



AGENDA  
VILLAGE BOARD MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS WISCONSIN  
MARCH 17, 2016  
7:00P.M.

1. Call to Order/ Roll Call
2. Verification of Compliance With Open Meeting Law
3. Pledge of Allegiance
4. ANNUAL REPORT: State Rep. Bob Gannon, 58<sup>th</sup> Assembly District
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. Meeting Minutes:
    - i. February 18, 2016 – Regular Meeting
  - d. New Operator Licenses
7. PUBLIC HEARING
  - a. Discussion regarding Ordinance O2016-03-03, an Ordinance to amend the future land use map (Map 12) by changing the land use classification of a specified property from "Walkable Hamlet Mixed Use" to "Single Family" and make corresponding changes in the text of the plan.
8. DISCUSSION/ACTION ITEMS
  - a. Discussion/Action regarding Ordinance O2016-03-03, an Ordinance to amend the future land use map (Map 12) by changing the land use classification of a specified property from "Walkable Hamlet Mixed Use" to "Single Family" and make corresponding changes in the text of the plan.
  - b. Discussion/Action regarding the extension of the Village's Intergovernmental Building Inspection Agreement with the Villages of Sussex and Slinger
  - c. Discussion/Action regarding the awarding of bid for the 2016 Highway Improvement Program
  - d. Discussion/Action regarding Ordinance O2016-03-01, an Ordinance to amend various sections of 70.212, entitled Walkable Hamlet District
  - e. Discussion/Action regarding Ordinance O2016-03-02, an Ordinance to rezone two (2) properties indicated by Tax Keys: V10\_0355912001 (23.03 acres) and V10\_0355912003 (0.03 acres) from Walkable Hamlet District to Rs-1b, Single-Family Cluster/Open Space Residential District
  - f. Discussion/Action regarding the reconsideration of a One-Lot CSM for Wittenberger Farms, LLC. indicated by Tax Keys: V10\_0166 and V10\_0167
  - g. Discussion/Action regarding a One-Lot CSM for Dan Tinti indicated by Tax Keys: V10\_0486 and V10\_048700A
  - h. Discussion/Action regarding the purchase of a Wacker Neuson EW100
9. PUBLIC COMMENTS (...Continued)
10. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at [www.richfieldwi.gov](http://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](http://www.richfieldwi.gov) with as much advance notice as possible.

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**AFFIDAVIT OF POSTING**

Pursuant to Sec. 985.02(2), Wis Stats., I, Bradley Calder, being duly sworn, state as follows:

1. I am an adult resident of the State of Wisconsin, and I make this affidavit on personal knowledge.
2. I hereby certify that I posted a copy of the attached:

- 1) Weight Limit Posting
- 2) Notice of Investigation - RE: Railroads
- 3) Capital Improvement Program - 2016.3.16
- 4) Village Board Agenda - 2016.3.17

on March 11, 2016 (date), 1:45 P.M. (time), at the Village posting locations, namely: on the outside bulletin board of the Village Hall located at 4128 Hubertus Road, Hubertus; on the outside bulletin board at the Hubertus Post Office located at 3695 Hubertus Road, Hubertus; on the outside bulletin board at the Richfield Post Office located at 1925 Hwy 175, Richfield; and on the outside bulletin board at the Colgate Post Office located at 3392 Hwy Q, Colgate.

Bradley Calder  
Signature

3/11/2016  
Date

Personally came before me this 11<sup>th</sup> day of March, 2016.

Margaret M. Rannels  
Notary Public, State of Wisconsin  
My commission expires 9/25/16

I also certify that notice of such meeting(s) were sent via email to the West Bend Daily News, the Germantown Express News, the Hartford Times Press, and the Milwaukee Journal Sentinel.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I further certify that a copy has been posted to the Village website [www.richfieldwi.gov](http://www.richfieldwi.gov).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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VILLAGE OF RICHFIELD
VILLAGE BOARD COMMUNICATION FORM

# 6.

MEETING DATE: March 17, 2016

SUBJECT: Consent Agenda
DATE SUBMITTED: March 10, 2016
SUBMITTED BY: Jim Healy, Village Administrator

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, the Village Board Minutes from February 18th, and New Operator Licenses.

FISCAL IMPACT:

REVIEWED BY: [Signature] 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. Meeting Minutes from February 18, 2016
4. New Operator License List, Copy of Applications, Background Investigation Report

STAFF RECOMMENDATION:

Motion to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from February 18, 2016, and New Operator Licenses.

APPROVED FOR SUBMITTAL BY:

[Signature]
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.

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VILLAGE OF RICHFIELD  
VOUCHERS FOR PAYMENT  
MARCH 2016

6a

BATCH #1					
CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
10581		2/15/16	Washington County Treasurer		February Tax Settlement
10582		2/15/16	Germantown School District		February Tax Settlement
10583		2/15/16	Hartford School District		February Tax Settlement
10584		2/15/16	Richfield School District		February Tax Settlement
10585		2/15/16	Friess Lake School District		February Tax Settlement
10586		2/15/16	Slinger School District		February Tax Settlement
10587		2/15/16	Milwaukee Area Technical College		February Tax Settlement
10588		2/15/16	Moraine Park Technical College		February Tax Settlement
10589		2/15/16	GAI Consultants	\$4,955.00	Professional Services November through December
ACH		2/17/16	Village of Richfield	\$17,355.54	Bi-Weekly Payroll
EFTPS		2/17/16	Electronic Fed Tax Payment	\$6,469.04	FICA Tax
ACH		2/17/16	Wisconsin Dept. of Revenue	\$1,265.71	State Withholding Tax
ACH		2/17/16	Wisconsin Deferred Compensation	\$250.00	457 Plan
10590	25369	2/17/16	MSI General	\$5,050.00	Fire Company Soil Borings Work
10591	021716988	2/17/16	US Cellular	\$300.10	US Cellular Bill for February
ACH		2/17/16	Wisconsin Retirement System	\$6,054.32	January Wisconsin Retirement Plan
10592	161915	2/17/16	Kunkel Engineering Group	\$5,822.50	Miscellaneous Engineering
10624		2/19/16	WCMA	\$324.00	WCMA Winter Conference
ACH		2/23/16	Capital One Bank	\$802.95	CC Supplies and Expenses
ACH	0039973710	2/23/16	United Health Care	\$11,972.81	March Health Insurance
10625	881420	2/23/16	Delta Dental	\$206.80	March 2016 Dental Insurance
10626	625797	2/23/16	Northshore Bank Leasing	\$718.04	Lease for Building Inspection Vehicles
10627	120810	2/23/16	Associated Appraisal Consultants	\$3,958.33	Professional Services for 2016
10628	15089	2/23/16	Board of Commissioners	\$47,385.87	Trust Fund Loan Payment
10629	17704	2/23/16	Digital Edge Copy & Print	\$570.00	Boat Launch Clings and Inspection Forms
10630		2/23/16	First Federal Savings Banks	\$1,000.00	DPW Employee Additioanl Contribution
10631		2/23/16	WE Energies	\$3,984.10	February Gas/Electric Invoice
ACH		2/23/16	Postmaster	\$440.00	Postage
10632		2/23/16	Washington County Treasurer		PILT Payment
10633		2/23/16	Friess Lake School District		PILT Payment
10634		2/23/16	Germantown School District		PILT Payment
10635		2/23/16	Hartford School District		PILT Payment
10636		2/23/16	Milwaukee Area Technical College		PILT Payment
10637		2/23/16	Moraine Park Technical College		PILT Payment
			<b>TOTAL BATCH #1</b>	<b>\$118,885.11</b>	<b>Checks Written End of February 2016</b>
BATCH #2					
CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
10687		3/1/16	Charter Communications	\$158.80	Charter Bill for March 2016
10688		3/1/16	WE Energies	\$2,217.11	WE Energies Street Lighting Invoice
10689		3/1/16	Menards	\$188.08	Election/DPW/Cleaning Supplies
10699		3/1/16	Mary Otzelberger	\$27.00	Labor and Material Covers for Election Machines
10691	29-83	3/1/16	Civi Tek Consulting	\$1,036.00	January through February Planning Consultant
10692		3/1/16	League of WI Municipalities	\$175.00	Building Inspectors Institute
10693		3/1/16	Quill Corporation	\$102.63	Office Supplies and Expenses
10694		3/1/16	Mailbox Replacement	\$23.20	963 Amy Belle Lane
10695		3/1/16	Mailbox Replacement	\$26.15	1333 Windy Knoll Drive
10696	262628750102	3/1/16	AT&T	\$232.73	January through February Statement
10697	C325286	3/1/16	Office Copying Equipment	\$523.33	Maintenance Agreement
10698	3084799	3/1/16	International Code Council	\$135.00	One Year Membership
ACH		3/1/16	Village of Richfield	\$17,089.17	Bi-Weekly Payroll
EFTPS		3/1/16	Electronic Fed Tax Payment	\$6,373.11	FICA Tax
ACH		3/1/16	Wisconsin Dept. of Revenue	\$1,194.94	State Withholding Tax

VILLAGE OF RICHFIELD  
VOUCHERS FOR PAYMENT  
MARCH 2016

ACH		3/1/16	Wisconsin Deferred Compensation	\$275.00	457 Plan
ACH		3/1/16	Village of Richfield	\$2,045.72	Monthly Payroll
EFTPS		3/1/16	Electronic Fed Tax Payment	\$555.99	FICA Tax
10700		3/9/16	Veolia Environmental Services	\$2,382.50	Reissue Payment for Disposal Services
10701	1866	3/9/16	LEI LLC	\$14,163.00	Raze Structure (801 Bark Lake Drive)
10702		3/9/16	Tax Refund	\$638.95	520 Wildwood Ridge Overpayment
10703	1081	3/9/16	Wellntel Inc.	\$224.00	Extreme Weather Batteries Replacements
10704	1516260	3/9/16	Tapco	\$35.31	Die Cuts Build-A-Bom & Freight
10705		3/9/16	Slinger Welding Service	\$81.00	DPW Stock Supplies
10706		3/9/16	North American Salt Co.	\$89,555.01	Ice Control Invoices
10707		3/9/16	Port A John	\$204.00	Handicap Restroom Disposal
10708	RI102724457	3/9/16	FP Mailing Solutions	\$117.00	PostBase Equipment Maintenance
10709		3/9/16	Falls Auto Parts & Supplies	\$392.76	DPW Supplies and Equipment
10710	62017-IN	3/9/16	Bearings Incorporated	\$62.74	Truck #5 Bearings
10711		3/9/16	Piggly Wiggly	\$172.48	Office Supplies and Expenses
10712	510810-02-16	3/9/16	Premium Waters	\$38.99	Water Invoice for February
10713		3/9/16	Equal Rights Division	\$15.00	February 2016 Work Permits
10714		3/9/16	Neu's Building Center, Inc.	\$145.39	DPW Supplies and Equipment
10715	1540390216	3/9/16	Conley Classifieds	\$153.44	Public Meeting Notices
10716	878006-2275-	3/9/16	Waste Management of Milwaukee	\$475.67	March 2016 Charges
			<b>TOTAL BATCH #2</b>	<b>\$141,236.20</b>	<b>Checks Written Beginning of March 2016</b>
<b>**BATCH #3</b>					
CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
	10840		Arenz, Molter, Macy, Riffle & Larson	\$4,849.30	Attorney Fees for January through February
			Cintas Corporation	\$724.60	February Cleaning Invoices
	WIJAC132161		Fastenal	\$36.27	Brace Bolts for Wausau Plows
			Hopson Oil Co. Inc.	\$3,461.15	February 2016 Fuel
	39900		Houseman & Feind, LLP	\$968.50	Carla Whitcomb Trial Work
			Kaestner Auto Electric	\$64.24	Truck Parts
	163027		Kunkel Engineering Group	\$10,365.00	Highway Improvement Work for 2016
			<b>TOTAL BATCH #3</b>	<b>\$20,469.06</b>	<b>Checks Still Needing Approval***</b>
<b>**BATCH #4</b>					
CHECK #	PO#	DATE	PAYEE	AMOUNT	COMMENTS
			Lakeside International Truck	\$760.41	Truck Maintenance and Repairs
	57093		Lange Enterprises, Inc.	\$43.44	Road Signs and Markings
			Richfield Volunteer Fire Company	\$39,365.87	March Fire Contract Payment
	9509		Schmitt Sanitation	\$90.00	Pump Holding Tank
	8760		Washington County Sheriff	\$22,493.99	Sheriff Contract for February 2016
			<b>TOTAL BATCH #4</b>	<b>\$62,753.71</b>	<b>Checks Still Needing Approval***</b>
			<b>TOTAL</b>	<b>\$343,344.08</b>	

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VILLAGE OF RICHFIELD  
Treasurer's Report for February 29, 2016

**BANK ACCOUNT BALANCES**

	Interest Rate	Beginning Balance January 31, 2016	Interest Earned	Ending Balance February 29, 2016
Landmark Checking Account	0.25%	\$ 4,675,961.97	\$ 809.73	\$ 2,068,592.05
LGIP General Fund	0.14%	\$ 738,344.03	\$ 231.44	\$ 743,750.47
LGIP Fire Impact Fees	0.14%	\$ 246,855.71	\$ 77.94	\$ 253,019.65
LGIP Park Impact Fees	0.14%	\$ 99,811.94	\$ 31.20	\$ 99,843.14
LGIP Tax Account	0.14%	\$ 1,001,791.96	\$ 183.78	\$ 1,975.74
FNB Entrepreneur Plus Account	0.05%	\$ 2,712.44	\$ 2.14	\$ 124,836.25
FNB Platinum MMD Account	0.15%	\$ 257,683.34	\$ 26.47	\$ 257,716.16
Bank Mutual MM Account	0.33%	\$ 251,680.97	\$ 117.86	\$ 251,798.83

**CERTIFICATES OF DEPOSIT**

	Purchase Date	Expiration Date	Interest Rates	Amount
First National Bank	October 31, 2015	April 30, 2017	0.55%	\$ 251,663.61
Bank Mutual	March 3, 2015	October 3, 2016	1.05%	\$ 253,583.55

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

**LETTERS OF CREDIT/PERFORMANCE BONDS/DEVELOPER GUARANTEES**

	Purchase Date	Expiration Date	Amount
D&S Weyer No. II, LLC	June 23, 2015	August 31, 2016	\$ 59,800.00
NMMR Investments #1 LLC	October 1, 2015	October 1, 2016	\$ 11,765.00

**PERMIT PERFORMANCE BOND**

	Held Since	Expiration Date	Amount
T-Mobile Central LLC Wireless Communication Tower	March 11, 2014	N/A	\$ 25,000.00

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**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; Rock Brandner, Bill Collins, and Sandy Voss.

Trustee Neu had an excused absence.

Also present: Village Administrator Jim Healy and Administrative Services Coordinator KateLynn Schmitt

**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 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. PUBLIC COMMENTS (Public comments are an opportunity for citizens to voice concerns to the Board regarding 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.)**

Ms. Danah Zoulek, 609 Scenic Road, Colgate stated that she was for property rights so she is okay with the rezoning of the 6b agenda item property. Ms. Zoulek believes that the horse owner should be allowed to have horses in a residential subdivision. In general, a horse needs one (1) acre and that's if they are feeding on grass.

Jeff Gonyo, Highway J Citizens Group, 2668 Hwy 164, Polk stated that members of the Highway J Citizens Group in the Village of Richfield asked that Mr. Gonyo speak in favor of allowing horses at Cora Lane. Mr. Gonyo stated that where he lives in Polk, and also in Erin, you are allowed to have horses. Mr. Gonyo concluded by discussing the Public Comments agenda item. Mr. Gonyo said every other community allows residents to speak on any item, even those not on the agenda.

Gil Frank, 4156 Elmwood Road, Colgate spoke in regards to the 6b agenda item, the rezoning of the 12.2 acres on Pleasant Hill Road. Mr. Frank said the Village Board should not approve this change because the Village is now transitioning away from agriculture along the Hwy 175 corridor. Mr. Frank stated his belief that A-2 zoning will not pay its fair share of taxes.

Barbara Engel, 3820 Cora Lane, Richfield stated she was in agreement to deny horses on Cora Lane. At the Plan Commission meeting six (6) neighbors came together and spoke against the horses. The original subdivision declarations did not allow for horses. Ms. Engel stated the majority of land is swamp land and she believed you cannot have horses on swamp land.

**5. CONSENT AGENDA**

- a. Vouchers for Payment
- b. Treasurer's Report
- c. Meeting Minutes:
  - i. January 28, 2016– Regular Meeting
- d. New Operator Licenses
- e. New Agent for Daniel Boone Conservation League (DBCL)

Motion by Trustee Voss to approve the Vouchers for Payment, Treasurer's Report, the Village Board Minutes from January 28, 2016, New Operator Licenses and newly appointed agent for Daniel Boone Conservation League, Inc.; Seconded by Trustee Collins; Motion carried unanimously.

## 6. DISCUSSION/ACTION ITEMS

### a. Discussion/Action regarding a petitioned Conditional Use Permit to allow horses at 3810 Cora Lane (Tax Key: V10\_0213005)

Motion by Trustee Collins to deny the proposed Conditional Use Permit for 3810 Cora Lane and to instruct the Village's Planning and Zoning Administrator to author a 'Decision Letter' to the petitioner outlining the denial of her petition to allow for three (3) horses due to the fact that 1) the parcel exists in a platted residential subdivision and 2) does not have the minimum requirement of 4 acres of residentially zoned land; Seconded by Trustee Voss; Motion carried unanimously.

### b. Discussion/Action regarding a petition to rezone a portion of property (12.204 acres) located at 3200 Pleasant Hill Road (Tax Key: V10\_025500Y) from A-1, Exclusive Agricultural District to A-2, General Agricultural District

Motion by Trustee Brandner to approve Ordinance O2016-02-01, an Ordinance to rezone a portion of Tax Key: V10\_025500Y, as indicated in the ordinance exhibit, from A-1, Exclusive Agricultural District to A-2, General Agricultural District subject to the following Specific Condition of Approval:

- 1) The Village Board approves the proposed One-Lot Certified Survey Map by the petitioner.

Seconded by Trustee Collins; Motion carried unanimously.

### c. Discussion/Action regarding a proposed One-Lot Certified Survey Map (CSM) for a portion of vacant property (12.204ac) located at 3200 Pleasant Hill Road (Tax Key: V10\_025500Y)

Motion by Trustee Voss to approve the certified survey map for Mr. and Mrs. Ed Stuesser for their property indicated by Tax Key: V10\_025500Y, subject to the General and Specific Conditions of Approval listed below:

Specific Conditions of Approval:

1. The Village Board approve of the proposed rezoning for the subject parcel.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; of for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Trustee Brandner; Motion carried unanimously.

**d. Discussion/Action regarding the release of Letters of Credit for Reflections Village Subdivision**

Administrator Healy gave a line-by-line update to the amounts projected to be released from the Letter of Credit.

Motion by Trustee Brandner to authorize the Village's Deputy Treasurer to release the Letters of Credit relating to Reflections Village upon the verbal satisfaction of the Village Attorney and upon receipt of a check from the Receiver to cover the Village's professional fee expenses from 2015 and to repair the roads in the aforementioned subdivision; Seconded by Trustee Voss; Motion carried unanimously.

**e. Acknowledgment of amendments to the various "Declarations of Restriction" for Reflections Village Subdivision**

Administrator Healy gave an overview of the amendments being proposed to the Declarations of Restriction.

President Jeffords clarified that the homeowner's association would know that they would now be on their own. And that the Village's responsibility would be ending.

Administrator Healy stated that he has spoken with several individuals in the Reflections Village Homeowners Association in order to clarify their new role and responsibilities.

**7. PUBLIC COMMENTS (...Continued)**

**8. ADJOURNMENT**

Motion by Trustee Voss to adjourn the meeting at 8:00 pm; Seconded by Trustee Brandner; Motion carried unanimously.

Respectfully Submitted,

Jim Healy  
Village Administrator

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March 17, 2016

Meeting

**New Operator Licenses**

<b>Name</b>	<b>Place of Employment</b>	<b>Course or valid license</b>	<b>Recommendation</b>
Patti J. Rupnow-Tabb	Uncle Johnny's	Valid License	Approved
Bradley C. Sorenson	Olde Mill Inn	Course	Approved
Morgan Jean Weyer	Sterling Chalet	Course	Approved
Josie Zignego	Sterling Chalet	Course	Approved

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VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 7a. + 8a.

MEETING DATE: March 17, 2016

SUBJECT: Removal of "Walkable Hamlet District" from Future Land Use Map and Related Amendments  
DATE SUBMITTED: March 10, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ADOPT BY ORDINANCE SEVERAL AMENDMENTS TO THE VILLAGE'S COMPREHENSIVE PLAN TO REMOVE LAND SHOWN AS "WALKABLE HAMLET DISTRICT" ON THE VILLAGE'S FUTURE LAND USE MAP AND OTHER RELATED TEXT AMENDMENTS REGARDING THE SAME?*

*ISSUE SUMMARY:*

Over the last year, Village Staff and the Village Board have been working with a court-appointed receiver who was authorized by the Waukesha County Circuit Court to manage the assets of Mr. Bob Parchem and Ms. Caryl Parchem, the developers of Reflections Village. A "Receivership" is a type of corporate bankruptcy in which a "receiver" is appointed to run a company, in this case the limited liability company set up for Reflections Village (Reflections Richfield Investments, LLC). In most cases, the receiver is given ultimate decision-making powers and has full discretion in deciding how the received assets will be managed. The primary responsibility of the Receiver is to recoup as much of the unpaid loans as possible. Oftentimes, receivers find that the best way to pay back loans is to liquidate the company's assets, which effectively puts the company out of business, as its assets are sold in order to recoup some of the monies owned. Since taking over, the Receiver has sold 10 lots, plus approximately twenty-two (22) acres of undeveloped land. Twenty-four (24) lots remain unsold in the subdivision.

The Receiver has agreed to the sale of all the existing lots in Reflections Village as well as the portion of the development commonly known as Phase II to Neumann Companies out of Pewaukee. As a part of the offer to purchase the land, the Receiver has agreed to work with the Village in an effort to amend the following controlling documents and ordinances relating to Reflections Village Subdivision and the Walkable Hamlet District, in general:

- Amendment to 70.133 and 70.212
- Creation of CSM to subdivide Phase III of Reflections Village
- Court Order I
- Declaration of Restrictions
- SBOP Commercial Restrictions
- SBOP Residential Restrictions
- Water Trust Declaration of Restrictions
- Comprehensive Plan Amendment (VB Action tonight)
- Rezoning of Phase II Properties (VB Action tonight)
- Amendment 70.212, WHD, Walkable Hamlet District amendments (VB Action tonight)

The Receiver has worked closely with the Village of Richfield as well as other individuals and companies to cause the administrative transactions described above to be effectuated to position the "estate" to otherwise liquidate the above described assets and/or to complete certain activities deemed beneficial to all parties-in-interest.



VILLAGE OF RICHFIELD  
 VILLAGE BOARD COMMUNICATION FORM

# 7a & 8a

MEETING DATE: March 17, 2016

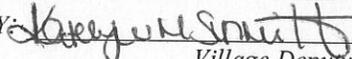
SUBJECT: Removal of "Walkable Hamlet District" from Future Land Use Map and Related Amendments  
 DATE SUBMITTED: March 10, 2016  
 SUBMITTED BY: Jim Healy, Village Administrator

As a part of this negotiated agreement between the Village and the Receiver, the Village also made sure the taxpayers of the Village were well-protected. This has been and continues to be (until the Receivership ends in March) one of our primary duties throughout this process. In exchange for the Village's participation in the above referenced administrative 'clean-up' duties for the Walkable Hamlet District and the Reflections Village Subdivision, the Village was able to negotiate payments in the amount of \$283,750 for the paving of roads in the subdivision that has yet to be completed and \$12,914.81 to compensate the Village for its legal expenses related to this very complex unraveling of legal documents. Additionally, the HOA for Reflections Village will be paid a sum not to exceed \$15,000 to fill, level, seed and mulch the land directly adjacent to Landmark Credit Union which was previously created for additional commercial development which will no longer exist. In exchange for receiving this amount of money, the Village has agreed to release the previously held Letters of Credit which are no longer necessary.

The Receiver has petitioned the Village for these amendments and later tonight you will consider it's companion petition to rezone Phase II of the development to Rs-1b, Single Family Cluster/Open Space Residential District. As such, because the Comprehensive Plan shows this area depicted as "Walkable Hamlet District", it will need to be shown as "Single Family". At the February 4<sup>th</sup> Plan Commission meeting the following motion was made:

Motion by Commissioner Melzer to approve Resolution R2016-02-01, 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 March 17, 2016 at 7:00PM; Seconded by Vice-Chairman Berghammer; Motion passed without objection.

FISCAL IMPACT:

REVIEWED BY:   
 Village Deputy Treasurer

Initial Project Costs: N/A  
 Future Ongoing Costs: N/A  
 Physical Impact (on people/space): Development of single-family residential dwellings  
 Residual or Support/Overhead/Fringe Costs: Administrative

ATTACHMENTS:

1. Resolution R2016-02-01, a Resolution to amend multiple sections of the Comprehensive Plan
2. Ordinance O2016-03-03, an Ordinance to amend the Future Land Use Map by changing the land use classification of a specified property from "Walkable Hamlet Mixed Use" to "Single Family" and make corresponding changes in the text of the Plan
3. Letter dated January 29<sup>th</sup> from Dennis Bush, Insight Advisors, LLC

STAFF RECOMMENDATION:

Motion to approve Ordinance O2016-03-03, an Ordinance to amend the Future Land Use Map by changing the land use classification of a specified property from "Walkable Hamlet Mixed Use" to "Single Family" and make corresponding changes in the text of the Plan.



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 7a & 8a

MEETING DATE: March 17, 2016

SUBJECT: Removal of "Walkable Hamlet District" from Future Land Use Map and Related Amendments  
DATE SUBMITTED: March 10, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

APPROVED FOR SUBMITTAL BY:

Village Staff Member

Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

**Village of Richfield Plan Commission**

**Resolution No. R2016-02-01**

**A Resolution Acting and Recommending to the Village Board the Amendment of the Village's Comprehensive Plan**

WHEREAS, the Village Board is authorized by state law to adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2), Wis. Stats., and to amend it from time to time; and

WHEREAS, the Village Board adopted a comprehensive plan in 2014, following extensive public participation, and has amended such plan on multiple occasions since then; and

WHEREAS, the Village Board adopted a public participation plan which established procedures and requirements to amend the adopted comprehensive plan; and

WHEREAS, Reflections Richfield Investments LLC (Court-appointed receiver, Ronald Carlson) owns land in Section, 13, T9N, R19E of the Village, and has submitted an application to amend the future land use map (Map 12) included in the comprehensive plan by changing the land use classification of the area depicted in Exhibit A from "Walkable Hamlet Mixed Use" to "Single Family" and making corresponding changes in the text of the plan; and

WHEREAS, the Plan Commission reviewed the petitioner's request on February 4, 2016; and

WHEREAS, the Plan Commission finds that the comprehensive plan with the proposed amendments contains all of the required elements specified in Section 66.1001(2), Wis. Stats.; and

WHEREAS, the Village Board will hold at least one public hearing regarding the proposed amendment in compliance with the requirements of Section 66.1001(4)(d), Wis. Stats.

