment
DATE SUBMITTED: July 12, 2020
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION FOR THE APPROVAL OF THE PROPOSED ORDINANCE AMENDMENT TO CONSIDER "RESTAURANTS, STANDARD" AS A PRINCIPAL PERMITTED USE IN THE VILLAGE'S B-5, DOWNTOWN BUSINESS ZONING DISTRICT?

ISSUE SUMMARY:

As a part of the Zoning Code Recodification, the Subcommittee and the Plan Commission have been reviewing the "uses" and making recommendations on whether these uses should be considered a "Permitted Principal Use", "Conditional Use", or eliminated from the text. One of the areas discussed early on was the appropriateness of "sit-down restaurants" (herein after referred to as "Restaurants, Standard") in our business zoning districts. It has been recommended by the Zoning Code Subcommittee and reviewed by the Plan Commission that these types of uses continue to be permitted by "right". They are currently permitted "by right" as a "Permitted Principal Use" in the B-1, B-2, B-3, and B-4 Zoning Districts. They were previously listed as a "Conditional Use" in the B-5, Downtown Business Zoning District and that use along with all "Condition Uses" were subsequently repealed by action of the Village Board due to Wisconsin Act 67.

At the June 27th Village Board meeting, the Village Board directed Staff to make "Restaurants, Standard" a "Permitted Principal Use" in the B-5 District. This proposed amendment still requires businesses to meet other guidelines related to parking, landscaping, building requirements (setbacks, building heights, etc.), lighting, Plan of Operation review, etc. However, it was determined that this type of use is unobjectionable to the Village Board and their belief is that it should be permissible in each of our business zoning districts.

By way of background....

The Village is nearing the end of our process for reviewing and updating the proposed Zoning Code and very recently the Village was approached by Mr. Mark Weiss who is the new owner of the former Sobelman's (Amici's) building on STH 175. His proposal, as petitioned to the Village and being considered tonight for the Plan Commission's review, would be to open a second location for The Badger Burger Company (https://www.badgerburgercompany.com/home.php) which is presently located in Mukwonago. At the June 27th Village Board meeting, he was conditionally granted a Reserve "Class B" Alcohol Beverage Retail License at the cost of $10,000. The granting of the license was subject to the proposed Ordinance Amendment receiving approval and Plan of Operation being reviewed and approved by the Plan Commission.

As with all the Village's proposed uses, we have created a definition for the same. This definition was adopted by the Village Board in March of 2013. It is included below in your convenience:

Restaurant, Standard- "A restaurant where 1) an employee of the restaurant takes food orders and/or serves the food while customers are seated at a table, 2) payment is made after the food and drink has been consumed, and/or 3) food is predominately served on non-disposal containers or receptacles. A standard restaurant may include take out service so long as this use is clearly subordinate to the overall character of the restaurant. In contrast, see "Restaurant, Fast Food".

On July 2, 2020 the Plan Commission recommended approval to the Village Board without objection. A scheduled Class II Public Hearing Notice was published in the Daily News on July 9th and 16th, respectively. Tonight, there is a scheduled Public Hearing. A copy of the same is attached herein for your convenience.

FISCAL IMPACT:

REVIEWED BY: _____
Village Deputy Treasurer

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

ATTACHMENTS:

1. Draft Ordinance O2020-07-01, an Ordinance to amend the B-5, Downtown Business District to Allow "Restaurants, Standard" as a Permitted Principal Use

STAFF RECOMMENDATION:

Motion to approve the proposed Ordinance Amendment to allow "Restaurants, Standard" as a Permitted Principal Use in the B-5, Downtown Business District.

APPROVED FOR SUBMITTAL BY:	VILLAGE CLERK USE ONLY BOARD ACTION TAKEN
_____ Village Staff Member _____ Village Administrator	Resolution No. _____ Ordinance No. _____ Approved _____ Other _____ Continued To: _____ Referred To: _____ Denied _____ File No. _____

STATE OF WISCONSIN VILLAGE OF RICHFIELD WASHINGTON COUNTY

ORDINANCE O2020-07-01

AN ORDINANCE TO AMEND CHAPTER 70 ZONING CODE, SUB SECTION 200.5(B) OF THE VILLAGE CODE

WHEREAS, the Village of Richfield in 2013 made "Restaurants, Standard" a Principal Permitted Use in all business Zoning Districts;

WHEREAS, in 2015, the B-5, Downtown Business Zoning District was created; and

WHEREAS, the use of a "Sit-down Restaurant" was listed as a Conditional Use pursuant to Section 70.200.5(D)(3); and

WHEREAS, all Conditional Uses in the Zoning Code were repealed as a result of Wisconsin Act 67 and as a part of the Village's Zoning Code Recodification; and

WHEREAS, the Village Board at their meeting on June 27, 2020 directed Staff to prepare an Ordinance Amendment to make "Restaurants, Standard" a Permitted Principal Use in the B-5, Downtown Business Zoning District;

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

Section 1. Section 70.200.5(B) of the Village of Richfield municipal code is hereby amended to insert Use #26 to read as follows:

26. Restaurants, Standard

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 _____ day of _____, 2020

Attest:

John Jeffords, Village President

Jim Healy, Village Clerk/Administrator

8b

VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: July 23, 2020

SUBJECT: Reconsideration of a One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Management

DATE SUBMITTED: July 12, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION FOR THE APPROVAL OF THE PROPOSED CSM THAT WAS PREVIOUSLY APPROVED IN APRIL OF 2019?

ISSUE SUMMARY:

The proposed CSM tonight is being revisited for consideration of approval because the CSM was not filed within one (1) year of when it was approved. This error was due to Staff's incorrect application of a date on the signature block of the proposed CSM. As you know, the CSMs the Village approves typically have several conditions of approval which need to be met. In this instance, the property needed to be rezoned. In the approvals for the rezoning of the property were several more conditions of approval including, but not limited to, the approval of the Site, Building and Plan of Operation which came in early 2020. These conditions were also satisfied. While the CSM was approved by the Village Board on April 19th, 2019, the conditions of approval were not satisfied until February of 2020.

Staff should have written in the date by which all the conditions of approval were met, not the date the Village Board authored a conditional approval. At the request of the County Register of Deeds, Ms. Sharon Martin, this matter is before you tonight for reconsideration. Going forward, should we have a CSM considered again that has such a layered approvals process, we will request the matter be brought back to the Village Board when all of the conditions of approval have been satisfied in order to comply with Wisconsin State Statutes Ch. 236. At the July 2, 2020 Plan Commission meeting the CSM was recommended for approval to the Village Board without objection.

FISCAL IMPACT:

REVIEWED BY: Rebecca Kleeger
Village Deputy Treasurer

Initial Project Costs: N/A
Future Ongoing Costs: N/A
Physical Impact (on people/space): Combination of lots as previously approved.
Residual or Support/Overhead/Fringe Costs: Administrative.

ATTACHMENTS:

1. Plan Commission Communication Form (sans attachments) from April 4, 2019
2. Plan Commission Communication Form (sans attachments) from May 2, 2019
3. Plan Commission Communication Form (sans attachments) from February 6, 2020
4. Letter dated March 26, 2019 from Village Engineer Ron Dalton
5. Email from County Register of Deeds Sharon Martin dated June 17, 2020

STAFF RECOMMENDATION:

Motion to approve the proposed One-Lot CSM for Pleasant Hill Management for property located at 2102 STH 164 (Tax Key: V10_008200Z, V10_008100Z, V10_00800A) subject to the following General Conditions of Approval:

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 Statues 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.

APPROVED FOR SUBMITTAL BY:	VILLAGE CLERK USE ONLY BOARD ACTION TAKEN
Jennifer Keller Village Staff Member Village Administrator	Resolution No. _____ Continued To: _____ Ordinance No. _____ Referred To: _____ Approved _____ Denied _____ Other _____ File No. _____

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

4b.

MEETING DATE: April 4, 2019

SUBJECT: One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner

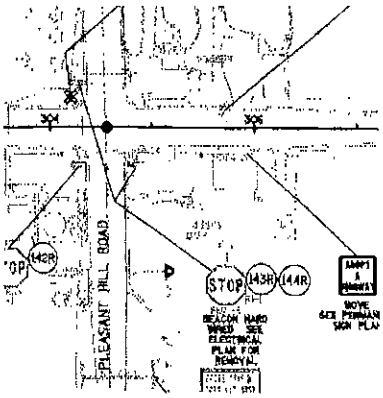
DATE SUBMITTED: March 26, 2019

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL OF THE PROPOSED CERTIFIED SURVEY MAP (CSM)?

ISSUE SUMMARY:

The Petition before the Plan Commission tonight is now the third step in a multi-step approach for the redevelopment of Pleasant Hill Pub and Grill, which is owned by Pleasant Hill Management. The subject property is located at 2102 STH 164. As you may recall, in September of 2018, Mr. Loosen (Pleasant Hill Management) received Plan of Operation approval for the former "Hairy Lemon" property and renamed the establishment to pay homage to its hamlet heritage.



While not a part of the petition in September, it was discussed that the property owner would be purchasing the properties directly north of the Harry Lemon as a part of his master plan for his business. Since that time, the transactions have taken place. The structure that once stood on the property identified by Tax Key: V10_008100Z no longer remains. It was razed with a permit from the Building Inspection Department during the winter of 2018 and a "building pad" has been graded. The intent with removing that structure was to create additional space for a future building expansion, which he is planning on submitting in the coming weeks. His intention is to essentially double the size of the building utilizing the Ordinance adopted by the Village Board several years back to allow for the expansion of legal, non-conforming buildings. The property identified by Tax Key: V10_008000A was purchased to allow for additional parking. The property identified by Tax Key: V10_008100Z presently has an access point onto STH 164, but Pleasant Hill Management has worked with the Wisconsin Department of Transportation (WisDOT) to modify his access point 400' north from the intersection of Pleasant Hill Road and STH 164 for safety purposes. Staff has not received a written letter regarding this but has had several conversations with Ms. Sue King who is the Permit Coordinator for WisDOT's SE Region confirming that fact.

Currently, property where the commercial building is located on is 0.18 acres. Approximately 15-20 cars can park on the property. The expansion will provide an additional 75 parking stalls, far more than what would be required at 1 stall per 100sqft. Cpt. Tony Burgard from the Richfield Volunteer Fire Company estimated the maximum occupancy of the building between 50-60 patrons, currently. With the expansion of the building, the added parking will easily accommodate their business even on their busiest of nights. Currently, there are instances where customers park on the north and south side of Pleasant Hill Road which creates a single lane of traffic exiting onto STH 164. If the property owner creates this additional parking on his property, it is anticipated that this potential safety hazard will be remedied.

Zoning Discussion

Tax Key #'s	Current Zoning	Future Desired Zoning
V10_008200Z	B-4, Highway Business District	B-4, Highway Business District
V10_008100Z	B-4, Highway Business District	B-4, Highway Business District
V10_008000A	A-1, Exclusive Agricultural District	B-4, Highway Business District

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 4, 2019

SUBJECT:	One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner
DATE SUBMITTED:	March 26, 2019
SUBMITTED BY:	Jim Healy, Village Administrator

The property owner understands that the land identified by Tax Key: V10_008000A will need to be rezoned. On the Village's adopted Future Land Use Map, the property is shown as being "Single Family". A Future Land Use Map amendment would need to be made prior to any rezoning petition. In concert with that petition, the business owner will be submitting full drawings and site plans for review and consideration by the Village.

In terms of the current Zoning on the two (2) smaller properties, each individual property is a considered legal, non-conforming. Both parcels do not meet the minimum lot size requirements in the B-4 District, which pursuant to Section 70.200(E)(1) is minimum area is 1-acre. They are approximately 0.18-acres and 0.25-acres, respectively. If these properties are combined, they will have in excess of the minimum lot size requirements with their proposed lot size at 1.416-acres. From a planning and zoning perspective, this is a significant improvement- taking a non-conforming lot and creating a legal one.

On March 26th, the Village's Engineer reviewed the proposed CSM and offered limited comments. They are included in the attachments for your convenience. This correspondence also has a Redline Markup of requested changes. It is the belief of Staff the development of these parcels will result in improved safety for those entering and exiting the property. There are no other concerns from Staff regarding this proposed CSM at this time.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: _____
Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS

1. Washington County GIS Aerial view
2. Washington County GIS Base Layer view
3. Letter dated March 26, 2019 from Village Engineer Ron Dalton
4. WisDOT STH 164 Final Construction Plans showing existing access right of Tax Key: V10_008100Z (Pleasant Hill Road and STH 164 Intersection)

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 4, 2019

SUBJECT: One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner

DATE SUBMITTED: March 26, 2019

SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend approval to the Village Board of the proposed One Lot Certified Survey Map for Pleasant Hill Bar and Grill, combining properties identified by Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. **Rezoning:** Prior to the filing of the proposed CSM, the applicant must petition for and receive approval of the rezoning of the area identified by Tax Key: V10_008000A from A-1, Exclusive Agricultural District to B-4, Highway Business District.
2. **WisDOT:** Written confirmation from the WisDOT regarding any access restrictions or granting of access off STH 164 so it may be included on the face of the proposed CSM prior to filing.

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 Statues 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.

APPROVED FOR SUBMITTAL BY:

Village Staff Member

Village Administrator

VILLAGE CLERK USE ONLY
BOARD ACTION TAKEN

Resolution No. _____ Continued To: _____
Ordinance No. _____ Referred To: _____
Approved _____ Denied _____
Other _____ File No. _____

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 4, 2019

SUBJECT:	One Lot CSM for Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A – Pleasant Hill Bar and Grill, located at 2102 STH 164, petitioner
DATE SUBMITTED:	March 26, 2019
SUBMITTED BY:	Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend approval to the Village Board of the proposed One Lot Certified Survey Map for Pleasant Hill Bar and Grill, combining properties identified by Tax Keys: V10_008200Z, V10_008100Z, and V10_008000A, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. **Rezoning:** Prior to the filing of the proposed CSM, the applicant must petition for and receive approval of the rezoning of the area identified by Tax Key: V10_008000A from A-1, Exclusive Agricultural District to B-4, Highway Business District.
2. **WisDOT:** Written confirmation from the WisDOT regarding any access restrictions or granting of access off STH 164 so it may be included on the face of the proposed CSM prior to filing.

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 Statues 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.

APPROVED FOR SUBMITTAL BY:	VILLAGE CLERK USE ONLY BOARD ACTION TAKEN
_____ Village Staff Member _____ Village Administrator	Resolution No. _____ Ordinance No. _____ Approved _____ Other _____ Continued To: _____ Referred To: _____ Denied _____ File No. _____

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: May 2, 2019

SUBJECT: Pleasant Hill Bar and Grill - Comprehensive Plan Amendment for properties identified by Tax Key: V10_008000A and V10_008100Z

DATE SUBMITTED: April 25, 2019

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO PASS THE PROPOSED RESOLUTION AND RECOMMEND TO THE VILLAGE BOARD THE SCHEDULING OF A PUBLIC HEARING FOR JUNE 20TH?

ISSUE SUMMARY:

The Petition before the Plan Commission tonight is now the fourth step in a multi-step approach for the redevelopment of Pleasant Hill Bar and Grill, which is owned by Pleasant Hill Management. The subject property is a 1.0 acre parcel located north of the restaurant at 2102 STH 164. As you may recall, in September of 2018, Mr. Loosen (Pleasant Hill Management) received Plan of Operation approval for the former "Hairy Lemon" property.

