ALLOUEZ VILLAGE BOARD MEETING
TUESDAY, JANUARY 16, 2018
6:30 P.M., ALLOUEZ VILLAGE HALL

CALL TO ORDER / ROLL CALL

President Rafter called the meeting to order at 6:30 p.m.

Present: Harris, Genrich, Atwood, Rafter, Dart, Green
Also Present: Fuller, Clark, Berndt, Lange, Wieland, Attorney Gast

MODIFY / ADOPT AGENDA

Dart / Harris moved to adopt the agenda as modified. Move items #11, bid to raze building on Webster Avenue and #12, Allouez Water Works Building located at 535 Greene Avenue up after #3. Motion carried.

ANNOUNCEMENTS

a. Adult School Crossing Guard Recognition Week, January 22 – 26, 2018
b. Du Tri Run (Seroogy's Valentines Run) – Saturday, February 10th, 2018. – Reoccuring Event
c. Cystic Fibrosis Foundation Great Strides Walk – Saturday, May 5th, 2018 – Reoccuring Event
d. Election on February 20, 2018 for Justice of Supreme Court

APPROVAL OF BID TO RAZE BUILDING ON WEBSTER AVENUE

Wieland explained, due to contractor concerns with the abatement aspect during the onsite inspection, the Village will take care of the abatement testing rather than having each contractor test it individually at a cost to each. Therefore the bids are to tear down the building only and he recommended Ostrenga Excavating at a cost of $29,644.

Discussion:
- Approximately $3,000 for testing / Abatement costs to follow
- Water disconnection has been taken care, costs not yet determined
- Questioned the vast difference in bids (from $18,450 to $91,782)
- WPS disconnection has not yet been done
- All contractors participated in the on-site inspection

Genrich / Dart moved to award Ostrenga Excavating the project of razing the building at 1825 S. Webster Avenue as recommended in the amount of $29,644. Motion carried.

ALLOUEZ WATER WORKS BUILDING LOCATED AT 535 GREENE AVENUE

Attorney Gast stated the original offer with Erik Bertaud was to close on or before December 31st. Since that didn't happen, the Board could consider extending the closing date and financing contingency, include additional contingencies or move on with other interested parties. Mr. Bertaud is requesting an additional 30 days to obtain financing.

Genrich / Dart moved to open the meeting for public input. Motion carried.

Erik Bertaud, 810 Lime Kiln Road
- Available to answer any questions
- Explained the delay in obtaining financing (lenders are concerned with what they would do with the property if they are left with it)

Harris / Dart moved to return to regular order of business. Motion carried.

Discussion:
- Attempts to communicate with buyers Attorney have gone unanswered until recently
- Whether to extend the financing contingency and closing date by way of amendment to the prior contract and build in a contingency that if a bonafide offer comes in, the Village will give Bertaud's Attorney 24 hours to get the deal done or we take the other offer. Or do we put back on the market allowing anyone including Mr. Bertaud to make an offer on the property.
- This may be a difficult property to get financing for. Banks may be hesitant.
- Should this be held in closed session.

Atwood / Dart moved to extend the financing contingency for 30 days, the closing date for 45 days and include a provision that if the Village gets a bonafide 3rd party offer it will be presented to Bertaud's Attorney to waive all contingencies and close on within 48 hours or we are free to pursue the other 3rd party opportunity. Motion carried.

PUBLIC HEARING TO CONSIDER AMENDMENT TO ARTICLE III, DISTRICT REGULATIONS AND ARTICLE VII, CONDITIONAL USES OF CHAPTER 475 OF THE VILLAGE ORDINANCES

A public hearing was held to receive public comment on proposed ordinance amending Article III, District Regulations and Article VII, Conditional Uses of Chapter 475.

Jim Orourke, 2339 Oakwood Avenue
- Concerned with changing a section of the zoning ordinance now when funding has been approved to rewrite the entire zoning ordinance this year
- Concerned with the way the PDD process is being used

Hearing closed at 7:15 p.m.

ADOPTION OF ORDINANCE 2018-02, AMENDING ARTICLE III, DISTRICT REGULATIONS AND ARTICLE VII, CONDITIONAL USES OF CHAPTER 475 OF THE VILLAGE ORDINANCES

Harris / Genrich moved to adopt Ordinance 2018-02 with the following changes:

- **Rewording 475-19, E(b)(ii) – "defined as such, except if *after* the Plan Commission *reviews and provides a recommendation, and the* Village Board deem*s* the uses are compatible to share *in* parking".**
- **475-58**
  D. Adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion in the public streets; ~~*and*~~
  E. That the establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for permitted uses in the zoning district*; and*

Motion carried.