NOW THEREFORE, by a majority vote of the entire commission recorded in its official minutes, the Plan Commission recommends the following amendments to the Village Board:

1. Change the land use classification of the area depicted in Exhibit A from "Walkable Hamlet Mixed Use" to "Single Family."
2. Amend the text in Exhibit 11-4 relating to Walkable Hamlet Mixed Use to read as follows:

"One walkable hamlet mixed use district is shown in the northeast corner of the Village off of STH 175, which includes single-family residence and commercial uses."

(The remainder of Exhibit 11-4 remains unchanged.)

3. Amend the figures in Table 11-8 for Walkable Hamlet Mixed Use and Single-Family Residential as follows:

	<b>Acres</b>	<b>Percent of Total</b>
Single-Family Residential	13,709.4	58.76
Walkable Hamlet Mixed Use	40.6	0.17

(The remainder of Table 11-8 remains unchanged.)

NOW THEREFORE, the Village Clerk is directed to send a copy of this resolution to each of the following:

- a. the clerk for Washington County;
- b. the clerk of every local government unit that is adjacent to the Village;
- c. the Wisconsin Land Council;
- d. the Wisconsin Department of Administration;
- e. Southeastern Wisconsin Regional Planning Commission; and
- f. those public libraries that serve the Village.

Passed and adopted this 4th day of February, 2016

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James Otto, Plan Commission Chair

ATTEST:

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James Healy, Village Administrator



## ORDINANCE 2016-03-03

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**AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP RELATED TO THE WALKABLE HAMLET DISTRICT**

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WHEREAS, the Village Board is authorized by state law to adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2), Wis. Stats., and to amend it from time to time; and

WHEREAS, the Village Board adopted a comprehensive plan in 2014, following extensive public participation, and has amended such plan on multiple occasions since then; and

WHEREAS, the Village Board adopted a public participation plan which established procedures and requirements to amend the adopted comprehensive plan; and

WHEREAS, Reflections Richfield Investments LLC (Court-appointed receiver, Ronald Carlson) owns land in Section, 13, T9N, R19E of the Village, and has submitted an application to amend the future land use map (Map 12) included in the comprehensive plan by changing the land use classification of the area depicted in Exhibit A from "Walkable Hamlet Mixed Use" to "Single Family" and making corresponding changes in the text of the plan; and

WHEREAS, the Plan Commission reviewed the petitioner's request on February 4, 2016; and

WHEREAS, the Plan Commission finds that the comprehensive plan with the proposed amendments contains all of the required elements specified in Section 66.1001(2), Wis. Stats.; and

WHEREAS, the Village Board will hold at least one public hearing regarding the proposed amendment in compliance with the requirements of Section 66.1001(4)(d), Wis. Stats.

NOW THEREFORE, the Village Board of the Village of Richfield ordain as follows:

**Section 1.** Change the land use classification of the area depicted in Exhibit A from "Walkable Hamlet Mixed Use" to "Single Family."

**Section 2.** Amend the text in Exhibit 11-4 relating to Walkable Hamlet Mixed Use to read as follows:

"One walkable hamlet mixed use district is shown in the northeast corner of the Village off of STH 175, which includes single-family residences and a commercial use building."

(The remainder of Exhibit 11-4 remains unchanged.)

**Section 3.** Amend the figures in Table 11-8 for Walkable Hamlet Mixed Use and Single Family Residential as follows:

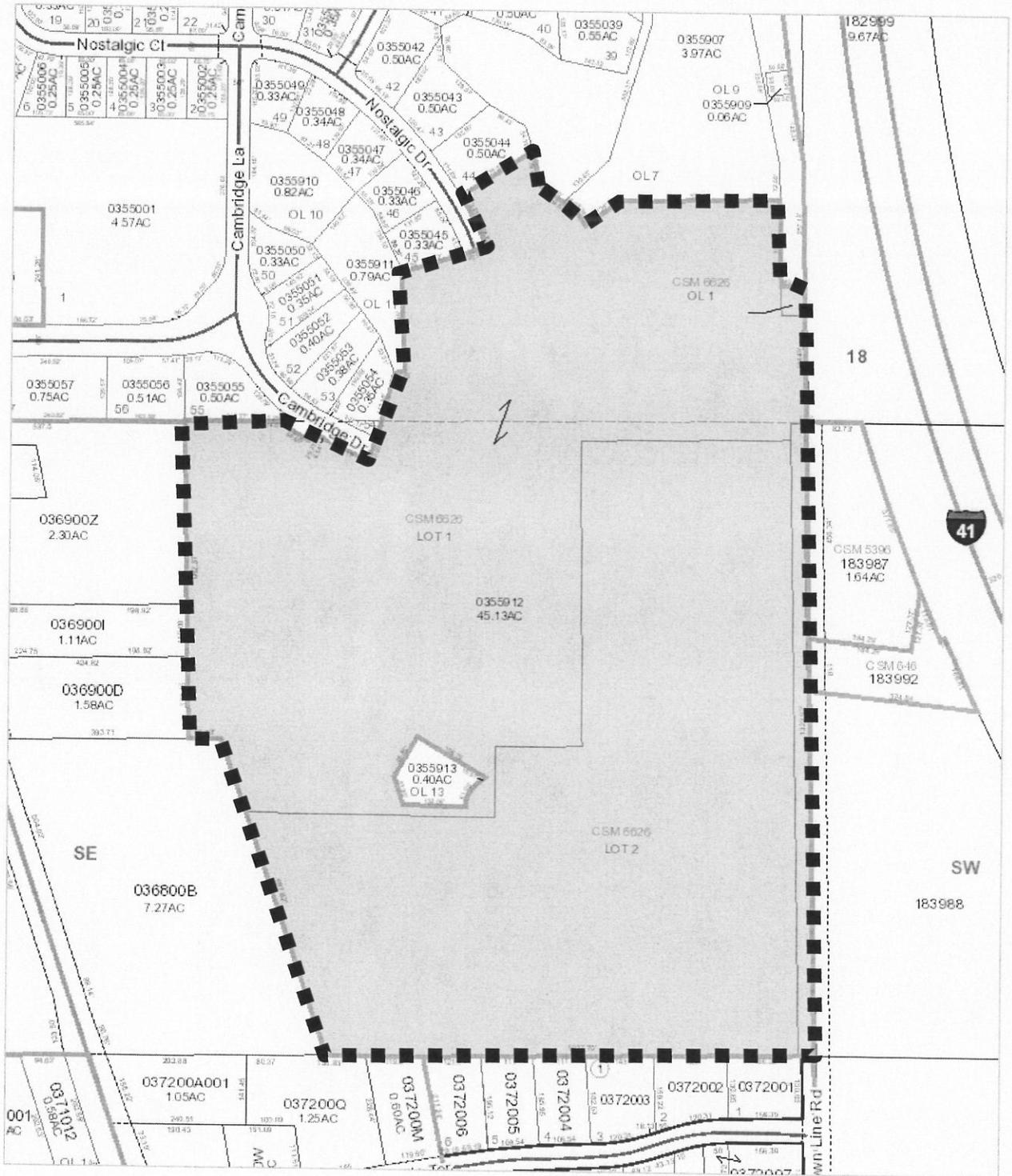
	<b>Acres</b>	<b>Percent of Total</b>
Single-Family Residential	13,709.4	58.76
Walkable Hamlet Mixed Use	40.6	0.17

(The remainder of Table 11-8 remains unchanged.)

**Section 4.** 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 to those terms that conflict.

**Section 5.** This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Exhibit A.



Passed and adopted this 17<sup>th</sup> day of March, 2016

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John Jeffords, Village President

ATTEST:

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Jim Healy, Administrator/Clerk/Treasurer

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

January 29, 2016

Re: Reflections Village and related parcels

Dear Mr. Healy,

Reflections Richfield Investments, LLC under the control of court appointed Receiver Ron Carlson and with the receiver's consultant Dennis Bush of Insight Advisors has requested a number of amendments of the Village. The amendments include the Comp Plan, CSM, Rezoning, Text Amendment(s) of the Zoning Code, SBOPs, Declarations and other matters and are reflected in the attached Action Items and Timetable as provided by the Village. Certain other review and approvals may be needed and should be considered as part of this letter.

The receiver and consultant understand the Village has fees for the submissions and in some submissions applications are required. Today you outlined the following application fees:

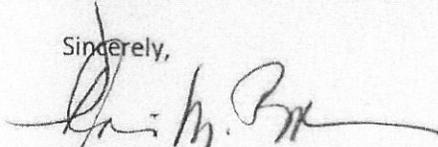
- |                                     |       |
|-------------------------------------|-------|
| • Comp Plan                         | \$350 |
| • CSM                               | \$450 |
| • Rezoning                          | \$400 |
| • Text Amendment of the Zoning Code | \$500 |

Total due at this time \$1,700

Please find this letter as the application for all submissions as needed by the Village. The consultant for the receiver will fill out any and all applications in addition to this letter as requested by the Village. Attached please find the Rezoning Permit application as requested. The \$1,700 in applications fees due at this time will be paid directly. Other application fees will be paid by the receiver as required. I have attached a listing of the documents sent to Mr. Tim Schwecke.

Thank you, City Attorney Macy and Consultant Tim Schwecke for your valuable help in these important matters.

Sincerely,

  
Dennis Bush  
Insight Advisors, LLC  
414 975 6400

8 b



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8b.

MEETING DATE: March 17, 2016

SUBJECT: Intergovernmental Agreement for Building Inspection Services  
DATE SUBMITTED: March 10, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO RENEW THE INTERGOVERNMENTAL AGREEMENT FOR BUILDING INSPECTION SERVICES WITH THE VILLAGES OF SUSSEX AND SLINGER FOR THE NEXT THREE (3) YEARS?*

*ISSUE SUMMARY:*

The Village has a long history of intergovernmental cooperation with surrounding taxing jurisdictions in both Washington and Waukesha County. Our ability to execute and maintain these agreements over the long term have personified our well-earned reputation as being a small, adaptable, and fiscally conservative governmental entity other taxpayers in surrounding communities can be truly envious of. For the last three (3) years, the Village has benefited greatly in terms of service improvements and financially from our intergovernmental agreement we have in place with the Villages of Sussex and Slinger. Back in 2013 when the Village Board authorized this agreement, we went to work and recruited, hired, and on-board trained Mr. Greg Darga to work in concert with Mr. Joel Jaster. Now each of our two (2) inspectors are capable of performing any inspection a municipality might need; building, plumbing, electrical, HVAC and the commercial variations associated with the same. In this day and age, being able to have inspectors who can inspect any conceivable project brought forward is truly unique and special.

The overall satisfaction of our municipal partners with the work that has been performed over the last three (3) years by Messrs. Jaster and Darga can easily be shown in the willingness of our municipal partners who have each expressed an interest to me to take to their respective Boards a renewal contract. In 2016, the Villages of Sussex and Slinger will be paying the Village a total of \$152,000 for the services of our Department. The anticipated "other revenues" from this Department's core permitting services (Building, Electrical, and Plumbing) are estimated at \$142,000 for 2016. With the overall expenditures for their Department totaling \$208,000 in 2016, the Village stands to receive an overall net gain (cash flow positive) of approximately \$86,000.

Having two (2) inspectors not only allows each of them to have the ability to work in an efficient and effective manner in terms of processing permits and meeting with residents, but it also gives our residents a service improvement by having an additional resource they can depend on to ensure that the work they are having done in their homes or businesses is done in a professional and workman-like manner. To help further illustrate this point, the following are excerpts from the State of Wisconsin's Department of Safety and Professional Services (WI-DSPS) audit which was conducted in December of 2014:

*"The Village should be commended on their plan review efforts and maintenance of thorough and well-organized inspection records...In this regard, the Village Inspection Department holds itself and builders to standards that should serve as a model for inspectors and builders throughout the State of Wisconsin."*

*"In summation, this audit indicates that Mr. Jaster and Mr. Darga and the Village carry out their role in administering the Uniform Dwelling Code in a highly responsible and professional manner."*

It is important to note that not only do our inspectors administer the UDC, but they also are in charge of helping to administer the zoning code for three (3) communities, another truly remarkable feat. Tonight Village Staff is requesting the ability to openly negotiate with the Villages of Sussex and Slinger to renew this contract for a period three (3) years or longer, whichever is deemed mutually agreeable.



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 86

MEETING DATE: March 17, 2016

SUBJECT: Intergovernmental Agreement for Building Inspection Services  
DATE SUBMITTED: March 10, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

FISCAL IMPACT:

REVIEWED BY: Karelynn Smith  
Village Deputy Treasurer

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

ATTACHMENTS:

- 1. 2013-2016 Intergovernmental Agreement for Building Inspection Services

STAFF RECOMMENDATION:

Motion to authorize the Village President and the Village Administrator to execute an agreement with the Villages of Sussex and Slinger for the continuation of our Intergovernmental Services Agreement for Building Inspection services.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

[Signature]  
Village Staff Member  
[Signature]  
Village Administrator

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

**INTERGOVERNMENTAL AGREEMENT FOR BUILDING INSPECTION SERVICES**

Between the Village of Richfield, Village of Slinger and Village of Sussex

This agreement ("Agreement") is made by and between the Village of Richfield, the Village of Slinger, municipal corporations located in the County of Washington and the Village of Sussex, a municipal corporation located in the County of Waukesha. The purpose of this agreement is for the Village of Slinger and the Village of Sussex to contract with the Village of Richfield for the provision of building inspection services on a flat rate basis within the Village of Slinger and the Village of Sussex to ensure compliance with applicable State and local building codes and ordinances.

**WHEREAS**, the Village of Slinger and the Village of Sussex are in need of building inspection services to inspect buildings for building code compliance; and

**WHEREAS**, the Village of Slinger is in need of Zoning Administrator services to enforce the Village's Ordinances, whose duties are fulfilled by the Building Inspector; and

**WHEREAS**, the Village of Richfield employs State certified inspectors for residential and commercial construction, electrical, plumbing and HVAC inspections; and

**WHEREAS**, the Village of Richfield, Village of Slinger and Village of Sussex pursuant to Wisconsin State Statute 66.0301 (2) have the authority to enter into cooperative intergovernmental agreements,

**NOW, THEREFORE**, the Village of Richfield, Village of Slinger and Village of Sussex, in consideration of the mutual promises hereinafter set forth, do promise and agree as follows:

**1. Parties**

Parties to this Agreement are the Village of Richfield, a Wisconsin municipal corporation with its principal offices located at 4128 Hubertus Rd., Hubertus, Wisconsin, the Village of Slinger, a Wisconsin municipal corporation with its principal offices located at 300 Slinger Rd., Slinger, Wisconsin, and the Village of Sussex, a Wisconsin municipal corporation with its principal offices located at N64W23760 Main Street, Sussex, Wisconsin.

**2. Authority.**

The parties to this Agreement are authorized by law to enter into this Intergovernmental Agreement pursuant to Sec. 66.0301, Wis. Stats., which specifically allows intergovernmental cooperation between Villages.

**3. Purpose**

The purpose of this Agreement is to provide building inspection services to the Village of Slinger and Village of Sussex to inspect buildings and provide those general municipal inspection services set forth in paragraph 4 below.

#### 4. Services

The Village of Slinger and Village of Sussex hereby contract with the Village of Richfield for the provision of residential and commercial building, plumbing, electrical and HVAC inspection services on a flat-rate basis and to provide the following services:

- a. Review applications for building permits and building plans submitted, and issue commercial and residential building, plumbing, electrical, and HVAC and any related permits in compliance with respective village ordinances and the State of Wisconsin Uniform Dwelling Code.
- b. Perform all general inspections from footings to final occupancy as required by respective village ordinances, State Regulations, and permit requirements. Inspections normally will be performed Monday through Friday, excluding weekends and holidays. Reasonable efforts will be made to complete inspections within 1 business day of a request.
- c. Issue orders to correct building and zoning code violations.
- d. Maintain computer records of building permit applications and permits issued, including such items as date applied, date issued, permit number, type, contractor, owner, property address, permit fees, and other monies collected.
- e. Provide information to builders, owners and residents of the Village of Slinger and Village of Sussex regarding the Building Codes and Ordinances either by phone, e-mail or through appointment.
- f. Attend meetings upon special request by the respective Administrator of the Village of Slinger and/or the Village of Sussex.
- g. Appear in the respective Circuit Court in Washington or Waukesha County as requested by the respective Village Administrator to provide testimony with respect to code enforcement and ordinance violations.
- h. Perform the Village of Slinger and Village of Sussex responsibilities under the State of Wisconsin Uniform Dwelling Code.
- i. All services shall be performed consistent with applicable state statutes and respective village ordinances. If applicable, certified agent status services will be provided.
- j. The parties acknowledge that this agreement represents an independent contract relationship and that in no event shall any of the persons performing services by the Village of Richfield under this agreement be considered employees of the Village of Slinger or Village of Sussex.

- k. The parties acknowledge that the hours of service provided to Slinger and Sussex shall be approximately 27 hours each per week and that each community may utilize said service hours above in the manner most appropriate or necessary for their community. The parties understand that vacations, trainings, and other leave situations may temporarily reduce the available hours worked in any particular week, but Richfield will manage said situations to ensure continued service provision to all of the parties remains to meet Statutory timelines for inspection services, to ensure quality customer service, and these non-service times shall be as evenly divided as possible amongst the three parties. The Parties further agree that the hours may be adjusted by the parties if necessary for certain projects with advanced communication and such adjustments shall be tracked for appropriate compensation adjustment at the end of the year.
- l. Village of Richfield shall ensure Inspectors providing inspection services have all necessary licenses and maintain said licenses during the contract. All costs for said licenses and maintaining said licenses are included in the costs determined in Section 8.

#### 5. Reports/Records

During the term of this agreement, the Village of Richfield Building Inspection Department shall:

- a. Maintain separate files for Village of Slinger and Village of Sussex applications and permits, containing the information specified in Section 1.d. above, which will be turned over to the village for which the permits apply once the final occupancy permit is issued.
- b. Provide the Village of Slinger and Village of Sussex a computer program report of services rendered as of the end of the month including a list of inspections made, permits issued and fees collected.
- c. Provide a report that shows time spent on work for the Village of Slinger, the Village of Sussex, and the Village of Richfield, and also that shows time spent off work due to vacation, holidays, sick leave or other paid absence (such paid time off referred to herein as "Paid Time Off"). This report shall be given to each community at the end of each month. The report shall include current daily and weekly totals for the current work, and also year-to-date totals.
- d. Provide reports, documents, and files relating to building inspection as may be requested from time to time by any of the Village Administrators.
- e. Answer/respond to requests for open records made pursuant to Chapter 19 of the Wisconsin Statutes as outlined in Exhibit B.
- f. Either the Village of Sussex and/or Village of Slinger may have inspection records produced in performance of this agreement or portions of said records

maintained by said community and not the Village of Richfield at the discretion of said community.

- g. The Village of Richfield Building Inspection Department shall require all permit fee payments and other payments to be made pursuant to the Village of Slinger and Village of Sussex Village Codes, to be made by the applicant directly to the Village of Slinger or the Village of Sussex. If, despite this requirement, any payments are received by the Village of Richfield that are due to the Village of Slinger or Village of Sussex, the Village of Richfield Building Inspection Department shall contact the Administrator for the Village of Slinger or the Village of Sussex, as applicable, seeking guidance as to what to do with the payment that was received in error, and the Village of Richfield Building Inspection Department shall comply with the directions received in that regard, on a case-by-case basis.

**6. Items Provided by the Village of Richfield**

The Village of Richfield shall provide the following related to the performance of this agreement:

- a. A direct phone line for building inspection services performed for the Village of Slinger and Village of Sussex pursuant to this Agreement.
- b. All necessary secretarial support for maintaining files while in the possession of the Village of Richfield.
- c. All code books, technical manuals and inspection equipment.
- d. A certified and licensed Building Inspector to perform described services for the Village of Slinger and Village of Sussex.
- e. A properly registered and insured vehicle for use while performing services within the Village of Slinger and Village of Sussex.

**7. Items provided by the Village of Slinger and Village of Sussex**

- a. Prior to the issuance of a building permit by the Building Inspector, the Building Inspector shall e-mail the Clerk of the Village of Slinger or Village of Sussex, as applicable, to seek confirmation of fee compliance and zoning compliance. No permit shall be issued until the Village of Richfield Building Inspector receives notification of fee compliance including water and sewer connection fees as well as zoning requirements compliance including conditional use permit requirements for a particular building permit application.
- b. The Village of Slinger and Village of Sussex shall provide required application forms, State Seals, house numbers and any required special office supplies or documents needed to process and file permits for their respective Village.

- c. The Village of Slinger and Village of Sussex shall apply for certified agent status with the State of Wisconsin Department of Safety and Professional Services for their respective Village.
- d. The Village of Slinger and Village of Sussex shall provide legal advice/support for any legal issues arising from the performance of duties by the Richfield building inspectors under this agreement, including, but not limited to, code enforcement actions, raze orders, special charge claims, open records requests, and other building inspection issues for their respective Village.

**8. Payment to the Village of Richfield for Services Rendered Through this Agreement**

- a. Budget. Prior to the execution of this contract, and thereafter no later than October 31 of each year of this agreement, the Village of Richfield shall draft an annual budget for expenses related to total Inspections Services. The total budgeted expenses shall be equally divided amongst the three communities. After this total expense is calculated, an additional administrative fee of 6.5% of the total Inspections expense budget shall be added, to be equally shared by the Village of Slinger and Village of Sussex. The initial annual budget shall be used as a baseline, and shall be attached as Exhibit A of this agreement. Exhibit A shall also depict the hourly rate to be applied to compensation adjustment as described in subsection (c) below. In no case shall the Inspections expense budget exceed an increase of 5% from any one year to the next, without approval by each community prior to October 31.
- b. Time of Payment. The compensation due to the Village of Richfield shall be paid in twelve equal installments on the 1<sup>st</sup> day of each month.
- c. Annual Compensation Adjustment. It is intended that the communities of the Village of Slinger and Village of Sussex will be provided and equal share of approximately 27 hours of service per week by the Village of Richfield. If the Village of Slinger and Village of Sussex received these hours exactly equally, each would receive 1,386 2/3rds hours per year, inclusive of equally shared Paid Time Off. (This 1,386 2/3rds hours is referred to herein as the "Equal Share".) The parties recognize that maintaining the Equal Share exactly is not realistic or desirable due to fluctuating needs, and therefore variation within a range of 20 percent above or below the Equal Share will not result in an adjustment to the compensation amounts described in this agreement. If, however, in any calendar year the Village of Slinger or Village of Sussex receives 20 percent more than the Equal Share (more than 1,664 hours) or 20 percent less than the Equal Share (less than 1,109 hours), the compensation amounts will be adjusted as follows:
  - i. The actual hours used by each community for the calendar year, plus 1/3<sup>rd</sup> of actual Paid Time Off hours, shall be multiplied by the hourly rate depicted in Exhibit A.

- ii. The administrative fee of 3.25 percent of the total actual hours multiplied by the hourly rate shall be added to the Village of Sussex and to the Village of Slinger totals, resulting in the Village of Sussex and the Village of Slinger Adjusted Payment Obligation.
- iii. If actual payments by the Village of Slinger for the year in question exceed the Village of Slinger Adjusted Payment Obligation, the Village of Richfield shall refund the difference to the Village of Slinger, no later than March 1 following the year in which payments were made. If actual payments by the Village of Slinger are less than the Village of Slinger's Adjusted Payment Obligation, the Village of Richfield shall invoice the Village of Slinger for the balance no later than January 31 following the year that payments were made, and the Village of Slinger shall pay the balance to the Village of Richfield no later than March 1.
- iv. If actual payments by the Village of Sussex for the year in question exceed the Village of Sussex Adjusted Payment Obligation, the Village of Richfield shall refund the difference to the Village of Sussex, no later than March 1 following the year in which payments were made. If actual payments by the Village of Sussex are less than the Village of Sussex's Adjusted Payment Obligation, the Village of Richfield shall invoice the Village of Sussex for the balance no later than January 31 following the year that payments were made, and the Village of Sussex shall pay the balance to the Village of Richfield no later than March 1.

**9. Term of Agreement**

The term of this agreement shall commence September 1, 2013, and shall continue through December 31, 2016.

The agreement shall then automatically renew through December 31 of the following year, and for every year thereafter, unless 365 days written notice has been given in accordance with paragraph 10 of this agreement.

**10. Termination of Agreement**

This agreement may be terminated without cause by any party upon 365 days written notice to the other parties. This agreement may also be terminated by any non-breaching party at any time, upon substantial breach committed by any other party. All such notices shall be by certified mail or personally delivered as follows:

Village of Slinger Clerk	Village of Richfield Clerk	Village of Sussex Clerk
Village of Slinger	Village of Richfield	Village of Sussex
300 Slinger Rd.	4128 Hubertus Rd.	N64W23760 Main Street
Slinger, WI 53086	Hubertus, WI 53033	Sussex, WI 53089

A non-breaching party shall not be responsible for Liquidated Damages as described in paragraph 11 of this agreement.

**11. Termination Liquidated Damages**

If any party chooses to terminate this agreement prior to expiration of this agreement on December 31, 2016, the terminating party agrees to bear the full costs for any subsequent expenses related to unemployment insurance claims, involuntary severance pay or any related legal fees associated with employment termination directly related to termination of this agreement. Additionally, the terminating party also agrees to pay the full costs for any penalties related to the termination of lease of capital equipment associated with this agreement, specifically cell phones and vehicles.

If any party chooses not to extend this agreement beyond December 31, 2016, the parties agree to equally share any and all expenses.

**12. Assignment**

This agreement shall not be assigned to any other party without the written consent of the Village of Slinger and Village of Sussex.

**13. Insurance**

The Village of Richfield shall maintain public liability insurance coverage and worker's compensation coverage for Richfield inspectors performing work under this Agreement.

**14. Hold Harmless, Indemnification, and Release**

In addition to, and not to the exclusion or prejudice of, any provisions of this agreement or documents incorporated herein by reference, the Village of Richfield shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the Village of Sussex or the Village of Slinger, or their officers, agents, employees and independent contractors, growing out of acts or omissions of the Village of Richfield, its officers, agents, employees and independent contractors, in the performance of this agreement on behalf of the Village of Richfield.

In addition to, and not to the exclusion or prejudice of, any provisions of this agreement or documents incorporated herein by reference, the Village of Sussex shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the Village of Richfield or the Village of Slinger, or their officers, agents, employees and independent contractors, growing out of acts or omissions of the Village of Sussex, its officers, agents, employees and independent contractors, in the performance of this agreement on behalf of the Village of Sussex.

In addition to, and not to the exclusion or prejudice of, any provisions of this agreement or documents incorporated herein by reference, the Village of Slinger shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the Village of Sussex or the Village of Richfield, or their officers, agents, employees and independent contractors, growing out of acts or omissions of the Village of Slinger, its officers, agents, employees and independent contractors, in the performance of this agreement on behalf of the Village of Slinger.

Nothing herein shall be interpreted to waive or abrogate limitations on bringing claims, limitations of liability and other defenses established by Wisconsin Statutes Section 893.80 and other State laws.