While not a part of the petition in September, it was discussed that the property owner would be purchasing the properties directly north of the Harry Lemon as a part of his master plan for his business. Since that time, the transactions have taken place. The structure that once stood on the property identified by Tax Key: V10_008100Z no longer remains. This area was shown on the Future Land Use Map as being "Single Family" and is the first of two (2) parcels being considered for this change. It was razed with a permit from the Building Inspection Department during the winter of 2018 and a "building pad" has been graded. The intent with removing that structure was to create additional space for a future building expansion, which he is planning on submitting in during the month of June.

His intention is to essentially double the size of the building utilizing the Ordinance adopted by the Village Board several years back to allow for the expansion of legal, non-conforming buildings. The property identified by Tax Key: V10_008000A was purchased to allow for additional parking. The property identified by Tax Key: V10_008100Z presently has an access point onto STH 164, but Pleasant Hill Management has worked with the Wisconsin Department of Transportation (WisDOT) to modify his access point 400' north from the intersection of Pleasant Hill Road and STH 164 for safety purposes- like a proposal we are considering tonight with Bilda's Friess Lake Pub.

Currently, the parcel which the commercial building is located on is 0.18 acres. Approximately 15-20 cars can park on the property. The expansion will provide an additional 75 parking stalls, far more than what would be required at 1 stall per 100sqft. Cpt. Tony Burgard from the Richfield Volunteer Fire Company estimated the maximum occupancy of the building between 50-60 patrons, currently. With the expansion of the building, the added parking will easily accommodate their business even on their busiest of nights. Currently, there are instances where customers park on the north and south side of Pleasant Hill Road which creates a single lane of traffic exiting onto STH 164. If the property owner creates this additional parking on his property, it is anticipated that this potential safety hazard will be remedied.

Zoning Discussion

[illegible]	[illegible]	[illegible]
V10_008200Z	B-4, Highway Business District	B-4, Highway Business District
V10_008100Z	B-4, Highway Business District	B-4, Highway Business District
V10_008000A	A-1, Exclusive Agricultural District	B-4, Highway Business District

The property owner understood that the land identified by Tax Key: V10_008000A needs to be rezoned, ergo the petition tonight. On the Village's adopted Future Land Use Map, the property is shown as being "Single Family". A Future Land Use Map amendment would need to be made prior to any rezoning petition. In terms of the current Zoning on the two (2) smaller properties, each individual property is a considered legal, non-conforming. Both parcels do not meet the minimum lot size requirements in the B-4 District, which pursuant to Section 70.200(E)(1) is minimum area is 1-acre.

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: May 2, 2019

SUBJECT: Pleasant Hill Bar and Grill - Comprehensive Plan Amendment for properties identified by Tax Key: V10_008000A and V10_008100Z

DATE SUBMITTED: April 25, 2019

SUBMITTED BY: Jim Healy, Village Administrator

They are approximately 0.18-acres and 0.25-acres, respectively. The previous month, the Plan Commission recommended, and Village Board approved, the CSM to combine the properties creating a single lot at 1.416-acres. From a planning and zoning perspective, this is a significant improvement- taking a non-conforming lot and creating a legal one.

The one acre parcel has been legally described by the applicant's surveyor. It is attached herein for your convenience. If the Plan Commission is of a mind to approve the proposed Resolution and recommend to the Village Board the scheduling of a Public Hearing, prior to the Public Hearing a "Community Sensitivity Meeting" will be scheduled at Pleasant Hill Bar and Grill. This meeting will be held pursuant to the adopted Public Participation Plan and people who live in proximity to the subject property will be notified via First Class Mail. Additionally, information related to the proposed change will be placed on the Village's website for the public to review and the appropriate notice requirements will be sent to the required parties as outlined in the Resolution. As a part of the anticipated recommendation to the Village Board, it will be conditioned on receiving approval from the Architectural Review Board and Plan Commission pursuant to Section 70.133 of the Village Code.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: _____
Village Deputy Clerk

Forward to Village Board: Yes
Additional Approvals Needed: Yes
Signatures Required: Yes

ATTACHMENTS

1. R2019-05-01, a Resolution to amend multiple sections of the Comprehensive Plan
2. Site Plan and Draft architectural design elevations prepared by Pleasant Hill Management
3. Washington County GIS Aerial Overview

STAFF RECOMMENDATION:

Motion to approve Resolution R2019-05-01, a Resolution to amend multiple sections of the Comprehensive Plan and to direct Staff to fulfill requirements of Wisconsin State Statutes for giving notice of the proposed Public Hearing on June 20, 2019 at 7:00PM and subject to the following Specific Conditions of Approval:

Specific Conditions of Approval

1. The applicant must rezone the property from A-1 to B-4
2. The applicant must receive approval from the Architectural Review Board and Plan Commission pursuant to 70.133
3. The applicant must pay all professional fees associated with the development of the subject property and Pleasant Hill Bar and Grill

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

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – *Pleasant Hill Management LLC, petitioner*

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTIONS: DOES THE PLAN COMMISSION WISH TO APPROVE: 1) THE EXPANSION OF A LEGAL, NON-CONFORMING BUILDING AND, 2) THE PROPOSED BUILDING ELEVATIONS, SITE, GRADING AND EROSION CONTROL PLANS?

ISSUE SUMMARY:

Architectural Design:

The proposal before you tonight is a 1,637sqft addition in the form of two (2) architectural projections to the east and a small vestibule on the northwest corner of the building. The primary building materials, as labeled, are permissible materials pursuant to Section 70.133 of the Zoning Code. These materials are noted on the drawings on Sheet A400 in the legend on the upper right-hand corner of the page. If the members of the Plan Commission were inclined to do so, the residing of the existing building has already started to take shape and in the opinion of Village Staff is a considerable improvement.

Village Staff in January scheduled an Architectural Review Board (ARB) meeting for the reconsideration of building plans for Pleasant Hill Pub and Grill. The plans were originally passed and approved by the Architectural Review Board in July of 2019 but were since modified by the property owner. At the January 15th ARB meeting, the following motion was made with the revised drawings:

Motion by Commissioner Otto to recommend approval to the Plan Commission for the proposed design elevations for the building expansion of Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) subject to the following Conditions of Approval:

1) Elongate the windows on the East, South, and North elevations to the "B Windows" shown on the A800 schedule.
2) Regarding the overhang on the East elevation, that should be cut to a vertical hang.
3) The material for the "gable transition" should be mimicked on the East elevation with hardiplank below and the gingerbread staggered shake in the gable peak

Seconded by Commissioner Jason Duehring; Motion passed without objection.

Staff has reviewed the revised drawings and they have made the changes requested by the ARB.

Legal, Non-Conforming Building Expansion:

Back in 2016, the Plan Commission and the Village Board approved Ordinance O2016-10-01, an Ordinance that allowed for the expansion of legal, non-conforming buildings when they are petitioned by property owners. The idea behind this regulation is the Village has several buildings that for whatever reason have a legal, non-conforming status. Meaning, at the time the buildings were established, they were legally constructed. But now, they do not conform to one or more regulations of the Zoning District.

The subject property is Zoned B-4, Highway Business District. Presently, the setback for buildings from the right-of-way is 40'. The existing building is mere feet off the property boundary line. This proposed addition is jogged to the north, so it is operating on a different plane than the existing building. In the B-4, Highway Business District, the setback on the side yard shall be not less than equivalent to the yards in the adjoining District but not less than 10'. The A-1, Exclusive Agricultural District has a side yard setback of 25' from principal buildings. Utilizing the 1" equals 20' scale provided on the site plan, this proposed addition does not infringe on the side yard setback.

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – *Pleasant Hill Management LLC, petitioner*

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

Pursuant to Village Code Section 70.242(F)(1), the following criteria must be met in addition to the processes contained in Section 70.161(A) regarding Special Exceptions:

Property owners directly adjacent to the subject property are mailed notice of the hearing via USPO 1st Class Mail five days before the hearing at their last known address;	Completed on 1/31
The existing building to which the addition will be attached is currently located within a setback/street-yard, side-yard, and/or rear-yard area;	Street yard
The existing building was legally established;	The Village has record of this building being a prominent part of the Pleasant Hill Hamlet dating back to the early 1900s.
The use of the existing building is legal conforming;	The proposed use is permitted as a Principal Use pursuant to Sec. 70.200(B)(9) and the Plan of Operation has been previously reviewed and approved by the Plan Commission.
The building addition is in compliance with the height limitations of the zoning district in which it is located, and is not greater in height than the contiguous portion of the existing building;	The existing building is a two-story structure, the proposed addition is a single-story which complies with this requirement.
The building addition does not extend closer to the lot line that is the lot line that is creating the non-conforming situation than the existing building [(i.e. the non-conforming aspect(s) of the building addition is/are not made worse by the proposed expansion];	The proposed building addition is offset from the existing structure on the street side and on the northside of the building is flush with the existing structure.
The building addition does not extend into a setback/street-yard, side-yard, and/or rear-yard area the existing building does not currently encroach upon rendering the proposed building non-conforming in a manner it was not previously, prior to the proposed expansion; and	This building does not extend into the side yard setback requirements of 25'.
The building addition complies with all other requirements that may apply.	The building complies with all other aspects of the Village Code.

In addition to the requirements contained in Village Code Sec. 70.161(A), the Plan Commission should consider the following factors:

- The size and location of the existing legal, non-conforming building.
- The size and location of any other buildings on the subject property.
- The size and location of the proposed expansion.
- The necessity of constructing the building addition within the setback/street-yard, side yard, and/or rear-yard.
- The proximity of building and other structures on adjoining properties.

Regarding these points of discussion, it should be noted the property owner to the east gave Pleasant Hill Management LLC an additional acre of land to make this expansion possible. The surrounding farmland, owned by Herb and Sharon Lofy as well as the Richfield Historical Society has been placed in a conservation easement program with the Tall Pines Conservancy, which is based out of Nashotah. A conservation easement is a permanent, legally binding agreement between a landowner and a qualified

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – *Pleasant Hill Management LLC, petitioner*

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

conservation organization or public agency that restricts the use of the land to protect its nature features. Currently, there are no other buildings on the property. The previously existing residential home and detached accessory garage were razed under permit with the Building Inspection Department in 2019. The existing first floor footprint is 1,873sqft. This proposed expansion is 1,568. On the existing building, the second story apartment has been converted for use of storage and administrative functions related to the business. As a part of this expansion, the property owner is proposing an expansion of the seating area and kitchen area of the building. In looking at the Site Plan, it is the opinion of Staff that the current layout is a logical expansion of the current floorplan.

Pursuant to Sec. 70.161A(C) regarding the "Basis of Decision", the Plan Commission must consider the following:

- The size of the property in comparison to other properties in the area. *The surrounding property to the north and east is a 38-acre homestead farm. The properties directly south of 0.75ac, 2.03, and 1.73acres, respectively.*
- The extent to which the issuance of the special exception would be keeping with the overall intent of the Code. *This provision of the Code was expressly created by the Plan Commission and Village Board to consider these types of unique circumstances.*
- Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit. *This building dates to 1887, making it certainly one of the older buildings in the Village, especially one that is still used commercially to this day.*
- The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit is granted. *The property owner is conducting a wetland delineation on the eastside of his property in early spring. Until the results are known, the property owner has designed this site to be protective of this area. Based on the review of wetland maps by Village Engineer Ron Dalton, he does not believe this will be an issue.*
- Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception. *The property owner has set the proposed building expansion further off Pleasant Hill Road and is proposing to not allow parking access off Pleasant Hill Road, temporarily. The Village may also institute "No Parking" in this area of Pleasant Hill Road.*
- A factor specifically listed under the Section authorizing the issuance of a special exception permit. *The aforementioned ordinance allows the expansion of legal, non-conforming buildings under this subsection.*

Site, Grading and Erosion Control:

The site plan is reflective of the CSM that was reviewed and approved by the Plan Commission in July of 2019. The CSM created a 1.416-acre parcel. In the B-4, Highway Business District, the minimum size for lots is 1-acre. Pursuant to Sect. 70.185 of the Village Code which deals with parking, "Restaurants, bars and places of entertainment" shall have 1 parking stall per 100sqft of gross floor area.

Existing First Floor – 1,873sqft
Addition First Floor – 1,568
TOTAL – 3,441
Parking Stalls required – 34
Parking Stalls proposed – 58 (4x handicapped)

Access has been given off of STH 164 with a 35' wide commercial access point. Other, previously held, access points were vacated by the property owner in favor of the existing one shown on the site plan. The access off Pleasant Hill Road will be closed until the results of the wetland delineation have been completed in the Spring by a qualified engineer. This parking lot will be constructed with asphalt and done in two (2) lifts. At the request of the Village Engineer, a buffer yard off STH 164 has been installed consistent with our Village Code.

VILLAGE OF RICHFIELD

PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: February 6, 2020

SUBJECT: Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – *Pleasant Hill Management LLC, petitioner*

DATE SUBMITTED: January 30, 2020

SUBMITTED BY: Jim Healy, Village Administrator

On January 29th, Village Engineer Ron Dalton reviewed the site, grading and erosion control plan and provided four (4) comments back to the property owner. It is included in the attachments for your convenience and it is our recommendation that it be approved subject to the final review and approval of the Village Engineer.

Please be advised, the Landscaping Plan and Lighting Plan will be forthcoming. Regarding the Lighting Plan, there will be no parking lot lights, only fixtures on the building so the impact will be negligible. The Plan of Operation has been previously reviewed and approved by the Plan Commission. However, at the present time the restaurant is closed due to extensive interior remodeling currently taking place.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: _____ *Village Deputy Clerk*

Forward to Village Board: No.
Additional Approvals Needed: No.
Signatures Required: No.

ATTACHMENTS

1. SBOP submittal materials prepared by Foundation Architects dated 12/3/2019
2. Letter dated January 29, 2020 from Village Engineer Ron Dalton
3. Ordinance O2016-10-01, An Ordinance amending Chapter 70 of the Village Code of Ordinances relating to legal, non-conforming structures
4. 70.161A Special Exception

STAFF RECOMMENDATION:

Architectural Design Plan:
Motion to accept the recommendation of the Architectural Review Board for the approval of the design elevations, as presented, for Pleasant Hill Pub and Grill, located at 2102 STH 164 (Tax Key: V10_008200Z) and to allow the expansion of the legal, non-conforming building subject to Village Code Section 70.161A relating to Special Exceptions and Ordinance O2016-10-01.

Site, Grading and Erosion Control Plan:
Motion to accept the recommendation of the Village Engineer per his letter dated January 23, 2020 for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z)

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. _____

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

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

March 26, 2019

Mr. James Healy, Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, Wisconsin 53033

RE: Pleasant Hill Management Certified Survey Map (CSM) Review

Dear Mr. Healy:

We have completed our review of the above referenced CSM received on March 19, 2019. The CSM was prepared by LandTech Surveying, Matthew T. O'Rourke P.L.S. It is our understanding that the proposed Land Division is being proposed under section 330 of the Village Code.

We have the following comments and recommendations:

Sheet 1:

- Show existing parcel lines and associated document numbers.
- Show access restrictions per Transportation Plat if any.

Sheet 2:

- Note in Surveyors certificate for the exclusion of lands for Dedicated Right of Way.
- Revise the area notes to reflect dedicated Right of Way Areas.

Sheet 3:

- If there is a mortgage on any of the parcels include the Corporate Mortgage Certificate.

Submitted data has been reviewed for conformance with generally accepted surveying practices and Village policies. Although this data has been reviewed, the surveyor is responsible for the thoroughness and accuracy of survey and supplemental data and for compliance with all state and local codes, ordinances and procedures. Modification to the survey, etc., may be required should errors or changed conditions be found at a future date.