PUBLIC HEARING TO CONSIDER AMENDMENT TO CHAPTER 248 OF THE VILLAGE ORDINANCES, HISTORIC PRESERVATION

A public hearing was held to receive public comment on proposed ordinance amending Chapter 248, Historic Preservation.

Jim Orourke, 2339 Oakwood Avenue
- Suggested tabling the changes until the entire ordinance can be fixed.

Hearing closed at 7:20 p.m.

ADOPTION OF ORDINANCE 2018-01, AMENDING CHAPTER 248 OF THE VILLAGE ORDINANCES, HISTORIC PRESERVATION

Dart / Green moved to adopt Ordinance 2018-01 with the following change:
'The intent of this chapter is to initiate and regulate the process for locally designating properties or districts or to initiate and facilitate the selection and nomination process for properties or districts to be placed on the State and/or National Register of Historic Places. Sites placed on the State and/or National Register of Historic Places are not automatically considered locally designated and are not immediately subject to the same controls and restrictions ~~outlines~~ outlined in this ordinance.'
Motion carried.

PUBLIC APPEARANCES

Jim Orourke, 2339 Oakwood Avenue
- Concerned with previous meetings held in closed session. He encouraged the Board to hold as many meetings as possible in open session and only hold in closed for extreme circumstances.

ORDINANCE 2018-04, AMENDING SECTION 151-10 BEEKEEPING (from 12/05/17 and 12/19/17)

Green / Genrich moved to approve with the following changes:
- **Correct typos and page layout**
- **151-10 B(6) and 151-10D - change expiration date from June 30th to December 31st**
- **151-10 C(9) and 151-10H(11) – insert "or by Village Staff"**
- **151-10H(5) define "winter" as "freezing"**

Motion carried.

ORDINANCE 2018-03, AMENDING SECTION 110-1 OF CODE 110, SALARIES AND COMPENSATION, RELATING TO THE ANNUAL SALARY FOR THE VILLAGE PRESIDENT (from 01/02/18)

Atwood shared correspondence received from Clarence Matuszek as requested: this action is way, way overdue and should have been changed years ago. The workload and time involved for the position can be substantially more than for a trustee.

Harris / Dart moved to approve the annual salary increase for Village President from $8,364 to $10,000 effective with the April 2019 term of president. Motion carried.

PUBLIC WORKS COMMITTEE MEETING MINUTES DATED JANUARY 10, 2018

a. CONSTRUCTION CONTRACT AWARD FOR WEBSTER SRTS PROJECT

Genrich / Harris moved to approve the award of Construction Contract to Vinton Construction in the amount of $396,503.90 subject to approval of the contract by the Wisconsin Department of Transportation as recommended by the Public Works Committee. Motion carried.

b. DOTY SCHOOL SRTS PROJECT APPLICATION TO WISDOT

Green / Harris moved to open the meeting for public comment. Motion carried.

Jim Orourke, 2339 Oakwood Avenue
- Would like the bid to include an option for striping East River Drive and Libal Street.

Harris / Atwood moved to return to regular order of business. Motion carried.

Green / Genrich moved to submit the Doty School SRTS application to WisDOT and include the design engineering cost in the funding application as recommended by the Public Works Committee. Motion carried.

c. DPW SIGNATURE AUTHORITY FOR STORMWATER ANNUAL REPORTING

Green / Atwood moved that the Director of Public Works (Craig Berndt or his successor) be approved as the authorized municipal contact for submittal of the MS4

stormwater annual report as recommended by the Public Works Committee. Motion carried.

FUTURE AGENDA ITEMS

- none

CONVENE INTO CLOSED SESSION

Green / Dart moved to convene into closed session pursuant to Wis. Statute 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Roll call vote: Harris – aye, Genrich – aye, Atwood – aye, Rafter – aye, Dart – aye, Green – aye. Motion carried.

Discussion:
- Code Enforcement

RECONVENE INTO OPEN SESSION

Genrich / Atwood moved to reconvene into open session. Motion carried.

No action was taken.

ADJOURNMENT

Genrich / Atwood moved to adjourn at 8:33 p.m. Motion carried.

Minutes submitted by Debbie Baenen, Clerk-Treasurer