**15. Governing Law**

This agreement and all questions arising in connection herewith shall be governed by the laws of the State of Wisconsin.

**16. Legal Drafting**

This agreement is a result of negotiation among the parties, and was draft by the parties directly, and shall not be interpreted against any party due to their involvement in drafting the agreement. The law firm of Arenz, Molter, Macy, Riffle & Larson, S.C., represents each of the parties as Village Attorney and at the request of the parties has reviewed this agreement. Arenz, Molter, Macy, Riffle & Larson, S.C.'s, work on project has been limited to the role of scrivener, and has not included substantive or policy advice or recommendations. Each party recognizes that it has had the option to seek independent counsel in this matter. Each party waives any actual or potential conflict of interest concerning Arenz, Molter, Macy, Riffle & Larson, S.C.'s limited representation in this matter.

**17. Entire Agreement**

This agreement contains the entire agreement between the parties regarding this matter. This agreement may be modified only by an agreement to this agreement which is authorized by the Village of Richfield Board, the Village of Slinger Board and the Village of Sussex Board.

The parties have executed this agreement on this 23rd day of April, 2013.

Village of Slinger  
A Municipal Corporation

BY: Russell E. Bant  
Village of Slinger President

ATTEST:

BY: Tammy Jennis  
Village of Slinger Clerk

Village of Sussex  
A Municipal Corporation

BY: Gregory L. York  
Village of Sussex President

ATTEST:

BY: Travis A. Kent  
Village of Sussex Clerk

Village of Richfield  
A Municipal Corporation

BY: John Jeffords  
Village of Richfield President

ATTEST:

BY: John A. ...  
Village of Richfield Clerk

B:\MyFiles\UPM\Sussex\Inspections.IGA 03 18 13.clean.04-03-13

# Exhibit A

Exhibit B  
Public Records Responsibilities Contract Terms

The Village of Slinger and the Village of Sussex (the "Clients"; each separately a "Client") and the Village of Richfield ("Richfield") recognize that applying applicable Wisconsin public records laws to particular records requests can be difficult, in light of copyright and other confidentiality protections. To ensure that applicable laws are followed, both with regard to private rights, and with regard to public records laws, Clients and Richfield agree as follows. When a Client receives public records requests for matters that the Client believes might be proprietary or confidential information, the Client will notify Richfield of the request. Within three (3) days of such notification (subject to extension of time upon mutual written agreement), Richfield shall either provide the Client with the record that is requested, for release to the requestor; or Richfield shall advise the Client that Richfield objects to the release of the requested information, and the basis for the objection. If for any reason a Client concludes that the Client is obligated to provide a record to a requestor that is in Richfield's possession, Richfield shall provide such records to the Client immediately upon the Client's request. Richfield shall not charge for work performed under this paragraph, except for the "actual, necessary and direct" charge of responding to the records request, as that is defined and interpreted in Wisconsin law.

In addition to, and not to the exclusion or prejudice of, any provisions of this agreement or documents incorporated herein by reference, Richfield shall indemnify and save harmless and agrees to accept tender of defense and to defend and pay any and all legal, accounting, consulting, engineering and other expenses relating to the defense of any claim asserted or imposed upon the Client, its officers, agents, employees and independent contractors growing out of (i) Client's denial of a records request, based upon objections made by Richfield, or (ii) Richfield's failure to provide records to Client upon Client's request; or (iii) Client's charges made to a records requestor, based upon reimbursement of costs Richfield charged to Client in responding to a records request; or (iv) Client's lack of timely response to a records request, following Richfield's failure to timely respond to Client as required herein; or (v) Client's provision of records to a requestor that were provided to Client by Richfield in response to a records request. Richfield's claims of proprietary rights, or any other copyright or confidentiality claims, shall be waived such that Client may provide all requested documents, programs, data, and other records to the requestor, upon failure by Richfield to defend, indemnify or hold harmless the Client as required herein, and/or upon judgment of a court having jurisdiction in the matter requiring release of such records.

R:\wiredata protection language

		2011	2012	2012	2013		%	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget	Difference	Change	Prorated Expenses
10 52410 100	BUILDING INSPECTOR	75,106.60	74,857.00	48,945.00	126,362.00	-51,505.00	69%	41,699.46
10 52400 130	SOCIAL SECURITY	5,575.35	5,727.00	3,629.00	9,666.69	-3,939.69	69%	3,190.01
10 52400 131	HEALTH INSURANCE	17,724.67	17,084.00	12,048.00	33,228.00	-16,144.00	94%	10,965.24
10 52400 132	PENSION	6,293.84	4,410.00	2,888.00	8,403.07	-3,993.07	91%	2,773.01
10 52400 222	CELL PHONE	533.24	380.00	259.00	760.00	-380.00	100%	250.80
11 52400.232	EQUIPMENT MAINTENANCE	300.00	0.00	0.00	600.00	-600.00	0%	198.00
10 52400 299	COMPUTER SUPPORT	995.00	0.00	0.00	500.00	-500.00	0%	165.00
10 52400 320	DUES AND MEMBERSHIPS	407.00	550.00	319.00	1,100.00	-550.00	100%	363.00
10 52400 321	SEMINARS AND TRAINING	637.30	800.00	352.00	1,600.00	-800.00	100%	528.00
10 52400 340	SUPPLIES AND EXPENSES	262.41	0.00	0.00	0.00	0.00	0%	-
10 52400 341	HOUSE NUMBERS	216.76	100.00	199.00	200.00	-100.00	100%	66.00
10 52400 342	FUELS/PETROLEUM PRODUCTS	2,626.97	2,000.00	2,776.00	6,000.00	-4,000.00	200%	1,980.00
10 52400 344	STATE SEALS	305.50	300.00	611.00	600.00	-300.00	100%	198.00
11 52400 820	CAPITAL OUTLAYS	0.00	0.00	0.00	6,500.00	-6,500.00	100%	2,145.00
	<b>TOTAL INSPECTION</b>	<b>110,984.64</b>	<b>106,208.00</b>	<b>72,026.00</b>	<b>195,519.76</b>	<b>-89,311.76</b>	<b>84.09%</b>	<b>64,521.52</b>

	Expenses	Admin Fee	Community Total	
Richfield	58415.93		\$ 58,415.93	19,277.26
Sussex	68151.92	6328.39	\$ 74,480.31	24,578.50
Slinger	68151.92	6328.39	\$ 74,480.31	24,578.50
<b>TOTAL</b>	<b>194,719.76</b>	<b>12656.78</b>	<b>\$ 207,376.54</b>	<b>68,434.26</b>

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52410 100	BUILDING INSPECTOR	75,106.60	74,857.00	48,945.00	126,362.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	BUILDING INSPECTOR	74,857.00	1,505.00	76,362.00	
	BUILDING INSPECTOR II	0.00	50,000.00	50,000.00	
	Totals	74,857.00	51,505.00	126,362.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 130	SOCIAL SECURITY	5,575.35	5,727.00	3,629.00	9,666.69
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	SOCIAL SECURITY	5,727.00	3,939.69	9,666.69	
	Totals	5,727.00	3,939.69	9,666.69	

Explanation of Expenditures

Building Inspector	5,841.69
Building Inspector II	3,825.00
	9,666.69

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 131	HEALTH INSURANCE	17,724.67	17,084.00	12,048.00	33,228.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	HEALTH INSURANCE	17,084.00	16,144.00	33,228.00	
	Totals	17,084.00	16,144.00	33,228.00	

Explanation of Expenditures

Building Inspector	16,614.00
Building Inspector II	16,614.00
	33,228.00

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 132	PENSION	6,293.84	4,410.00	2,888.00	8,403.07
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	PENSION	4,410.00	3,993.07	8,403.07	
	Totals	4,410.00	3,993.07	8,403.07	

Explanation of Expenditures

Building Inspector            5078.07  
 Building Inspector II        3325.00  
    8403.07

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 222	CELL PHONE	533.24	380.00	259.00	760.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	CELL PHONE	380.00	380.00	760.00	
	Totals	380.00	380.00	760.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 232	EQUIPMENT MAINTENANCE	300.00	0.00	0.00	600.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	EQUIPMENT MAINTENANCE	0.00	600.00	600.00	
	Totals	0.00	600.00	600.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 299	COMPUTER SUPPORT	995.00	0.00	0.00	500.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	BLACK BEAR SYSTEM AND SUPPORT	0.00	500.00	500.00	
	Totals	0.00	500.00	500.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 320	DUES AND MEMBERSHIPS	407.00	550.00	319.00	1,100.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	Building Inspectors Assoc	100.00	100.00	200.00	
	Electrical Inspectors Assoc	15.00	15.00	30.00	
	Intl Code Council	250.00	250.00	500.00	
	Intl Electrical Inspectors Assoc	185.00	185.00	370.00	
	Totals	550.00	550.00	1,100.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 321	SEMINARS AND TRAINING	637.30	800.00	352.00	1,600.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	Electrical Code Updates	140.00	<del>140.00</del>	280.00	
	Building Inspectors Institute	285.00	<del>285.00</del>	570.00	
	Building Code Updates	260.00	<del>260.00</del>	520.00	
	Miscellaneous Seminars	115.00	<del>115.00</del>	230.00	
	Totals	800.00	800.00	1,600.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 340	SUPPLIES AND EXPENSES	262.41	0.00	0.00	0.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	MISC SUPPLIES AND EXPENSES	0.00	0.00	0.00	
	Totals	0.00	0.00	0.00	

Explanation of Expenditures

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 341	HOUSE NUMBERS	216.76	100.00	199.00	200.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	HOUSE NUMBERS	100.00	100.00	200.00	
	Totals	100.00	100.00	200.00	

Explanation of Expenditures



		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 345	STATE SEALS	305.50	300.00	611.00	600.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	SEALS	300.00	300.00	600.00	
	Totals	300.00	300.00	600.00	

Explanation of Expenditures

May vary due to new home activity

		2011	2012	2012	2013
INSPECTION		ACTUAL	BUDGET	AS OF 8/31	Proposed Budget
10 52400 820	CAPITAL OUTLAYS	0.00	0.00	0.00	6,500.00
		2012	2013	2013	
		Budget	Proposed	Budget	
			Change		
	SEALS	0.00	6,500.00	6,500.00	
	Totals	0.00	6,500.00	6,500.00	

Explanation of Expenditures

	2013
Small SUV Lease x 2	\$6,000.00
Laptop Depreciation (3yrs) x 2	\$500.00
TOTAL	\$6,500.00



Bryan - Town of Lisbon

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/27/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER G2 Insurance Services, Inc. 14260 W. Greenfield Ave P.O. Box 1325 Brookfield WI 53008-1325	CONTACT NAME: Sally Hanke CIC CISR
	PHONE (A/C, No, Ext): (262) 784-0644 FAX (A/C, No): (262) 784-0645 E-MAIL ADDRESS: sallyh@g2insuranceservices.com
INSURED Premier Building Inspections LLC  W251N8924 CRESTWOOD DR SUSSEX WI 53089	INSURER(S) AFFORDING COVERAGE
	INSURER A: Acuity NAIC # 14184
	INSURER B: CNA
	INSURER C:
	INSURER D:
	INSURER E:

COVERAGES CERTIFICATE NUMBER: CL144702155 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			K85331	2/24/2014	2/24/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS \$ OTHER \$ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Errors & Omissions			MCH288321598	3/11/2013	3/11/2016	\$1,000,000 \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER CANCELLATION

Village of Richfield Joel Jaster 4128 Hubertus Rd Hubertus, WI 53033	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  Carol Willick/EVE

8 c



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8c.

MEETING DATE: March 17, 2016

SUBJECT: 2016 Highway Improvement Program, Bid Award

DATE SUBMITTED: March 10, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE LOW BID FOR CONSTRUCTION SERVICES FOR THE 2016 HIGHWAY IMPROVEMENT PROGRAM?*

*ISSUE SUMMARY:*

On February 10, 2016 the Village had its formal bid opening for the 2016 Highway Improvement Program. The Village had three (3) entities bidding this year, Payne & Dolan, Stark Asphalt, and Wolf Paving.

**The project bid includes the Base Bid:**

- Pleasant Hill Road from Hillside Road to Scenic Road

**Alternate #1:**

- Scenic Road from CTH Q to Willow Creek Road

**Alternate #2:**

- Scenic Road from Pleasant Hill Road to Pioneer Road

**Alternate #3:**

- Miscellaneous culvert replacement

It is the recommendation of the Village's Engineer to do the following:

*"In addition to the base bid of the above project, I would recommend the Village of Richfield entertain awarding both Alternate #2 – Scenic Road from Pleasant Hill to Pioneer Road and Alternate #3 – Miscellaneous Culverts. Payne and Dolan was the low bidder on both alternatives, for an accumulative, base bid plus Alternatives #2 and #3, total of \$550,429.48." – Mitchell Leisses, Project Manager*

In 2016, the Village set aside approximately \$799,000 for its Highway Improvement Program. Understanding that it has been the Board's past philosophy to try to get the most economical use of its taxpayer funds relative to not only this expenditure, but all the Village's expenditures, Staff proactively sought the advice of the Village's Engineer to determine the most cost-effective way to spend the remaining \$248,570.52. If it is amenable to the Board, what we would propose is allowing the low bid, Payne and Dolan, the ability to pave an additional 4,900 feet of Pleasant Hill Road from Scenic Road to just short of Mayfield Road. Admittedly, this road was scheduled for construction two (2) years from now in our adopted Capital Improvement Plan, but after consulting with the Engineer, it is his considered opinion that we will be able to take advantage of the favorable commodity prices and eliminate the necessity of mobilization charges for relocating equipment and manpower by continuing our paving east for the next mile segment. Given the on-going litigation with Scenic Pit LLC., Staff cannot in good conscious recommend any scenario where Scenic Road from CTH Q to Willow Creek Road is paved until the matter is settled in court.

From the Thursday, March 10<sup>th</sup> edition of the West Bend Daily News, (See Attachment) you can see other municipalities in the surrounding area like the City of Hartford taking advantage of the same low oil prices to allow more street work. While undoubtedly the low oil prices afford us the ability to perform more street work, as does the Village's philosophy of performing the engineering legwork in the preceding year and bidding the project out as early as possible. In doing so,



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8c

MEETING DATE: March 17, 2016

SUBJECT: 2016 Highway Improvement Program, Bid Award  
DATE SUBMITTED: March 10, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

we are able to take advantage of the ‘tenderloin’ of the bidding season by getting on a contractor’s schedule early before their work calendar fills up.

As an aside, in the event that the Village experiences unforeseen circumstances which escalate the totals for the work bid, the Village does have flexibility to reallocate funds from both crack filling (\$24,000) and centerline painting (\$14,000). In 2016, DPW Supervisor Schmitt proposes to handle crack filling in-house, utilizing County services via an intergovernmental agreement, to help cut the cost of crack filling by one-third. The ability also exists for the Village to issue a stop work order on the second mile of Pleasant Hill Road at any point should a budget overage become a possibility.

Specific work efforts include pulverizing the existing pavement, regarding the pavement base and shoulders to provide symmetrical cross sections and a hot mix asphalt paving overlay including shoulder reconstruction. Kunkel Engineering Group, the Village Engineers who oversaw our last summer construction season, will continue to work diligently with the Village’s administrative Staff including Public Works Supervisor Schmitt to complete the roadwork in a timely fashion.

Following the meeting tonight, Village Staff will seek a Preconstruction Meeting with the contract award winner to discuss timelines and any information brought to the attention of Staff during the Winter Preconstruction meetings held in April. The 6<sup>th</sup> Annual Winter Preconstruction meetings are a proactive attempt by Staff to reach out to property owners who live along these areas in an effort to better understand their concerns, drainage patterns, and communicate to them our timelines for completion. It is anticipated that ‘Substantial Completion’ of the road contract will occur no later than June 30, 2016.

In 2017, with the bulk of expected work to come on the south side of the Village, conversations have begun with the Town of Lisbon’s engineers to jointly bid our Highway Improvement Programs. By lumping work together in multiple jurisdictions, cross-county nonetheless, the belief is that we may see even more favorable quantity prices and allow us to reconstruct additional mileage. If these conversations materialize further, the matter will be brought forward to the Board for its consideration. This is yet another example of the Village’s desire to provide its residents core services in the most efficient, effective and economical manner possible.

**Traffic Counts:**

Pleasant Hill Road from Hillside Road to Scenic Road – 580  
Pleasant Hill Road from Scenic Road to Mayfield Road – 985  
Scenic Road from Pleasant Hill Road to Pioneer Road – 290

*FISCAL IMPACT:*

REVIEWED BY: *Kolleen Schmitt*  
Village Deputy Treasurer

Initial Project Costs: ~\$550,500 to \$799,000  
Future Ongoing Costs: Maintenance  
Physical Impact (on people/space): Improved infrastructure  
Residual or Support/Overhead/Fringe Costs: Variable

*ATTACHMENTS:*

1. West Bend Daily News story by Mr. Joe Vandelaarschot “Low Oil Prices Allow More Street Work in Hartford”
2. March 7, 2016 communication from Village Engineer Mitchell Leisses
3. 2016 HIP Bid Tabulation



VILLAGE OF RICHFIELD  
 VILLAGE BOARD COMMUNICATION FORM #

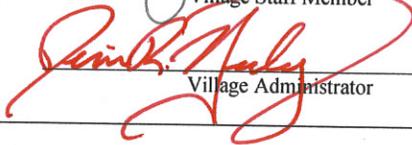
MEETING DATE: March 17, 2016

SUBJECT: 2016 Highway Improvement Program, Bid Award  
 DATE SUBMITTED: March 10, 2016  
 SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to award the 2016 Highway Improvement Program contract to Payne and Dolan for an amount not to exceed \$799,000.

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. \_\_\_\_\_

## **Low oil prices allow more street work in Hartford**

### **FROM THE FRONT**

#### **Streets: Good for 10-15 years**

**By JOE VANDELAARSCHOT**

Daily News

A drop in oil prices over the last year will help Hartford officials complete more asphalt and street repairs this summer.

City officials recently approved a low bid from Stark Pavement Corp. of Milwaukee to resurface at least three streets and four other areas that include parks and the airport.

“Their bid for asphalt was a full \$3 per ton less than what the city paid last year,” said City Engineer Jason Schall. “The price for the asphalt surface coat came in at \$59.50 per ton this year which is less than the 2015 price of \$62.50. Because the bid was lower than we expected, we’re going to be able to complete alternates that were also bid on as well.”

The lower bid means a savings of about \$28,000. The city will use about 9,500 square yards of asphalt this summer. Starks’ base bid was for about \$170,000. Their bid for a first alternative project was about \$18,000 and another \$18,000 for the second alternative.

About \$170,000 will be used to resurface portions of Ridge View Drive from East Monroe Avenue for about 575 feet east, James Court from Van Buren Avenue to the north end and Susan Court from James Court to the west end.

Department of Public Works Director Darryl Kranz said before the drop in the price of oil he previously sold waste oil to be recycled.

“I got a dollar a gallon for the waste oil, now I have to pay to have it taken away,” Kranz said.

Because of the lower-than-budgeted bid, the city will also resurface a taxiway at the south end of the city airport and the access drive that is the site of construction at the Veterans Memorial Aquatic Center. The city also listed work at Woodlawn Park and Lincoln School as other locations for potential resurfacing this summer.

A8 “We try to work on 5 percent of the city’s streets every year.”

– **Darryl Kranz**

Hartford Public Works director



A large pot hole on one of the taxiways at the Hartford Municipal Airport is seen Tuesday morning in Hartford. Due to the drop in oil prices, the cost of asphalt has dropped as well. **John Ehlke/Daily News**

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Kranz said the work on the city streets should extend their useful life for another 10-15 years.

“They will mill the surface edges about 1.5 inches,” Kranz said. “That’s so with the overlay of 1.5 inches of asphalt over the existing surface, water will drain from the higher street center into the curb and gutter.”

Kranz said he’s pleased with the city’s street program and feels city streets are in good condition.

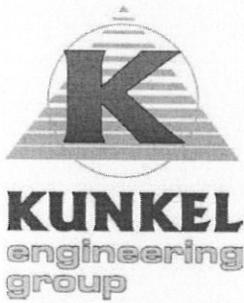
“We try to work on 5 percent of the city’s streets every year,” Kranz said. “So that means every street in the city should see work during a 20-year period.”

Kranz, who also serves as airport director, said the construction of two hangars on the airport’s south end make it necessary to extend the taxi-way in that area by about 475 feet.

Kranz said there will be more crack-sealing than usual on city streets this summer. The drop in oil prices will allow the money budgeted for the work to be stretched a bit more.

“There are a number of subdivisions that were added several years ago and now they are developing cracks they we need to seal,” Kranz said. “That should extend their lives another 10-15 years.”

*Reach reporter Joe VanDeLaarschot at [jvan@conleynet.com](mailto:jvan@conleynet.com).*



107 Parallel Street  
Beaver Dam, WI 53916  
920-356-9447  
Fax 920-356-9454  
kunkelengineering.com

March 7, 2016

Sent Via: Email

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

**Re: 2016 Highway Improvement Program  
Construction Contract Award – Recommendation**

Dear Mr. Healy:

Please find accompanying this transmittal the “Bid Tabulation” for the 2016 Highway Improvement Program project that was bid on February 10, 2016. As is evident, Payne & Dolan, Inc., from Waukesha, Wisconsin submitted the low base bid in the amount of \$274,782.00.

In addition to the base bid of the above project, I would recommend the Village of Richfield entertain awarding both Alternate #2 - Scenic Road from Pleasant Hill to Pioneer Road, and Alternate #3 - Miscellaneous Culverts. Payne and Dolan was the low bidder on both alternates, for an accumulative, base bid plus alternates #2 & #3, total of \$550,429.48.

Based upon our analysis and our understanding of the contractor’s past work efforts, we heretofore recommend that the Village of Richfield award a construction contract to Payne & Dolan, Inc., from Waukesha, Wisconsin for the 2016 Highway Improvement Program project, to include the base bid plus alternate #2 and alternate #3, for a total of **\$550,429.48**, with the project schedule to begin in the spring of 2016.

Jim, should either you or the Village Board have any questions or comments regarding this transmittal, please feel free to contact me at your convenience.

Sincerely,

**KUNKEL ENGINEERING GROUP**

Mitchell Leisses  
Project Manager

Enclosures

cc: Adam Schmitt, DPW Superintendent  
John Jeffords, Village President  
Ted Helleckson, Payne & Dolan



**BID TABULATION**  
**CONTRACT: C16-01**  
**2/24/16 10am**

ITEM NO.	BASE BID DESCRIPTION	QUANTITY	UNIT	Payne & Dolan, Inc		Stark Pavement Corp		Wolf Paving	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	Mill Asphalt Pavement	7,800	SY	\$ 0.87	\$ 6,786.00	\$ 1.28	\$ 9,984.00	\$ 2.25	\$ 17,550.00
2	Engineered Paving Mat	7,800	SY	\$ 2.59	\$ 20,202.00	\$ 3.00	\$ 23,400.00	\$ 3.50	\$ 27,300.00
3	Undercutting & Base Course Material	350	CY	\$ 27.44	\$ 9,604.00	\$ 30.80	\$ 10,780.00	\$ 45.00	\$ 15,750.00
4	Base Aggregate Dense, 3/4"	4,700	TN	\$ 10.50	\$ 49,350.00	\$ 12.80	\$ 60,160.00	\$ 15.90	\$ 74,730.00
5	HMA Pavement Type E-1	4,000	TN	\$ 46.06	\$ 184,240.00	\$ 52.00	\$ 208,000.00	\$ 66.75	\$ 267,000.00
6	Erosion Control (Base Bid)	1	LS	\$ 100.00	\$ 100.00	\$ 250.00	\$ 250.00	\$ 900.00	\$ 900.00
7	Traffic Control & Access (Base Bid)	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00	\$ 22,100.00	\$ 22,100.00
8	Contract Allowance for Materials and Compaction Testing (Base Bid)	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00

<b>Total Base Bid:</b>	<b>\$ 274,782.00</b>	<b>Total Base Bid:</b>	<b>\$ 315,574.00</b>	<b>Total Base Bid:</b>	<b>\$ 426,830.00</b>
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ITEM NO.	ALTERNATE 1 DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
A1	Pulverize Asphalt Pavement	26,000	SY	\$ 0.98	\$ 25,480.00	\$ 1.32	\$ 34,320.00	\$ 1.45	\$ 37,700.00
A2	Undercutting & Base Course Material	2,600	CY	\$ 26.94	\$ 70,044.00	\$ 26.50	\$ 68,900.00	\$ 40.00	\$ 104,000.00
A3	Base Aggregate Dense, 3/4"	820	TN	\$ 14.45	\$ 11,849.00	\$ 16.80	\$ 13,776.00	\$ 23.00	\$ 18,860.00
A4	HMA Pavement Type E-1	7,500	TN	\$ 43.63	\$ 327,225.00	\$ 47.35	\$ 355,125.00	\$ 65.75	\$ 493,125.00
A5	Erosion Control (Alternate 1)	1	LS	\$ 100.00	\$ 100.00	\$ 500.00	\$ 500.00	\$ 750.00	\$ 750.00
A6	Traffic Control & Access (Alternate 1)	1	LS	\$ 9,400.00	\$ 9,400.00	\$ 2,500.00	\$ 2,500.00	\$ 18,500.00	\$ 18,500.00
A7	Contract Allowance for Materials and Compaction Testing (Alternate 1)	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00

<b>Total Alt 1 Bid:</b>	<b>\$ 446,598.00</b>	<b>Total Alt 1 Bid:</b>	<b>\$ 477,621.00</b>	<b>Total Alt 1 Bid:</b>	<b>\$ 675,435.00</b>
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ITEM NO.	ALTERNATE 2 DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
B1	Pulverize Asphalt Pavement	15,700	SY	\$ 0.79	\$ 12,403.00	\$ 1.27	\$ 19,939.00	\$ 1.55	\$ 24,335.00
B2	Undercutting & Base Course Material	1,570	CY	\$ 27.44	\$ 43,080.80	\$ 28.00	\$ 43,960.00	\$ 42.00	\$ 65,940.00
B3	Base Aggregate Dense, 3/4"	650	TN	\$ 14.00	\$ 9,100.00	\$ 16.40	\$ 10,660.00	\$ 24.50	\$ 15,925.00
B4	HMA Pavement Type E-1	4,600	TN	\$ 42.80	\$ 196,880.00	\$ 48.00	\$ 220,800.00	\$ 68.75	\$ 316,250.00
B5	Erosion Control (Alternate 2)	1	LS	\$ 100.00	\$ 100.00	\$ 300.00	\$ 300.00	\$ 1,200.00	\$ 1,200.00
B6	Traffic Control & Access (Alternate 2)	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 1,000.00	\$ 1,000.00	\$ 14,750.00	\$ 14,750.00
B7	Contract Allowance for Materials and Compaction Testing (Alternate 2)	1	LS	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00

Payne & Dolan's unit price for B7 read as \$1,300.00. Actual allowance is \$1,500.00. Total for Alternate 2 reflects actual allowance.

