

PUBLIC HEARING & MONTHLY MEETING – AUGUST 26, 2019

On Monday, August 26, 2019, the Village of Raymond held a public hearing to consider a request by Musafar Group LLC, Scott Maier agent, Re: Consideration and possible action on a request for a Conditional Use permit to operate a truck parking and service building operation (AKAL Trucking) to be located on vacant lands south of 2915 6 ½ Mile Road, and land disturbance request. Tax Parcel No. 0120421-12-038030.

President Kastenson opened the public hearing at 7:30 PM.

Mr. Scott Maier was present at the meeting, representing the petitioner, Musafar Group.

Trustee Ryan questioned the turn-around area. He also asked if they own the entire parcel?

Mr. Maier said that they own approximately 19 acres – the property East of the creek. This request is for Phase No. 1. The rest of the property will remain undeveloped for now.

President Kastenson questioned where the access would be?

Mr. Maier said it would be off of 6-1/2 Mile Road.

Mr. Musafar said that he has 16 truck right now. He is proposing 21 or 22 trucks – total of 25 which will include trailer space.

President Kastenson is worried about the truck weight on the Village Road.

Mr. Maier has agreed to work with Village Staff to get this matter taken care of.

With no one else to speak for or against the request, the public hearing was closed.

Immediately following, the Board held another public hearing to consider a request by Mortle Properties, LLC, by Jim Mortle 1331 S. 27th Street, Re: Consideration and possible action on a request for a Conditional Use permit to operate a trade and contractor office and landscape yard on the property located at 1331 S. 27th Street (Mortle Trucking) and land disturbance request. Tax Parcel No. 0120421-12-038400.

Mr. Peter O'Rourke was present to represent the petitioners in this matter. He stated that this property is on the Southwest corner of 6-1/2 mile Road and 27th Street.

President Kastenson asked how many quad-axle trucks would be here?

It was stated that there are six quad-axle trucks. There will be a black-top and concrete parking lot.

Joe Heinrichs asked about the wash water from the trucks?

Mr. O'Rourke stated that they would be washed inside and then, the water would go into the storm-water pond that is there.

Mr. Scott Maier (from Mufasar public hearing), questioned the pond. He stated that this pond is on his clients' property, and, his clients would like some sort of maintenance agreement with Mortle Trucking.

Sharon Korponai asked where the exit and entrance are?

They are on 6-1/2 mile road and on 27th Street.

With no one else to speak for or against this matter, the Public Hearing on this matter was closed.

Immediately following, the Board held another public hearing to consider a request by Vesel Contractors, 215 27th Street, Re; Consideration and possible action on a request for a Conditional Use Permit to operate a contractors office and yard for storage of tools, vehicles and equipment at 215 27th Street. Tax Parcel No. 0120421-01-007000.

Mr. Barbeau, the Zoning Administrator, stated that in 2018, the Vesels were given approval for one of the Bartel properties; but now, the Vesels are buying the other property as well.

With no one to speak for or against this matter, the public hearing on this matter was closed.

At this time, the Board held their regular monthly meeting.

The Pledge of Allegiance was recited.

Roll call was taken as follows: Present were, President Gary Kastenson, Trustees, Doug Schwartz, Paul Ryan, Tim Geszvain and Dave Lecus. Also present were, Village Clerk, Linda M. Terry, Village Treasurer, Lee Marie Toll, Village Zoning Administrator, Tim Barbeau; Fire/Rescue Chief Adam Smith and Asst. Fire Rescue Chief, Kevan Leedle and Jake Dinauer.

The Treasurer's report was read as follows:

Community State Bank - General Checking		
Beginning Balance		\$6,774.87
Deposits:	418,048.60	
Transfers in:	38,000.00	
Interest Earned	11.17	
Miscellaneous Credits/Voiced Checks		
Journal Entries debiting checking		
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TOTAL ADDITIONS:		456,059.77
Disbursements:	(152,696.47)	
Transfers out:	(297,588.88)	
Bank Charges & Miscellaneous Deductions	(15.90)	
Journal Entries crediting checking	(4,994.06)	
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TOTAL SUBTRACTIONS:		(455,295.31)
ENDING BALANCE:		7,539.33
OTHER ACCOUNTS:		
UNRESTRICTED		
	<hr/>	
Community State Bank - Money Market		55,297.35
State LGIP Fund - Tax Investment		1,047,426.47
TOTAL UNRESTRICTED SAVINGS		1,102,723.82
TOTAL UNRESTRICTED FUNDS		1,110,263.15
RESTRICTED		
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Community State Bank - Bond Escrow		96,392.61
Community State Bank Storm Water Utility		9,612.44
Community State Bank Cemetery Fund		12,364.03
Community State Bank Perpetual Care Fund		6,463.52
State LGIP Funds - Bond Escrow		59,559.35
State LGIP Funds - Cemetery		23,388.20
State LGIP Funds - Equipment Reserve		129,058.28
State LGIP Funds - Land Reserve		24,020.37
State LGIP Funds - Raymond SWUD		69,609.62
State LGIP Funds - Fireworks Bonds		10,485.75
State LGIP Funds - Fire & Rescue Equip Reserve		306.55
TOTAL RESTRICTED FUNDS		441,260.72
ALL TOWN BANK ACCOUNTS		\$ 1,551,523.87
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The Treasurer's report was **APPROVED ON A LECUS/GESZVAIN MOTION. MOTION CARRIED 5-0.**

BILLS PAID FROM: July 23, 2019 – August 26, 2019 = \$152,696.47, **WERE APPROVED ON A GESZVAIN/LECUS MOTION. MOTION CARRIED 5-0.** Paul Ryan asked about the check for managed forest land?

Treasurer Toll explained that check to him.

MINUTES FROM PREVIOUS MEETING OF: July 22, 2019, **WERE APPROVED ON A RYAN/SCHWARTZ MOTION. MOTION CARRIED 5-0.**

SHERIFF'S REPORT:

Sgt. Litwin was present for the meeting. He reported that the Sheriff's Department took 285 calls in the Village of Raymond for the month of July, 2019.

He also updated the Board on the speed trailer that was set at 7 Mile and Adeline Drive.

** In 4-1/2 days, there were 3759 vehicles that went on that stretch of road

** The average speed was 46.29 mph

** 85% of the vehicles drove 53 mph or slower

Joe Heinrichs questioned as to why the sheriff's department will not issue citations for the noise ordinance violations that are taking place across from his property.

Sgt. Litwin stated that the sheriff's department will not issue citations unless given the green light by the Village Board.

President Kastenson stated that we will talk to our attorney regarding this matter, and if he says that citations can be issued, they will be issued.

PUBLIC COMMENT:

Mr. Stan Bugnacki reported on the Waste Management Siting Committee meeting that he attended August 1st.

He also reported that they went over the 2019 well samplings. The site inspection has been completed; there were no violations.

Treasurer Toll stated that with the Northern Expansion from Waste Management – the Village is getting larger checks than usual from Waste Management – the checks have almost tripled.

President Kastenson would like to make sure that those checks are used for the road maintenance.

1. Fire Department Business:

Chief Smith updated the Board on a truck that was damaged and 8 sets of boots and turn-out gear that were ruined on a call. He stated that he has tried to deal with the trucking company; but, they have refused to pay. He will be turning this matter over to the Village's insurance company.

The approximate cost of the damage is \$36,000.00.

There will be a practice burn done at 4365 – 27th Street.

Asst. Chief Leedle gave the Board an update on the I94 road construction.

2. Storm Water Utility District:

Trustee Schwartz stated that the SWUD is working on five areas in the Village, and getting prices for the same.

He also said that they are working on the spraying.

3. Plan Commission Business:

- a. Rose Investments, LLC 7213 USH 41, Caledonia, WI, owner/applicant, by Fox, O'Neil & Shannon, S.C. agent, Consideration and possible action on a request for a Conditional Use permit to operate a trucking terminal and station for the service and

repair of vehicles, and truck and trailer parking at the property known as 1521 Waukesha Road, Tax Parcel No. 0120421-10-055000. (Previously tabled)

The Village Attorney has received an email this afternoon – Rose Investments is rescinding their request for a Conditional Use Permit.

- b. Karen and Brian Gunderson, 4025 Gunderson Road, Waterford, (tabled 7/22/19)
Re: Consideration and possible action on a request for approval of a Certified Survey Map to reconfigure two properties. Tax Parcel No. 0120421-18-016054.