Please contact me at our Cedarburg office (phone 262-204-2341) if you require any additional information or if you have any questions.

Sincerely,

CEDAR CORPORATION

Ron Dalton, P.E.
Director/Office Manager

RD/MJR

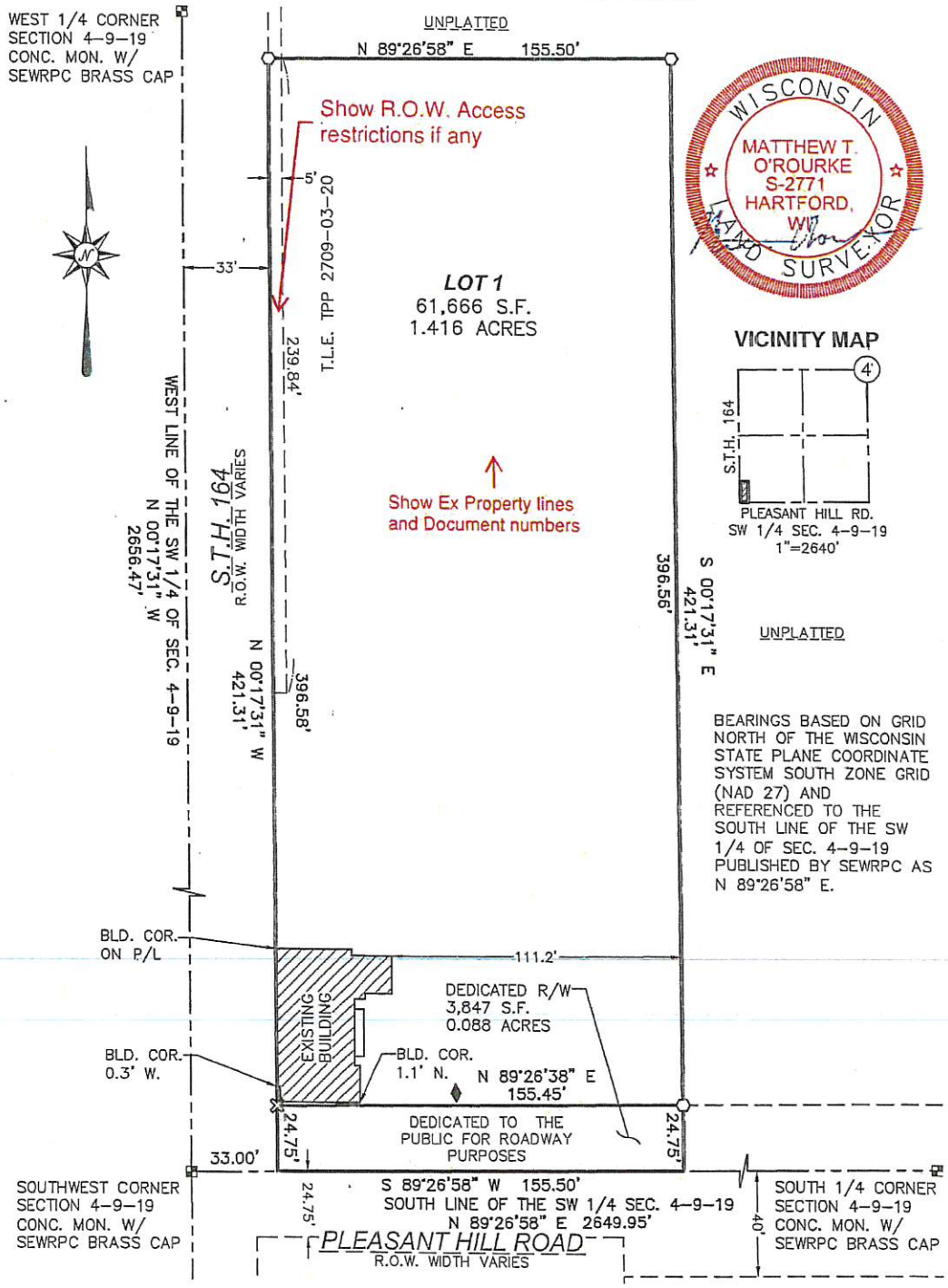
Enclosure(s): As Noted

Cc: Matthew T. O'Rourke, LandTech Surveying LLC, w/encl.,via email

PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. ____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.



PREPARED FOR:
PLEASANT HILL MANAGEMENT LLC.

0' 50' 100'
1 INCH = 50 FEET

LEGEND

- SECTION CORNER MONUMENT
- FOUND 3/4" REBAR
- FOUND CHISELED X
- DRIVEWAY LOCATION

LandTech SURVEYING
LAND SURVEYING & LAND PLANNING
111 W. 2ND STREET
OCONOMOWOC, WI 53066
WWW.LANDTECHWI.COM
(262) 367-7599

DATED 03/01/2019

THIS INSTRUMENT WAS DRAFTED BY MATTHEW T. O'ROURKE, S-2771 SHEET 1 OF 4

PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. ____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, MATTHEW T. O'ROURKE, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED A DIVISION OF UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN. AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 4; THENCE N 89°26'58" E ALONG THE SOUTH LINE OF THE ECTION, 33.00 FEET TO THE POINT OF BEGINNING; THENCE N 00°17'31" W, ALONG S.T.H. 164, 421.31 FEET; THENCE N 89°26'58" E, 155.50 FEET; THENCE S 00°17'31 OUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 4; THENCE S 89°26 LINE OF THE SOUTHWEST 1/4, 155.50 FEET TO THE POINT OF BEGINNING.

Add exclusion note for Dedicated Right of Way area

LANDS AS DESCRIBED HAVING AN AREA ~~OF 65,513 SQUARE FEET OR 1.504~~ ACRES.

Revise areas to reflect excluded Right of Way.

THAT I HAVE MADE SAID SURVEY BY THE DIRECTION OF THE PLEASANT HILL MANAGEME LANDS.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

THAT I HAVE FULLY COMPLIED WITH PROVISIONS OF S. 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION CONTROL ORDINANCE OF THE VILLAGE OF RICHFIELD IN SURVEYING, DIVIDING, AND MAPPING THE SAME.

DATED THIS _____ DAY OF _____, 20___.

_____

MATTHEW T. O'ROURKE, S-2771

WISCONSIN
MATTHEW T.
O'ROURKE
S-2771
HARTFORD,
WI
LAND SURVEYOR

PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

PLEASANT HILL MANAGEMENT, LLC, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THIS PLAT. PLEASANT HILL MANAGEMENT, LLC, DOES FURTHER CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: VILLAGE OF RICHFIELD

IN WITNESS WHEREOF, THE SAID PLEASANT HILL MANAGEMENT, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY: _____, ITS _____, AND COUNTERSIGNED BY _____, ITS _____,

AT_____WISCONSIN, AND ITS CORPORATE SEAL TO BE HEREUNTO AFFIXED ON THIS_____, DAY OF _____, 20_____.

IN THE PRESENCE OF:

CORPORATE TITLE: _____

PRINT NAME: _____

SIGNED: _____

COUNTERSIGNED BY TITLE: _____

PRINT NAME: _____

SIGNED: _____

CORPORATE OWNER'S NOTARY CERTIFICATE

STATE OF _____)

COUNTY) SS

PERSONALLY CAME BEFORE ME THIS_____DAY OF_____, 20____, _____,

AND _____ OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH _____ AND _____ OF SAID CORPORATION, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION, BY ITS AUTHORITY.

(NOTARY SEAL) _____ WISCONSIN

NOTARY PUBLIC,_____,

MY COMMISSION EXPIRES_____.

Include Mortgage Certificate if needed

WISCONSIN
MATTHEW T O'ROURKE
S-2771
HARTFORD, WI
LAND SURVEYOR

PRELIMINARY

WASHINGTON CO. CERTIFIED SURVEY MAP NO. _____

UNPLATTED LAND IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWN 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN.

VILLAGE OF RICHFIELD BOARD APPROVAL

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE VILLAGE OF RICHFIELD ON

THIS _____ DAY OF _____, 20___.

_____

JOHN JEFFORDS, VILLAGE PRESIDENT

_____

DONNA COX, ,DEPUTY CLERK

WISCONSIN
MATTHEW T. O'ROURKE
S-2771
HARTFORD, WI
LAND SURVEYOR

SHEET 4 OF 4

Jim Healy

From: Sharon Martin <Sharon.Martin@co.washington.wi.us>
Sent: Wednesday, June 17, 2020 3:18 PM
To: Jim Healy
Cc: Lisa Budish
Subject: CSM Richfield and Pleasant Hill Management LLC

Because 12 months has passed without recording the CSM since the final approval by the Village board (April 2019), by statute (Chapter 236) our office cannot accept for recording. If no public meeting was held that shows the CSM received final approval within the last 12 months, I would recommend that the Village add the CSM approval to their next board meeting so that it meets the statutory recording requirements.

WASHINGTON COUNTY
EST 1836
WISCONSIN

Sharon A Martin
Register of Deeds
E: sharon.martin@co.washington.wi.us
O: (262) 306-2225

Herbert J. Tennies Government Center
432 E. Washington St. Room 2084
West Bend, WI 53095-7986

@WashcoWisco
DISCOVER. CONNECT. PROSPER.

From: Jim Healy [mailto:administrator@richfieldwi.gov]
Sent: Wednesday, June 17, 2020 3:07 PM
To: Sharon Martin <Sharon.Martin@co.washington.wi.us>
Cc: Lisa Budish <Lisa.Budish@co.washington.wi.us>
Subject: RE: send CSM to this address

Hi Sharon,

We do not have a signature block for our Plan Commission because they are considered a "recommending body". Meaning, they could recommend denial and the Village Board could overrule them. This was at the advice of our Consultant Planner.

Is that still okay?

We typically do not layer our approvals like this, but it was a pretty unique circumstance.

Be well,

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

8c

VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: July 23, 2020

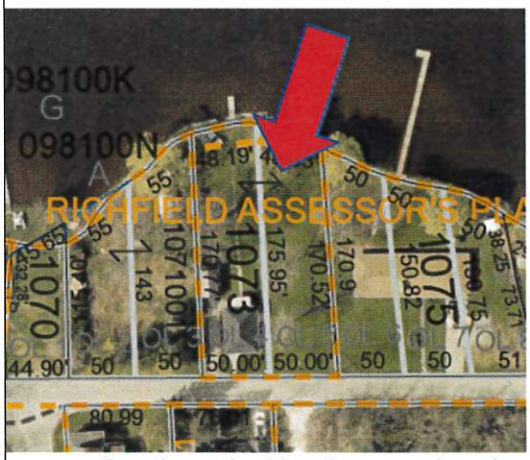
SUBJECT: One-Lot CSM for property located at 3476 S Shore Drive, identified by Tax Key: V10_1073- Frank and Lori Windt

DATE SUBMITTED: July 12, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION FOR THE APPROVAL OF THE PROPOSED ONE-LOT CSM?

ISSUE SUMMARY:



Tonight, the Village Board is asked to review a CSM for Frank and Lori Windt at 3476 S Shore Drive (Tax Key: V10_1073). The property is zoned Rs-4, Single Family Residential District. The intent of which is, in part, as follows:

"Intent. The Rs-4 single-family residential district is intended to provide for limited development of single-family residential housing, of parcels no more than 19.99 acres, with any new parcels maintaining a minimum of 100 feet of lake frontage, for lakeshore properties on Amy Belle, Bark, Friess, Lake Five, and Little Friess Lakes, including those portions of the Village of Richfield that are also regulated by the floodplain district of the Village of Richfield Code of Ordinances..."

This proposed CSM, prepared by Don Thoma, will combine two (2) properties that the Windt family owns into a single Tax Key. These properties are currently substandard lots because they do not have 100' of lake frontage, which is a requirement of the Rs-4 Single-Family Residential District. Combined, the Lot improves the degree of non-conformity of the lot and does not worsen the same. While they are currently combined by the Washington County Real Property Lister, they are considered two (2) separate lots of record adjoined by a "hooker line" which the red arrow at the left is pointing out on the Washington County GIS aerial overview. So while they are being shown as being a single property, the only way to actually take two (2) legal descriptions and combine them into a single one is to create this CSM. Otherwise, the proeprty boundary lines exist. This is problemantic should the property owner ever want to expand their home to the east. Pursuant to the Village's Land Division Ordinances, Section §330-11.1(E), if a certified survey map is approved with one or more substandard lots, a notation shall be shown on the face of the survey substantially as follows:

Parcel ___ is a substandard lot and was approved by the Village of Richfield under authority of Section 330-11-A of the Richfield Code of Ordinances. Such parcel shall comply with all applicable regulations relating to legal nonconforming lots which may now exist, or which may be established by the Village of Richfield.

If a certified survey map is approved with a parcel that contains an existing structure that does not comply with setback standards in the Village's zoning regulations, a notation shall be shown on the face of the survey as follows:

Parcel ___ contains an existing structure that does not comply with setback standards in the Village's zoning regulations in effect on the date this certified survey map was approved by the Village of Richfield. Such structure shall comply with all applicable regulations relating to legal nonconforming structures which may now exist, or which may be established by the Village of Richfield.

The proposed Lot 1 is 0.39-acres. In this case, the property has both non-conforming structures (setbacks- street and side) and are non-conforming lots. So, each of the above-referenced notations must be placed on the face of the CSM.

The combination of these lots will cement what the County Treasurer and County Real Property Lister has been classifying this property as for all these years. Right now the County Treasurer's legal description for this property is as follows:

PT OF NE NW WIERLS BARK LAKE PARK+ASSRS PLAT OL 4+5 DOC 1019775

OL 4 and OL 5 are quite literally the two (2) individual properties. I have also reviewed DOC 1019775, which is a warranty deed when the property was transferred from the previous property owners to the Windt family. Right now, there is only a single Tax Key assigned to both properties and the proposed combination of these lots lessens the degree of non-conformity on the setbacks of the principal structure (eastern bounday line) and creates a parcel that is 96.82' wide at the riparian shorline and 100' on the streetyard setback.

The Village Engineer has reviewed the CSM and the preliminary comments have all been addressed. At the July 2, 2020 Plan Commission meeting, the Plan Commission recommended approval to the Village Board without objection with the motion prepared for the Board shown below.

FISCAL IMPACT: *REVIEWED BY:* Deanna Cleys
Village Deputy Treasurer

Initial Project Costs: N/A
Future Ongoing Costs: N/A
Physical Impact (on people/space): Formal combination of Two Lots into a single Lot
Residual or Support/Overhead/Fringe Costs: Administrative.

ATTACHMENTS:

1. Letter dated June 15, 2020 from Village Engineer Ron Dalton

STAFF RECOMMENDATION:

Motion to approve the proposed One-Lot CSM for Frank and Lori Windt for property located at 3476 S Shore Drive (Tax Key: V10_1073) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The applicant address, to the satisfaction of the Village Engineer, comments from his letter dated June 15, 2020.
2. The following be added to the Face of the CSM: "*Lot 1 is a substandard lot and was approved by the Village of Richfield under authority of 330-11-1 of the Village of Richfield Code of Ordinances. Such parcel shall comply with all applicable regulations relating to legal nonconforming lots which may now exist, or which may be established by the Village of Richfield.*"
3. The following be added to the Face of the CSM: "*Lot 1 contains structures which do not comply with the setback requirements in the Village's zoning regulations in effect on the date this certified survey map was approved by the Village of Richfield. Such structures shall comply with all applicable regulations relating to legal nonconforming structures which may now exist, or which may be established by the Village of Richfield*".

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 Statues 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.