<b>Total Alt 2 Bid:</b>	<b>\$ 269,063.80</b>	<b>Total Alt 2 Bid:</b>	<b>\$ 298,159.00</b>	<b>Total Alt 2 Bid:</b>	<b>\$ 439,900.00</b>
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ITEM NO.	ALTERNATE 3 DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
C1	12" CMP Culvert w/Endwalls	36	LF	\$ 33.14	\$ 1,193.04	\$ 80.00	\$ 2,880.00	\$ 83.00	\$ 2,988.00
C2	15" CMP Culvert w/Endwalls	36	LF	\$ 38.98	\$ 1,403.28	\$ 86.00	\$ 3,096.00	\$ 94.00	\$ 3,384.00
C3	18" CMP Culvert w/Endwalls	36	LF	\$ 45.42	\$ 1,635.12	\$ 100.00	\$ 3,600.00	\$ 115.00	\$ 4,140.00
C4	24" CMP Culvert w/Endwalls	36	LF	\$ 65.34	\$ 2,352.24	\$ 120.00	\$ 4,320.00	\$ 145.00	\$ 5,220.00

<b>Total Alt 3 Bid:</b>	<b>\$ 6,583.68</b>	<b>Total Alt 3 Bid:</b>	<b>\$ 13,896.00</b>	<b>Total Alt 3 Bid:</b>	<b>\$ 15,732.00</b>
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8 d



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

#8d.

MEETING DATE: March 17, 2016

SUBJECT: Various Amendments to Section 70.212, Walkable Hamlet District  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION AND APPROVE THE PROPOSED ORDINANCE AMENDMENTS TO SECTION 70.212 OF THE VILLAGE CODE?*

*ISSUE SUMMARY:*

Over the last year, the Village Staff, Village Board and Plan Commission have been working with a court-appointed Receiver who was authorized by the Waukesha County Circuit Court to manage the subdivision assets of Mr. Bob Parchem and Ms. Caryl Parchem, the developers of Reflections Village. A "Receivership" is a type of corporate bankruptcy in which a "Receiver" is appointed to run a company, in this case the limited liability company set up for Reflections Village (Reflections Richfield Investments, LLC). In most cases, the receiver is given ultimate decision-making powers and has full discretion in deciding how the received assets will be managed. The primary responsibility of the receiver is to recoup as much of the unpaid loans as possible and reduce liability exposure for the primary credit holders.

The Receiver has been steadfast and committed to working with both the Village and the Subdivision HOA to finalize any outstanding 'punch list' items before the Receivership ends at the end of March. Inside that 'punch list' which was previously provided to the Village Board, was an indication that we are being petitioned for several changes to the Walkable Hamlet District section of the zoning code. The proposed changes are summarized below:

- 70.212(C)(2): Amended to eliminate the 100 acre minimum size development requirement and to amend the provision to further provide that the Reflections Village Development minimum size requirement shall be set forth in the existing recorded Plat for this project.
- 70.212(C)(3)(a)(ii): Amended to delete this Section in its entirety.
- 70.212(D): Amended to delete the "Live-Work Building" definition; delete the minimum 2% requirement for commercial, civic, or institution use and keep the Development as platted and as currently exists with the existing commercial development for Reflections Village.
- 70.212(E)(7)(b): Amended to delete the need for a menu of building times in the Walkable Hamlet District.
- 70.212(F)(4): Amended to provide that "open space" should be dedicated to the Homeowners Association and not dedicated to the public.
- 70.212(G)(1)(a)(i): Amended to reflect the average lot size of those homes already platted in the Reflections Village Phase I subdivision.

The Reflections Village HOA has also been made aware of these proposed changes to the Walkable Hamlet District and the understanding of Staff is that they are supportive of the proposed changes. Pursuant to our requirements for amending the Zoning Code, a Class II Public Hearing Notice ran in the West Bend Daily News for two (2) consecutive weeks prior to the March 3<sup>rd</sup>, 2016 Plan Commission meeting. Following the conclusion of the scheduled Public Hearing the Commission made the following motion:

Motion by Trustee Collins to recommend to the Village Board the approval of Ordinance O2016-03-01, an Ordinance to amend various Sections of 70.212 entitled Walkable Hamlet District; Seconded by Commissioner Melzer; Motion passed without objection.



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

8d

MEETING DATE: March 17, 2016

SUBJECT: Various Amendments to Section 70.212, Walkable Hamlet District  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

FISCAL IMPACT:

REVIEWED BY: Karyn Smith  
Village Deputy Treasurer

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

ATTACHMENTS:

1. Ordinance O2016-03-01, an Ordinance to amend various Sections of 70.212, Walkable Hamlet District
2. Correspondence dated September 11, 2015 from Receiver, Attorney Ron Carlson
3. Section 70.212, Walkable Hamlet District

STAFF RECOMMENDATION:

Motion to approve Ordinance O2016-03-01, an Ordinance to amend various Sections of 70.212 entitled Walkable Hamlet District.

APPROVED FOR SUBMITTAL BY:

[Signature]

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. \_\_\_\_\_

## ORDINANCE 2016-03-01

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**AN ORDINANCE TO AMEND MULTIPLE SECTIONS OF 70.212  
OF THE VILLAGE CODE, TITLED "WALKABLE HAMLET  
DISTRICT"**

---

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

WHEREAS, the zoning regulations, as amended, are codified as Chapter 70 of the Village Code, which is titled "Zoning;" and

WHEREAS, Reflections Village Homeowner's Association has submitted a petition to the Village requesting various revisions to Section 70.212 of the Village Code, titled "Walkable Hamlet District," and

WHEREAS, the petition has been submitted to the Village of Richfield Plan Commission for report and recommendation; and

WHEREAS, the Plan Commission considered the petition at their meeting on March 3, 2016 and after the conclusion of a scheduled public hearing, made a favorable recommendation to the Village Board; and

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

NOW, THEREFORE, the Village Board of the Village of Richfield, Washington County Wisconsin DO HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Subsection 70.212(C)(2) of Chapter 70 of the Village Code, titled "WHD Walkable Hamlet District" is hereby amended as follows:

"The ~~minimum size of the~~ Walkable Hamlet District although originally created as an option for developments in the Village of Richfield in 2008, now each development in this district shall be limited to only those lots incorporated into the previously platted "Phase I" of the Reflections Village Subdivision. Because the Village Board is not of a mind to allow any further development as a Walkable Hamlet District, at least 100 acres. Part of a WHD development may include existing developed areas that are consistent with the intent of this section. Sites larger than 100 acres may be developed as multiple neighborhoods, with each designed to be integrated into an overall plan and the total site subject to all provisions contained in this section."

**Section 2.** Subsection 70.212(C)(3)(a)(ii) of Chapter 70 of the Village Code, titled “WHD Walkable Hamlet District” shall be deleted:

~~“The number of multifamily units permitted shall not exceed a maximum of four dwelling units per net acre, based on acreage planned for multifamily residential development within the WHD.”~~

**Section 3.** Subsection 70.212(D) entitled “Definitions” shall be deleted shall be amended to delete the reference to “Live-Work Building” and re-alphabetize the remaining definitions:

~~“Live-Work Building, a building that includes separate space for both living and working. Commercial space may be a home-based business or may be leased independently”.~~

**-Section 4.** Subsection 70.212(D) entitled “Definitions” shall amend by reference the “Walkable Hamlet District” as follows:

“Walkable Hamlet District (WHD), a compact, mixed-use thematic neighborhood where residential and a commercial building, as well as communal spaces are within close proximity to each other. A walkable hamlet district is a pedestrian-oriented neighborhood that may have variable or uniform lot width and sizes, a mix of dwelling unit types, and a nonresidential use generally located along a neighborhood center or fronting on a community park within one-fourth to ½ mile of most residential uses. The Walkable Hamlet District shall be confined to only those areas commonly referred to as “Reflections Village” Phase I as previously platted and recorded at the Washington County Register of Deeds. A minimum of 2% and a maximum of 15% of the gross acreage allocated for a WHD shall be designated for commercial, civic, or institution use lots. The Village Planning Commission may specify up to 50% of this designated land for specific civic purposes. Every residence of the neighborhood shall have a pathway access to the neighborhood center.

**Section 5.** Subsection 70.212(E)(7)(b) of Chapter 70 of the Village Code, titled “WHD Walkable Hamlet District” is hereby deleted:

~~“Identification of the architectural style(s) of the walkable hamlet and the accompanying site design style(s). This shall include a menu of building types that could be accommodated within the walkable hamlet.”~~

**Section 6.** Subsection 70.212(F)(4) of Chapter 70 of the Village Code, titled “WHD Walkable Hamlet District” is hereby amended as follows:

“Preservation and maintenance of open space. In a walkable hamlet, adequate provisions shall be made for the permanent preservation and maintenance of “open space” ~~either~~ by private reservation ~~or dedication to the public.~~”

**Section 7.** Subsection 70.212(G)(1)(a)(i) of Chapter 70 of the Village Code, titled “WHD Walkable Hamlet District” is hereby amended as follows:

“Single-family dwellings. These dwellings must reside on parcels of land ~~no smaller than 10,890 square feet (one-quarter acre) of land with a minimum living space of 1,300 square feet, or as~~

~~reviewed and approved by the Plan Commission or as shown on the previously filed Final Plat for the Reflections Village subdivision as recorded at the Washington County Register of Deeds. The average lot size in WHD developments shall be not less than 14,520 square feet (one-third acre), where 50% of all lots must be at this lot size. The maximum lot size may exceed 21,780 square feet (one-half acre) but shall only be calculated as a one-half acre lot size.~~

**Section 8. 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 9. Effective Date.** This ordinance shall become effective upon passage and publication/posting.

Adopted this 17th day of March, 2016.

Attest:

\_\_\_\_\_  
John Jeffords, Village President

\_\_\_\_\_  
Jim Healy, Village Clerk/Administrator

RONALD M. CARLSON  
Forseti Consulting LLC  
N35 W23877 Highfield Court, Suite 100B  
Pewaukee, WI 53072-6324

September 11, 2015

Village of Richfield  
c/o Mr. Jim Healy  
Village Administrator

RE: Reflections Village

Dear Mr. Healy:

Pursuant to your correspondence of September 8, 2015, I am herein submitting this letter as the Receiver's request to repeal and/or amend certain ordinances as it relates to the Reflections Village Architectural Review Board Approval's Process. Kindly accept this letter as such request. Below are the Sections that I believe need to be repealed and/or amended as it relates to the Reflections Village Project. I would appreciate it if you would review the same and then schedule this matter for a public hearing in order that this process can continue for the resolution of the issues related to this Development.

1. Section 70.133(C)(3)(d) should be amended to eliminate the provision that requires Section 70.212 for Walkable Hamlet Districts to be enforced as it relates to the Reflections Village Development;
2. Section 70.212(C)(2) should be amended to eliminate the 100 acre minimum size development requirement, and to amend the provision to further provide that the Reflections Village Development minimum size requirement will be as set forth in the existing recorded Plat for this Project;
3. Section 70.212(C)(3)(a)(ii) should be amended to delete this Section in its entirety as it relates to the Reflections Village Project;
4. Section 70.212(D) as it defines the "Live-Work Building" definition should be deleted as it relates to the Reflections Village Development;
5. Section 70.212(D) as it defines a "Walkable Hamlet District (WHD)" should be amended to eliminate the minimum 2% requirement for commercial, civic

or institution use and keep the Development as platted and as currently exists with the existing commercial development for Reflections Village;

6. Section 70.212(E)(7)(b) should be amended to eliminate the need for a menu of building types that could be accommodated within the Walkable Hamlet;
7. Section 70.212(F)(4) should be amended to provide that the "open space" requirement should be dedicated to the Homeowners Association for Reflections Village by private reservation and not dedicated to the public;
8. Section 70.212(G)(1)(a)(i) as it relates to Reflections Village should be amended to provide that the average lot size shall be as set forth in the existing recorded Plat for this Project;
9. The above-stated provisions would supersede any other code provisions that are inconsistent with the amendments and deletions requested above.

Please accept this petition to include those items set forth above, together with any other amendments, modifications, deletions or eliminations that may be required in the applicable code requirements that have previously been established for this Development.

I would appreciate it if you would schedule this matter as an agenda item for the next Plan Commission Meeting so that this matter may progress. If you require any additional information from me prior to the scheduled meeting, kindly so advise and I will be glad to supply whatever additional information the Village may require. Also attached with this correspondence is a check made payable to the Village in the amount of \$500.00 which I understand is the application fee for Zoning Code Amendment. If there is any additional fee or any additional information that is required, please so advise.

I thank you for your cooperation and look forward to proceeding with the applicable code revisions in order that the Project can proceed consistent with the conversations that I have had with you since my appointment as Receiver in this matter.

Very truly yours,

Attorney Ronald M. Carlson  
Court Appointed Receiver

Reflections Village Homeowner's Association

By: Attorney Ronald M. Carlson, President

Village of Richfield, WI  
Friday, February 26, 2016

## Chapter 70. Zoning

### ARTICLE III. Districts

#### 70.212. WHD Walkable Hamlet District.

- A. Statutory authorization. This district is adopted pursuant to the authority contained in Wis. Stat. §§ 62.23 and 66.1027.
- B. Purpose and intent. The purpose of this district is to allow for the development and redevelopment of land in the Village of Richfield consistent with the walkable hamlet and/or townhome designations as described in the Village of Richfield Comprehensive Plan and indicated on the Ten- and Twenty-Year Future Land Use Plan Maps provided therein. All walkable hamlet-related development shall only be considered within these designated areas as illustrated on these plans. A walkable hamlet:
1. Is compact, attractive, and walkable with defined centers and edges;
  2. Is designed for the human scale, namely it is proportionately and functionally designed for human interaction within a defined space, or neighborhood;
  3. Provides a diverse mix of uses and activities, including residential, commercial, civic, and open space uses in close proximity to one another within the neighborhood;
  4. Incorporates a system of transportation options that are designed to promote safe and efficient use by walkers, cyclists, and drivers.
  5. Recognizes, retains and seeks to build upon the character, established development density, and architectural features of the Richfield Hamlet, within the area east of STH 175, north of Hubertus Road, west of US Highway 41/45, and south of Pleasant Hill Road;
  6. Incorporates significant environmental features into the design (i.e. ponds, streams, hills, valleys, wooded areas, etc.) through low impact design practices that are sensitive to groundwater protection and stormwater management;
  7. Efficiently utilizes innovative technologies for sanitary needs;
  8. Is consistent with the Village's adopted comprehensive plan. The intent is to permit greater flexibility and design freedom than permitted under the basic district regulations to accomplish a well balanced, aesthetically satisfying, economically desirable development of building sites within areas designated in the Richfield Comprehensive Plan as Walkable Hamlets. These regulations permit latitude in the development of building sites if such development is found to be in accordance with the purpose, spirit, and intent of this district and is not found to be hazardous, harmful, offensive or otherwise adverse to the environment, property values, and character of the neighborhood, or the health, safety and welfare of the community.

## C. General requirements.

1. The walkable hamlet design (WHD) district provides an alternative set of standards for development only within and adjacent to the Richfield Hamlet and other complementary sites as indicated on the 10 and 20 future land use plan maps, with date of March 30, 2005. Sites seeking application for this district shall be large enough to contain a mix of uses and conform to the purpose and intent of this section.
2. The minimum size of each development in this district shall be at least 100 acres. Part of a WHD development may include existing developed areas that are consistent with the intent of this section. Sites larger than 100 acres may be developed as multiple neighborhoods, with each designed to be integrated into an overall plan and the total site subject to all provisions contained in this section.
3. The number of residential dwelling units and the amount of nonresidential development (excluding open spaces) shall be determined as follows:
  - a. Residential uses.
    - i. The number of single-family units permitted shall not exceed an average of four dwelling units per net acre, based on acreage planned for single family residential development within the WHD.
    - ii. The number of multifamily units permitted shall not exceed a maximum of four dwelling units per net acre, based on acreage planned for multifamily residential development within the WHD.
  - b. Mixed-use areas.
    - i. The number of single-family and multifamily dwelling units permitted shall be calculated as per above.
    - ii. Dwelling units constructed above or as part of buildings intended for commercial uses shall be permissible in addition to the number of dwelling units authorized under this section.
4. Fees. The Village may, by resolution, establish fees for the administration and development of this district.

- D. Definitions. The following definitions, in addition to those provided in section 70-12, shall be observed and applied, except when the context clearly indicates otherwise. Words used in the singular form shall include the plural form. Words used in the plural form shall include the singular. Specific words and phrases. When and if used in this section, the following words, phrases, and acronyms shall have the specific meanings as hereinafter defined:

**ACRE, GROSS**

The total area of a parcel of land. One acre equals 43,560 square feet.

**ACRE, NET**

A measure of land able to be developed after excluding dedicated rights-of-way, waterways, and wetlands.

**ADT**

Average daily traffic volumes of vehicles on a street.

**AVERAGE DAILY TRIPS**

The average number of vehicle trips made per day on a street.

**BLOCK**

A unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

**BUILD-TO LINE**

The line at which construction of a building, excluding porches, bay windows, covered porches, and connected decks and patios, may occur on a lot. A build-to line typically runs parallel to the front property line and is established to create an even building facade line along a street.

**BOULEVARD**

The portion of the street right-of-way between the back of the curblin and sidewalk or property line, consisting of a wide, multi-lane arterial divided thoroughfare, to include amenities such as landscaping and sculpture. The right-of-way shall be a minimum of seven feet for all residential areas.

**BUILDING, PRINCIPAL**

The building on a lot in which is conducted the principal use as permitted on such lot by the regulations of the district in which it is located.

**BUILDING SCALE**

The relationship between the mass of a building and its surroundings, including the width of street, open space, and mass of surrounding buildings. Mass is determined by the three-dimensional bulk of a structure: height, width, and depth.

**COMMON OPEN SPACE**

Squares, greens, neighborhood parks, Village parks, and linear environmental corridors owned and maintained by the Village or any not-for-profit association(s).

**COMMUNAL AREA**

Portions of land or buildings within the walkable hamlet designated for the general use of all residents of the development.

**CURB RADIUS**

The curved edge of streets at an intersection measured at the outer edge of the street curb or of the parking lane.

**DORMER ROOF**

A projection from a sloping roof that contains a window and its own roof.

**DWELLING UNIT**

One or more rooms within a building or portion of a building designed, occupied, or intended for occupancy as living quarters with separate entry, cooking, sleeping, and bathroom facilities for the exclusive use by one household or housekeeping unit.

**FACADE**

The vertical surface of a building that is set along a frontage line. The elevation of a facade is the vertical surface area.

**FRONT**

That part of the building facing the designated primary passageway.

**GABLE ROOF**

A ridged roof forming a gable at both ends.

**GARDENS, AESTHETIC**

Landscaped areas owned by an association or the Village provided for plantings of trees, shrubs, and flowers intended to enhance the beauty of the development.

**GATEWAY**

A physical, primary entryway into the walkable hamlet district.

**HAMLET**

See Walkable hamlet.

**HIP ROOF**

A roof with pitched ends and sides.

**LIVE-WORK BUILDING**

A building that includes separate spaces for both living and working. Commercial space may be a home based business or may be leased independently.

**LOT LINE**

The property lines bounding the lot.

**MANSARD ROOF**

A roofing having two slopes with the lower slope steeper than the upper, or a single steep slope topped with a flat roof, enclosing the building's top floor. Modern variations of this roof type may create the visual effect of a sloped roof on a flat-roofed building without enclosing any inhabitable floor space.

**MIXED USE**

A combination of two or more uses, such as residential, commercial, and civic within the same building, parcel or complex.

**MIXED USE BUILDING**

A building that contains two or more of the following uses: residential, retail, office, employment, civic or other. Typically retail or service businesses are located on the first floor, while residential or office uses are located on the upper floors. Flexible first floor formats can enable the first floor residential use in the near-term with the long-term ability to convert to commercial use if the market warrants.

**MODIFIED GRID STREET PATTERN**

An interconnected system of streets that is primarily a rectilinear grid and pattern, however, modified in a street layout and block shape as to avoid a monotonous repetition of the basic street/block grid pattern. Street layouts for blocks are generally in the range of 200 to 600 feet deep by 400 to 800 feet long.

**NEIGHBORHOOD CENTER**

A street containing a mix of uses, including the greatest concentration of commercial development within the hamlet. The neighborhood center together with a community park shall form the focus of the walkable hamlet. This is a reference not so much to geography as it is the place where there is a primary concentration of communal activity (e.g. shopping, education, worship, employment or recreation).

**PARAPET**

A short vertical extension of a wall that rises above roof level, hiding the roof's edge and any roof-mounted equipment.

**PATHWAY**

A designated and landscaped passageway primarily for recreational walking or non-motorized biking use of the residents. While a sidewalk is the pedestrian passageway along side of a street for motorized vehicles, a pathway is independent of streets and focuses on egress within the development such as walking, using a non-motorized bike, or a battery-powered vehicle designed for the disabled.

#### **PRIMARY PASSAGEWAY**

A designated transportation thoroughfare considered "primary" for a specific segment of a walkable hamlet. Every segment is to have a designated primary passageway. It may be a passageway intended primarily for vehicles, pedestrians, horses, or bicycles. There may be more than one type of primary passageway in a development. Each type must be designated on the site plan as the primary passageway.

#### **SHED ROOF**

A pitched roof that has only one slope.

#### **STORY**

A space in a building between the surface of any floor at or above ground surface and the surface of the next floor above. If there is no such floor above, a story defines the space between such floor and the ceiling or roof above. A basement or cellar is not considered a story.

#### **STREET, COLLECTOR**

The highest order of residential streets (See street hierarchy). Conducts and distributes traffic between lower-order streets and higher-order streets (arterials and expressways). Since its function is to promote free traffic flow, access to homes and parking should be prohibited. Collectors should be designed to prevent use of lower level streets and roads, as shortcuts by non-neighborhood traffic. Total traffic volume should not exceed 3,000 ADT.

#### **STREET HIERARCHY**

The conceptual arrangement of streets based upon function. A hierarchal approach to street design classifies streets according to function, from high-traffic arterial roads and expressways down to streets whose function is residential access. Systematizing street design into a road hierarchy promotes safety, efficient land use, and residential quality.

#### **WALKABLE HAMLET DISTRICT (WHD)**

A compact, mixed-use thematic neighborhood where residential, commercial and civic buildings as well as communal spaces are within close proximity to each other. A walkable hamlet district is a pedestrian-oriented neighborhood that may have variable or uniform lot widths and sizes, a mix of dwelling unit types, and nonresidential uses generally located along a neighborhood center or fronting on a community park within one-fourth to 1/2 mile of most residential uses. A minimum of 2% and a maximum of 15% of the gross acreage allocated for a WHD shall be designated for commercial, civic, or institution use lots. The Village planning commission may specify up to 50% of this designated land for specific civic purposes. Every residence of the neighborhood shall have a pathway access to the neighborhood center.

#### **WOODED**

Any designated parcel of land where the density of trees covers more than 50% of the land mass.

- E. Application procedure and approval process.
1. Application procedure. Prior to the issuance of any permits for buildings within a walkable hamlet, the following steps shall be completed according to the procedures outlined in this district. The result of this process will be: (1) zoning approval based on an approved

- development plan consistent with the intent of this district; (2) site, building and operation plan approval; and (3) subdivision plat approval (if required) contained in chapter 66 of this Code.
- a. The applicant shall have an initial conference with the Village planning staff;
  - b. The applicant shall complete the pre-preliminary plat procedure (if required for the subdivision of land);
  - c. The applicant shall facilitate a neighborhood meeting;
  - d. A preliminary site, building and operation plan (preliminary SBOP) shall be reviewed by the Plan Commission, with zoning map amendment for a walkable hamlet district and preliminary plat review and approval by the Plan Commission and Village Board;
  - e. A final site, building and operation plan shall be approved by the Plan Commission;
  - f. Final plat approval by the Plan Commission and Village Board.
2. Initial conference. Before submitting an application for a WHD project, the applicant shall schedule an appointment and meet with the Village planning staff to discuss the procedure for approval of a WHD project, including submission requirements and design standards.
  3. Pre-preliminary plat. Prior to the filing of an application for the approval of a preliminary SBOP, zoning amendment, or plat, the applicant shall complete the pre-preliminary plat requirements in accordance with section 66.02(A) of this Code. This requirement shall only apply if a plat is required for the proposed walkable hamlet development.
  4. Neighborhood meeting. In addition to any public hearings required under this chapter, the applicant shall be responsible for conducting a neighborhood workshop for the walkable hamlet in accordance with the notice and timing requirements contained in subsections 70.133(D)(1)(a) through (c). This requirement shall apply to all walkable hamlet design district proposals regardless of size or use.
  5. Preliminary site, building and operation plan (preliminary SBOP), zoning amendment to walkable hamlet design district and preliminary plat approval. The preliminary SBOP summarizes and outlines the proposed development with the level of detail necessary for the Village planning staff, applicable committees, Village planning commission and the Village Board to consider the merits of the development, compliance with applicable statutes, ordinances, and covenants, and suitability in light of plans for growth and development within the Village.
  6. Preliminary SBOP process. The applicant shall submit a preliminary SBOP, zoning amendment and preliminary plat application on forms furnished by the Village along with all fees, review and processing escrow deposits, plans, documents and other supporting information required.
    - a. The Village planning staff shall receive the preliminary SBOP, rezoning request, and preliminary plat at least 25 days before the next available planning commission meeting date at which such an application can be reviewed and a public hearing held.
    - b. If plat approval is required for the requested walkable hamlet, the preliminary plat submitted by the applicant shall be distributed for review in accordance with section 66.02(B) of this Code.
    - c. The Village planning staff shall study the preliminary SBOP, rezoning request, and preliminary plat. The Village planning staff shall make a decision within five business days

prior to the required 25 days for processing the WHD request, before a meeting of the planning commission. The Village planning staff shall present its recommendation to the planning commission to either:

- Accept the application as presented;
- Accept the application with modifications; or
- Reject this application.

If the planning staff chooses to not recommend the preliminary SBOP, rezoning request, and preliminary plat for acceptance by the planning commission the applicant must be informed of the changes necessary to gain a favorable recommendation from the planning staff. In the event that planning staff provides a recommendation of denial a letter must be submitted to the applicant within five business days, to explain the reason(s) and stating what must be accomplished to create a favorable recommendation.