This matter was taken off of the agenda, per a request from petitioners.

- c. Musafar Group LLC, Scott Maier agent, Re: Consideration and possible action on a request for a Conditional Use permit to operate a truck parking and service building operation (AKAL Trucking) to be located on vacant lands south of 2915 6 ½ Mile Road, and land disturbance request. Tax Parcel No. 0120421-12-038030.

Trustee Ryan questioned the set-back on this matter.

Zoning Administrator Barbeau stated that any conditional use approval would be subject to the variance approval for this. The petitioners would be coming out on 6-1/2 Mile road and only going North on 27th Street.

It was stated that the driveway may need to be widened.

It was also stated that they will need approval from the Village of Caledonia.

Trustee Schwartz wanted to make sure that there will only be trucking to AKAL Trucking.

Mr. Maier brought up the fact that there is a pond on this property that benefits all of the business properties in this area. He wants to make sure that those properties share the expenses of maintenance on this pond.

Mr. Barbeau stated that the stormwater pond issue is a civil matter and the Village should not get involved in it.

President Kastenson stated that he wants to make sure that the road is strong enough for the trucks. We may need another layer of asphalt.

APPROVE SUBJECT TO SEEING THE FINAL CONDITIONAL USE FROM MR. BARBEAU, MADE ON A LECUS/GESZVAIN MOTION. MOTION CARRIED 5-0.

APPROVE LAND DISTURBANCE, MADE ON A RYAN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

- d. Mortle Properties, LLC, by Jim Mortle 1331 S. 27th Street, Re: Consideration and possible action on a request for a Conditional Use permit to operate a trade and contractor office and landscape yard on the property located at 1331 S. 27th Street (Mortle Trucking) and land disturbance request. Tax Parcel No. 0120421-12-038400.

APPROVE SUBJECT TO THE CONDITIONS SET FORTH BY THE VILLAGE'S ZONING ADMINISTRATOR.

At this time, Trustee Ryan asked Mr. Barbeau to check the original document regarding the detention pond.

President Kastenson suggested that the Village Attorney check the original document to make sure that the cost of the storm water pond maintenance is shared.

APPROVE SUBJECT TO THE CONDITIONS SET FORTH BY THE VILLAGE'S ZONING ADMINISTRATOR, AND PENDING ADVICE ON THE STORM WATER POND FROM VILLAGE COUNSEL, MADE ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 4-1 WITH RYAN OPPOSING.

APPROVE LAND DISTURBANCE, MADE ON A SCHWARTZ/LECUS MOTION. MOTION CARRIED 5-0.

- e. Vesel Contractors, 215 27th Street, Re; Consideration and possible action on a request for a Conditional Use Permit to operate a contractors office and yard for storage of tools, vehicles and equipment at 215 27th Street. Tax Parcel No. 0120421-01-007000.

Trustee Ryan questioned the sign that is on the side of a truck trailer. That needs to be immediately removed.

There was also some discussion regarding this matter being previously approved.

Mr. Barbeau stated that a conditional use was approved for a portion of the property – this is now for all of the property.

APPROVE CONDITIONAL USE WITH MR. BARBEAU'S CONDITIONS, AND UPON IMMEDIATE REMOVAL OF THE TRUCK THAT HAS THE SIGN ON IT, MADE ON A LECUS/RYAN MOTION. MOTION CARRIED 5-0.

- f. Adam Smith, 3962 68th Street, Re: Consideration and possible action on a request for soil disturbance to install a driveway and accessory building on lands located at 3962 68th Street. Tax Parcel No. 0120421-27-032030.

Mr. Smith was present for the meeting.

Mr. Barbeau stated that all trucks will exit and enter on Highway "K".

APPROVE WITH PLAN COMMISSION RECOMMENDATIONS, AND A \$5000.00 ROAD BOND, MADE ON A LECUS/GESZVAIN MOTION. MOTION CARRIED 5-0.

- g. Rosalie Splinter Family Trust, owner, by Nancy Washburn, agent for U76, LLC, developer, Re: Consideration and possible action on the final plat for a seven lot subdivision proposed as Stone Creek East located east of Stone Creek Way. Tax Parcel No. 0120421-09-001000.

