

VILLAGE BOARD – APRIL 26, 2021

On Monday, April 26, 2021, the Village Board of the Village of Raymond held a public hearing. The purpose of the hearing is to consider a request by Adam Becker, 4510 W. 5 Mile Road for a Conditional Use Permit to allow the parking of two commercial vehicles inside an existing fully enclosed accessory structure located at 4510 W. 5 Mile Road. Tax Parcel No. 1680421-14-019080. The public hearing was opened at 7:30 pm.

Sharon Korponai spoke against the conditional use. She doesn't feel that 5 Mile Road can handle the commercial truck use that this may cause. She also has driven past the structure and doesn't feel that any of this building is for personal use.

Paul Magestro said that he doesn't feel it's legal that trucks are able to use 5 Mile Road. He stated that there is an Ordinance for no trucking on Highway "G", but, it's used anyway.

Trustee Schwartz stated that Highway "G" is a County road.

Bill Wilson stated that he purchased a residential lot, and his neighbor is now building a huge building right next to his home. Conditional uses for businesses should not be allowed in residential areas. Such a large building for business should not be built in a residential area.

With no one else to speak for or against the Conditional Use, the Public Hearing was closed at 7:39 PM, on a **SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.**

At this time, the Board moved to their regular meeting.

The Pledge of Allegiance was recited. Roll call was taken with all Board members (President Kari Morgan, Trustees, Doug Schwartz, Tim Geszvain, Mike Thelen and Keith Kastenson) present. Also present were, Village Clerk, Linda M. Terry; Village Treasurer, Barbara Hill; Village Zoning Administrator, Tim Barbeau, Village Engineer, Chris Stamborski and Asst. Fire Chief, Jake Dinauer.

Treasurer's Report:

MARCH 1 - MARCH 31, 2021

Community State Bank - General Checking
Beginning Balance

\$189,871.12

Deposits: 282,833.39

Disbursements: 354,363.80

ENDING BALANCE:

\$118,340.71

OTHER ACCOUNTS:

UNRESTRICTED

Community State Bank - Money Market	463,158.84	
State LGIP Fund - Tax Investment	615,966.66	
TOTAL UNRESTRICTED SAVINGS		1,079,125.50
TOTAL UNRESTRICTED FUNDS		1,197,466.21

RESTRICTED

Community State Bank - Bond Escrow	89,613.32	
Community State Bank Storm Water Utility	18,787.25	
Community State Bank Cemetery Fund	10,013.08	
Community State Bank Perpetual Care Fund	6,510.36	
State LGIP Funds - Bond Escrow	60,348.62	
State LGIP Funds - Cemetery	23,698.16	
State LGIP Funds - Equipment Reserve	203,197.39	
State LGIP Funds - Land Reserve	24,338.69	
State LGIP Funds - Raymond SWUD	74,330.00	
State LGIP Funds - Fireworks Bonds	10,624.69	
State LGIP Funds - Fire & Rescue Equip Reserve	310.62	
TOTAL RESTRICTED FUNDS		521,772.18
ALL VILLAGE BANK ACCOUNTS		\$ 1,719,238.39

Treasurer's Report was **APPROVED ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

BILLS PAID FROM MARCH 23, 2021 – APRIL 26, 2021: \$98,245.42 WERE APPROVED ON A THELEN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

MINUTES FROM PREVIOUS MEETINGS OF: March 22, 2021 WERE APPROVED ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0; Minutes from March 25, 2021 WERE APPROVED ON A GESZVAIN/KASTENSON MOTION. MOTION CARRIED 5-0.

SHERIFF'S REPORT was given by Lieutenant David M. Kinservik.

PUBLIC COMMENT –

Paul Magestro is very concerned. He gave information to the board a few months ago about making this village a gun sanctuary city. He would like to know why, when he proposed it, there was no action taken.

Doug White asked about the process regarding the \$390,000.00 in Federal Stimulus Money the Village will be receiving.

It was stated that the Village will be receiving information regarding spending that money.

1) Fire Department Business:

Jake Dinauer stated that there was nothing new from the Fire Department this month.

Paul Magestro thanked the Fire Department for their service to the Village.

2) Storm Water Utility District:

NO MEETING IN APRIL

3) Plan Commission Business:

- a. Jose Sandoval, owner, Gregg Blando, applicant, Re: Consideration and possible action on the approval of a Certified Survey Map to split lands located at 1459 Waukesha Road, Tax Parcel No. 1680421-10-054000.

APPROVE PLAN COMMISSION RECOMMENDATION FOR APPROVAL PROVIDED PETITIONER FOLLOW STAFF RECOMMENDATIONS, MADE ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.

- b. Adam Becker, 4570 W. 5 Mile Road, Re: Consideration and possible action on a request for a Conditional Use permit to park two (2) commercial vehicles in his existing pole building. Tax Parcel 1680421-14-019080.

At this time, President Morgan recused herself from discussion/voting.

Mr. Barbeau stated that the Plan Commission recommended approval of this request.

Trustee Schwartz asked what kind of trucks would be used?

Mr. Becker said it would be F550 dump truck and a trailer.

Trustee Kastenson asked about quad-axle?

Mr. Becker said – “no quad-axle”. He went on to state that the storage place they are using now is cold storage. He needs something that can be warmer on the inside.

Mr. Barbeau stated that he would be allowed two vehicles in an enclosed building.

Mr. Magestro said that, unfortunately, people with a conditional use permit are adding vehicles to their places all the time. A neighbor of his has a semi that has not moved in 5 – 6 months. We have different areas in the Village that can be used for business purposes.