APPROVED FOR SUBMITTAL BY:	VILLAGE CLERK USE ONLY BOARD ACTION TAKEN
Village Staff Member Village Administrator	Resolution No. _____ Continued To: _____ Ordinance No. _____ Referred To: _____ Approved _____ Denied _____ Other _____ File No. _____

Cedar corporation

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

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

June 15, 2020

Mr. James Healy, Village Administrator
Village of Richfield
4128 Hubertus Road
Hubertus, Wisconsin 53033

RE: Windt Certified Survey Map (CSM) Review

Dear Mr. Healy:

We have completed our review of the above referenced CSM received on June 10, 2020. The CSM was prepared by Donald J. Thoma, P.L.S. It is our understanding that the proposed Land Division is being proposed under section 330 of the Village Code.

We have the following comments and recommendations:

Sheet 1: -Please add notation to the structure on O.L. 4

-Show centerline of road Right of Way

-Note or show setback information and or infringements

-Add note describing purpose of the CSM

Sheet 2: -Please add legal description for Lot 1

-Remove the Village of Richfield Plan Commision and Village Board notation from the Owners Certificate

- add Public Trust note as found in 236.20(6)

Sheet 3: -Add the lot information to the parcel description at the top of the page

Submitted data has been reviewed for conformance with generally accepted surveying practices and Village policies. Although this data has been reviewed, the surveyor is responsible for the thoroughness and accuracy of survey and supplemental data and for compliance with all state and local codes, ordinances, and procedures. Modification to the survey, etc., may be required should errors or changed conditions be found at a future date.

Please contact me at our Cedarburg office (phone 262-204-2341) if you require any additional information or if you have any questions.

Sincerely,

CEDAR CORPORATION

Ron Dalton, P.E.

Director/Office Manager

RD/MJR

Enclosure(s): As Noted

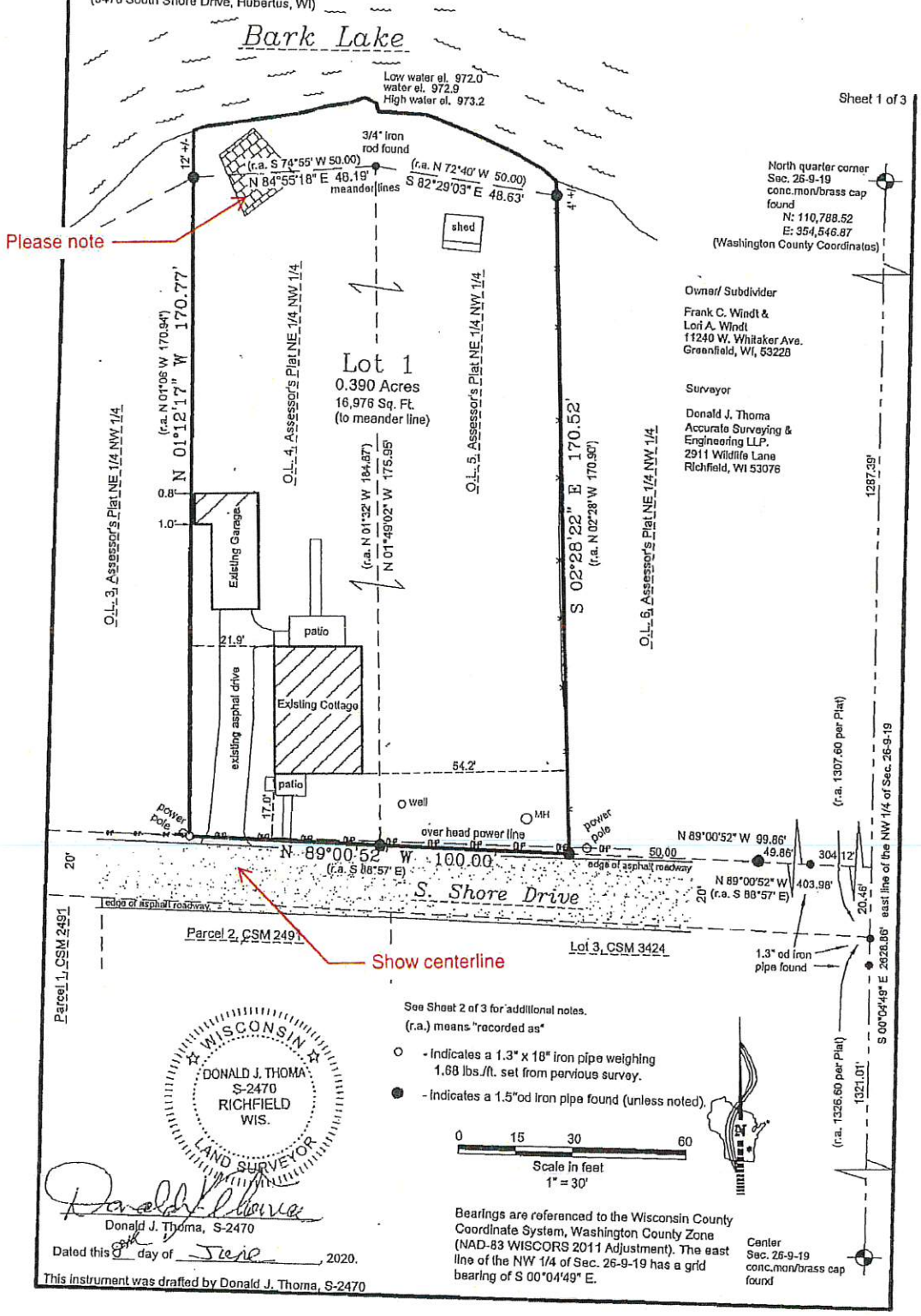
Cc: Donald J. Thoma, Accurate Surveying & Engineering LLP, w/encl.,via email

Washington County Certified Survey Map

Outlots Four (4) and Five (5) in Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

(3476 South Shore Drive, Hubertus, WI)

Sheet 1 of 3



See Sheet 2 of 3 for additional notes.

(r.a.) means "recorded as"

○ - Indicates a 1.3" x 18" iron pipe weighing 1.68 lbs./ft. set from pervious survey.

● - Indicates a 1.5"od iron pipe found (unless noted).

WISCONSIN
DONALD J. THOMA
S-2470
RICHFIELD
WIS.
LAND SURVEYOR

Donald J. Thoma, S-2470

Dated this 8th day of June, 2020.

This instrument was drafted by Donald J. Thoma, S-2470

Bearings are referenced to the Wisconsin County Coordinate System, Washington County Zone (NAD-83 WISCORS 2011 Adjustment). The east line of the NW 1/4 of Sec. 26-9-19 has a grid bearing of S 00°04'49" E.

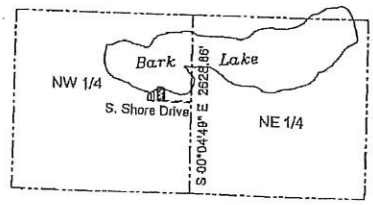
Washington County Certified Survey Map

Outlots Four (4) and Five (5) in Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

Location Sketch

NW 1/4 and NE 1/4 - Sec. 26-9-19

Scale: 1" = 2000'



Note: 100 year flood elevation 975.9 NAVD 88 was supplied to us by FEMA FIRM No. 55131C0354E, effective date 10-16-2015.

Benchmark:
Is a conc./mon. with a brass cap found marking the North quarter corner of Section 26-9-19, which has a published elevation of 975.55 NGVD 29 and a computed elevation of 975.98 NAVD 88.

Title Policy or Title Search was provided, recorded easements and exceptions are shown per Title Commitment No. L-102280REV date 09-10-2003 provided by owners.

Note: The recorded Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, does not show the O.L.'s within the Plat extending to the shore of Bark Lake. This Plat is all of Block 2 of Wiert's Bark Lake Park a recorded subdivision which does show and describes the lots to the shore of Bark Lake.

Surveyor's Certificate:

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Frank C. Windt, I have surveyed, divided, and mapped the land shown and described hereon, being all of Outlots Four (4) and Five (5) in Assessor's Plat, Northeast 1/4 of the Northwest 1/4, Section 26, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

Provide legal description

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Village of Richfield Land Division Ordinance in surveying, dividing, and mapping said land, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands.

Dated this 8th day of June, 2020.

Donald J. Thoma, S-2470

WISCONSIN DONALD J. THOMA S-2470 RICHFIELD WIS. LAND SURVEYOR

Owner's Certificate:

As owners, we hereby certify that we caused the land shown and described to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village of Richfield Plan Commission
Village of Richfield Village Board

Remove?

Frank C. Windt - Owner

Lori A. Windt - Owner

STATE OF WISCONSIN)
WASHINGTON COUNTY)s.s

Personally came before me this ____ day of _____, 202__, the above named owners are to me known to be the same persons who executed the foregoing instrument and acknowledge the same.

(Notary Seal)_____, Notary Public, _____,Wisconsin.

My commission expires _____

This instrument was drafted by Donald J. Thoma, S-2470

Washington County Certified Survey Map

Add lot info

Part of the NE 1/4 of the SE 1/4 and part of the SE 1/4 of the SE 1/4 all in Section 4, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

Village of Richfield Village Board Approval:

This land division is hereby approved and road dedication hereby accepted by the Village of Richfield Village Board this _____ day of _____, 202__.

_____
John Jeffords - Village President

_____
Jim Healy - Village Administrator/Clerk

WISCONSIN
DONALD J. THOMA
S-2470
RICHFIELD
WIS.
LAND SURVEYOR

Donald J. Thoma, S-2470

Dated this 28 day of June, 2020.

This instrument was drafted by Donald J. Thoma, S-2470

8d

VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: July 23, 2020

SUBJECT: Extraterritorial Final Plat, Haass Farms, Mike Kaerek, petitioner (Tax Key: LSBT_0167999)

DATE SUBMITTED: July 12, 2020

SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION FOR THE APPROVAL OF THE EXTRATERRITORIAL FINAL PLAT IN THE TOWN OF LISBON?

ISSUE SUMMARY:

The property in question is located on the border of the Town of Merton and Town of Lisbon, approximately one-half mile south of CTH Q west of Lake Five Road. The subject property is 65.0-ac (net after 2.4-ac of right-of-way dedication). What is being proposed is a 43 Lot Subdivision with six (6) Out Lots. Like our RS-1b zoning district, each property owner has an equal and undivided share of the 10.4484-ac Out Lots. This property has no waterways, floodplain, or wetlands on it. It has two means of access, with connections to Red Fox Run and Monarch Drive. No other roads are named at this time. There will be no permissible access off Hickory Road and bordering this street is a 30' wide "Landscaping Easement" which traces the north and eastern property boundary lines. Building in this area is also prohibited per the notations on the face of the Plat.

The average lot size in this subdivision development is 1.0811-ac. For the R-1 Zoning District, the minimum lot size is 1.0-ac. Setbacks for each lot are shown in hashed lines on each property.

On June 17, 2019, Village Staff received a letter from the State Department of Administration's (DOA) Plat Review division that stated they did not object to the Preliminary Plat and that it complies with Wis. Stats. 236. The Village has not received anything from DOA regarding the Final Plat to date. On June 24, 2020, the Village received written confirmation from the Town of Lisbon's consulting planner that their Plan Commission will be considering this proposal on July 9th and pending approval, on July 27th the Town Board will consider it. The Village of Richfield's adopted Comprehensive Plan addresses the Village's legal right to object to extraterritorial plat reviews which include CSMs and subdivision plats, but historically the Village has not exercised this power.

At the July 2, 2020 Plan Commission meeting the Final Plat was recommended for approval to the Village Board without objection.

FISCAL IMPACT:

REVIEWED BY: Danielle Kaye
Village Deputy Treasurer

Initial Project Costs: N/A
Future Ongoing Costs: N/A
Physical Impact (on people/space): Development of single-family subdivision in the Town of Lisbon
Residual or Support/Overhead/Fringe Costs: Administrative.

ATTACHMENTS:

1. Haass Farms Final Plat, prepared by Pinnacle Engineering Group (June 4, 2020)

STAFF RECOMMENDATION:

Motion to approve the proposed extraterritorial Final Plat for Haass Farms on land identified by Tax Key: LSBT_0167999 in the Town of Lisbon subject to the following Specific Conditions of Approval:

1. The applicant receives all other necessary approvals from any other approving local governmental bodies or agencies.
2. The Signature Block for the Village of Richfield Plan Commission remove "Ken Meeks, Chairman" and replace with "Jim Otto, Chairman".
3. The Signature Block for the Village of Richfield Plan Commission remove "Donna Cox, Deputy Clerk" and replace with "Jim Healy, Clerk"

APPROVED FOR SUBMITTAL BY:	VILLAGE CLERK USE ONLY BOARD ACTION TAKEN
Jennifer Keller Village Staff Member Village Administrator	Resolution No. _____ Continued To: _____ Ordinance No. _____ Referred To: _____ Approved _____ Denied _____ Other _____ File No. _____

HAASS FARMS

Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin

Owner/Subdivider
MK/S-EP, LLC
Attn: Michael J. Kaereh
11600 West Lincoln Avenue
West Allis, WI 53227
414-321-5300

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

WISCONSIN JOHN P. KONOPACKI S-2461 Waukesha, WI LAND SURVEYOR

Date: JUNE 4, 2020

REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°20'04" EAST PER THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

REFERENCE BENCHMARK: 1044.28 (NGVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-09479, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

NOTES:
1. SEE DRAINAGE EASEMENTS, DRAINAGE EASEMENTS FOR STORM WATER MANAGEMENT, PERMANENT GRADING AND DRAINAGE EASEMENT, WELL SETBACKS AND TOP OF POND ON SHEET 2.
2. SEE BUILDING SETBACK LINE ON SHEET 3
3. SEE ADDITIONAL NOTES, AND CURVE DATA ON SHEET 4.

LEGEND:
- Denotes Found 2" O/D Iron Pipe
- Denotes Set 1-1/4" X 18" Iron Rebar, 4.3 LBS./FT. All other corners set are 3/4" x 18" Iron Rebar, 1.5 LBS./FT.
- SF Denotes lot areas to the nearest square foot.