- d. After Plan Commission review and approval of the preliminary SBOP, rezoning request and preliminary plat, one of the following actions must be taken:
  - i. Grant full approval of the preliminary SBOP by the Plan Commission, with rezoning request and preliminary plat submitted to the Village Board for review and approval; or
  - ii. Grant conditional approval of the preliminary SBOP, rezoning request, and preliminary plat by the Plan Commission and submit the rezoning request and preliminary plat to the Village Board with its reservations or suggestions articulated for action by the Village Board; or
  - iii. Deny the preliminary SBOP, rezoning request and preliminary plat, and submit the recommendation of denial of the rezoning request and preliminary plat to the Village Board for their consideration. In rejecting the application the planning commission must inform the applicant of the reasons for the rejection and action necessary for reconsideration. If the application involves a rezoning request and preliminary plat, a recommendation of approval or denial must be forwarded to the Village Board for consideration in accordance with the timing requirements stipulated within section 66.02(B) of this Code.
- e. On the recommendation of the planning commission, the planning staff shall schedule a date before the Village Board to consider the recommendation.
- f. The Village Board shall either:
  - i. Approve the rezoning request, and preliminary plat (in accordance with section 66.02(B) of this Code);
  - ii. Approve the rezoning request, and preliminary plat (in accordance with section 66.02(B) of this Code) with modifications; or
  - iii. Deny the rezoning request and preliminary plat.
7. Preliminary SBOP submittal requirements. The materials submitted should be consistent with the site plan requirements outlined in subsections 70.134(D)(2) to (8), including:
  - a. Conceptual site development plan. This map is to provide a general overview of the planned development. It should indicate proposed features and existing site features and uses that will remain. The map should depict lot outlines, location of streets, transit stops, drives and parking areas, pedestrian and bicycle paths, service access areas for receiving material and trash removal, and other impervious surfaces. The location of proposed and existing landscape features should also be indicated, along with any other

significant items necessary to provide a complete and accurate understanding of the development. This plan should be a scale of no less than one inch equals 100 feet. It should also indicate topography in two-foot contours for sites with 15 feet or more of local relief, or one-foot contours for local sites with less than 15 feet of local relief. This shall be clearly labeled Exhibit Preliminary SBOP-SDP.

- b. Identification of the architectural style(s) of the walkable hamlet and the accompanying site design style(s). This shall include a menu of building types that could be accommodated within the walkable hamlet.
- c. A development staging (i.e. phasing) plan.
- d. Report outlining covenants, easements, and agreements. This should be a written report providing general information about the covenants, utility systems, conservation easements, or agreements that will influence the use and maintenance of the proposed development. The report shall also describe the development objectives. This shall be clearly labeled Exhibit Preliminary SBOP-CEA.
  - i. A WHD is to have a governing structure to sustain and to supervise communal private utility services in the event the Village does not have a mechanism in place to oversee these utilities (i.e., a sanitary and/or a water utility district). The submitted SBOP-CEA must indicate the means by which the WHD utility operation will be organized, to demonstrate present and future provisions to sustain these utility systems and to meet all responsibilities related to these communal services.
  - ii. A separate resolution shall be approved, in reference to a WHD report. The report shall indicate how each WHD will sustain itself, how it will be supervised, and how the communal utilities will be addressed in each CEA, for each WHD.
  - iii. Each WHD Association may appoint an on-site manager or outsource all responsibilities as to guide all association and utility matters. The responsibilities and duties assigned per each WHD may consist of, but not be limited to the following, to:
    - (1) Submit a report to the Village, indicating the amount of usage of communal sanitary and water on-site systems on a quarterly and/or annual basis. The Village and applicant must agree to the best method of utility usage reporting.
    - (2) A user fee must be established and reported to the Village on a quarterly and/or annual basis, to cover all maintenance costs and capital improvements of the communal sanitary and water on-site systems. Procedures must be in effect to assure the Village that all users will pay the user fee and to collect all fees if the user is late in making payment(s). When systems are operational the applicant must establish a capital and maintenance fund and to maintain a cash balance with the Village. The amount will be determined based on the size and/or density of the WHD. As user fees are collected the applicants' deposit may be reduced.
    - (3) The usage of best management practices (BMP's) must be used at all times when forming all policies and practices for management of all communal sanitary and/or on-site water utility systems within all WHDs.
- e. Digital map. This is to be a digital \*.DXF file, \*.DGN file, or \*.DWG file of the certified survey map. It should be submitted to the Village prior to Village signatures being placed upon the CSM. The file should be submitted on either a 3 1/2 inch diskette or CD-ROM. All information transmitted on the diskette or CD-ROM shall be tied to and referenced

- to State Plane Coordinates NGVD 1929 or others approved by the engineering/building inspection director.
- f. Plat data. If a preliminary plat is required for the proposed walkable hamlet, all plat data required by section 66.03(B) of this Code shall also be submitted with the application.
  - g. Any other information deemed necessary by the Village to evaluate the plans (e.g. traffic study, groundwater samples, etc.).
  - h. Thirty copies of the above information shall be submitted plus one reduced set no larger than 11 inches by 17 inches.
8. Final site building and operation plan approval. The final SBOP is to reflect all modifications made to the preliminary SBOP as well as including the necessary finalized detail indicating conclusive plans for the development. The final SBOP may be proposed, reviewed, and acted upon as a whole or in part or phases in accord with the approval provided for the preliminary SBOP.
- a. Final SBOP process. Following approval of the preliminary SBOP, the applicant shall submit a final SBOP to the Village planning staff.
    - i. The Village planning staff shall have received the final SBOP at least 10 business days before the next meeting of the planning commission.
    - ii. The Village planning staff shall study the final SBOP and make a recommendation at least five business days before a meeting of the planning commission to submit the project for consideration. The Village planning staff shall present its recommendation to the planning commission to either:
      - (1) Grant full and final approval of the final SBOP; or
      - (2) Grant conditional approval of the final SBOP; or
      - (3) Reject the final SBOP. In rejecting the plan the planning commission must inform the applicant of the reasons for the rejection and action necessary for reconsideration.
    - iii. If the Village planning staff chooses to not recommend the final SBOP for acceptance by the planning commission the applicant must be informed of the changes necessary to gain a recommendation from the planning staff and also the right of appeal to the planning commission.
    - iv. In its review of the final SBOP for a walkable hamlet the planning commission shall also consider the observations of the planning staff and take the following action:
      - (1) Grant full and final approval of the final SBOP; or
      - (2) Grant conditional approval of the final SBOP; or
      - (3) Reject the final SBOP. In rejecting the plan the planning commission must inform the applicant of the reasons for the rejection and action necessary for reconsideration.
  - b. Final SBOP submittal requirements. The applicant shall submit 30 copies plus one reduced set no larger than 11 inches by 17 inches of the final, updated series of plans, maps, and written materials described by subsection (E)(7), as well as, all required fees.
  - c.

Amendments to the final SBOP. The planning staff may approve minor changes to the final SBOP adopted by the Village Board. Such changes include increases or decreases of less than 5% in floor area of structures or number of dwelling units, changes in exterior building material or color, or a major change to a final SBOP that is more restrictive than any conditions of approval for the final SBOP. All other changes will require approval by a majority vote of all members of the Plan Commission.

9. Final subdivision of land. If the walkable hamlet involves the subdivision of land the applicant shall submit all required final land division documents in accordance with existing Village codes and Wis. Stat. Ch. 236 upon approval of the final SBOP. If there is a conflict between the design standards of the Village Code and the design guidelines of this district, the provisions of this section shall apply.
  10. Ownership and maintenance of open space. Provision shall be made for the ownership and maintenance of streets, sidewalks, pathways, squares, parks, open space, and other public spaces in a walkable hamlet by dedication to the municipality. Where ownership of any such spaces are to be retained by another party or neighborhood association, it must be clearly articulated in the covenants that provide reasonable assurances of the necessary maintenance to meet safety and aesthetic concerns.
  11. Recording of documents. The following documents need to be filed by the applicant to the county register of deeds office within 30 days after approval of the document by the Village Board:
    - a. A certified copy of the zoning ordinance amendment designating a tract of land as a WHD walkable hamlet district;
    - b. The final site, building, and operation plan;
    - c. The final plat.
- F. Criteria for approval. As a basis for determining the acceptability of a walkable hamlet application to the planning commission and Village Board, the following criteria shall be applied to the application for such district with specific consideration as to whether or not it is consistent with the spirit and intent of this chapter, is consistent with the policies of the Village comprehensive plan, has been prepared with professional advice and guidance and produces significant benefits in terms of environmental design.
1. Character and intensity of land use. In a walkable hamlet design district, the uses proposed and their intensity and arrangement on the site shall be of a visual and operational character which:
    - a. Are compatible to the physical nature of the site with particular concern for preservation of natural features, tree growth and open space.
    - b. Would produce an attractive environment of sustained aesthetic and ecological desirability, economic stability and functional practicality compatible with the general development plans for the area as established by the community.
    - c. Would not adversely affect the anticipated provision of public services and facilities such as schools, fire and police stations, street maintenance, stormwater drainage and maintenance of public areas.
    - d. Would not create a traffic or parking demand incompatible with the existing or proposed facilities to serve it. The locations of entrances and exits shall be designated to prevent unnecessary interference with the safe and efficient movement of traffic on

surrounding streets and that the development will not create any adverse effect upon the general traffic pattern of adjacent neighborhoods.

2. Economic feasibility and impact. The proponents of a walkable hamlet design district application shall provide evidence satisfactory to the planning commission and Village Board of its economic feasibility, of available adequate financing, and that it would not adversely affect the economic prosperity of the Village or the values of surrounding properties.
  3. Engineering design standards. The width of street rights-of-way, paving, and location of streets, outdoor lighting, location of septic and water infrastructure, provision for stormwater drainage, groundwater protection or other similar environmental engineering consideration shall be based on standards necessary to implement the specific function in the specific situation, provided, however, in no case shall standards be less than those necessary to insure the public safety and welfare as determined by the Village engineer.
  4. Preservation and maintenance of open space. In a walkable hamlet, adequate provisions shall be made for the permanent preservation and maintenance of "open space" either by private reservation or dedication to the public.
    - a. In the case of private reservation, the open area to be reserved shall be protected against building development by conveying to the Village as part of the conditions for project approval an open space easement over such open areas restricting the area against any future building or use except as consistent with that of providing landscaped open space for the aesthetic and recreational satisfaction of the surrounding residences. Buildings or uses for noncommercial, recreational or cultural purposes compatible with the open space objective may be permitted only when specifically authorized as part of the development plan or, subsequently, with the express approval of the Village Board following approval of building, site and operational plans by the Plan Commission.
    - b. The care and maintenance of such open space reservations shall be assured by establishment of appropriate management organization for the project. The manner of assuring maintenance and assessing such cost to individual properties shall be included in any contractual agreement with the Village and shall be included in the title to each property.
    - c. Ownership and tax liability of private open space reservations shall be established in a manner acceptable to the Village and made a part of the conditions of the plan approval.
  5. Implementation schedule. The applicant for a walkable hamlet shall submit a reasonable schedule for the implementation of the development to the satisfaction of the Village Board, including suitable provisions for assurance that each phase could be brought to completion in a manner that would not result in an adverse effect upon the community as a result of termination at that point.
- G. Use and design standards.
1. Permitted neighborhood uses. In order to achieve the proximity necessary to make neighborhoods walkable, it is important to mix land uses. A walkable hamlet should consist of a mix of residential uses, a mixed use area, and open space as provided below:
    - a. Residential dwellings. The cornerstone of a WHD are the residences. Therefore, the following represents permitted residential dwellings within the WHD:
      - i. Single-family dwellings. These dwellings must reside on parcels of land no smaller than 10,890 square feet (one-quarter-acre) of land with a minimum living space of 1,300 square feet, or as reviewed and approved by the Plan Commission. The

average lot size in WHD developments shall be not less than 14,520 square feet (one-third-acre), where 50% of all lots must be at this lot size. The maximum lot size may exceed 21,780 square feet (one-half-acre) but shall only be calculated as a one-half-acre lot size.

- ii. Where single-family dwellings exist side by side no less than 25 feet or no more than 50 feet of open space may exist between adjacent dwellings and/or their added amenities (decks, porches, sheds, garages, etc.).
  - iii. Every qualified WHD must contain a majority of buildings classified as single-family dwellings.
  - iv. Multifamily dwellings. This includes two-family dwellings and senior independent housing. When integrated into the WHD these dwellings shall fit uniformly in line with the single-family area of development. This requires conforming to a uniform setback and spacing between units, where applicable and based upon the review and approval of the Plan Commission.
  - v. Accessory storage or detached garage buildings shall not exceed 700 square feet of storage space. Larger accessory buildings are subject to Plan Commission review and approval.
  - vi. "Special needs" housing, such as community living arrangements and assisted living facilities. These dwellings are required to conform to the guidelines indicated above for single-family dwellings and multifamily dwellings.
- b. Mixed-use areas consisting of commercial, residential, civic or institutional, and open space uses are identified below. If at all possible, residential units should be within 1/4 to 1/2 mile, or a 15 minute walk, from existing or proposed commercial, civic, and open space areas. Individual commercial businesses shall not exceed a ground level footprint of 10,000 square feet in building size and may be above ground as high as two stories, not to exceed a roof height of 45 feet. Additional allowances may be made for steeples, cupolas, turrets, or similar projections insofar as they do not compromise the aesthetics of the development. Commercial business and retail business lots shall be within or adjacent to a square or park or collector street within the walkable hamlet. Special considerations may be given for buildings with larger footprints if the exterior design provides for aesthetic breaks that give the sense of multiple businesses, though being one building. Civic use structures and property may be strategically placed within residential areas provided considerations are made for increased traffic concerns.
- i. Commercial uses:
    - (1) Food services such as: neighborhood grocery stores; butcher shops; bakeries; restaurants, cafes, coffee shops, ice cream parlors, or other food service uses compatible to those permitted in the zoning ordinance, in B-1, B-2 and B-3 business districts, are permitted in the WHD. Food services not permitted are those providing drive-through services. Other food service-related uses; such as a tavern, may only be permitted upon conditional use approval. Conditional uses may be considered, as stated in the zoning ordinance, in B-1, B-2 and B-3 business districts. These uses require Village Board approval.
    - (2) Retail uses such as: florists or nurseries, hardware stores, gift stores, antique stores, stationery stores, bookstores, theaters, studios, galleries and shops of artists and artisans, second-hand stores, stores selling educational or home accent items or other retail uses compatible to those permitted in the zoning ordinance, in B-1, B-2 and B-3 business districts, are permitted in the WHD.

Retail uses not permitted are those demanding high traffic volumes or those that would have an appearance contrary to the thematic look of the development. The Planning and Planning and Zoning Administrator must review the type of retail use to determine if the use meets the conditions as stated in this ordinance to be a permitted use, conditional use, or if not permitted, based on uses stated in the zoning ordinance for a B-1, B-2 or B-3 business district.

- (3) Services such as: day care centers, music studios, dance studios, fitness centers, professional and medical offices, banks, barbers, or salons or other services compatible to those permitted in the zoning ordinance, in B-1, B-2 and B-3 business districts, are permitted in the WHD. Gas station(s) and their uses, including other uses that incorporate drive-through facilities as part of their operation must receive Village Board approval as a conditional use Gas stations and/or other environmentally sensitive uses, such as a neighborhood laundromat, are subject to additional plan review with respect to groundwater protection.
  - (4) Accommodations such as bed-and-breakfast establishments, and small hotels or inns are permitted uses in the WHD.
- ii. Residential uses:
- (1) Consistent with subsection (G)(1)(a) of this WHD ordinance for single-family dwellings; or
  - (2) Located on upper floors above commercial uses or to the rear of storefronts; or
  - (3) That combine a residence and the resident's workplace ("live-work" units). This may be achieved with first floor commercial/office space in a retail building.
- iii. Civic or institutional uses:
- (1) Municipal offices, police, fire stations, libraries, museums, community meeting facilities, and post offices (these may be substations).
  - (2) Transit shelters.
  - (3) Places of worship.
  - (4) Educational facilities.
  - (5) Cemeteries.
- iv. Open space uses:
- (1) Central or community square.
  - (2) Neighborhood park.
  - (3) Playground.
  - (4) Aesthetic or communal gardens.
  - (5) Non-motorized pathways including hiking and equestrian trails.
- c. Open space uses identified below should be incorporated in the walkable hamlet as appropriate.

- i. Environmental corridors;
  - ii. Non-motorized designated passage corridors;
  - iii. Protected natural areas;
  - iv. Community parks;
  - v. Streams, ponds, and other water bodies;
  - vi. Stormwater detention/retention facilities;
  - vii. Wooded areas;
  - viii. Non-commercial sledding hills;
  - ix. Communal athletic fields;
  - x. Aesthetic and communal gardens.
2. Architectural design guidelines. A variety of architectural features and building materials are encouraged to give each building or group of buildings a distinctive character within a larger theme. The guidelines in this section are intended to provide consistency among the buildings within walkable hamlet developments.
- All provisions as setforth in subsection 70.133(C) of this Code shall be met; however, where conflicts may occur the architectural guidelines setforth in this section shall govern.
- a. Height. New structures within a walkable hamlet shall be no more than two stories.
  - b. Existing structures.
    - i. Existing structures, if determined to be historic or architecturally significant, shall be protected from demolition or encroachment by incompatible structures or landscape development.
    - ii. The U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Properties shall be used as the criteria for renovating historic or architecturally significant structures and/or Plan Commission review and approval for rehabilitation or renovation based on the Village's desire to preserve the architectural character and integrity of the building, or grouping of buildings.
  - c. Residential structures.
    - i. Entrances. Porches, pent roofs, roof overhangs, hooded front doors, or other similar architectural elements shall define the front entrance to all residences. These amenities may extend forward of the build-to line.
    - ii. Stoops. If a stoop is provided it must adhere to the following restrictions:
      - (1) Stoops may extend forward of the build-to line, but must not encroach into a street right-of-way or sidewalk.
      - (2) Stoops shall have a minimum depth of three feet and a minimum width of five feet.
      - (3) Stoops may be roofed or unroofed.
  - d. Commercial structures.

- i. Facade requirements.
  - (1) The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides.
  - (2) A minimum of 50% of the front facade on the ground floor shall be transparent, consisting of windows or door openings allowing views into and out of the interior.
  - (3) Facades facing a primary passageway may not have blank walls (without doors or windows).
  - (4) Buildings wider than 75 feet shall incorporate vertical elements in the principal face to mimic similar smaller scale development.
- ii. Awnings and canopies. If an awning or canopy is to be provided the following standards shall apply:
  - (1) Awnings and canopies may extend forward of the build-to-line, but must not extend into the street right-of-way.
  - (2) Awnings or canopies extending from the first story shall meet the following dimensions:
    - (a) Depth. Five feet maximum, though overlapping onto the sidewalk is recommended, but not closer than two feet to an existing or planned street.
    - (b) Height. The lowest point on an awning or canopy shall be between nine feet and 12 feet above the sidewalk level.
    - (c) Length. 25% to 100% of the front of the building, unless individual window awnings and/or canopies are part of the architectural expression. Window awnings shall cover the entire length of the window.
  - (3) Awnings shall be covered with fabrics.
  - (4) High-gloss or plasticized fabrics are prohibited.
  - (5) Backlighting of awnings is prohibited.
  - (6) Awnings may not hide or substitute for required features such as expression lines and cornices.
- iii. Bay windows. If bay windows are incorporated into a commercial building design, the following standards shall apply.
  - (1) Bay windows may extend forward of the build-to line, but must not encroach into a street right-of-way or over a sidewalk or other pedestrianway.
  - (2) Bay windows shall have the same details required for principal facades: sills, lintels, cornices and expression lines.
- iv. Porches. All porches provided on commercial buildings shall adhere to the following standards:
  - (1) Front porches may extend forward of the build-to line, but must not encroach into a street right-of-way.

- (2) Front porches must have a minimum depth of eight feet.
    - (3) Front porches may extend across 100% of a building facade, however no more than 50% of the porch shall be screened. Front porches may have multi-story verandas and/or balconies above.
  - v. Arches and colonnades. Arches and colonnades on commercial structures shall adhere to the following standards:
    - (1) Arches and colonnades may extend forward of the build-to line.
    - (2) Arches and colonnades must not encroach over a publicly maintained walkway (e.g. a sidewalk), unless the Plan Commission grants approval.
    - (3) Arches and columns must have at least seven feet of depth from the building front to the inside face of the column.
    - (4) Arches and colonnades shall have a minimum height of nine feet above a sidewalk.
    - (5) Open multi-story verandas, awnings, balconies, and enclosed usable space can be constructed above a colonnade.
    - (6) Arcades and colonnades shall only be constructed where the minimum depth can be obtained.
    - (7) On corner lots, arcades and colonnades are encouraged to wrap around to the side of the building.
  - vi. Roof types permitted. Hip roofs, gable roofs, shed roofs flat roofs with parapets or mansard roofs.
    - (1) Exposed rafter ends are encouraged.
    - (2) Wide overhangs are encouraged and can be supported with decorative brackets.
    - (3) Dormers are encouraged on sloped roofs.
  - vii. Roofing materials permitted. Commercial building roofs may be constructed with one or more of the following materials:
    - (1) Metal (steel, stainless steel, copper);
    - (2) Shingles (asphalt, fiber reinforced cement, metal, cedar, slate);
    - (3) Tiles (Clay or terra cotta, concrete);
    - (4) Flat roofs—any materials allowed by applicable building codes.
  - viii. Other roofing types and materials. Other types of roofs and roofing materials are prohibited unless explicitly approved as part of a WHD application and review process.
3. Lot and block standards.
  - a. Block and lot diversity. Street layouts should provide for blocks that provide for a variety of lot sizes throughout the WHD, and to facilitate housing diversity, housing choice and

- meet the special housing needs of the public. Blocks may incorporate a walking pathway to provide access through the lots.
- b. Lot widths. Lot widths should create a relatively symmetrical street cross section that reinforces the public space of the primary passageway as a simple, unified public space.
  - c. Special exceptions. Lot design shall comply with section 66-216 of this Code, unless the Plan Commission allows a special exception based on the unique characteristics of the specific area within the confines of the WHD.
  - d. Building setback—front.
    - i. All residential structures (e.g. single family, multiple-family, etc.) may form a consistent build-to line along each street. All single-family dwellings must be at least 15 feet from the street yard line. For other residential accessory buildings, to include attached or detached accessory storage buildings or garages, this line must be at least 25 feet from the street yard line.
    - ii. There is no minimum setback required for commercial, civic, and institutional buildings. These uses shall abut a sidewalk in mixed-use areas to form a consistent build-to line; however, plazas, promenades, esplanades and common green spaces are recommended between the street sidewalk and building sidewalks to form a variety of green spaces and uses.
  - e. Building setback—rear.
    - i. The principal building on lots devoted to single-family detached residences shall be setback at least 25 feet from the rear lot line.
    - ii. All other buildings shall be setback a minimum of 10 feet from the side and rear property lines. No accessory building shall exceed the build-to line. All other provisions of subsection 70.134(C) of this Code shall be complied with.
  - f. Building setback—side. All detached single family and multifamily residential uses shall maintain the minimum standards of subsection G(1)(b) to provide a sideyard setback of 10 feet from side property lines, and to maintain twenty-five-foot to fifty-foot clear distance between neighboring dwellings and/or their added amenities; however, a zero lot line side yard setback may be permitted if rowhouses and/or Villagehouses are approved, per Plan Commission review.
4. Wetland setbacks. A minimum open space wetland buffer must be provided, not less than the following between the nearest property line(s) and the perimeter boundary of all wetlands delineated and verified by the state department of natural resources (DNR), Southeast Wisconsin Regional Planning Commission (SEWRPC), Army Corps of Engineers (ACOE) and/or the state natural resources service (NRCS) or a source as recognized by these organizations:
- a. Isolated wetlands: 50 feet.
  - b. Connected wetlands: 75 feet.
5. Open space. At least 15% of the gross acreage of a walkable hamlet must be maintained in open space. Open space may include undevelopable lands such as steep slopes, wetlands, and stormwater management area. At least 25% of the open space must be common open space dedicated for parkland. Ninety percent of the residential dwellings in walkable hamlet should be within 1/4 to 1/2 mile or a 15 minute walk from parkland areas. All parkland space must contain a minimum of 10,890 square feet (one-quarter-acre) of space and cannot have more

than 10% of its space dedicated for wooded areas unless identified as wooded hiking areas. Designated park space must be landscaped to meet any one or more of the following types:

- a. Town square or circle. This space may have communal structures located on it (i.e. non-commercial structures like a gazebo, transit shelters, etc.) and be accented by aesthetic gardens, park benches, and other strategic plantings.
- b. Playground. An area with outdoor recreational equipment intended primarily for children.
- c. Picnic area. This area may contain communal picnic tables, picnic shelters, and permanently installed grills.
- d. Communal athletic fields. This area is used for all lawn sports. It may also be shared with an educational institution's athletic program but it must be available a minimum of 50% of the time between 6:00 a.m. to 10:00 p.m. for community uses as calculated on an annual basis.
- e. Parcels with bodies of water. If a portion of land contains a natural or a man-made body of water or stream, the water portion cannot account for more than 35% of the land designated as parkland. (Example: A 30,000 square foot parcel of land may still be designated as parkland so long as bodies of water within that parcel do not occupy more than 10,500 square feet, or 35%, of the total parcel).
- f. Interior park settings. For land located on the top of a building, or bordered on all sides by buildings, or enclosed within a structure (i.e. geodesic dome) to be qualified as parkland it must be accessible to the residents of the development at some point between 6:00 a.m. to midnight, a minimum of 2,000 hours per year, and it must be available for free access, unless allocated through the use of association fees.
- g. Wooded hiking area. This area is a designated parcel of land measuring minimally one acre in size, that has a wooded area over more than 50% of the land mass. The area has at least one defined hiking path with some sort of provision established for maintaining the path to allow hiking for more than half a year.
- h. Variances to this requirement. The Village Board may grant a variance to the parkland requirement. Special consideration may be granted if adjacent property is designated as parkland for the general public and it satisfies the distance and size requirements specified for parkland.
- i. Combinations. Any combination of these types of parkland can be considered.

#### H. Engineering requirements.

1. Stormwater management. The design and expansion of the walkable hamlet should minimize off-site stormwater runoff, promote on-site filtration, and minimize the discharge of pollutants to ground and surface water. Every reasonable attempt should be made to maintain and protect the natural topography, existing land cover and quantity and quality of groundwater. New development and redevelopment shall meet the requirements of the Washington County Stormwater Run-Off Control Ordinance, and shall achieve the following minimum requirements:
  - a. Untreated, direct stormwater discharges to wetland or surface waters are prohibited.
  - b. Post development peak discharge rates should not exceed predevelopment peak rates.
  - c.

- Erosion and sediment controls must be implemented to remove 80% of the average annual load of suspended solids.
- d. Areas for snow storage should be provided.
  - e. Redevelopment stormwater management systems should improve existing conditions and meet standards to the extent practical.
  - f. All treatment systems or best management practices (BMPs) must have operation and maintenance plans to ensure that systems function as designed.
2. Motor vehicle circulation. Motor vehicle circulation shall be designed to minimize conflicts with pedestrians and bicycles. Traffic calming features, curb extensions, roundabouts, center turn lanes, and medians may be used to slow traffic speeds.
- a. Street hierarchy. Each street within a walkable hamlet shall be classified according to the following, noting that arterial streets should not bisect a walkable hamlet:
    - i. Collector. This street provides access to commercial or mixed-use buildings, but it is also part of the Village's major street network. On-street parking, whether diagonal or parallel, helps to slow traffic. Additional parking is provided in lots to the side or rear of buildings.
    - ii. Subcollector. This street provides primary access to individual residential properties and connects streets of lower and higher function. Design speed is 25 mph.
    - iii. Local street. This street provides primary access to individual residential properties. Traffic volumes are relatively low, with a design speed of 20 mph.
  - b. Street layout. The walkable hamlet should maintain the existing street grid, where present, and restore any disrupted street grid where feasible. In addition:
    - i. Intersections shall be at right angles whenever possible, but in no case less than 75°. Low volume streets may form three-way intersections creating an inherent right-of-way assignment (the through street receives precedence) that significantly reduces accidents without the use of traffic controls.
    - ii. Corner radii. The roadway edge at street intersections shall be rounded by a tangential arc with a minimum radius of 15 feet for local streets and 20 feet for intersections involving collector or arterial streets. A tangential arc with a minimum radius of 10 feet shall round the intersection of a local street.
    - iii. Curb cuts for driveways to individual residential lots shall be prohibited along arterial streets. Curb cuts shall be limited to intersections with other streets or access drives to parking areas for commercial, civic or multifamily residential uses. Clear sight triangles shall be maintained at intersections unless controlled by traffic signal devices. Mountable curbs may be used in-lieu of vertical face curbs, where appropriate. The Plan Commission and Village engineer shall decide the location of all curbing to address issues of safety, stormwater management and ground water protection.
    - iv. The orientation of streets should enhance the visual impact of common open spaces and prominent buildings and minimize street gradients. All streets shall terminate at other streets or at public land, except local streets may terminate in stub streets when such streets act as connections to future phases of the development. Culs-de-sac are discouraged. Local streets may not terminate other

than at other streets or public land when there is a connection to the pedestrian and bicycle path network at the terminus. Street design considerations should include consideration for snow removal.

