

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

1. Call to Order/ Roll Call

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

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

2. Verification of Compliance with Open Meeting Law

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

3. Pledge of Allegiance

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

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

5. PUBLIC COMMENTS: None

6. CONSENT AGENDA

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

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

7. PUBLIC HEARING

Village President Jeffords read aloud the Public Hearings.

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

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

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

Public Hearing Comments: No Comments

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

8. DISCUSSION/ACTION

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

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

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

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

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

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

Specific Conditions of Approval:

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

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

General Conditions of Approval:

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

Seconded by Trustee Brandner; Motion Passed without objection.

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

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

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

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

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

Specific Conditions of Approval:

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

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

Motion Seconded by Trustee Collins; Motion Passed without objection.

- f. **Discussion/Action regarding a request for “camping cabin campground” ordinance amendment as a Conditional Use in the P-1, Parks and Recreation District from Washington County Planning and Parks Department for Glacier Hills Park – Eric Hyde, Parks and Trails Manager for Washington County Planning and Parks Department**

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

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

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

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

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

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

9. CLOSED SESSION

President John Jeffords read item 9a aloud.

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

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

10. RECONVENE IN OPEN SESSION

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

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

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

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

11. ADJOURNMENT

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

Respectfully Submitted,

Jim Healy
Village Administrator