All distances computed to the nearest 0.01'
All angles computed to the nearest 00°00'00.05" and measured to the nearest 00°00'05"

This Instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

PEG JOB#1149.00V1
SHEET 1 OF 4

HAASS FARMS

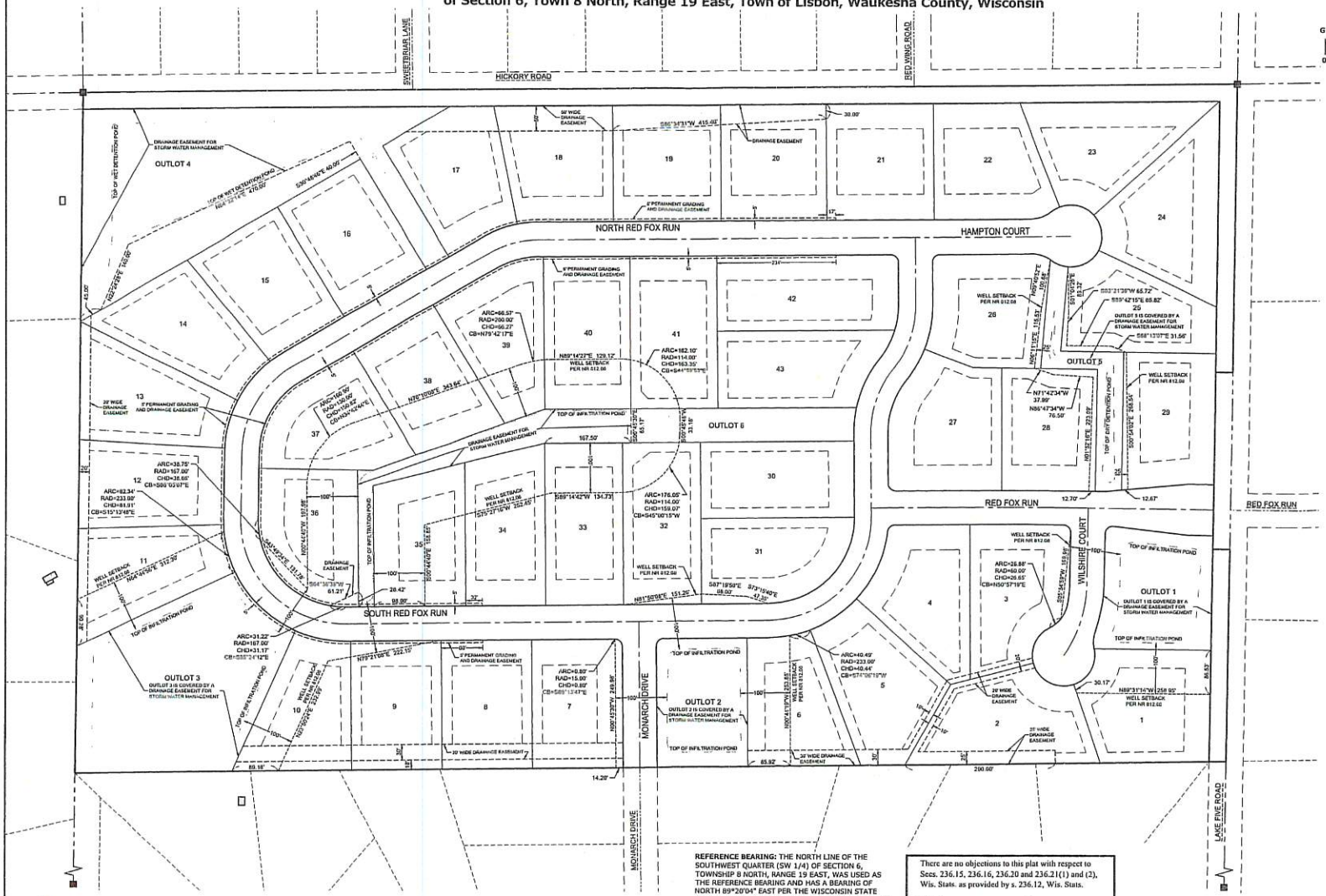
Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 100' 200'

www.pinnacle-engr.com



REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°20'04" EAST PER THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

REFERENCE BENCHMARK: 1044.28 (NGVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-09479, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

WISCONSIN JOHN P. KONOPACHI S-2461 Waukesha, WI LAND SURVEYOR

Date: JUNE 4, 2020

This instrument drafted by John P. Konopachi, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

Owner/Subdivider
MIC/S-EP, LLC.
Attn: Michael J. Kaereh
11600 West Lincoln Avenue
West Allis, WI 53227
414-321-5300

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD I SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

PEG JOB # W49-0041
SHEET 2 OF 4

HAASS FARMS

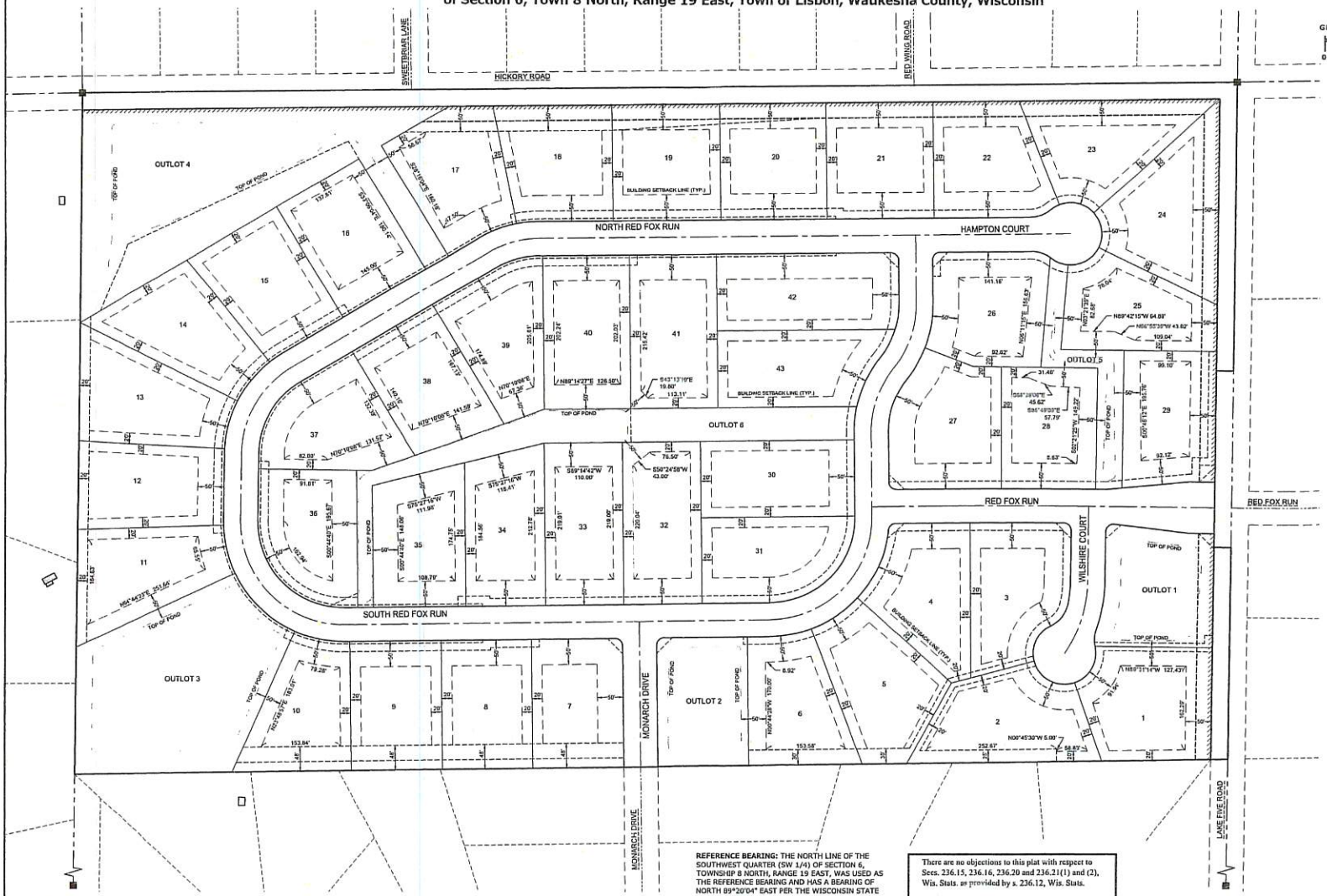
Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 100' 200'

www.pinnacle-engr.com



This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

Owner/Subdivider
MK/S-EP, LLC.
Attn: Michael J. Kaerek
11600 West Lincoln Avenue
West Allis, WI 53227
414-321-5300

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888
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REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°20'04" EAST PER THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

REFERENCE BENCHMARK: 1044.28 (NGVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-09479, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration

WISCONSIN JOHN P. KONOPACKI S-2461 Waukesha, WI LAND SURVEYOR

Date: JUNE 4, 2020

PEG JOB # 1949 DONE

SHEET 3 OF 4

HAASS FARMS

Lot 1 Certified Survey Map No. 5137, and additional lands in the Northwest 1/4 and Northeast 1/4 of the Fractional Southwest 1/4 of Section 6, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped all of Lot 1 of Certified Survey Map No.5137, as recorded in the Register of Deeds office for Waukesha County as Document No. 1400111, and additional lands, all being a part of the Northwest 1/4 and Northeast 1/4 of the fractional Southwest 1/4 of Section 6, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin described as follows:

Beginning at the northwest corner of the fractional Southwest 1/4 of said Section 6; thence North 89°20'04" East along the north line of said fractional Southwest 1/4, 2227.78 feet to the northeast corner of said fractional Southwest 1/4; thence South 00°38'58" West along the east line of said fractional Southwest 1/4, 563.00 feet; thence North 89°21'02" West, 33.00 feet to the northeast corner of Lot 1 of said Certified Survey Map; thence South 00°38'58" West along the east line of said Lot 1, 346.16 feet to the southeast corner of said Lot 1; thence South 89°21'02" East, 33.00 feet to the aforesaid east line of said fractional Southwest 1/4; thence South 00°38'58" West along said east line, 413.50 feet to the south line of the North 1/2 of said fractional Southwest 1/4; thence South 89°14'30" West along said south line, 2225.82 feet to the west line of said fractional Southwest 1/4; thence North 00°33'40" East along the said west line, 1326.22 feet to the Point of Beginning.

Containing 2,937,059 square feet (67.4256 acres), more or less.

That I have made such survey, land division and map by the direction of MK/S-EP, LLC, owner of said land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the Town of Lisbon Land Division and Platting Ordinance in surveying, mapping and dividing the lands within the subdivision.

Date: JUNE 4, 2020

WISCONSIN JOHN P. KONOPACKI S-2461 Waukesha, WI LAND SURVEYOR

John P. Konopacki
Professional Land Surveyor S-2461

OWNER'S CERTIFICATE OF DEDICATION

MK/S-EP, LLC., a Wisconsin Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

MK/S-EP, LLC. also certifies that this plat is required by s.236.10 or s.236.12 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. Town of Lisbon
2. Wisconsin Department of Administration
3. Waukesha County Parks and Land Use Department
4. Village of Richfield

IN WITNESS WHEREOF, the said MK/S-EP, LLC., has caused these presents to be signed by Michael J. Kaerek, its member, at (city) ____________, ____________ County, Wisconsin, on this _______ day of ____________, 20___.

In the presence of: MK/S-EP, LLC.

____
Michael J. Kaerek, Member

STATE OF WISCONSIN)
______________ COUNTY) SS

Personally came before me this _______ day of ____________, 20___, Michael J. Kaerek, member, of the above named limited liability company, to me known to be the persons who executed the foregoing instrument, and to me known to be such member of said limited liability company and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.

____
Notary Public
Name: ______________
State of Wisconsin
My Commission Expires: ______________

CONSENT OF CORPORATE MORTGAGEE

______________, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said ______________, has caused these presents to be signed by ____________, its ____________, and its corporate seal to be hereunto affixed this _______ day of ____________, 20___.

______________ Date
______________ Name & Title

STATE OF WISCONSIN)
______________ COUNTY) SS

Personally came before me this _______ day of ____________, 20___, ____________, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

____
Notary Public
Name: ______________
State of Wisconsin
My Commission Expires: ______________

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified ____________, 20_____

Department of Administration

NOTES:

1. All measurements have been made to the nearest one-hundreth of a foot and all angular measurements have been made to the nearest one second.
2. Dimensions along curves are arc lengths.
3. All roads within this plat are dedicated to the public.
4. All easements are granted to the Town of Lisbon unless otherwise stated.
5. FLOOD ZONE CLASSIFICATION: The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55133C0066H with an effective date of November 5, 2014.
6. OUTLOT STATEMENT: Outlot statement: each individual lot owner shall have an undividable fractional ownership in Outlots 1 thru 6. Waukesha County and the Town of Lisbon shall not be liable for any fees or special charges in the event they become the owner of any Lot or Outlot in the Subdivision be reason of tax delinquency. Outlot 1 contains a landscape easement and is covered by a drainage easement for storm water management. Outlots 2 thru 6 contain drainage easements for storm water management.
7. BASEMENT RESTRICTION: Although all the lots in this Subdivision have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, they may contain soil conditions that, due to the possible presence of groundwater near the surface, may require additional soil engineering and foundation design with regard to basement construction. Basement floor surfaces shall be built a minimum of one (1) foot above the seasonal high water table elevation, as documented in the soil evaluation and shall avoid hydric soils as much as possible. It is recommended that either a licensed professional engineer or other soils expert design a basement and foundation which will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors or that special measures be taken. Soil conditions should be subject to each owners special investigation prior to construction and no specific representation is made herein.
8. STORM WATER MANAGEMENT / DRAINAGE NOTES:
   - All lands within areas labeled "Drainage Easement" are reserved for storm water collection, conveyance, treatment or infiltration.
   - The maintenance agreement may contain specific maintenance requirements for these areas.
   - Surface water drainage areas may not be filled. Surface water drainage easements shall be maintained by the individual lot owners.
   - Final grade for surface water drainage easements shall be maintained.
   - No structure may be placed upon he surface water drainage easement areas.
   - Landscaping shall be restricted to ground cover.
   - If drainage easement are not adequately maintained, the Town of Lisbon may levy the costs and expenses of such inspections, maintenance or repair related actions as a special charge against the property and colleted as such in accordance with the procedures under s. 66.0627 Wis. Stats. of cubch. VI of ch. 66 Wis. Stats.
   - The Town of Lisbon, or their designee, is authorized access to all storm water management areas for the purpose of inspection, maintenance and repair of the storm water management facilities.
9. VISION CORNER RESTRICTIONS: The height of all plantings, berms, fences, signs or other structures within the vision corner easement is limited to 24 inches above the elevation of the center of the intersection. No access to any roadway shall be permited within the vision corner easements.
10. 30' landscape easement is reserved for the planting of trees, shrubs. The building of structures hereon is prohibited. The landscaping easement impacts Outlot 1, Lots 1, 17-25 and 29. The 30' landscape easement is granted to the Haass Farms Homeowners Association.
11. All wells shall be located within 50' of the front lot line to ensure proper separation to septic systems and storm water management systems.

TOWN PLAN COMMISSION APPROVAL CERTIFICATE

Resolved, that the plat known as HAASS FARMS, being a part of the Northwest 1/4 and Northeast 1/4 of the fractional Southwest 1/4 of Section 6, Township 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin, is hereby approved by the Town Plan Commission on this ______ day of ____________, 20___.

______________ Joseph Osterman, Town Chairman
______________ Jane Stadler, Plan Commission Secretary

TOWN BOARD APPROVAL CERTIFICATE

Resolved, that the plat known as HAASS FARMS, being a part of the Northwest 1/4 and Northeast 1/4 of the fractional Southwest 1/4 of Section 6, Township 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin, is hereby approved by the Town Board. The Town of Lisbon also hereby approves and accepts all dedications shown hereon.

All conditions have been met as of this ______ day of ____________, 20___.

______________ Joseph Osterman, Town Chairman

We hereby certify the foregoing is a true and correct copy of a resolution adopted by the Town Board of the Town of Lisbon this ______ day of ____________, 20___.

______________ Joseph Osterman, Town Chairman
______________ Rick Goeckner, Interim Town Clerk

VILLAGE OF RICHFIELD PLAN COMMISSION EXTRA-TERRITORIAL APPROVAL CERTIFICATE

Resolved, that the plat known as HAASS FARMS, being a part of the Northwest 1/4 and Northeast 1/4 of the fractional Southwest 1/4 of Section 6, Township 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin, is hereby approved by the Village Plan Commission on this ______ day of ____________, 20___.

______________ Ken Meeks, Chairman

I hereby certify the foregoing is a true and correct copy of a resolution adopted by the Village Plan Commission of the Village of Richfield this ______ day of ____________, 20___.