- v. Recommended attributes of streets in a walkable hamlet development: These recommendations may be altered upon approval of the Village Plan Commission, Board and engineer. Collector streets are subject to existing Village and county standards.

	<b>Subcollector</b>	<b>Local Street</b>
Average Daily Trips	750 or more	Less than 250
Right of Way	48-72 feet	35-50 feet
Auto Travel Lanes	2 lanes 12 feet each	2 lanes 12 feet each
Bicycle Lanes	4 feet lane with no parking or 6 feet lane if combined with parking	None
Parking	None, one or both sides 8 feet wide	None or one side (8 feet)
Planting Strips	Minimum 6 feet	Minimum 4 feet
Walkways	3-5 feet wide	3-5 feet wide

- c. Nonmotorized circulation standards. The circulation system shall allow for different modes of transportation. The circulation system shall provide functional and visual links within the residential areas, mixed use area, and open space of WHD and shall be connected to external development. The circulation system shall provide adequate traffic capacity, connected pedestrian and/or bicycle routes (especially off-street bicycle or multi-use paths or bicycle lanes on the streets), control through traffic, limit lot access to streets of lower traffic volumes and promote safe and efficient mobility through the WHD. The applicant shall show compliance with this section, existing codes, and Village plans by submitting a circulation plan. The following provisions also apply:
  - d. Pedestrian circulation. Convenient pedestrian circulation systems that minimize pedestrian-motor vehicle conflicts shall be provided continuously throughout the walkable hamlet. Where feasible, any existing pedestrian routes through the site shall be preserved and enhanced. All streets, shall be bordered by sidewalks or shall have pathways that would accomplish substantially the same egress as sidewalks. The following provisions also apply:
    - i. Walkways in residential areas. Clear and well-lighted walkways, a minimum of three feet in width, depending on projected pedestrian traffic, shall connect all dwelling entrances to the adjacent public recreational trails.
    - ii. Walkways in mixed-use areas. Clear and well-lighted walkways shall connect building entrances to the adjacent public walkways and to associated parking areas. Such walkways shall be at least five feet in width.
    - iii. Disabled Accessibility. Walkways shall comply with the applicable requirements of the Americans with Disabilities Act.
    - iv. Crosswalks. Intersections of walkways with streets shall be designed with clearly defined edges. Crosswalks shall be well lit and clearly marked with contrasting paving materials at the edges or with striping.
  - e. Bicycle circulation. Bicycle circulation shall be accommodated on streets, pathways, and/or on dedicated bicycle paths. Facilities for bicycle travel may include off-street bicycle paths (generally shared with pedestrians and other non motorized users) and

separate, striped, four-foot bicycle lanes on streets. If a bicycle lane is combined with a lane for parking, the combined width should be 14 feet.

- f. Public transit access. Where public transit service is available or planned, convenient access to transit stops shall be provided. Where transit shelters are provided, they shall be placed in highly visible locations that promote security through surveillance, and shall be well lighted.
3. Parking requirements. Parking areas for shared or community-use should be encouraged. In addition:
    - a. Location. In a mixed-use area any parking lot shall be located at the rear or side of a building. A parking lot or garage may not be adjacent to or opposite a street intersection.
    - b. Landscaping. A parking lot or garage located at the side and facing the street shall be landscaped and screened. All landscaping and screening standards of subsection (J)(2) and subsection 70.134 (D) of this Code shall be adhered to.
    - c. Service access. Access for service vehicles should provide a direct route to service and loading dock areas in a manner that minimizes interference with traffic patterns, parking areas, or walkways. Alleys may be provided in commercial areas for service vehicles, utilities, and other uses subject to Plan Commission approval. Views of all loading and service docks, and refuse enclosures shall be screened from public view.
    - d. Paving. All streets are to be surfaced with concrete or hot mix asphalt (HMA), in accordance with the Village standards for development construction. Where possible, and aesthetically appropriate, the use of interlocking pavers is also permitted. All driveways must be surfaced with concrete or HMA within 18 months from occupation of the home, or as reviewed and approved by the Plan Commission.
    - e. Mixed-use parking requirements. In the mixed-use area, commercial use buildings must provide a minimum of one parking space for every 500 square feet of gross building area. Parking provisions must be able to meet the demands of the business. One off-street parking space with unrestricted ingress and egress shall be provided for each dwelling unit, if such units are approved by the Plan Commission, as part of the WHD.
    - f. Bicycle parking. Parking lots and commercial enterprises must provide not less than one bicycle parking space for every 10 motor vehicle parking spaces.
    - g. Multifamily parking requirements. Multifamily uses must provide one parking space for every dwelling unit and 1/2 parking space for each unit with two or more bedrooms. All required parking spaces must be enclosed within the principal multifamily building, such as below the first floor level. These parking spaces must not be housed within an accessory building.
    - h. Single family parking requirements. All single-family dwellings shall maintain a 2 1/2 attached garage for a maximum of two occupant-related vehicles and storage of accessory items. Detached garages may be permitted for lots at or greater than 10,890 square feet (one-quarter acre).
    - i. Parking plan. A parking plan shall be submitted by the applicant showing compliance with this section.
- I. Amenities and accents.
    1. Exterior signage requirements.

- a. Comprehensive signage plan. A comprehensive signage plan is required for any walkable hamlet that establishes a uniform sign theme. All signs developed under a comprehensive signage plan shall share a common style (e.g., size, shape, material).
  - b. Permitted signs. In the mixed-use area, all signs shall be wall signs or cantilever signs. Monument signs shall be reviewed based on the proximity and proportions of the principle building, building materials used, and distance from surrounding uses and preservation of vista corridors. Cantilever signs shall be mounted perpendicular to the building face and shall not exceed eight square feet per side. Wall signs shall not exceed 32 square feet in gross area. For the purpose of evaluating whether a sign is in conformity with the provisions of this section, the area of a sign is to be measured as the number of square feet of the smallest rectangle within which a single sign face can be enclosed. For wall-mounted letters, which a sign is composed of letters individually mounted or painted on a building wall, without a border or decorative enclosure, the sign area is that of the smallest single rectangle within which all letters and words can be enclosed.
  - c. Signs, including the use of temporary signage (i.e., advertising banners) in a walkable hamlet district shall be in accordance with the Village sign ordinance.
  - d. Prohibited signs. Pole signs and, billboards, other than human-scale designed advertising kiosks, are prohibited in walkable hamlets as these signs are designed to fit deep setbacks and cater to motorists. This type of signage is inconsistent with the pedestrian character and development density of a WHD.
  - e. Illumination. Signs shall be externally illuminated only and with all lighting facing in a downward direction, except that individual letters and symbols may be internally lit. Individual letters and symbols shall not exceed more than 50% of the face of the sign. All lighting shall be directed away from surrounding land uses. All residual glare shall be prohibited.
  - f. Placement of signs on principal facades. Facade signage shall match and complement the color, scale, and proportion of the building to which it represents, and shall be designed appropriately as part of the character of the facade.
2. Site lighting requirements.
    - a. Streetlighting shall be installed where necessary for safety of pedestrians and traffic, but shall only be permitted at street intersections.
    - b. Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties.
    - c. A lighting plan package shall be submitted, indicating all site photometrics and measures to prevent light spillage, pole heights, cut-offs, unification of pole/bollard and lamp design, and specified uses (i.e., to illuminate a sidewalk or to accentuate a building architectural detail.)
    - d. Provisions of Chapter 63 of the Village Code shall be adhered to at all times, except in cases where this ordinance is inconsistent with Chapter 63.
- J. Landscaping. Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas.  
[Ord. No. 05-07-08, 7-21-2005]

1.

Screening-General. Where screening is required, it shall be at least three feet in height, unless otherwise specified. Required screening shall be at least 50% opaque throughout the year. Required screening shall be satisfied by one or a combination of: a decorative fence not less than 50% opaque behind a continuous landscaped area, a masonry wall, or a hedge.

2. Parking area landscaping and screening.
  - a. All parking and loading areas fronting public streets or sidewalks, and all parking and loading areas abutting residential districts or uses, shall provide:
    - i. A landscaped area at least five feet wide along the public street or sidewalk.
    - ii. Screening at least three feet in height and not less than 50% opaque.
    - iii. One tree for each 25 linear feet of parking lot frontage.
  - b. Parking area interior landscaping. The corners of parking lots, "island," and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation can include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks, or bicycle parking.
  - c. Within parking lots, landscaping shall be provided consistent with the requirements of subsection 70.185(A)(3).
3. Materials. All plant materials must meet the minimum standards set by the American National Standards Institute in ANSI Z60.1 American Standard for Nursery Stock. Landscape species shall be indigenous or proven adaptable to the climate, but shall not be invasive species. Plant materials shall comply with the following standards:
  - a. Minimum plant size shall be as specified as follows (for the purpose of determining tree trunk size, the diameter shall be measured six inches above ground level):
    - i. Evergreen tree—Six feet in height.
    - ii. Deciduous canopy tree—Two inches caliper.
    - iii. Evergreen or deciduous shrubs—Five gallon or three feet in height.
  - b. Landscape materials shall be tolerant of specific site conditions, including but not limited to heat, drought, and salt.
  - c. Existing healthy plant material may be utilized to satisfy landscaping requirements, provided it meets the minimum plant sizes specified in 8.04.01.
  - d. Landscape materials that are used for screening shall be of a size that allows growth to the desired height and opacity within two years.
4. Installation and maintenance of landscaping materials. All landscape materials shall be installed to current industry standards. Maintenance and replacement of landscape materials shall be the responsibility of the property owner, except for the common open spaces as accepted by the Village through the provisions of the WHD development agreement. Landscape maintenance should incorporate environmentally sound management practices, including the use of water- and energy-efficient irrigation systems, pruning primarily for plant health and public safety, and the replacement of dead materials.
5. A landscape plan package must be submitted, indicating all specie types, sizes, botanical and common names, amount and location, and all other provisions of subsection 70.133(D)(4) of this Code shall be adhered to at all times.

8 e



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8e.

MEETING DATE: March 17, 2016

SUBJECT: Rezoning petition, V10\_0355912001 & V10\_0355912003 from WHD to Rs-1b  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE "CONDITIONAL APPROVAL" OF THE PLAN COMMISSION FOR THE PROPOSED REZONING OF THE SUBJECT PROPERTIES?*

*ISSUE SUMMARY:*

Over the last year, the Village Staff, Village Board and Plan Commission have been working with a court-appointed Receiver who was authorized by the Waukesha County Circuit Court to manage the subdivision assets of Mr. Bob Parchem and Ms. Caryl Parchem, the developers of Reflections Village. A "Receivership" is a type of corporate bankruptcy in which a "Receiver" is appointed to run a company, in this case the limited liability company set up for Reflections Village (Reflections Richfield Investments, LLC). In most cases, the receiver is given ultimate decision-making powers and has full discretion in deciding how the received assets will be managed. The primary responsibility of the receiver is to recoup as much of the unpaid loans as possible and reduce liability exposure for the primary credit holders.

The Receiver has been steadfast and committed to working with both the Village and the Subdivision HOA to finalize any outstanding 'punch list' items before the Receivership ends at the end of March. Inside that 'punchlist', which was previously provided to the Village Board, was this proposed rezoning. In February, the Receiver petitioned the Village to change the Future Land Use Map for Phase II and Phase III to have it show the property as "Single Family" rather than "Walkable Hamlet District". They also proposed a minor change to the text of the document to more accurately reflect the land use area of the Phase I development. This petitioned zoning change would be consistent with proposed amendment to the Future Land Use Map.

Included for your review is a conceptual rendering of how the proposed seven (7) lots may be configured as prepared by TRIO Engineering. They have not formally petitioned such a change, in any way, but have indicated to the Village they are serious in their intent to develop this 23.06 acres as a three (3) acre density subdivision rather than the higher density Walkable Hamlet District.

The Reflections Village HOA has also been made aware of this change and they, along with all property owners within 300' of the subject property, were notified by mail on Monday, February 22<sup>nd</sup>. The notice also ran in the West Bend Daily News for two (2) consecutive weeks leading up to the March 3, 2016 Plan Commission meeting. Following the scheduled Public Hearing, the following motion was made:

Motion by Commissioner Bartel to recommend to the Village Board the approval of Ordinance O2016-03-02, an Ordinance to rezone Tax Keys: V10\_0355912001 and V10\_0355912003 from WHD, Walkable Hamlet District to Rs-1, Single-Family Cluster/Open Space Residential District subject to the following Specific Condition of Approval:

- 1) That the Village Board also adopt by ordinance the proposed amendment to the Village's Future Land Use Map and related text amendments to the Comprehensive Plan on March 17, 2016 as previously recommended by the Plan Commission

Seconded by Commissioner Lalk; Motion passed without objection.



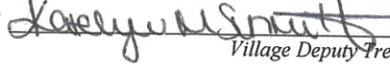
VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

8e

MEETING DATE: March 17, 2016

SUBJECT: Rezoning petition, V10\_0355912001 & V10\_0355912003 from WHD to Rs-1b  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

FISCAL IMPACT:

REVIEWED BY:   
Village Deputy Treasurer

Initial Project Costs: N/A  
Future Ongoing Costs: N/A  
Physical Impact (on people/space): Three (3) acre density single-family residential development  
Residual or Support/Overhead/Fringe Costs: Administrative

ATTACHMENTS:

- 1. Ordinance O2016-03-02, an Ordinance to rezone properties from WHD to RS-1b
- 2. Concept Site Plan for Phase II Reflections Village

STAFF RECOMMENDATION:

Motion to approve Ordinance O2016-03-02, an Ordinance to rezone Tax Keys: V10\_0355912001 and V10\_0355912003 from WHD, Walkable Hamlet District to Rs-1b, Single-Family Cluster/Open Space Residential District subject to the following Specific Condition of Approval:

- 1) The Village's Future Land Use Map and related text amendments to the Comprehensive Plan on March 17, 2016 as previously recommended by the Plan Commission also be adopted by ordinance.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

  
Village Staff Member

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

  
Village Administrator

ORDINANCE O2016-03-02

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**AN ORDINANCE TO REZONE A PORTION OF A SUBJECT PARCEL OF LAND IN THE VILLAGE OF RICHFIELD AND TO AMEND THE ZONING MAP OF THE VILLAGE OF RICHFIELD PURSUANT TO SECTION 70.163 OF THE MUNICIPAL CODE**

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WHEREAS, the property owner, Reflections Richfield Investment, LLC, are acting as the petitioners to rezone the properties described by Tax Key: V10\_0355912001 (23.03 acres) and V10\_0355912003 (0.03 acres) from Walkable Hamlet District to Rs-1b, Single-Family Cluster/Open Space Residential District; and

WHEREAS, the subject properties contains 23.06 acres; and

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

WHEREAS, the required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning regulations; and

WHEREAS, the Plan Commission conducted a public hearing on March 3, 2016; and

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

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

**Section 1. Zoning Map Change**

The subject property is hereby rezoned as described above and depicted in Attachment 1, attached hereto, and the zoning map of the Village of Richfield is hereby amended to incorporate the zoning of the subject properties.

**Section 2. Effective Date**

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

Adopted this 17<sup>th</sup> day of March, 2016

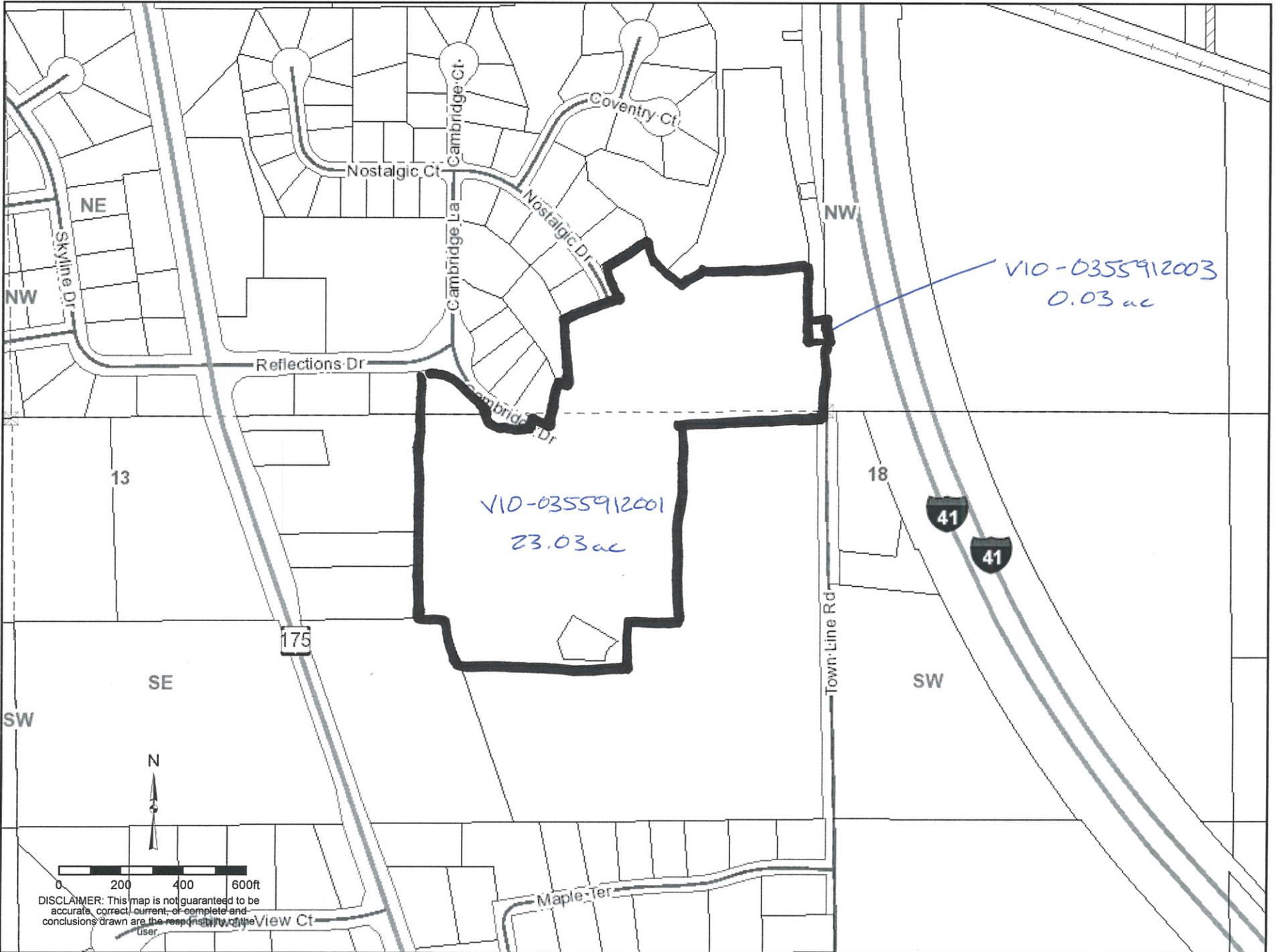
Attest:

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John Jeffords, Village President

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Attest: Jim Healy, Village Administrator/Clerk



Attachment 2

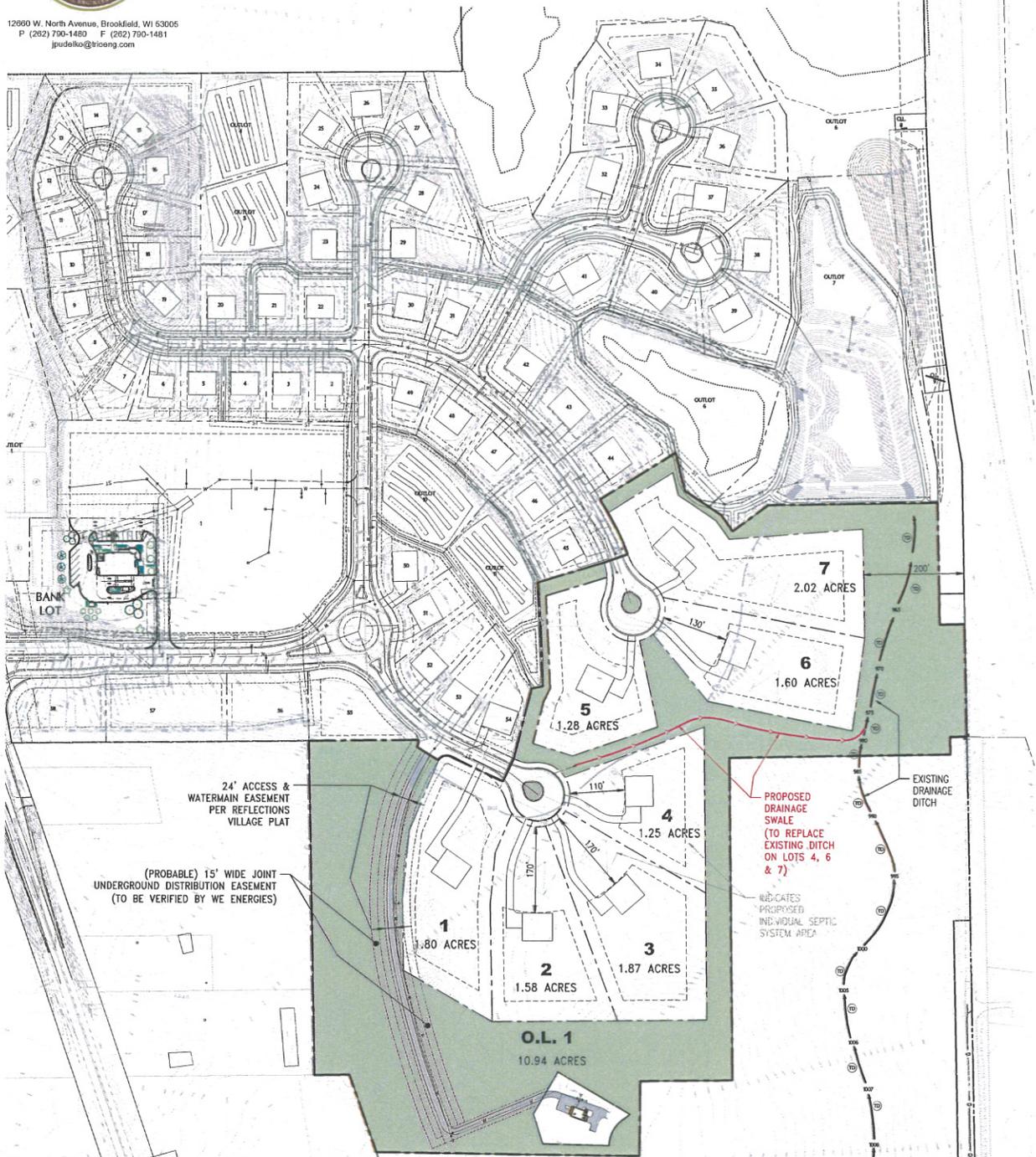


12950 W. North Avenue, Brookfield, WI 53005  
 P (262) 790-1480 F (262) 790-1481  
 jpudefko@trioeng.com

# CONCEPT SITE PLAN

23.03 acres at Reflections Village  
 Richfield, WI

Prepared For:  
 Neumann Companies, Inc.  
 N27 W2405 Paul Court  
 Pewaukee, WI 53072



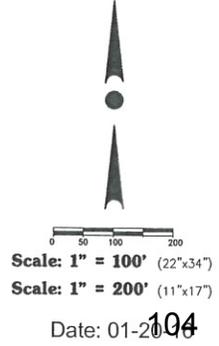
### DEVELOPMENT SUMMARY

- Proposed Zoning: Rs-1B  
 Single-Family Cluster/Open Space Residential District
- Gross Density: 130,000 s.f./lot
- Lot Characteristics:
  - Lot Area: 1.25 acres (min.)
  - Lot Width = 175' at building setback
- Setbacks:
  - Front = not less than 50'
  - Side = 25'
  - Rear = 40'
- Open Space Characteristics:
  - 40% of total gross area (40% x 23.03 ac = 9.21 ac. min)
  - At least 90% contiguous
  - 50' perimeter buffer
  - At least one 30' wide accessway
  - 200' buffer to Highway property line
  - Maximize the number of lots abutting open space

### SITE DATA

- 7 SINGLE-FAMILY CLUSTER LOTS
- Gross Density: 143,327 s.f./lot
- 2 Proposed Cul-de-sacs (16,700 s.f. pav't)
- Front Setbacks that provide 175' width
- Individual well and septic for each lot
- Contiguous Open Space = 10.94 ac (47.5%)

11/13/2010 10:59:00 AM C:\Users\jpudefko\Documents\CONCEPT - R1 - 2011-01-20.dwg



8 f



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8f.

MEETING DATE: March 17, 2016

SUBJECT: One-Lot CSM (Reconsideration from 2014), Wittenberger Farms, LLC  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION FROM THE PLAN COMMISSION AND APPROVE THE ONE-LOT CSM?*

*ISSUE SUMMARY:*

The Plan Commission and Village Board previously approved this CSM in July of 2014. For whatever reason, the petitioner did not file the Certified Survey Map at the County Register of Deeds in a timely manner. When the petitioner went to the County to file last month, he was told that the length of time from when he was originally approved to when he attempted to file was longer than what they were willing to accept. Staff has reviewed the previously submitted CSM versus the one filed on reconsideration and nothing has changed, sans the signature blocks to be notarized.

The petitioner was not charged a second fee for resubmitting because professional services were not involved in this review.

At the March 3<sup>rd</sup>, 2016 Plan Commission meeting the Commission made the following motion:

Motion by Vice-Chairman Berghammer to recommend to the Village Board the re-approval of the proposed One-Lot CSM for Wittenberger Farms, LLC. indicated by Tax Key V10: 0166 and V10: 0167 subject to the general and specific conditions listed below.

Specific Conditions of Approval:

- 1) The final CSM shall comply with all requirements in Chapter 330 of the village code (subdivision regulations) and Chapter 236, Wis. Stats.
- 2) “James Healy, Interim Village Administrator/Clerk” be replaced with “James Healy, Village Administrator/Clerk”

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Seconded by Commissioner Lalk; Motion passed without objection.