Mr. Barbeau stated that this follows exactly as the Preliminary Plat that was previously approved.

APPROVE FINAL PLAT, MADE ON A RYAN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

- h. Rosalie Splinter Family Trust, owner, by Nancy Washburn, agent for U76, LLC, developer, Re: Consideration and possible action on the final plat for a nine lot subdivision proposed as Splinter Farms located southwest and southeast of the intersection of S. 76th Street and West 7 Mile Road. Tax Parcel Nos. 0120421-10-034000; 0120421-11-036000.

Again, Mr. Barbeau stated that this follows the Preliminary Plat that was previously approved.

President Kastenson questioned the number of splits that are being proposed. He feels that it is against the present land division ordinance.

APPROVE FINAL PLAT, MADE ON A GESZVAIN/LECUS MOTION. MOTION CARRIED 4-1, WITH PRESIDENT KASTENSON OPPOSING.

- i. Consideration of changing road weight limits from Class B to a tonnage designation.

Plan Commission Secretary, Gary Boldt, would like to see Village Roads be posted, instead of Class "B", to Five (5) Ton Weight Limit on all Village Roads.

President Kastenson asked – what about people that have already gotten conditional use approvals? Will they be exempt from this new rule? President Kastenson is also very concerned regarding just who would police this matter?

Mr. Boldt said that the citations issued would end up paying for the officers' time.

Sgt. Scott Litwin stated that we have three guys that are trained in this matter. This is an extremely time consuming matter.

President Kastenson thinks that the Village should wait until after the I94 project is done and see how much truck traffic we have at that time.

Trustee Schwartz stated that the Village DPW really needs to make sure that we post the Village Roads when the frost is coming out of the ground – that is the time that roads are damaged.

TABLE THIS MATTER FOR FUTURE CONSIDERATION, MADE ON A RYAN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

4. Village Business:

- a. Discussion/Decision regarding 2019-2020 Contract with Racine County Sheriff's Department:

Motion to approve the Sheriff's Department Contract, made on a Lecus/Geszvain motion.

At this time, it was asked if it is for the same number of hours that we presently have?

Sgt. Litwin stated that the hours have been adjusted some, to reflect the wage increase for the deputies. The contract will not go over \$8600.00; however, the Village will get a few less hours than in the past.

Rescind Previous motion and move to TABLE THIS MATTER, MADE ON A LECUS/GESZVAIN MOTION. MOTION CARRIED 5-0.

- b. Discussion/Decision regarding Top Flight Industrial Park Operations / Greg Michel:

President Kastenson feels that the pond is leaking.

Mr. Oakes stated that he has dug a trench four feet wide and eight feet deep.

There was discussion regarding discharging out to the East side.

Mr. Oakes showed the Board and Mr. Michel a map of what is going to be done.

Mr. Oakes needs to get DNR approval to do a lot of the things that could alleviate the water problems for the Michels.

Mr. Oakes would also like to work past noon on Saturdays – maybe until 2:00 pm.

Mrs. Michel said that she would prefer not having any work done on Saturday afternoons. She also doesn't want to be losing the big trees in the yard due to water problems.

Mr. Oakes will make sure that the Michels have no more water.

Mr. Oakes will be allowed to work on the drainage issue as he has been; however Phase #3 must be on the September agenda for approval.

c. Discussion/Decision regarding Recodification of Village Ordinances:

Clerk Terry informed the Board of the different costs:

Option #1 – New headers one complete new copy of the code = \$2700.00 plus the cost of the seven latest ordinances.

Option #2 – New headers new page numbers as there are many point pages, remove short pages, one complete new copy of the code = \$4500.00 plus the cost of the seven latest ordinances.

There is also a total recodification that will cost approximately \$13000.00. However, Clerk Terry suggested not going with that at this time – we should wait until staff has gone through the zoning ordinances before having this cost.

APPROVE OPTION #1, MADE ON A GESZVAIN/Ryan MOTION. MOTION CARRIED 5-0.

At 9:50 PM, THE MEETING WAS ADJOURNED ON A LECUS/GESZVAIN MOTION. MOTION CARRIED 5-0.

Respectfully submitted,

Linda M. Terry
Village Clerk
Village of Raymond