______________ Donna Cox, Deputy Clerk

VILLAGE OF RICHFIELD VILLAGE BOARD EXTRA-TERRITORIAL APPROVAL CERTIFICATE

Resolved, that the plat known as HAASS FARMS, being a part of the Northwest 1/4 and Northeast 1/4 of the fractional Southwest 1/4 of Section 6, Township 8 North, Range 19 East, in the Town of Lisbon, Waukesha County, Wisconsin, is hereby approved by the Village Board on this ______ day of ____________, 20___.

______________ John Jeffords, Village President

I hereby certify the foregoing is a true and correct copy of a resolution adopted by the Village Board of the Village of Richfield this ______ day of ____________, 20___.

______________ Jim Healy, Village Clerk

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE APPROVAL CERTIFICATE

The plat known as HAASS FARMS, which has been filed for approval as required by Chapter 236 of the Wisconsin State Statutes, is hereby approved on this ______ day of ____________, 20___.

______________ Dale R. Shaver, Director

TOWN OF LISBON TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, Amy Buchman, being duly appointed, qualified and acting Treasurer of the Town of Lisbon, do hereby certify in accordance with the records in my office, there are no unpaid taxes or special assessments as of ____________, 20___ on any of the lands included in the plat of HAASS FARMS.

______________ Date
______________ Amy Buchman, Town Treasurer

WAUKESHA COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, Pamela F. Reeves, being duly elected appointed, qualified and acting County Treasurer of the County of Waukesha, do hereby certify that the records in my office show no unpaid taxes and no unredeemed tax sales or special assessments as of ____________, 20___ on any of the lands included in the plat of HAASS FARMS.

______________ Date
______________ Pamela F. Reeves, County Treasurer

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by MK/S-EP, LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee,

WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation, Grantee, and

SPECTRUM MID-AMERICA, LLC, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, theron, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

CURVE TABLE

CURVE NO.	LOT NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CH LENGTH	TANGENT IN	TANGENT OUT
1 NORTH	-	234.22'	9532.65'	1°24'28"	S89°56'44"W	234.21'	N89°21'02"W	S89° 14' 30"W
-	28	135.63'	9532.65'	0°48'55"	N89°45'29"W	135.63'		
-	27	98.59'	9532.65'	0°35'33"	S89°32'17"W	98.59'		
1 C/L	-	233.41'	9499.65'	1°24'28"	S89°56'44"W	233.40'	N89°21'02"W	S89° 14' 30"W
1 SOUTH	-	217.57'	9466.65'	1°19'01"	S89°54'00"W	217.57'	N89°25'29"W	S89° 14' 30"W
-	3	179.79'	9466.65'	1°05'17"	N89°59'08"W	179.79'		
-	4	37.78'	9466.65'	0°13'43"	S89°21'22"W	37.78'		
2	27	23.56'	15.00'	90°00'00"	N45°45'30"W	21.21'	N00°45'30"W	S89° 14' 30"W
3	4	21.74'	15.00'	83°03'07"	S47°42'56"W	19.89'	S89°14'30"W	S06° 11' 23"W
4	3	23.59'	15.00'	90°05'27"	S44°23'46"E	21.23'	S00°38'58"W	S89° 26' 29"E
5	O.L. 1	25.16'	15.00'	96°03'54"	S48°40'55"W	22.31'	N83°17'08"W	S00° 38' 58"W
6 WEST	3	44.04'	217.00'	11°37'30"	S06°37'47"W	43.96'	S12°16'38"W	S00° 38' 58"W
6 C/L	-	147.02'	250.00'	33°41'43"	S17°29'49"W	144.91'	S34°20'41"W	S00° 38' 58"W
6 EAST	O.L. 1	92.93'	283.00'	18°48'56"	S10°03'26"W	92.52'	S19°27'54"W	S00° 38' 58"W
7	3	53.94'	60.00'	51°30'37"	S38°01'55"W	52.14'	S63°47'14"W	S12° 16' 38"W
8	O.L. 1	33.87'	60.00'	32°20'34"	S03°17'36"W	33.42'	S19°27'54"W	S12° 52' 41"E
9	-	268.78'	60.00'	256°39'55"	S64°32'44"E	94.13'	S63°47'14"W	N12° 52' 41"W
-	3	82.35'	60.00'	78°38'05"	S24°28'11"W	76.03'		
-	2	98.51'	60.00'	94°04'30"	S61°53'06"E	87.82'		
-	1	87.92'	60.00'	83°57'20"	N29°05'59"E	80.26'		
10	42	23.56'	15.00'	90°00'00"	S45°39'56"E	21.21'	S00°39'56"E	N89° 20' 04"E
11	26	23.56'	15.00'	90°00'00"	S44°20'04"W	21.21'	S89°20'04"W	S00° 39' 56"E
12 WEST	-	113.25'	167.00'	38°51'23"	S18°45'45"W	111.10'	S38°11'27"W	S00° 39' 56"E
-	42	50.78'	167.00'	17°25'18"	S08°02'43"W	50.58'		
-	43	62.47'	167.00'	21°26'05"	S27°28'24"W	62.11'		
12 C/L	-	135.63'	200.00'	38°51'23"	S18°45'45"W	133.05'	S38°11'27"W	S00° 39' 56"E
12 EAST	-	158.01'	233.00'	38°51'23"	S18°45'45"W	155.00'	S38°11'27"W	S00° 39' 56"E
-	26	88.38'	233.00'	21°44'03"	S10°12'05"W	87.86'		
-	27	69.63'	233.00'	17°07'20"	S29°37'47"W	69.37'		
13 WEST	-	158.39'	233.00'	38°56'57"	S18°42'58"W	155.36'	S38°11'27"W	S00° 45' 30"E
-	43	106.65'	233.00'	26°13'33"	S25°04'40"W	105.72'		
-	O.L. 6	51.74'	233.00'	12°43'23"	S05°36'12"W	51.63'		
13 C/L	-	135.96'	200.00'	38°56'57"	S18°42'56"W	133.36'	S38°11'27"W	S00° 45' 30"E
13 EAST	27	113.53'	167.00'	38°56'57"	S18°42'58"W	111.35'	S38°11'27"W	S00° 45' 30"E
14 WEST	31	262.32'	167.00'	90°00'00"	S44°14'30"W	236.17'	S89°14'30"W	S00° 45' 30"E
14 C/L	-	314.16'	200.00'	90°00'00"	S44°14'30"W	282.84'	S89°14'30"W	S00° 45' 30"E
14 EAST	-	337.74'	233.00'	83°03'07"	S47°42'56"W	308.94'	S89°14'30"W	S06° 11' 23"W
-	4	146.55'	233.00'	36°02'18"	S24°12'32"W	144.15'		
-	5	109.39'	233.00'	26°53'56"	S55°40'39"W	108.39'		
-	6	81.80'	233.00'	20°06'53"	S79°11'03"W	81.38'		
15	O.L. 2	23.56'	15.00'	90°00'00"	S44°14'30"W	21.21'	S89°14'30"W	S00° 45' 30"E
16	7	23.56'	15.00'	90°00'00"	N45°45'30"W	21.21'	N00°45'30"W	S89° 14' 30"W
17 SOUTH	-	371.36'	233.00'	91°19'10"	N45°05'55"W	333.28'	N00°33'40"E	S89° 14' 30"W
-	10	100.19'	233.00'	24°38'12"	N78°26'24"W	99.42'		
-	O.L. 3	165.79'	233.00'	40°46'03"	N45°44'16"W	162.31'		
-	11	95.83'	233.00'	23°33'55"	N13°34'17"W	95.16'		
-	12	9.55'	233.00'	2°20'59"	N00°36'50"W	9.56'		
17 C/L	-	318.76'	200.00'	91°19'10"	N45°05'55"W	286.08'	N00°33'40"E	S89° 14' 30"W
17 NORTH	36	266.17'	167.00'	91°19'10"	N45°05'55"W	238.88'	N00°33'40"E	S89° 14' 30"W
18 WEST	-	238.41'	233.00'	58°37'34"	N29°52'27"E	228.15'	N59°11'14"E	N00° 33' 40"E
-	12	10.19'	233.00'	2°30'16"	N01°48'48"E	10.18'		
-	13	96.53'	233.00'	23°44'16"	N14°56'04"E	95.84'		
-	14	99.36'	233.00'	24°25'58"	N39°01'12"E	98.61'		
-	15	32.33'	233.00'	7°57'03"	N55°12'42"E	32.31'		
18 C/L	-	204.64'	200.00'	58°37'34"	N29°52'27"E	195.83'	N59°11'14"E	N00° 33' 40"E
18 EAST	37	170.88'	167.00'	58°37'34"	N29°52'27"E	163.52'	N59°11'14"E	N00° 33' 40"E
19 NORTH	-	122.60'	233.00'	30°08'50"	N74°15'39"E	121.19'	N89°20'04"E	N59° 11' 14"E
-	17	79.25'	233.00'	19°29'18"	N68°55'53"E	78.87'		
-	18	43.35'	233.00'	10°39'32"	N84°00'18"E	43.28'		
19 C/L	-	105.23'	200.00'	30°08'50"	N74°15'39"E	104.02'	N89°20'04"E	N59° 11' 14"E
19 SOUTH	39	87.87'	167.00'	30°08'50"	N74°15'39"E	86.86'	N89°20'04"E	N59° 11' 14"E
20	22	41.04'	60.00'	39°11'42"	N69°44'13"E	40.25'	N89°20'04"E	N50° 08' 22"E
21	-	41.04'	60.00'	39°11'42"	S71°04'05"E	40.25'	S51°28'14"E	N89° 20' 04"E
-	26	39.11'	60.00'	37°21'04"	S71°59'24"E	38.42'		
-	O.L. 5	1.93'	60.00'	1°50'38"	S52°23'33"E	1.93'		
22	-	270.59'	60.00'	258°23'24"	S00°39'56"E	93.00'	N51°28'14"W	N50° 08' 22"E
-	22	19.76'	60.00'	18°52'05"	N59°34'24"E	19.67'		
-	23	71.81'	60.00'	68°34'26"	S76°42'21"E	67.60'		
-	24	71.81'	60.00'	68°34'26"	S08°07'55"E	67.60'		
-	25	71.81'	60.00'	68°34'26"	S60°26'30"W	67.60'		
-	O.L. 5	35.40'	60.00'	33°48'03"	N68°22'15"W	34.89'		

REFERENCE BEARING: THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 6, TOWNSHIP 8 NORTH, RANGE 19 EAST, WAS USED AS THE REFERENCE BEARING AND HAS A BEARING OF NORTH 89°20'04" EAST PER THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927).

REFERENCE BENCHMARK: 1044.28 (NGVD 29F) RAILROAD SPIKE, AT GRADE, IN THE NORTHEAST FACE OF POWER POLE NO. 02-09479, LOCATED IN THE NORTHWEST CORNER OF THE INTERSECTION OF HICKORY ROAD AND LAKE FIVE ROAD.

Owner/Subdivider
MK/S-EP, LLC.
Attn: Michael J. Kaerek
11600 West Lincoln Avenue
West Allis, WI 53227
414-321-5300

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888
WWW.PINNACLE-ENGR.COM

This instrument drafted by John P. Konopacki, PLS-Registration No. S-2461

PINNACLE ENGINEERING GROUP

www.pinnacle-engr.com

PEG JOB#1449.00
SHEET 4 OF 4

8e

VILLAGE OF RICHFIELD

VILLAGE BOARD COMMUNICATION FORM

MEETING DATE: July 23, 2020

SUBJECT: Amending Speed Limits on Various Village Roads
DATE SUBMITTED: July 12, 2020
SUBMITTED BY: Jim Healy, Village Administrator

POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE VILLAGE ENGINEER TO REDUCE THE SPEED LIMITS ON THE LISTED ROADS?

ISSUE SUMMARY:

In Wisconsin, the State sets speed limits for all roads. Municipalities may change the speed limits following guidelines in Wisconsin State Statutes. While the Board oftentimes has competing interests regarding the speed limits, there is a subset of the engineering discipline that deals exclusively with traffic- they are called traffic engineers. At the request of the Village President, Staff reached out to the Village Engineer and asked him to review and analyze the speed limits on several areas of roadway:

- **Scenic Road from Willow Creek Road north to Lakeview Road – Currently 40 MPH**
  - Reduce the speed limit 5 MPH to 35 MPH
- **Colgate Road from CTH Q north to Willow Creek Road – Currently 45 MPH**
  - Reduce the speed limit 10 MPH to 35 MPH
- **Willow Creek Road from Colgate Road west to Scenic Road – Currently 35 MPH**
  - Reduce the speed limit 5 MPH to 30 MPH

Road speeds were analyzed by our traffic engineer using stopping site distance as the review criteria based on American Association of State Highway Transportation Offices book, "A Policy on Geometric Design of Highways and Streets". The book gives guidance to engineers to provide design solutions that meet needs of all highway and street users on a project-by-project basis. The Village Engineer recommended reductions in speed on each segment of roadway per his letter shown in the attachments. Village Staff reached out to the Wisconsin Department of Transportation (WisDOT) and received written approval to reduce the speed limits 10 MPH for portions of roadway in each area.

From speaking with the Department of Public Works, it will likely take a day or so to change out the signage throughout these areas. Additionally, we will want to make efforts to communicate with the public this information is occurring. We hope there will be coverage in the Daily News, but we will also post information on our website, and place orange flags on each of the posts where the speed limit has changed to help notify motorists. We have also been in contact with the WCSO Deputies and their supervisors who are in charge of enforcement so that they are aware the Village Board may be considering this proposal.

FISCAL IMPACT:

REVIEWED BY: Donna Kopp
Village Deputy Treasurer

Initial Project Costs: Changing out of signage at $30.00/ea
Future Ongoing Costs: N/A
Physical Impact (on people/space): Reduction of speed
Residual or Support/Overhead/Fringe Costs: N/A

ATTACHMENTS:

1. June 16, 2020 Letter from Village Engineer Ron Dalton
2. July 9, 2020 Letter from Village Attorney John Macy

3. Setting Speed Limits on Local Government (Rev. 12/2009) prepared by Wisconsin Transportation Information Center (TIC)
4. July 17, 2020 Email from Mike Borck, WisDOT Traffic Regulations Engineer
5. Ordinance O2020-07-02, An Ordinance to reduce speed limits on portions of Scenic Road, Colgate Road, and Willow Creek Road

STAFF RECOMMENDATION:

Motion to approve Ordinance O2020-07-02, an Ordinance to reduce speed limits on portions of Scenic Road, Colgate Road, and Willow Creek Road.

APPROVED FOR SUBMITTAL BY:	VILLAGE CLERK USE ONLY BOARD ACTION TAKEN
Village Staff Member Village Administrator	Resolution No. _____ Continued To: _____ Ordinance No. _____ Referred To: _____ Approved _____ Denied _____ Other _____ File No. _____

Cedar corporation

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

W61 N497 Washington Avenue
Cedarburg, WI 53012
262-204-2360
800-472-7372
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MEMO

DATE: June 16, 2020

REGARDING: Village of Richfield – Road speed reviews
Scenic Road, Colgate Road, and Willow Creek Road.

PROJECT #: R5771-0004
2020 General Services

The Village requested a review of design speeds for the following sections of roadway:

Scenic Road from Willow Creek Road on the south to Lake View Road at the north, Colgate Road from CTH "Q" on the south to Willow Creek Road on the north, and, Willow Creek Road from Colgate Road on the east to Scenic Road at the west.

Road speeds were reviewed using stopping site distance as the review criteria based on AASHTO's (American Association of State Highway Transportation Officials) "A Policy on Geometric Design of Highways and Streets".