APPROVE REQUEST WITH TWO (2) COMMERCIAL VEHICLES, MADE ON A GESZVAIN/THELEN MOTION. MOTION CARRIED 4-0.

- c. Right Trailers, Inc., Lakeland FL, Re: Consideration and possible action on a request for a plan of operation and site plan approval to operate a commercial trailer sales and service business at 287 27th Street (part of Ninnemann Trucking site). Tax Parcel 1680421-01-003000.

Mr. Barbeau stated that in 2014 this building was built. They do not need a new conditional use. This use does fit the M3 category; there will be a few people in the office and seven stalls for parking.

Trustee Schwartz asked if these are all road worthy trailers?

Yes, they are – they are enclosed utility trailers.

APPROVE REQUEST WITH THE ADDITION THAT NO TIRES BE STORED OUTSIDE AND NO UNROADWORTHY VEHICLES, MADE ON A KASTENSON/GESZVAIN MOTION. MOTION CARRIED 5-0.

- d. Robert Flasz, 10000 W. 3 Mile Road, Re: Consideration and possible action on a request for a code waiver to allow a shared driveway and four (4) residential lots. Tax parcel 1680421-29-030000.

Mr. Barbeau stated that the Plan Commission tabled this matter for the purpose of possibly considering a code change.

Mr. Flasz was present for the meeting. He stated that he is asking for a waiver to the existing code. The property has been in the family since 1957; he built his home on the property in 1990. The purpose of the Land Division Control Ordinance is to enhance the community. In this instance, he would like to actually exceed the 5 acre parcel rule. He feels that, in cases like this, the Board needs to look at the “intent” of the petitioner. This waiver for shared driveway would be in harmony with the contour of the property. There is already one home on the property – he is asking for three additional sites.

Trustee Kastenson stated that if Mr. Flasz likes open spaces, why is this development a good idea? Mr. Kastenson feels that by asking for a waiver, Mr. Flasz is simply looking for a way out of putting in a road.

DENY WAIVER, MADE ON A KASTENSON/THELEN MOTION. MOTION CARRIED 5-0.

4) Village Business:

- a. Discussion/Possible Decision regarding awarding Bid for 2021 Road Work:

APPROVE BID FROM PAYNE & DOLAN IN THE AMOUNT OF \$236,924.00 FOR THE 2021 ROAD PROJECT, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.

- b. Discussion/Possible Decision regarding the use of the baseball diamonds and fenced in area just north of Raymond School on Saturday, October 2, 2021 / Stacy Shoemaker:

Stacy Shoemaker was present for the meeting. She stated that, in lieu of the annual Spaghetti Dinner, they would like to have an outdoor even – bouncy house, food trucks, etc.

It was stated that the Village really had no issue with this; however, she should contact the Fire Department and, show proof of insurance before holding such an event.

APPROVE REQUEST, PROVIDING THAT SHE PROVIDES THE VILLAGE WITH A PROOF OF INSURANCE, AND SHE TALKS WITH THE FIRE DEPARTMENT, MADE ON A GESZVAIN/THELEN MOTION. MOTION CARRIED 5-0.

- c. Discussion/Possible Decision regarding building a pole building like structure next to the concession stand by the ball diamonds just north of Raymond School / Joe Schwark: **TABLED**

- d. Appointment of two Plan Commission Members:

President Morgan stated that she spoke to the Village Attorney regarding this matter. It seems that the Village Ordinance requires a member of the Village Board and the Fire Chief be on the Plan Commission. Unfortunately, that is not presently happening.

TABLE THIS MATTER UNTIL THE MAY MEETING, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.

- e. Presentation of 2020 Audit / Julie Craig:

Julie Craig presented the 2020 Audit, a copy of which is in the Clerk's office.

ACCEPT 2020 AUDIT, MADE ON A GESZVAIN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

- f. Discussion/Possible Decision regarding Resolution #04-26-21 regarding Authorization to sign and submit Recycling Grants to Responsible Units Grant Application and Annual Report:

APPROVED ON A GESZVAIN/KASTENSON MOTION. MOTION CARRIED 5-0.

- g. Discussion/Possible Decision regarding Proposed Intergovernmental Agreement Regarding Creation of a Racine County Public Health Department:

It was stated that this does not need to be acted on at this time – the Village has through the end of the year to make a decision. This was placed on the agenda to allow the Board time to take care of this matter.

TABLED ON A KASTENSON/GESZVAIN MOTION. MOTION CARRIED 5-0.

h. Discussion/Possible Decision regarding variance for Russell Jenks, 9324-W 7 Mile Road:

The Village of Raymond follows the Uniform Dwelling Code for accessory structures. That code requires a certain number for "snow load". Mr. Jenks purchased a building from a different state that follows the International Dwelling Code, which also requires a lesser snow load. He is asking for a variance from the code.

Trustee Kastenson asked if there was any way to strengthen this to meet the Village Code?

Mr. Jenks said that he spoke to the company and they would not recommend doing so.

President Morgan stated that she spoke to the building inspector. He would ask that the Board either deny this request, or, change the code for everyone.

MOTION TO DENY REQUEST, MADE ON A KASTENSON/GESZVAIN MOTION. MOTION CARRIED 5-0.

At 8:40 PM, the meeting was ADJOURNED ON A THELEN/SCHWARTZ MOTION. MOTION CARRIED 5-0.

Respectfully submitted,

**Linda M. Terry
Village Clerk
Village of Raymond**