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

8f

MEETING DATE: March 17, 2016

SUBJECT: One-Lot CSM (Reconsideration from 2014), Wittenberger Farms, LLC  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

FISCAL IMPACT:

REVIEWED BY: *Katey Smith*  
Village Deputy Treasurer

Signatures Required: Yes

ATTACHMENTS:

1. Proposed CSM prepared by Jason T. Mayer with a revision date of February 5, 2016
2. Plan Commission Communication Form dated July 10, 2014

STAFF RECOMMENDATION:

Motion to approve the proposed One-Lot CSM for Wittenberger Farms, LLC. indicated by Tax Key V10: 0166 and V10: 0167 subject to the general and specific conditions listed below.

Specific Conditions of Approval:

1. The final CSM shall comply with all requirements in Chapter 330 of the village code (subdivision regulations) and Chapter 236, Wis. Stats.
2. "James Healy, Interim Village Administrator/Clerk" be replaced with "James Healy, Village Administrator/Clerk"

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

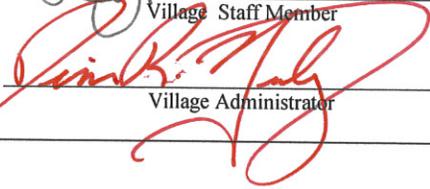


VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

8f

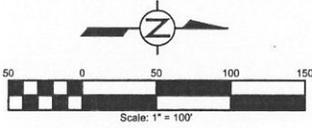
MEETING DATE: March 17, 2016

SUBJECT: One-Lot CSM (Reconsideration from 2014), Wittenberger Farms, LLC  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

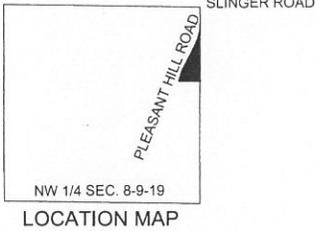
 _____ Village Staff Member  _____ Village Administrator	Resolution No. _____ Ordinance No. _____ Approved _____ Other _____	Continued To: _____ Referred To: _____ Denied _____ File No. _____
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# CERTIFIED SURVEY MAP NO.

BEING A DIVISION OF A PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, ALL IN TOWNSHIP 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY WISCONSIN.



BEARINGS REFERENCED TO THE NORTH LINE OF THE NW 1/4 OF SEC. 8-9-19, BEARING OF N 88°36'39" E BASED ON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



THE NW CORNER OF THE NW 1/4 OF SEC. 8-9-19

SLINGER ROAD

### LEGEND

- 3/4" REBAR SET
- 2" IRON PIPE SET
- 1" IRON PIPE FOUND

### CURVE DATA

C-1  
 ARC LEN. = 168.62'  
 CHORD LEN. = 168.00'  
 CHORD BEAR. = N 73°34'33" W  
 RADIUS = 568.05'  
 I ANGLE = 17°00'27"

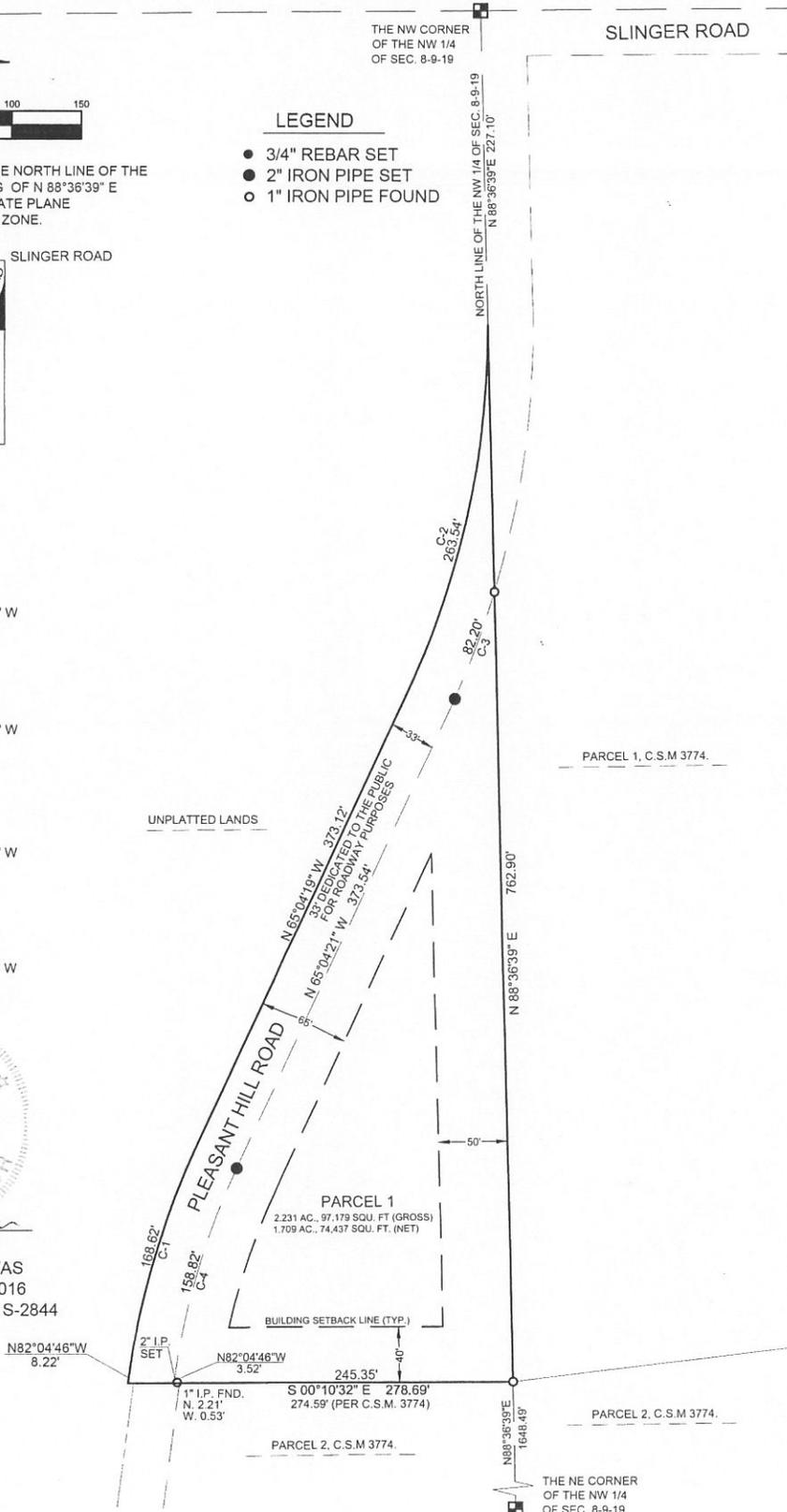
C-2  
 ARC LEN. = 263.54'  
 CHORD LEN. = 261.55'  
 CHORD BEAR. = N 78°01'01" W  
 RADIUS = 618.45'  
 I ANGLE = 24°24'57"

C-3  
 ARC LEN. = 82.20'  
 CHORD LEN. = 82.14'  
 CHORD BEAR. = N 69°25'26" W  
 RADIUS = 651.45'  
 I ANGLE = 07°20'11"

C-4  
 ARC LEN. = 158.82'  
 CHORD LEN. = 158.24'  
 CHORD BEAR. = N 73°34'33" W  
 RADIUS = 568.05'  
 I ANGLE = 17°00'27"



THIS INSTRUMENT WAS DRAFTED ON 02-05-2016 BY JASON T. MAYER, S-2844



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING A DIVISION OF A PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, AND THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, ALL IN TOWNSHIP 9 NORTH, RANGE 19 EAST

SURVEYORS CERTIFICATE:

I, JASON T. MAYER, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, AND THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8, ALL IN TOWNSHIP 9 NORTH, RANGE 19 EAST, VILLAGE OF RICHFIELD, WASHINGTON COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF SECTION 8, THENCE NORTH 88°36'39" EAST ALONG THE NORTH LINE OF SAID 1/4 SECTION 227.10 FEET TO THE PLACE OF BEGINNING OF THE LANDS DESCRIBED:

THENCE CONTINUING ALONG SAID NORTH LINE OF 1/4 SECTION, NORTH 88°36'39" EAST, 762.90 FEET; THENCE SOUTH 00°10'32" EAST ALONG THE WEST LINE OF CERTIFIED SURVEY MAP NO. 3774 AND RECORDED AS VOLUME 23, PAGE 324, 278.69 FEET TO A POINT ON THE CENTERLINE OF PLEASANT HILL ROAD; THENCE NORTH 82°04'46" WEST ALONG SAID CENTERLINE, 8.22 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY ALONG SAID CENTERLINE, 168.62 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES NORTHEAST, WHOSE RADIUS IS 568.05 FEET AND WHOSE CHORD BEARS NORTH 73°34'33" WEST, 168.00 FEET; THENCE ALONG SAID CENTERLINE NORTH 65°04'19" WEST, 373.12 FEET TO A POINT ON A CURVE; THENCE NORTHWESTERLY ALONG SAID CENTERLINE, 263.54 FEET ALONG THE ARC OF A CURVE WHOSE CENTER LIES SOUTHWEST, WHOSE RADIUS IS 618.45 FEET, WHOSE CHORD BEARS NORTH 78°01'01" WEST, 261.55 FEET TO A POINT ON THE NORTH LINE OF SAID 1/4 SECTION AND THE PLACE OF BEGINNING.

CONTAINING 2.231 ACRES, 97,179 SQUARE FEET. (GROSS)

CONTAINING 1.709 ACRES, 74,437 SQUARE FEET, EXCLUSIVE OF ROAD RIGHT-OF-WAY. (NET)

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND MAP BY THE DIRECTION OF DANIEL H. WITTENBERGER AND DAVID F. WITTENBERGER, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP OF SAID LANDS AND CERTIFY THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES AND THE LAND DIVISION AND PLATTING REGULATIONS OF THE VILLAGE OF RICHFIELD IN SURVEYING, DIVIDING AND MAPPING THE SAME.

Jason T. Mayer  
JASON T. MAYER S-2844

DATED THIS 5<sup>th</sup> DAY OF February, 2016



OWNERS CERTIFICATE:

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS MAP IN ACCORDANCE WITH CHAPTER 236.34, OF THE WISCONSIN STATUTES AND REGULATIONS OF CHAPTER 330 OF THE VILLAGE OF RICHFIELD SUBDIVISION REGULATIONS CODE.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

\_\_\_\_\_  
DANIEL H. WITTENBERGER  
WITTENBERGER FARMS LLC

\_\_\_\_\_  
DAVID F. WITTENBERGER  
WITTENBERGER FARMS LLC

JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, DAVID F. WITTENBERGER AND DANIEL H. WITTENBERGER to be known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public  
State of Wisconsin  
My Commission Expires \_\_\_\_\_

VILLAGE BOARD APPROVAL

APPROVED BY THE VILLAGE BOARD, VILLAGE OF RICHFIELD ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
JOHN JEFFORDS, VILLAGE PRESIDENT

\_\_\_\_\_  
JAMES HEALY, INTERIM VILLAGE ADMINISTRATOR/CLERK



**VILLAGE OF RICHFIELD**  
 PLAN COMMISSION COMMUNICATION FORM  
 MEETING DATE: July 10, 2014

SUBJECT: Preliminary review of a one-lot certified survey map (CSM) to merge portions of two adjoining parcels (V10-0166 and V10-0167) off of Pleasant Hill Road in Section 8, T9N, R19E, Wittenberg Farms LLC, applicant

DATE SUBMITTED: July 1, 2014

SUBMITTED BY: Jim Healy, Interim Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO APPROVE THE ONE-LOT CSM FOR THE DEVELOPMENT OF A SINGLE FAMILY HOME?*

*ISSUE SUMMARY:*

Wittenberg Farms LLC owns two adjoining parcels on the north side of Pleasant Hill Road just east of Slinger Road. They are indicated by Tax Keys: V10-0166 (10ac) and V10-0167 (20ac). Pleasant Hill Road bisects each of these lots. As provided in the Village's Zoning Code, a public road that bisects a lot of record effectively creates two parcels. In this instance, there are two small parcels on the north side of the road and two larger parcels on the south side. Specifically the language defining a "Lot" is as follows:

*"A parcel of land on which a principal building and its accessory building are placed, together with the required open spaces; provided, that no such parcel be bisected by a public street or other public or private right-of-way and shall not include any portion of a public right-of-way. No lands dedicated to the public or reserved for roadway purposes shall be included in the computation of lot size for the purposes of this chapter".*

One of the two "parcels" on the north side of the road is substandard with regard to lot size. There is a provision in the zoning code that states (paraphrased) that if a substandard lot (smaller than the minimum lot size) adjoins another substandard lot in the same ownership, the lots need to be merged. The specific language in the code is as follows:

**Section 72-161(F)** entitled "Existing vacant substandard lots"

1. Any lot in existence on the effective date of the ordinance from which this chapter is derived within a single-family zoning district which does not meet the minimum lot size requirements as set forth in Section 70-194 is considered to be a substandard lot. Such lot may be used as a single-family building site provided that the lot was a separate and distinct lot of record in the office of the county register of deeds prior to January 1, 1981; provided that the residence is constructed without violating the yard requirements as set forth in Section 70.194; and, provided that the floor area requirements as set forth in Section 70.194 are met. **If two or more substandard lots with continuous frontage have the same ownership as of the effective date of the ordinance from which this chapter is derived, the lots involved shall be considered to be an individual parcel for the purpose of this chapter.**

In this instance we have two lots, one standard, one substandard. However, the substandard lot, which was technically a lot of record, after the right-of-way dedication is not conducive for a viable building site and the property owner has stated his desire to leave that property undeveloped. Ergo, it would be the recommendation of Staff that these lots be shown on the final copy of the CSM as one lot as a best practice for CSM administration.

*FUTURE IMPACT & ANALYSIS:*

REVIEWED BY: \_\_\_\_\_  
 Village Deputy Clerk

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

*ATTACHMENTS:*

- Proposed CSM prepared by Jason Mayer, RLS, with a revision date of \_\_\_\_\_, 2014



**VILLAGE OF RICHFIELD**  
 PLAN COMMISSION COMMUNICATION FORM  
 MEETING DATE: July 10, 2014

*STAFF RECOMMENDATION:*

Motion to recommend to the Village Board the approval of the preliminary certified survey map subject to the general and specific conditions listed below.

Specific Conditions of Approval:

1. The final CSM shall comply with all requirements in Chapter 330 of the village code (subdivision regulations) and Chapter 236, Wis. Stats.
2. The final CSM shall be revised to show one parcel.
3. The Plan Commission signature block be removed.
4. Joshua Schoemann, Village Clerk be stricken and "James Healy, Interim Village Administrator/Clerk" be inserted.
5. In addition to other required information, the final CSM shall show or list the following:
  - (a) Building setback lines consistent with the zoning district in which they are located.
  - (b) A mortgagee's certificate if the subdivider does not own the subject property in fee simple (i.e., with a mortgage).

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

<p align="center">APPROVED FOR SUBMITTAL BY:</p>  <p align="center">_____</p> <p align="center">Village Staff Member</p>  <p align="center">_____</p> <p align="center">Interim Village Administrator</p>	<p align="center">VILLAGE CLERKS USE ONLY BOARD ACTION TAKEN</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Resolution No. _____</td> <td style="width: 50%;">Continued To: _____</td> </tr> <tr> <td>Ordinance No. _____</td> <td>Referred To: _____</td> </tr> <tr> <td>Approved _____</td> <td>Denied _____</td> </tr> <tr> <td>Other _____</td> <td>File No. _____</td> </tr> </table>	Resolution No. _____	Continued To: _____	Ordinance No. _____	Referred To: _____	Approved _____	Denied _____	Other _____	File No. _____
Resolution No. _____	Continued To: _____								
Ordinance No. _____	Referred To: _____								
Approved _____	Denied _____								
Other _____	File No. _____								

8 99



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 89.

MEETING DATE: March 17, 2016

SUBJECT: One-Lot CSM, Tax Keys: V10\_0486 and V10\_048700A

DATE SUBMITTED: March 11, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO ACCEPT THE RECOMMENDATION OF THE PLAN COMMISSION AND APPROVE THE ONE-LOT CSM?*

*ISSUE SUMMARY:*

The Plan Commission previously approved this CSM in April of 2015. By the time it was scheduled to reach the Village Board at their regularly scheduled April meeting, the Village had been contacted by a number of property owners along Riverview Drive who felt the submitted survey did not accurately reflect the boundary lines and survey monuments. At that point the Village contacted local surveyor Mr. Don Thoma for assistance. If you recall, Mr. Thoma was hired by the Village several years back to help decipher a right-of-way issue with the property owners directly west of these parcels (Moeser/Adamski). Given Mr. Thoma's extensive research regarding the Friess Lake Grove Subdivision Plat, Staff felt as though he would be the appropriate professional resource to consult regarding this issue. At the time, Mr. Thoma also expressed concern regarding the petitioner's previously submitted CSM and the accuracy of the document as a whole. The petitioner withdrew his petition based on the indication from Staff that the CSM could not be approved by the Village Board with so many ambiguities unanswered.

Due to the spurred public discussion regarding this issue and the overall sensitivity of this issue, Village Staff believed it was prudent to schedule a 'Neighborhood Meeting' where all property owners who lived on Riverview Drive were invited to attend. At said meeting, Mr. Thoma and I presented the situation and took questions from the group. In total, approximately 24 people attended. It was the considered opinion of Mr. Thoma that in order to properly rectify the situation an 'Assessor's Plat' could be considered. The Assessor's Plat would essentially "wipe the slate clean" and create a series of new boundary lines based on the spaces that properties currently occupy. In this instance an 'Assessor's Plat' would be specially charged against all the property owners who participated. In the days following the conclusion of the meeting, a special notice was sent out to property owners asking them to indicate one way or another if they were in favor of a special charge being placed on their property in order to remedy the boundary line disputes. The overwhelming majority of votes came back that property owners were not in favor of the Village conducting an 'Assessor's Plat' and they were, by majority vote, amenable with the boundary lines as they were.

Given the research that was already conducted by Mr. Thoma, the same petitioner believed it was in his best interests to hire him to resurvey his property based on this new information. The petitioner has submitted a proposed CSM that would combine two (2) legally established parcels to create a one (1) lot parcel consisting of 13,613 square feet (0.313ac). The 25' wide gap between the south side of these two (2) parcels and the boat lots we have determined to be a private easement for the benefit of the property owners in the platted subdivision.

As previously discussed nearly a year ago, the uniqueness of this property centers around the fact that the road as platted versus the road as traveled is markedly different. In terms of construction standards, this road is substandard. After speaking with the Public Works Supervisor, it is also very doubtful that this road will ever be improved to our standard 66' wide road.

Based on that, it was the recommendation of the Village's Engineer that in order to avoid 1) creating an outlot for the residual part of the petitioner's property which is north of the road as traveled, 2) having to vacate the existing platted road once this road could theoretically be dedicated to the Village, and 3) incur unnecessary professional fees, a detail could be added to the face of the CSM describing the "road as traveled" and give the Village the right to continue to maintain and make improvements to the road, as necessary.



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

89

MEETING DATE: March 17, 2016

SUBJECT: One-Lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

In late January, the CSM was submitted to the Village Engineer for comment and review. A handful of minor comments were brought forward, they are attached for your convenience. The petitioner was not charged a second fee for resubmitting because he voluntarily withdrew his original petition due to the legal description discrepancies.

At the March 3<sup>rd</sup>, 2016 Plan Commission meeting the Commission made the following motion:

Motion by Vice-Chairman Berghammer to recommend to the Village Board the approval of the proposed One-Lot CSM for Mr. Dan Tinti indicated by Tax Key V10: 0486 and V10: 048700A subject to the general and specific conditions listed below.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

Vice-Chairman Berghammer proposed an amendment to the previously made motion "to include page three of the CSM"; Seconded by Commissioner Melzer; Motion on the proposed amendment to the original motion passed 4-2.

Voting on the amended motion by Vice-Chairman Berghammer; Commissioner Melzer seconded; The amended motion passed 4-2

FISCAL IMPACT:

REVIEWED BY: Karen Smith  
Village Deputy Treasurer

Signatures Required: Yes

ATTACHMENTS:

1. Proposed CSM prepared by Don Thoma with a revision date of January 12, 2016
2. Village Board Communication Form dated May 21, 2015
3. Washington County GIS aerial overview



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

89

MEETING DATE: March 17, 2016

SUBJECT: One-Lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
DATE SUBMITTED: March 11, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to approve the proposed One-Lot CSM with the inclusion of page three (3) as recommended by the Plan Commission for Mr. Dan Tinti indicated by Tax Key V10: 0486 and V10: 048700A subject to the General and Specific conditions listed below.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of this approval.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Village Staff Member

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

Village Administrator

# Washington County Certified Survey Map

Lots One (1) and Two (2), in Block Three (3), in Friess Lake Grove, a recorded subdivision in the NW 1/4 and SW 1/4 all in Section 17, Township 9 North, Range 19 East, in the Town of Richfield now the Village of Richfield, Washington County, Wisconsin.

Northwest corner  
Sec. 17-9-19  
conc.mon./brass cap  
found  
460,777.95  
2,457,787.53  
(State Plane Coordinates)

Owner/Subdivider  
Badger Home Builders Inc.  
Daniel J. Tinti  
1323 Poplar Drive  
Waukesha, WI 53188

Bearings are referenced to the Wisconsin State Plane  
Coordinate Grid System, South Zone, the west line of the  
NW 1/4 has a grid bearing of N 00°47'05" W.

Sheet 1 of 3

Surveyor

Donald J. Thoma  
Accurate Surveying &  
Engineering LLP  
2911 Wildlife Lane  
Richfield, WI 53076

This Certified Survey Map  
merges Lots 1 & 2, Block 3, in  
Friess Lake Grove to form one  
parcel. The resulting lot is  
considered nonconforming  
because they do not conform to  
the development standards  
contained in Chapter 70 of the  
Village of Richfield's municipal  
code. All such nonconformities  
are subject to applicable  
provisions of the municipal code  
relating to nonconforming lots  
and structures.

(r.a.) means "recorded as"

(meas.) means "measured as"

- - indicates a 1.5"od iron pipe found.
- - indicates a 1.3"od iron pipe found unless noted.
- - indicates a 1.3"od x 18" iron pipe weighing 1.68 lbs./ft. set from previous survey.
- △ - indicates a mag nail set from previous survey.
- - indicates a metal draw in asphalt roadway (not dug up)



Scale in feet  
1" = 40'

This property is within the  
Village of Richfield Shoreland  
Zoning.



(r.a. South 702.18 unplatted lands)  
(r.a. North 712.18 Plg.)  
S 00°47'05" E 700.24'

top of tall and bent west 1.5" iron pipe,  
said to be an original iron stake  
the Plat did not show an iron stake  
at this location.

said to be  
an original  
iron stake

Lot 1

Block 1, Friess Lake Grove

(r.a. S 12°09'55" E 69.38'

(r.a. S 10°31' E 62.40')

(r.a. S 10°31' E)

(r.a. West 130.00)  
N 89°15'07" E 129.77'

1.3" iron pipe  
found 0.31' west  
of Sec. line

conc.

existing house

deck

conc.

existing shed

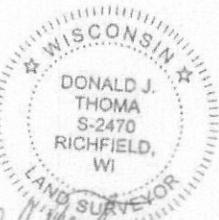
unplatted lands

West quarter corner  
Sec. 17-9-19  
conc.mon./brass cap  
found  
458,125.86  
2,457,823.86  
(State Plane Coordinates)

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

Friess Lake

w.s. ele.=956.3  
Low water ele.=956  
High water ele.=957  
Floodplain ele.=960.5  
Date: 7-25-10 (NGVD 29)



Donald J. Thoma  
Donald J. Thoma, S-2470

Dated this 17th day of January, 2016.  
Revised this 24th day of February, 2016.

# Washington County Certified Survey Map

Sheet 2 of 3

Lots One (1) and Two (2), in Block Three (3), in Friess Lake Grove, a recorded subdivision in the NW 1/4 and SW 1/4 all in Section 17, Township 9 North, Range 19 East, in the Town of Richfield now the Village of Richfield, Washington County, Wisconsin.

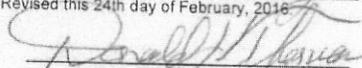
## Surveyor's Certificate:

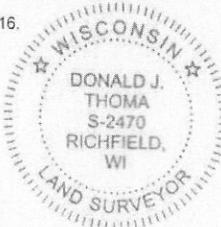
I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Danial Tinti, I have surveyed, divided, and mapped the land shown and described hereon, being Lots One (1) and Two (2), in Block Three (3), in Friess Lake Grove, a recorded subdivision in the NW 1/4 and SW 1/4 all in Section 17, Township 9 North, Range 19 East, in the Town of Richfield now the Village of Richfield, Washington County, Wisconsin, which is bounded and described as follows:

Commencing at the Northwest corner of said Section 17; thence S 00°47'05" E, along the west line of said NW 1/4, 709.24 feet; thence N 89°15'07" E, along the south line of Lot 1, Block 1 of said Friess Lake Grove, 129.77 feet to the southeast corner of said Lot 1, Block 1 and a point in the west right-of-way line of Riverview Drive; thence N 83°52'12" E, 25.11 feet, to the northwest corner of said Lot 1, Block 3, and the point of beginning of lands herein described; thence S 82°56'23" E, along the northerly line of said Lot 1 and Lot 2, Block 3, 120.08 feet; thence S 10°53'29" W, along the easterly line of said Lot 2, Block 3, 144.57 feet; thence N 39°49'16" W, along the southerly line of said Lot 2, Block 3, 20.70 feet; thence N 75°44'18" W, continuing along said southerly line of Lot 2, and Lot 1, Block 3, 79.30 feet; thence N 00°49'18" W, along the westerly line of said Lot 1, Block 3, 121.30 feet to the point of beginning.  
Containing 0.3130 acre (13,613 square feet) more or less.

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 per Chapter 330 of the Village Code (subdivision regulations) 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 12<sup>th</sup> day of JANUARY, 2016.  
Revised this 24<sup>th</sup> day of February, 2016.

  
Donald J. Thoma, S-2470



## Corporate Owner's Certificate:

Badger Home Builders, Inc., 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 on this Certified Survey Map to be surveyed, divided and mapped as represented on this map.

Badger Home Builders, Inc., does further certify that this Certified Survey Map is required by sec. 236.34 of Wisconsin Statutes to be submitted to the following for approval.

Village of Richfield Village Board

IN WITNESS WHEREOF, Badger Home Builders, Inc. has caused these presents to be signed by Daniel J. Tinte, its Officer, at \_\_\_\_\_ Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

In the presence of:

Badger Home Builders, Inc.  
Corporate Name \_\_\_\_\_

Officer \_\_\_\_\_

Daniel J. Tinti  
(Print)

STATE OF WISCONSIN)  
WASHINGTON COUNTY)s.s

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, Daniel J. Tinti \_\_\_\_\_

Officer of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such Officer of said corporation, and acknowledge that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin.