Scenic Road is posted at 40 mph. The south end of the road would be rated for 40 mph and the north end of the road would be rated for 35 mph.

Colgate Road is posted at 45 mph. The north end of Colgate Road near Willow Creek Road would be rated at 25 mph.

Willow Creek Road is posted at 35 mph but would be rated at 25 – 30 mph at the east end.

Note, all calculations were conducted using one foot contours obtained from Washington County. Curve lengths were estimated visually on road profiles generated with the above-mentioned contours.

Municipal LAW
& LITIGATION GROUP

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SADIE R. ZURFLUH

July 9, 2020

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

Re: Setting Speed Limits on Village Roads

Dear: Mr. Healy:

I received your request that I comment upon the appropriate process to set speed limits within the Village. I have had an opportunity to carefully consider this matter.

Based upon my research, I note the following comments, questions, concerns and recommendations in this regard:

1. Statutory Issue. Speed limits are a matter of statewide concern, and the Village is preempted to a large degree. The State sets fixed limits that apply to all roads in the Village pursuant to Wisconsin Statutes Section 346.57(4). The Village has certain authority to amend the statutory fixed limits, pursuant to Wisconsin Statutes Section 349.11(3) *et seq.* but this ability to raise the fixed limits is subject to a number of restrictions.

   I am enclosing an article from the Wisconsin Department of Transportation that describes this issue very well, in my opinion. You will see a table in this article, at the bottom of page 2, which shows the statutory fixed limits and the local authority to raise or lower those statutory fixed limits. The article also provides a good summary of the applicable procedure for the Village to do so. Note, in particular, that any such change must be supported by required traffic studies and the recommended form of those traffic studies is described on page 3 of the article.

   The memo that you received from Cedar Corporation dated June 16, 2020 does not include the recommended analysis at this time.

2. Current issues. From the Cedar Corporation memo that you forwarded, dated June 16, 2020, it appears that there are three road segments that are contemplated for speed reduction. Analysis of whether you can make reductions in those three areas should follow the following process:

a. First, we must determine the statutory fixed limits in these areas. The most likely fixed limits are:

   i. 25 mph within the corporate limits of the Village, other than on highways in outlying districts in the Village, per Section 346.57(4)(e).

   ii. 35 mph in any outlying district within the corporate limits of the Village.

   iii. The term "outlying district" is defined to mean "the territory contiguous to and including any highway within the corporate limits of a village where on each side of the highway within any 1,000 feet along such highway the buildings in use for business, industrial or residential purposes fronting thereon average more than 200 feet apart." (Section 346.57(1)(ar))

b. Once the fixed limit is determined, you can consider whether the limit you want to create is higher or lower than the fixed limit, if supported by a traffic study. Your authority, subject to a traffic study confirming these limits, is as follows:

   i. If the fixed limit is 25 mph, you can raise the speed limit up to 55 mph or less, or lower the speed limit by 10 mph or less.

   ii. Similarly, if the 35 mph fixed limit applies, you can raise the speed up to 55 mph or less, or lower the speed limit by 10 mph or less.

   iii. Other special circumstances can arise such as 15 mph in a school zone, and 45 mph on a rustic road, and modifications thereto, which issues we can further consider if relevant.

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
Enclosure
cc: Donna Cox, Village Deputy Clerk

Setting Speed Limits on Local Roads

Speed limits are an important tool for promoting safety on streets and highways. Limits tell drivers what is the reasonable speed for a road section. They also help traffic enforcement by setting standards for what is an unsafe speed.

The state sets speed limits for all roads. However, municipalities can change speed limits for roads under their authority, following guidelines in the *Wisconsin Statutes*. Selecting the appropriate speed limit can be a challenge because people often disagree. Residents frequently seek lower speeds, especially after a serious crash. Drivers tend to choose speeds that seem reasonable for the physical environment and that satisfy their personal needs, like saving time or seeking enjoyment.

Local officials have a key role in setting limits. They must balance the competing concerns and opinions of drivers, residents and law enforcement agencies with statutory requirements and traffic safety.

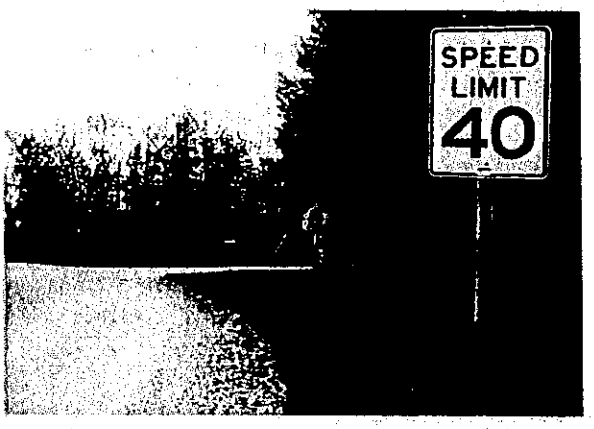
This booklet is designed to help. It includes background information and research recommendations, summarizes statutory limits, describes the process for changing limits, and discusses signs, enforcement, advisory speeds, and other speed issues on local roads. This edition reflects updates from the *2009 Wisconsin Statewide Speed Management Guidelines*.

Background

Speed-related vehicle accidents in Wisconsin from 2004 to 2008 accounted for 38% of all fatalities, 30% of all injuries and 27% of all crashes.

High speeds contribute to the severity of crashes. For example, 85% of pedestrians struck by vehicles traveling 40 mph are likely to be killed while only 5% are likely to be killed when the speed is 20 mph.

Common sense says that regulating speed is a good way to make streets and highways safer. As a result, citizens may demand lower speeds, especially if there has been a severe crash or a frightening "near miss."



However, driving behavior is not so easy to manage. A 1997 federal speed study shows that simply lowering speed limits has little effect on actual speeds, usually reducing speeds by only one-to-two miles per hour. The difference in speeds between vehicles traveling on the same road—a common cause of crashes—usually increases when speed limits are unreasonably low, making roadways less safe. Drivers generally choose their speed based on what they think is safe and reasonable for the conditions present. An unreasonable posted speed gets little consideration from drivers.

An alternative for managing vehicle speeds is called "traffic calming." This emphasizes physical changes to local streets—such as making them appear narrower or more restricted, adding speed bumps or traffic circles—so drivers consistently and voluntarily choose lower speeds that are both safe and comfortable.

Philosophy

Prevailing speed—the one most drivers choose—is a major consideration in setting speed limits. Engineers recommend setting limits at the 85th percentile speed, where 85% of freely flowing traffic travels at or below

that speed under ideal road conditions. The 85th percentile method is considered the best way to represent what is "reasonable" and "proper" as perceived by the motorists. When 85% of drivers voluntarily comply with speed limits, it is possible and reasonable to enforce these limits.

A recent study on Wisconsin roads compared crashes on roads with reasonable speed limits, or those accepted by the majority of drivers, with roads displaying posted speed limits considered unreasonable or irrational. The study showed that roads with reasonable speed limits had four times fewer crashes than roads with unreasonable speed limits. Other studies indicate the lowest risk of being in a crash occurs when a motorist travels at or near the 85th percentile speed. They also show that the 15% of motorists who exceed this limit cause many of the roadway crashes. These motorists are the most effective targets for enforcement.

Research in this area emphasizes considering the road's design speed in setting speed limits. Design speed is the highest safe speed for which the road was designed. It takes into account road type, road geometry and adjacent land use. Studies show that accident rates go down when speed limits are no less than 10 mph of the design speed. When the speed difference is greater, motorists choose a wider variety of speeds. This variance in speed between vehicles, more than the speed itself, results in higher crash rates.

However, pedestrians, bicyclists and other road users may find the prevailing speed and design speed hazardous. Modern roads often are over-designed, particularly in residential areas where they emphasize the accommodation of functions like emergency vehicles or street parking. The resulting wide and unobstructed roads can encourage drivers to travel too fast for the safety of other road users. Simply setting lower speed limits is unlikely to produce the desired results, especially without effective enforcement. In these cases, authorities may wish to consider using some traffic calming techniques.

Speeds should be consistent, safe, reasonable and enforceable. When 85% of drivers voluntarily comply with speed limits, it is possible and reasonable to enforce the limits with the 15% who drive too fast. Unreasonably low limits can promote disrespect for and disregard of other reasonable posted limits. They also promote a false sense of security among residents and pedestrians who may expect that posting lower limits will change driver behavior. Unreasonably high limits create unnecessary risks.

Speed limits and authority to change

Fixed Limits – Statute 346.57(4)[a]	Local Government Authority[b] – Statute 349.11(3) and (7)[a]
65 mph Freeway/Expressway	WisDOT only
55 mph State Trunk Highways (STHs)	WisDOT only
55 mph County Trunk Highways (CTHs), town roads	Lower speed limit by 10 mph or less
45 mph Rustic roads	Lower speed limit by 15 mph or less
35 mph Town road (1,000 ft min) with buildings on either side spaced an average of less than 150 ft apart	Lower speed limit by 10 mph or less
25 mph Inside corporate limits of city or village (other than outlying district)	Raise speed limit to 55 mph or less / Lower the speed limit by 10 mph or less
35 mph Outlying district[c] within city or village limits	Raise speed limit to 55 mph or less / Lower the speed limit by 10 mph or less
35 mph Semi-urban district[d] outside corporate limits of a city or village	Raise speed limit to 55 mph or less / Lower the speed limit by 10 mph or less
15 mph School zone, when conditions are met	Raise speed limit to that of the roadway / Lower speed limit by 10 mph or less
15 mph School crossing, when conditions are met	Raise speed limit to that of adjacent street / Lower speed limit by 10 mph or less
15 mph Pedestrian safety zone with public transit vehicle stopped	No changes permitted
15 mph Alley	Lower by 10 mph or less
15 mph Street or town road adjacent to a public park	Lower by 10 mph or less
Construction or maintenance zones, as appropriate[e]	State and local agencies have authority to establish

Notes:

(a) Source: Updated 2007-2008 Wisconsin Statutes Database

(b) All speed limit changes ***shall*** be based on a traffic engineering study, including modifications allowed under State Statute. Local governments can implement speed limit changes on the local road system without WisDOT approval when proposals are within the constraints identified above.

(c) Per Statute 346.57(1)(ar) "outlying district" is an area contiguous to any highway within the corporate limits of a city or village where, on each side of the highway within 1,000 feet, buildings are spaced on average more than 200 feet apart.

(d) Per Statute 346.57(1)(b) "semiurban district" is an area contiguous to any State or County highway where, on either or both sides of the highway within 1,000 feet, buildings are spaced on average less than 200 feet apart.

(e) Guidance on establishing speed limits in work zones is available in ***http://dotnet/dtid_bho/extranet/manuals/tgm/13/13-05-06.pdf.***

Modified from original published in WisDOT Traffic Guidelines Manual, Chapter 13-5-1, Figure 1, June 2009.

Authority

Power to set speed limits rests with the state. Chapter 346.57 *Speed Restrictions* of the *Wisconsin Statutes* requires drivers to use a speed that is "reasonable and prudent," to exercise "due care," *[346.57(2)]* and to reduce speed under a variety of conditions such as "going around a curve...passing school children, highway construction or maintenance workers...and when special hazard exists..." *[346.57(3)]*.

The *Statutes* give fixed limits for more than a dozen situations depending on the road type, jurisdiction and land use *[346.57 (4) (a-k)]*. See Table on page 2.

Local or state officials have authority to change these limits within the limitations in Chapter 349.11, as summarized in the Table. They must conduct an engineering and traffic investigation to determine a reasonable and safe speed limit. The limit must then be legally adopted by the local authority and appropriate signs erected. When properly changed, such limits do not create additional liability. In addition, changes beyond those specified in the statutes are possible in consultation with and approval by the Wisconsin Department of Transportation (WisDOT).

All limits, whether set by statute or local authority, are only effective and enforceable when official signs have been erected to give drivers adequate warning.

Speeds also may be temporarily reduced in work zones where highways are being constructed, reconstructed, maintained or repaired *[Ch.349.11(10)]*. These changes must be properly posted and are not restricted by the other limitations in Chapter 349.11. A Transportation Information Center publication, *Work Zone Safety: Guidelines for Construction, Maintenance and Utility Operations,* describes correct work zone signing and set up.

The local agency that maintains the roadway has jurisdiction for determining the speed limit. In most cases the responsibility is clear. If a roadway segment has joint jurisdiction, such as a road that borders two cities, then both agencies must agree on the speed limit. Obviously, the speed must be the same in both directions. In cases where the county or state maintains a road within the corporate limits of a city or village, the county or state is responsible for setting the speed limit. Coordination with local officials and law enforcement agencies is essential to set effective speed limits.

Required studies

Local authorities are required by the statutes to conduct engineering and traffic speed studies to modify all speed limits on local roads including those shown in the Table on the previous page. Engineering studies should include the following:

1) Measure and determine the 85th percentile speed, 50th percentile speed, design speed and pace speed.
2) Evaluate crash data for the past three to five years.
3) Document roadside development including land use, driveway locations, and school locations.
4) Document roadway geometrics including lane widths, shoulder width, sight distance limitations at hills, curves and intersections, plus parking, pedestrian and bicycle activity.
5) Determine the functional classification of the roadway and the practical function of the road within the state and local system.
6) Document the current speed limit and level of enforcement.

A well-done traffic and engineering speed study requires a comprehensive effort by a trained professional. Look for additional details in the *2009 Wisconsin Statewide Speed Management Guidelines* report. Contact local law enforcement, County Traffic Safety Commissions, the WisDOT and consultants for assistance in conducting speed studies.

Doing a speed study is time consuming but it is a necessary step for local agencies to legally modify speed limits. The effort also has the advantage of creating consistency in how ***enforceable*** speed limits are set across the state and increasing safety.

Speed zone recommendations

Local road authorities can initiate action to modify a speed limit and create a new speed zone on a local road. Citizens or other agencies also can request a change. Requests should be in writing and submitted to the local authority. The local agency should prepare a written response to the request describing their action and recommendations.

Speed study recommendations for modifying a speed zone should accomplish the following:

- Reduce the speed differential of vehicles
- Be reasonable so a majority of motorists will comply
- Reflect traffic engineering guidelines

When making speed zone changes, ***do not*** base the decision on these reasons:

- Noise complaints
- Accommodate specialty vehicles
- Correct spot safety problems
- Future concerns that have not yet occurred

Recommendations from a speed study generally fall within 5 mph of the 85th percentile speed. Factors that can alter this guideline include road function, access density, road geometry, parking, and pedestrian and bicycle activity. Using these secondary factors to

determine a recommended speed may require more law enforcement and result in increased crashes. Consider changing the road's physical environment to lower speeds where possible.

Speed zones should be at least 0.3 miles in length. Limit the number of speed limit changes along a route. Generally, it is advisable to change speed zones outside incorporated limits in 10 mph increments.

Submit speed limit changes that require WisDOT approval to a WisDOT Regional office. Changes outside the limitations outlined in Chapter 349.11 require department approval. Local governments take on liability when they make changes outside the outlined limitations without this approval.

Post speed limit changes as soon as possible using flags or other means to call attention to the change. Monitor speed limit changes once they are made to identify any problems or need for further investigation.

Proper signage

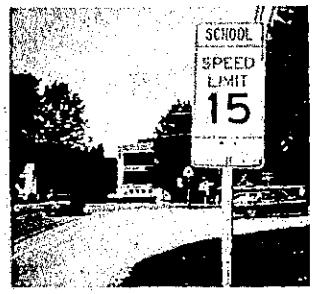
A speed limit is not in effect until the area has been properly signed. Conversely, signs must not be installed until the limit has been approved and officially authorized. The *Manual on Uniform Traffic Control Devices (MUTCD)* governs signs. Two types may be used: one for passenger cars and another for special limits for trucks and buses.

No more than three speed limits should be displayed on any one speed limit sign or assembly. Signs with special limits for trucks or other vehicles should include the word TRUCKS or a similar appropriate message. Display this below the standard message or on a separate plate that refers to SPEED or MPH.

The standard speed limit sign must be 24 by 30 inches. Locate signs at:

- Each point where the speed limit changes
- Beyond major intersections
- Other locations where it is necessary to remind motorists of the limit

REDUCED SPEED AHEAD SIGNS also may be used to give advance warning of a lower speed zone. This sign should be used in rural areas to alert motorists when they need extra time to slow to the posted limit.



Always follow it with a speed limit sign at the beginning of the new zone. Near schools, use the appropriate SPEED LIMIT sign after a school zone rather than the END OF SCHOOL ZONE sign.

Enforcement

Enforcement is critical. Without it, speed limits are not effective. When enforcement is increased considerably, violations and crashes have been reduced.

Local officials should actively involve enforcement personnel in setting speed limits to ensure they are reasonably enforceable. Always inform enforcement agencies when changes are adopted.

Enforcement requires wide public support. A first step is to ensure that the public perceives the speed limits as reasonable and fair because the voluntary cooperation of most drivers is essential. A second step is vigorous public information and education that stresses the safety benefits of enforcement. Make this a cooperative effort between highway and enforcement officials. Any information campaign should target specific aspects of the speeding problem such as young drivers, nighttime, school zones, work zones, or specific roads where potential traffic and pedestrian conflicts are high.

Within law enforcement agencies, traffic enforcement does not compete well with criminal and drug enforcement. That means local highway officials must actively seek adequate agency enforcement. These efforts are most effective when the safety benefits are clear and there is strong support from local elected officials.

Aggressive, targeted enforcement, combined with education, effectively produces better public compliance with traffic laws. The Federal Highway Administration recommends targeting enforcement programs to locations with a high incidence of crashes where speed was a contributing factor and to areas with high traffic volume.

Long-term, low-intensity speed enforcement can produce meaningful results. Studies indicate some amount of the enforcement effort (15% is recommended) be directed to random locations and times. Stationary, marked patrol vehicles are most effective in creating longer-term enforcement benefits.

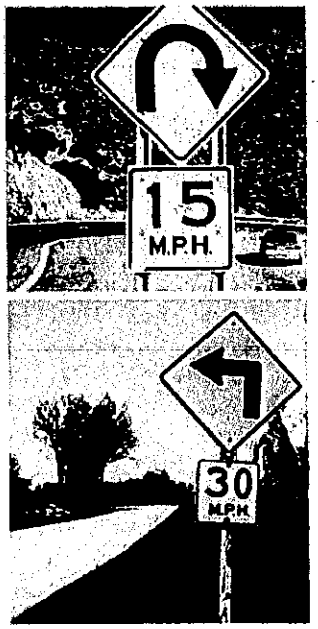
Minimum speed limits and slow moving vehicles

Except on Interstate highways, there is no specific minimum speed on Wisconsin highways. However, statutes prohibit driving a motor vehicle "at a speed so slow as to impede the normal and reasonable movement of traffic, except when necessary for safe operation or to comply with the law." *[Section 346.59 Wis. Stats.]*

Vehicles that normally travel slower than 25 mph must display slow moving vehicle emblems. *[Section 347.245 Wis. Stats.]* In addition, the operator of a vehicle moving so slowly it impedes traffic must yield the roadway to overtaking vehicles, if practicable, when the operator of an overtaking vehicle gives an audible warning. *[Section 346.59(2) Wis. Stats.]*

Advisory speed signs

Advisory speed signs are used to tell drivers that a lower speed may be necessary at curves, turns, intersections and other localized conditions. These signs add emphasis and specific information to other warning signs, and recommend a comfortable and safe speed to drive in these locations. Do not confuse advisory speeds with enforceable speed limits. Advisory speeds do not imply the maximum operating speed at which skid and rollover occurs.



The advisory speed must be determined by an accepted traffic engineering procedure but no ordinance is required. Maintenance or sign supervisors can erect the signs. They must be in accordance with guidelines in the *MUTCD, 2C-35.*

As with other traffic signs, advisory speeds should be consistent and reasonable to promote driver respect and compliance. This is not always the case. Research published by the national Transportation Research Board (TRB) found that on the two-lane highways in the study, posted advisory speeds at most curves were well below prevailing traffic speed, and below speeds established using recommended devices and criteria.

Advisory speeds are set based on average curve speeds for different angles of deflection. One device widely used for establishing advisory speeds on curves is the ball bank indicator. Relatively inexpensive, this curved level is mounted in an engineer's car. The engineer makes successive trial runs through a curve, taking care to drive parallel to the centerline of the curve, increasing speed by 5 mph each time. The indicator shows the angle of deflection in degrees.

The TRB study reports that the generally accepted criteria, based on tests conducted in the 1930s, produce unrealistically low speeds with modern cars and should be revised upwards. The authors say ball bank readings of 12 degrees above 40 mph, 16 degrees between 30 and 40, and 20 degrees below 30 would better reflect average curve speeds.

Ball bank readings tend to fluctuate rather widely during a trial run and can be affected by loose-surfaced roads and vehicle suspension systems. As a result, setting a recommended speed depends to a significant extent on the judgment and experience of the person making the tests. The recommended speed should feel comfortable for the average driver and be lower than the maximum safe speed. It should also be sensible in comparison with prevailing speeds.

Summary

Establishing and enforcing reasonable and safe speed limits is the responsibility of local officials. This often includes balancing conflicting issues of safety, traffic movement, and community concerns.

Coordination with local law enforcement is vital to effective speed control. Most speed zones should encourage voluntary compliance by using reasonable speed limits. Traffic calming techniques that involve physical and perceptual changes also can help. Consulting enforcement officials when determining effective limits is important and they can help work with the community in difficult areas.

The traffic engineering staff of WisDOT also is a good resource. Since they participate on county Traffic Safety Commissions, this is an easy way to contact them for assistance.

Several sample speed limit ordinances are shown on page 6.

"Badger County" traffic ordinance

SPEED LIMITS. (1) The provision of sections 346.57 & 346.59 of the Wisconsin Statutes, relating to the maximum and minimum speed of vehicles, are hereby adopted as part of this section as is fully set forth herein, except as specified by section 2 of this ordinance, pursuant to section 349.11(3)(c) of the Wisconsin Statutes. (2) No vehicle shall exceed noted speed limits on the following county trunk highways:

(a) County Trunk Highway "A"

(1) **Unincorporated Village of Estesville, Town of Terry.** Thirty-five miles per hour from its junction with STH 78, in Estesville, southwesterly 0.35 miles.

(2) **City of Covington, Town of York.** Thirty-five miles per hour from its intersection with CTH "N" (Veterans Drive), easterly to a point 0.15 miles east of its intersection with Race Track Road.

(b) County Trunk Highway "AB"

(1) **Town of Finis.** Thirty miles per hour from the bridge over the Yahara River located on a line common to sections 13 and 14, Town of Finis, southwesterly to USH 51.

(2) **Chestnut Road, City of Centerton.** Thirty miles per hour from the intersection of USH 51, easterly to Droster Road.

Sample municipal ordinance

Section 3. SPEED LIMITS. [Towns, Cities, and Villages] The _____ [Council or Village Board] hereby determines that the statutory speed limits on the following streets or portions thereof are unreasonable, unsafe and imprudent and modifies such speed limits as follows:

(1) SPEED LIMITS INCREASED. Speed limits are increased as follows upon the following designated streets or portions thereof:

(a) Outlying Districts

45 miles per hour on _____ Avenue
between _____ Street
and the _____ [City or Village] limits;

(2) SPEED LIMITS DECREASED. With the approval of the Wisconsin Department of Transportation, the speed limits are decreased as hereinafter set forth upon the following highways or portions thereof:

(a) Semi-Urban Districts

25 miles per hour on _____ Road
between County Trunk _____ and
the _____ [City or Village] Limits;
30 miles per hour on _____ Road
between County Trunk _____ an d the limits

Sample amendment to a speed ordinance

AMENDING CHAPTER 1 OF THE
BADGER COUNTY CODE OF ORDINANCES

SPEED LIMIT CHANGES

The County Board of Supervisors of the County of Badger does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Badger County Code of Ordinances.

ARTICLE 2. Section(2)(b)(2) is created to read as follows:

1) Chestnut Road, City of Centerton. Twenty-five miles per hour from its intersection with USH 51 to its intersection with Winona Drive.

Sample speed limit ordinances *Local boards of elected officials must adopt speed limits in ordinance form. Here are sample ordinances for county and municipal governments. Local ordinances also may include details on forfeitures and law enforcement authority. The ordinance should be reviewed by the agency's attorney.*

References

Wisconsin Statewide Speed Management Guidelines, WisDOT, June 2009

Speed Management Safety, FHWA resource website at *http://safety.fhwa.dot.gov/speedmgt/*

Evaluation of Criteria for Setting Advisory Speed on Curves, Mashrur A. Chowdhury, Davey L. Warren, Howard Bissell, & Sunil Taori, Transportation Research Board Paper No. 980133, January 11-15, 1998, 21 pp.

Factors Affecting Speed Variance and Its Influence on Accidents, Nicholas J. Garber & Ravi Gadiraju, Transportation Research Record 1213, Transportation Research Board, 1998, 10 pp.

A Policy on Geometric Design of Highways and Streets, AASHTO, 2004, pp 66-72.

Spot Speed Studies, Ch.3 of Manual of Transportation Engineering Studies, Institute of Transportation Engineers, H. Douglas Robertson, Ed., 2000, pp 33-51.

*Revised 12/2009 © Wisconsin Transportation Information Center (TIC). **Wisconsin Transportation Bulletin** is a series of fact sheets with information for local town, municipal and county officials on street and highway design, construction, maintenance, and management. WTB fact sheets are produced and distributed by the Wisconsin Transportation Information Center LTAP, a project of the University of Wisconsin-Madison, Department of Engineering Professional Development, funded by the Federal Highway Administration and the Wisconsin Department of Transportation. UW-Madison provides equal opportunities in employment and programming, including Title IX requirements.*

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Jim Healy

From: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Sent: Friday, July 17, 2020 7:05 AM
To: Jim Healy
Subject: RE: DOT Speed Study

Jim,

Per Table 1 of the Wisconsin Speed Management Guidelines (that cites Statute 346.57(4), 349.11(3) and 349.11(7), the speed limits can be raised to 55 MPH of less and lowered by 10 MPH or less. If the change of speed limit is outside of those limits WisDOT would be required to approve the change in speed limit. WisDOT would require a traffic engineering study. The contents of that study is outlined in WMUTCD and the Wisconsin Speed Management Guidelines.

If the change is within the parameters, no WisDOT approvals will be needed.

In the three areas that the Village is looking at below:

- Scenic Road from Willow Creek Road north to Lakeview Road – Currently 40 MPH (reduce 5 MPH) - No WisDOT approval will be needed
- Colgate Road from CTH Q north to Willow Creek Road – Currently 45 MPH (reduce to 25 MPH on the northern 0.5 mile) No WisDOT approval need if lowered to 40 MPH or 35 MPH. If lowering more than 10 MPH WisDOT approval will be needed.
- Willow Creek Road from Colgate Road west to Scenic Road – Currently 35 MPH (reduce to 25-30 MPH on the eastern 0.4 mile) – no WisDOT approval needed

Let me know if you need additional information.

Thanks,

Mike Borck
Traffic Regulations Engineer
Wisconsin Department of Transportation
DTSD, SE Region
141 NW Barstow Street
Waukesha, WI 53187-0798
Office: (262) 521-5364
Cell: (414) 659-1248
Fax: (262) 548-8655

From: Jim Healy <administrator@richfieldwi.gov>
Sent: Wednesday, July 15, 2020 11:28 AM
To: Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>
Cc: Ron Dalton <ron.dalton@cedarcorp.com>
Subject: RE: DOT Speed Study

Dear Michel,

The Village Board is interested in considering the reduction of speed on certain Village roads.

- Scenic Road from Willow Creek Road north to Lakeview Road – Currently 40 MPH (reduce 5 MPH)
- Colgate Road from CTH Q north to Willow Creek Road – Currently 45 MPH (reduce to 25 MPH on the northern 0.5 mile)
- Willow Creek Road from Colgate Road west to Scenic Road – Currently 35 MPH (reduce to 25-30 MPH on the eastern 0.4 mile)

Our Village Engineer conducted an analysis of these segments and made a recommendation that we reduce the speed limits. It is attached herein for your convenience. As we were preparing for our Village Board meeting, we asked our Village Attorney to weigh-in. I was not aware of the statutory scheme regarding the reduction of speed limits.

Do you have time to chat further about it this week?

Be well,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
LIKE us on Facebook!
Follow us on Twitter, @RichfieldWis

"Far and away the best prize that life has to offer is the chance to work hard at work worth doing." – President Theodore Roosevelt

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From: ASC <asc@richfieldwi.gov>
Sent: Wednesday, July 15, 2020 10:57 AM
To: Jim Healy <administrator@richfieldwi.gov>
Subject: DOT Speed Study

Borck, Michael W - DOT <Michael.Borck@dot.wi.gov>

STATE OF WISCONSIN VILLAGE OF RICHFIELD WASHINGTON COUNTY

ORDINANCE 2020-07-02

AN ORDINANCE TO REDUCE SPEED LIMITS ON PORTIONS OF SCENIC ROAD, COLGATE ROAD, AND WILLOW CREEK ROAD

WHEREAS, the Village of Richfield's speed limit ordinances are regulated by Chapter 351 of the Village's Code of Ordinances; and

WHEREAS, the Village desires to ensure that all roadways are regulated by speed limits; and

WHEREAS, the Village regulates speed limits to promote safety of those traversing and residing along the roadway; and

NOW, THEREFORE BE IT RESOLVED, the Village of Richfield Village Board, Washington County, Wisconsin ordains as follows:

Section 1. Section 351-45(B), which is entitled "Thirty miles per hour" is hereby amended as follows:

INSERT in alphabetical order:

Name of Street	Location
Willow Creek Road	from Colgate Road 0.5 miles west to Jordan Circle

Section 2. Section 351-45(C), which is entitled "Thirty-five miles per hour" is hereby amended as follows:

INSERT in alphabetical order:

Name of Street	Location
Colgate Road	From ~~Willow Creek Road~~ Willow Gate Pass northerly to Lakeview Road
Scenic Road	From Lakeview Road W southerly to Willow Creek Road
Willow Creek Road	From ~~Scenic Road~~ Jordan Circle east to Amy Belle Road

Section 3. Section 351-45(D), which is entitled "The following roads shall have a designated speed limit of 40 miles per hour:"

INSERT in alphabetical order:

Name of Street	Location
Scenic Road	Beginning at the center line of Elmwood Road ~~to a point 182 feet north of the centerline of Willow Creek Road~~ southerly to Lakeview Road W

Section 4. Effective Date
This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

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

Adopted this 23rd day of July, 2020

_____
John Jeffords, Village President

_____
Attest: Jim Healy, Village Administrator

EXHIBIT A: SCENIC ROAD

40 MPH TO 35 MPH

EXHIBIT B: COLGATE ROAD

45 MPH TO 35 MPH

EXHIBIT C: WILLOW CREEK ROAD

35 MPH TO 30 MPH