My commission expires \_\_\_\_\_

# Washington County Certified Survey Map

Sheet 3 of 3

Lots One (1) and Two (2), in Block Three (3), in Friess Lake Grove, a recorded subdivision in the NW 1/4 and SW 1/4 all in Section 17, Township 9 North, Range 19 East, in the Town of Richfield now the Village of Richfield, Washington County, Wisconsin.

## Village of Richfield Village Plan Commission Approval:

This land division is hereby approved by the Village of Richfield Plan Commission  
this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
John Jeffords - Chairperson

\_\_\_\_\_  
Jim Healy - Village Administrator/Clerk

## Village of Richfield Village Board Approval:

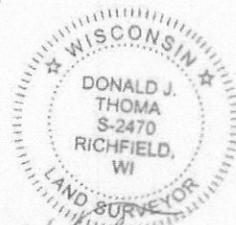
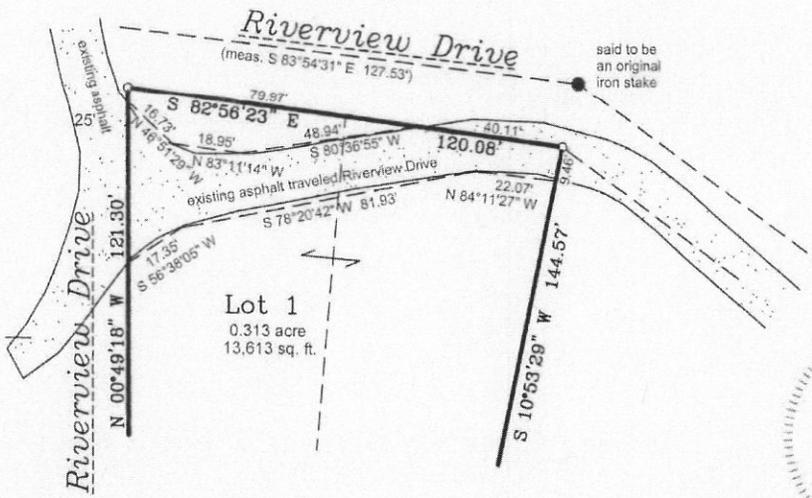
This land division is hereby approved and hereby accepted by the Village of Richfield Village Board this \_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
John Jeffords - Village President

\_\_\_\_\_  
Jim Healy - Village Administrator/Clerk

## Easement Detail:

The owner of this Certified Survey Map grants a road easement to the Village of Richfield as long as used for road purposes. The area below describes the easement area and the extent of the existing asphalt roadway.



*Donald J. Thoma*  
Donald J. Thoma, S-2470

Dated this 15 day of January, 2016.  
Revised this 24th day of February, 2016.



**VILLAGE OF RICHFIELD**  
**VILLAGE BOARD COMMUNICATION FORM**      #

MEETING DATE: May 21, 2015

SUBJECT: Creation of a one-lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
 DATE SUBMITTED: May 14, 2015  
 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:*

Badger Home Builders, Inc. has submitted a proposed certified survey map (CSM) that would combine two (2) legally established parcels to create a one (1) lot parcel consisting of 1,3534 sf (0.31ac) zoned F-1, Floodplain District. Lots One (1) and Two (2) in this subdivision block are currently vacant. The new property owner desires to combine these recently purchased lots with the intention of constructing a single family home. Of particular note with this proposed CSM is the fact that Riverview Drive as platted versus as constructed is markedly different. The roadway of Riverview Drive actually encroaches fairly significantly onto the property owner's land. The 25' wide gap between the south side of these two (2) parcels and the boat lots is a public easement to reach the same.

Given the fact that both Lots are currently vacant, the combination of these lots does not bring about any undesired zoning conflicts. In fact, as a general rule, Staff finds it easier to approve lot combinations due to our zoning regulations than lot divisions. However, it is important to note that due to the property being zoned as "Floodplain" before any land disturbing activity is to take place, which must be approved to ensure compliance with the DNR standards adopted into our zoning code last November.

The Village Engineer completed his review of the proposed CSM on March 26, 2015 and has conditionally approved it based on his suggested changes being addressed by the surveyor. They are shown in REDLINE for your convenience.

The CSM was originally submitted to the Village on March 6, 2015. As required by state statute (s. 236.34(f)) the Village Board must take action within 90 days of that date, unless the time is extended by agreement with the subdivider. On April 2, 2015 the Plan Commission recommended a conditional approval to the Village Board.

At the April Village Board meeting a number of neighboring property owners, particularly the owner directly to the east, brought to the Village's attention that the survey posts utilized by the petitioner were incorrect. Since that time, the services of Mr. Don Thoma of Accurate Surveying have been engaged by several property owners on this street and he has confirmed with Staff several inaccuracies. If you recall, the Village hired Mr. Thoma a few years back to review the Moeser/Adamski easement situation on Riverview Drive. Mr. Thoma's extensive knowledge of this area, especially this block of Riverview Drive helps Staff feel confident that the petition should be formally denied.

Going forward, several neighbors are currently in conversations with Mr. Thoma about the possibility of creating an "Assessor's Plat" or two different CSMs for the Village to consider.

*FISCAL IMPACT:*

*REVIEWED BY:* \_\_\_\_\_  
 Village Deputy Treasurer

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



# VILLAGE OF RICHFIELD

## VILLAGE BOARD COMMUNICATION FORM

#

MEETING DATE: May 21, 2015

SUBJECT: Creation of a one-lot CSM, Tax Keys: V10\_0486 and V10\_048700A  
 DATE SUBMITTED: May 14, 2015  
 SUBMITTED BY: Jim Healy, Village Administrator

**ATTACHMENTS:**

1. CSM Prepared by Pete Baily, RLS drafted on March 3, 2015
2. Village Engineer CSM with REDLINE markup dated March 26, 2015
3. Washington County GIS-Aerial overview of subject properties

**STAFF RECOMMENDATION:**

Motion to deny the petition by Badger Home Builders Inc. to create a one-lot CSM with properties containing the Tax Keys: V10\_0486 and V10\_048700A.

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. \_\_\_\_\_



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

8 h



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8h.

MEETING DATE: March 17, 2016

SUBJECT: Purchase of a Wacker Neuson EW100

DATE SUBMITTED: March 10, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE VILLAGE BOARD WISH TO AUTHORIZE VILLAGE STAFF TO PURCHASE A WACKER NEUSON EW100 UTILIZING PREVIOUSLY SAVED FOR MONIES?*

*ISSUE SUMMARY:*

Early last year, the Village was notified by Public Works Employee Dave Janzer of his intent to retire from full-time employment with the Village effective July 2016. Mr. Janzer has been employed by the Village of Richfield for the last twenty-four years, having started in 1992. It is without question that the anticipated loss of Mr. Janzer as a full-time employee has resulted in an organizational shift for the Village of Richfield. In June of 2015 Staff proposed the hiring of a full-time public works laborer/equipment operator and in August an offer was extended to a well-qualified employee. The hope in hiring a laborer/equipment operator would be that not only would we be able to diversify the various DPW projects we would be able to do 'in-house', we would also attempt to set the Village up long-term to be prepared to handle the unfunded mandate the Wisconsin DNR has placed on the Village by having to be a part of the MS-4 Permit Program. The MS-4 Permit Program is a requirement by municipalities to maintain ditch lines, culvert replacements, storm sewer catch basins, and to monitor detention ponds throughout the community.

Just as any good carpenter will tell you, having the 'right tools' in the proverbial toolbox is an important component of any successful operation. Much is the same in the field of Public Works. The Village's DPW Supervisor, Staff, and elected officials constantly discuss the evolving needs of the organization. A paramount need for the Village now and in the future is an excavator, capable of performing the needs of the Department both new and old. Tonight, DPW Supervisor Schmitt will be on-hand to elaborate on those needs and answer any questions the Board might have.

What is being proposed tonight by Supervisor Schmitt is to use previously saved money and reallocate funds in the Capital Improvement Program to purchase a Wacker Neuson EW100. A copy of the specification sheet and quote proposed by Mid-State Equipment out of Jackson has been provided for your convenience. The piece of equipment is a gently used demo vehicle with the total package cost of \$148,025. A breakdown of the machine is as follows:

- Wacker Neuson EW100 - \$130,000
- Wacker 24" trenching bucket and pins - \$1,700
- Wacker thumb kit - \$4,725
- Wacker 5-Year, 5,000 hour warranty - \$4,900
- Wacker 60" swivel bucket and hoses - \$6,700

In order to provide some perspective as to how much purchasing this demo model versus purchasing new will save, Supervisor Schmitt received a quote from Lincoln Contractor for the exact same model excavator and setup. The total of the brand new piece of equipment totaled \$182,014. When compared to the piece of equipment proposed, the Village would recognize a savings of nearly \$34,000 if the Village Board approved the purchase of the demo model tonight. The proposed method of payment for this piece of equipment is to use money previously saved for the replacement of equipment Staff believes would continue to provide sufficient service with a minimal level of additional maintenance, to use money saved from performing projects 'in house', and to use savings recognized from previous equipment purchases.



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8h

MEETING DATE: March 17, 2016

SUBJECT: Purchase of a Wacker Neuson EW100

DATE SUBMITTED: March 10, 2016

SUBMITTED BY: Jim Healy, Village Administrator

**Previously Held Savings:**

- Toro Groundmaster - \$63,681
- Ford F550 Truck - \$43,200
- DPW Window Replacement Project - \$10,000
- Previous Savings for Capital Equipment- \$32,762
- Plow Truck Savings from Cash Purchases - \$6,502

**Total of Previously Held Savings: \$156,145**

**Difference in Cost for Demo Unit: \$7,145**

**Heritage Park "Rollaway Bleachers": \$5,000**

Two of the largest pools of money the Village will be reallocating money from for this expenditure is savings from the Toro Groundmaster Mower and the Ford F550 Truck. The Toro Groundmaster will require minimal maintenance to extend its life, but since the Village intends to more significantly extend the life of the Ford F550 Truck DPW Supervisor Schmitt is proposing to invest the difference in cost for the demo unit of \$7,145 coupled together with the previously saved for "Rollaway Bleachers" at \$5,000, which would allow \$12,145 to reinvest into our existing Ford F550 Truck, a 1999 diesel truck with approximately 41,000 miles on it. With what Supervisor Schmitt calls 'a little TLC', the vehicle can be sandblasted, painted and worked on mechanically to extend the life of the vehicle for the foreseeable future. This vehicle receives limited use by Village Staff and was primarily kept because it was the truck the Richfield Joint School District leased from the Village as a part of our intergovernmental agreement for snow removal. While the truck is 17 years old and our vehicle equipment replacement policy advised us to replace it several years back, Village Mechanic Bob Muesch believes it still has value to the Village in its current condition and believes it would be fiscally irresponsible to replace a truck that receives little use, has little maintenance issues, and makes the Village money.

*FISCAL IMPACT:*

REVIEWED BY: Katey J. Schmitt  
Village Deputy Treasurer

Initial Project Costs: \$148,025

Future Ongoing Costs: Maintenance

Physical Impact (on people/space): Increased DPW Productivity

Residual or Support/Overhead/Fringe Costs: Administrative

*ATTACHMENTS:*

1. Mid-State Equipment proposal
2. Wacker Neuson EW100 specifications

*STAFF RECOMMENDATION:*



VILLAGE OF RICHFIELD  
VILLAGE BOARD COMMUNICATION FORM

# 8h

MEETING DATE: March 17, 2016

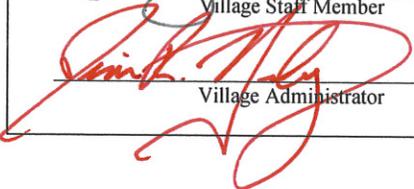
SUBJECT: Purchase of a Wacker Neuson EW100

DATE SUBMITTED: March 10, 2016

SUBMITTED BY: Jim Healy, Village Administrator

  
\_\_\_\_\_

Village Staff Member

  
\_\_\_\_\_

Village Administrator

Resolution No. \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Approved \_\_\_\_\_

Other \_\_\_\_\_

Continued To: \_\_\_\_\_

Referred To: \_\_\_\_\_

Denied \_\_\_\_\_

File No. \_\_\_\_\_



www.midstateequipment.com

W1115 Bristol Rd.  
Columbus, WI 53925  
920-623-4020

4323 E US Hwy 14  
Janesville, WI 53546  
608-754-8450

3660 Scenic Dr.  
Jackson, WI 53037  
262-677-8400

N8690 High Rd.  
Watertown, WI 53094  
920-261-8118

8841 Antioch Rd  
PO Box 10  
Salem, WI 53168  
262-843-2326

S9711 Hwy 12  
Prairie Du Sac, WI 53578  
608-643-3307

355 Transit Dr. **RENTALS**  
Columbus, WI 53925  
920-623-4300

**CUSTOMER INVOICE**

**Customer Name** Village of Richfield  
**Address** 4128 Hubertus Rd  
**City** Richfield  
**State** WI **Zip** 53033  
**County** Washington  
**Customer PO#** \_\_\_\_\_

**Date** 10/13/15  
**Customer Acct#** \_\_\_\_\_  
**Phone#** 262-628-2260 Ext. 118  
**Cell#** \_\_\_\_\_  
**Fax#** \_\_\_\_\_  
**Email** dpw@richfieldwi.gov

**PAYMENT TYPE**

- Cash       Internal charge       JD note       Mastercard       Customer Clearing  
 Farm Plan       Check# \_\_\_\_\_       JDCRP       Visa       Other \_\_\_\_\_

**EQUIPMENT INFORMATION**

New	Used	Make	Model	Description	Hrs	Tag#	Serial#	Amount	GVW (lbs.)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wacker	EW100	Wheeled Excavator				\$130,000.00	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wacker	24" Bucket	Trenching Bucket and Pins				\$1,700.00	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wacker	Thumb Kit	Hydraulic Thumb Kit				\$4,300.00	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wacker	Warranty	5 Year 5000 Hour Premier				\$4,900.00	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wacker	60" Swivel	60" Swivel Bucket & Hoses				\$6,700.00	
<input checked="" type="checkbox"/>	<input type="checkbox"/>								
<input checked="" type="checkbox"/>	<input type="checkbox"/>			Setup for Thumb & Swivel				\$425.00	

EQUIPMENT DESCRIPTION / NOTES	Amount	Freight and Delivery
Excavator includes: Hydraulic Quick Hitch System, Mirror Set, AM/FM Radio and Rotating Beacon Light	\$148,025.00	Subtotal
		Less Trade
		Convenience Fee
	\$148,025.00	Subtotal
		Sales Tax %
10% Non-Refundable down payment required prior to ordering of Special ordered and NonStocked items.		Payoff Amount

**TRADE INFORMATION: ALLOWANCE ON TRADE IN OF THE FOLLOWING WHICH I CERTIFY FREE FROM ALL ENCUMBRANCES**

Year	Mke	Model	Description	Hrs	Tag#	Serial#	Trade Value	Subtotal	Total Cash price
								\$148,025.00	

**WARRANTY INFORMATION**

- New  Extended  Manufacture  
 Used  No Warranty  Other/See below  
Warranty doesn't cover delivery fee/service calls

Term \_\_\_\_\_ Hours \_\_\_\_\_  
Term \_\_\_\_\_ Hours \_\_\_\_\_

All known defects of trades have been disclosed to Mid-State Representative prior to agreement. \_\_\_\_\_ (Customer Initials)

I CERTIFY THAT THE PROPERTY ABOVE IS  IS NOT  EXEMPT FROM WISCONSIN SALES TAX BECAUSE IT WILL BE USED OR LEASED IN PRODUCTION OF AGRICULTURE.

**ALL INVOICES DUE UPON RECEIPT.** A FINANCE CHARGE computed by the periodic rate of 1.5% per month which is an ANNUAL RATE of 18% will be applied to the adjusted balance that has become more than 30 days past due as of the billing date shown on the statement.

CUSTOMER SIGNATURE \_\_\_\_\_

Jason R Hawkinson  
MID-STATE SALES REPRESENTATIVE

DATE \_\_\_\_\_

Auth. Dealer Signature \_\_\_\_\_

Quote Expiration Date: \_\_\_\_\_

**Thank you for your business!**

Rev. 02/16/2015

ALL WARRANTIES, IF ANY, MADE WITH RESPECT TO THIS EQUIPMENT ARE THOSE WARRANTIES MADE BY THE MANUFACTURE. DEALER MAKES NO WARRANTIES EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.



**WACKER  
NEUSON**  
*all it takes!*

## **EW100** Wheeled Excavators



### **The future of urban excavation: EW100**

The new EW100 features a more powerful engine, significantly reduced turning radius, increased digging depth and simplified operation. Wheeled excavators save contractors and municipalities money with unparalleled mobility. With its power, reach and mobility, this excavator is the perfect solution for roadside digging and demolition in urban settings. Operators will also appreciate the new easy to use dial control system. Using this automotive-style feature, operators can easily select and save the auxiliary hydraulic flow settings depending on the attachment, eliminating the need for manual adjustments.

- Powerful Perkins 854 Tier 4 interim Turbo engine delivers 117-hp, which is 15% more power and 17% lower fuel consumption compared to its predecessor. The 4-cylinder, 3.4 liter engine incorporates cutting edge technology including a common rail fuel injection system, charge-air cooler and diesel particulate filter (DPF).
- All wheel steering feature delivers a turning radius of 13-feet making it even easier to maneuver in confined areas.
- New and improved boom system features a 14-foot dig depth and 24-foot reach.
- Operator comfort with air conditioning, automatic climate control and a simplified layout.
- Driving speeds up to 25 mph make getting to and around the jobsite more efficient.



**WACKER  
NEUSON**  
*all it takes!*

## Technical specifications

### EW100 with mono-boom

	Standard	Option 86 kW
<b>Operating data</b>		
Shipping weight min. lb	21,142	21,142
Operating weight min. lb	22,123	22,123
Biting force max. (ISO 6015) lbf	5,800	5,800
Breakaway force max. (ISO 6015) max. (ISO 6015) lbf	11,308	11,308
Digging depth min. in	157	157
Dumping height max. in	210	210
Digging radius min. in	296	296
L x W x H in	286 x 97 x 117	286 x 97 x 117
<b>Engine / Motor</b>		
Engine / Motor manufacturer	Perkins	Perkins
Engine / Motor type	854E-E34TA	854
Engine / Motor	Liquid-cooled, 4-cylinder turbo diesel engine	Liquid-cooled, 4-cylinder turbo diesel engine
Displacement in <sup>3</sup>	201	201
RPM / speed rpm	2,400	2,400
Engine performance according to ISO hp	73.7	116
Battery Ah	100	100
<b>Hydraulic system</b>		
Duty pump	1-pump Load Sensing	1-pump Load Sensing
Flow rate US gpm	48	48
Operating pressure for driving hydraulics psi	6,381	6,381
Hydraulic oil tank US qt	127	127
<b>Wheel set</b>		
Axles Front axle	Oscillating steering axle	Oscillating steering axle
Axles Rear axle	Rigid steering axle	Rigid steering axle
Tires Standard	Dual tires 8.25/20	Dual tires 8.25/20
Turning radius in	219	219
Track width in	76	76
Ground clearance in	14	14
Travel speed . mph	12.4	24.8
<b>Dozer Blade</b>		

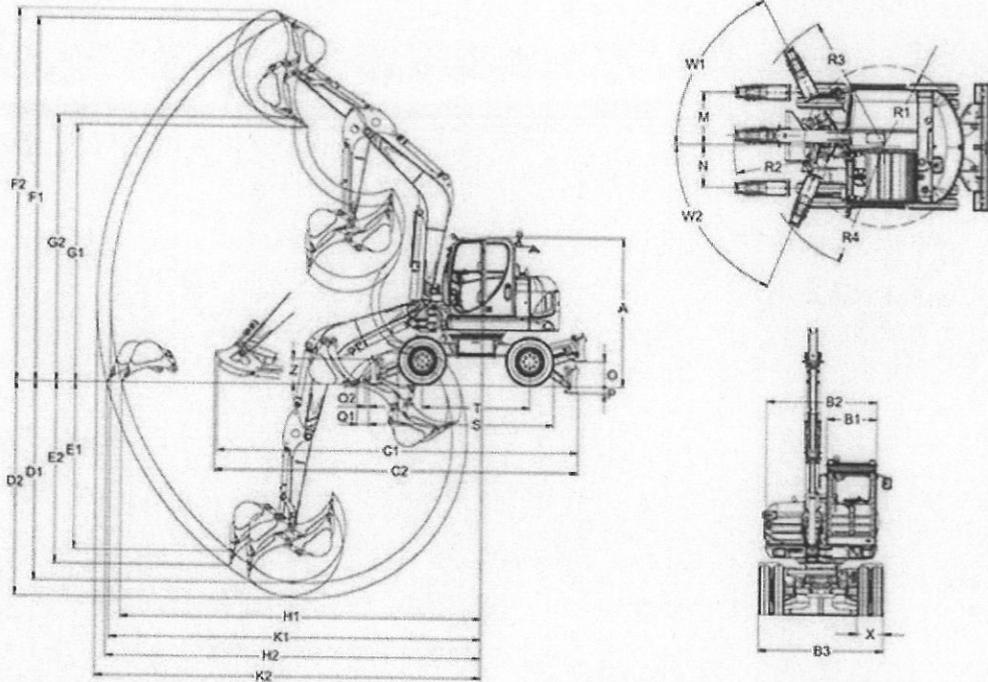


**WACKER  
NEUSON**  
*all it takes!*

	<b>Standard</b>	<b>Option 86 kW</b>
Width in	97	97
Height in	19.7	19.7
Stroke in	19.6	19.6
Stroke in	5.2	5.2
<b>Sound level</b>		
Sound level (LwA) dB(A)	101	101



## Dimensions



<b>B1</b>	Width Cabin in	39
<b>B2</b>	Width Revolving superstructure in	86
<b>B3</b>	Width Traversing gear in	97
<b>C1</b>	Transport length short dipperstick in	283
<b>C2</b>	Transport length long dipperstick in	285
<b>D1</b>	Digging depth max., short dipperstick in	156
<b>D2</b>	Digging depth max., long dipperstick in	168
<b>E1</b>	Insertion depth max., vertical, short ds in	131
<b>E2</b>	Insertion depth max., vertical, long ds in	142
<b>F1</b>	Insertion height max., short ds in	285
<b>F2</b>	Insertion height max., long ds in	292
<b>G1</b>	Dumping height max., short ds in	201
<b>G2</b>	Dumping height max., long ds in	209



**WACKER  
NEUSON**  
*all it takes!*

H1	Range max. on the bottom, short ds in	286
H2	Range max. on the bottom, long ds in	297
K1	Digging radius max., short ds in	294
K2	Digging radius max., long ds in	305
O	Lift height max., dozer blade above subgrade in	20
P	Scraping depth max., dozer blade below subgrade in	5
Q1	Distance Bucket dozer blade (short ds) in	9.3
Q2	Distance Bucket dozer blade (long ds) in	2.5
R1	Rear swivel radius min. in	62
R2	Boom slewing radius Middle in	115
R3	Boom slewing radius Right in	106
R4	Boom slewing radius Left in	95
S	Length Total traveling gear in	126
T	Length Traveling gear, Turas guide wheel in	87
X	Width Dual tires in	20
X	Width Balloon tires in	21
Y1	Width Dozer blade in	97
Z	Height Dozer blade in	20

ds...dipperstick

**Please note**

that product availability can vary from country to country. It is possible that information / products may not be available in your country. More detailed information on engine power can be found in the operator's manual; the stated power may vary due to specific operating conditions. Subject to alterations and errors excepted. Applicable also to illustrations.  
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# Truck #8 Repair Estimate

February 11, 2016

- Driver's Side Door Mirror	\$200.00
- 6 New Tires	
○ 225/70R19.5	\$1633.80
○ Stems	\$30.00
○ Mounting	\$180.00
○ Balancing	<u>\$90.00</u>
○ TOTAL	\$1933.80
- New Oil Pan and Gasket installed	\$3228.18
- Bench Seat Repairs	\$150.00
- Heater Control Door Repair	\$180.00
- Front End Repairs (Bushings)	\$150.00
- Blast and Paint Box & Chassis	\$4665.40
- Prep & Finish Truck	\$240.00
- New Front Bumper	\$189.00

**FYI**

**TOTAL: \$10936.38**



# Richfield Trailer, Inc.

1203 Hwy 175  
P.O. Box 55  
Hubertus, WI 53033-0055

(O) (262) 628-4342  
(F) (262) 628-4798  
(E) RTI-trailers@att.net

RichfieldTrailerInc.com



Truck & Trailer Bodyshop

**ESTIMATE**  
Estimate Number: 1268  
Estimate Date: Feb 4, 2016  
Page: 1

**Estimated To:**

Village of Richfield  
4128 Hubertus Road  
Hubertus, WI 53033

**ATTN:**

*Bob*

<b>Good Thru</b>	<b>Sales Rep.</b>
3/5/16	Jung

Description	Hours	Amount
Unit #8 - 1999 Ford F550 10' Dump Box - VIN #XED95543 - Miles 42,936		
Prep for sandblasting.		
Cover cab with rubber etc.		
Sandblast complete box inside and outside.		
Sandblast inside and outside of frame and hitch from cab back.		
Sandblast outside of wheels and front bumper.		1,020.00
Cover cab, epoxy prime and refinish box orange.		
Cover box and epoxy prime.		
Refinish bottom of box frame and front bumper black.		
Under coat bottom of box.		
Prime and refinish wheels gray.		
Repair hood damage and refinish.		
Shop Supplies		115.30
Commercial Grade Paint Materials		1,577.60
Labor:	8.5	467.50
Refinish:	27.0	1,485.00
Note: Chipper box, lights, and side boxes to be removed by customer.		

**For Office Use:**

Form	Date	Initial
Generated	2-4-16	SN
E-mailed		
Faxed		

*The above is an estimate based on our inspection and does not cover any additional parts or labor which may be discovered after work has been started.*

Subtotal:	4,665.40
Sales Tax:	
<b>TOTAL:</b>	<b>135 4,665.40</b>

Enter Keyword Or Item #

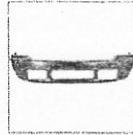
Search

Truck #8

Your Shopping Cart: 1 item (\$188.55)

Save Quote (<http://cart.discountbodyparts.com/basket/savequote>)

Continue Shopping (<http://www.discountbodyparts.com/catalog/?Ns=price3|0&No=10&Ntt=Truck+Bumper+Ford&VN=4294967166+4294963878+4294963594+429496383>)



Replacement Bumper (<http://www.discountbodyparts.com/details/Replacement/Bumper/F010104.html>)

1999 Ford - F-550 Super Duty Item Number: F010104

Availability: In Stock

Price:	\$138.16
Qty:	1
Total:	<b>\$138.16</b>
	<a href="#">Remove item</a>

Continue Shopping (<http://www.discountbodyparts.com/catalog/?Ns=price3|0&No=10&Ntt=Truck+Bumper+Ford&VN=4294967166+4294963878+4294963594+4294963833+42949>)

Subtotal	\$138.16
Estimated Shipping	\$40.64
Handling	\$9.75
<b>TOTAL</b>	<b>\$188.55</b>

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