**VILLAGE OF RAYMOND**

**PUBLIC HEARING & MONTHLY MEETING – JANUARY 24, 2022**

On Monday, January 24, 2022, the Village of Raymond, Village Board held three Public Hearings. The purpose of the first public hearing is to consider a request by Sukhi Singh, Musafar Group, LLC, to amend his Conditional Use Permit and site plan to allow a four-car garage and covered storage area at Akal Trucking, 3039 6 ½ Mile Road. The land is zoned B-5 Highway Business District. Tax Parcel No. 1680421-12-038030.

Scott Meyer from Ayres and Associates was present for the meeting.

With no one to speak for or against the request, the Public Hearing was closed.

The Board then moved on to the next Public Hearing to consider a request by Sandra Madrigal, 4733 S. 43rd Street Greenfield, WI, for a Conditional Use Permit to allow the use of the existing building at 1558 124th Street for a restaurant. The land is zoned B-3 Commercial District. Tax Parcel No. 1680421-07-027000.

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

The Board then moved on to the next Public Hearing to consider text amendments to the Village Zoning Code that will modify minimum lot sizes in the R-1, R-2, A-1, A-2 and A-3 districts of Chapter 20, Zoning, of the Village Municipal Code as currently reflected in Chapter 26-493 of the Municipal Code.

Gary Kastenson asked what it is being changed to?

President Morgan stated that the Village needs to change it to match the current code that was previously the Town’s.

Alan Jasperson asked if there were any discussions to change it to 3 acres? A lot of the areas around here are 1.5 acres to 3 acres; Yorkville, Dover, Norway.

President Morgan said that this is just to clean up the existing code; this will make them match, which is 5 acres.

Alan Jasperson asked if the Board will look at clearing up anything else? What about rules of not having shared driveways? This would be in the best interest of the property and people; the less culverts and driveways makes more sense.

Bill Wilson feels that shared driveways are a nightmare.

It was stated, in Rochester, you can put in one driveway, with two houses.

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

The Board moved on to their regular monthly meeting.

The Pledge of Allegiance was recited.

Roll call was taken with the following present: President Kari Morgan; Trustees, Doug Schwartz, Mike Thelen, Tim Geszvain and Keith Kastenson. Also present were Village Clerk, Linda M. Terry; Village Treasurer Barbara Hill; and Village Zoning Administrator, Tim Barbeau.

The Treasurer’s Report was as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Community State Bank - General Checking |  |  |  |  |
| Beginning Balance |  |  | **$57,490.70**  |  |
| Deposits: |  |  403,107.24  |  |  |
| Disbursements: |  |  214,737.00  |  |  |
| **ENDING BALANCE:** |  |  |  | **$245,860.94**  |
|  |  |  |  |  |
| **OTHER ACCOUNTS:** |  |  |  |  |
| **UNRESTRICTED** |  |  |  |  |
| Community State Bank - Money Market |  |  |  3,202,591.72  |  |
| State LGIP Fund - Tax Investment  |  |  |  869,825.90  |   |
| **TOTAL UNRESTRICTED SAVINGS** |  |  |  |  **4,072,417.62**  |
|  |  |  |  |   |
| **TOTAL UNRESTRICTED FUNDS** |  |  |  |  **4,318,278.56**  |
|  |  |  |  |  |
| **RESTRICTED** |  |  |  |  |
| Community State Bank - Bond Escrow |  |  |  97,645.39  |  |
| Community State Bank Storm Water Utility |  |  |  31,388.68  |  |
| Community State Bank Cemetery Fund |  |  |  32,004.49  |  |
| Community State Bank Perpetual Care Fund |  |  |  6,512.83  |  |
| State LGIP Funds - Bond Escrow |  |  |  60,372.47  |  |
| State LGIP Funds - Cemetery |  |  |  15,111.21  |  |
| State LGIP Funds - Equipment Reserve |  |  |  128,276.42  |  |
| State LGIP Funds - Land Reserve |  |  |  24,348.32  |  |
| State LGIP Funds - Raymond SWUD |  |  |  74,359.39  |  |
| State LGIP Funds - Fireworks Bonds |  |  |  10,628.89  |  |
| State LGIP Funds - Fire & Rescue Equip Reserve |  |  |  327.73  |  |
| State LGIP Funds - ARPA |  |  |  207,455.23  |   |
| **TOTAL RESTRICTED FUNDS** |  |  |  |  **688,431.05**  |
|  |  |  |  |   |
| **ALL VILLAGE BANK ACCOUNTS** |  |  |  |  **$ 5,006,709.61**  |

**The Treasurer’s report was APPROVED ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

**BILLS PAID FROM: December 21, 2022 – January 24, 2022 = $4,632,807.34; SWUD = $23,857.73**

 **APPROVED ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

**MINUTES FROM PREVIOUS MEETINGS OF: December 20, 2021**

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

**SHERIFF’S REPORT:**

Lt. David Kinservik read the Sheriff’s Report.

**PUBLIC COMMENT –**

**Bill Wilson** questioned not recording the minutes? He said that other municipalities around us record their minutes. Some keep them for only 90 days and then destroy. He feels the minutes should be recorded.

President Morgan stated that it is up to the Municipal Clerk.

**Gary Kastenson** feels the Board should consider using some of the Covid Relief money to put a new roof on the Village Hall.

**Mr. Kastenson** also spoke regarding the Mark Gelhaus development that is on the agenda later in Plan Commission. He said there is a point on that property and that runs onto the neighbor’s property, Mr. Baumann’s field and it stays wet for a very long time. A few years ago, Mr. Gelhaus said he would put a tile in it. There should be some kind of agreement before this new development is approved and more houses are built here. Something needs to be done. It is not the Village’s responsibility.

**President Morgan** stated this was discussed at the Plan Commission meeting earlier.

**Tom Jung** lives in Robin Hood Subdivision. He has heard that there has been a request by one of the property owners of the subdivision to split a parcel. He would rather see all one acre lots in that subdivision than five acre lots. There is a house being built now on a 3/4 of an acre lot. It would be conforming to the subdivision lots to not have 5 acre lots.

**President Morgan** stated that the developer has been told we need a Certified Survey Map.

**John Eigenauer** would ask the Board to deny the Mark Gelhaus request until the issues that have been brought up, are addressed.

**Tom Magestro** stated that the Village does not have an animal abuse ordinance, but, would like the Board to put it on the next agenda. It is actually a State Law. The Sheriff’s Department does not want to act on his complaint without the Village having an Ordinance. He also showed the Board pictures of suspected animal abuse.

**COMMUNICATIONS AND ANNOUNCEMENTS:**

 **There is a Primary Election on Tuesday, February 15th.**

1. **Fire Department Business:**

**Discussion/Decision regarding authorizing Fire/Rescue Department personnel to get quotes for showers:**

Trustee Schwartz met with John Ertl, from the Village’s DPW. Mr. Ertl had an idea regarding re-doing the rooms for showers.

 The Clerk will coordinate a meeting with the Board Members for a “walk-through” regarding this matter.

 **MOTION TO MEET WITH FIRE DEPARTMENT FOR WALK-THROUGH, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

In other Fire Department Business, it was stated that the new engine is completed, we are just waiting for deliver.

1. **Storm Water Utility District:**

Trustee Schwartz stated they are working on the projects that were lined up for this year.

Alan Jasperson said there will be a meeting with the Racine County Drainage Board. The project will cost approximately Two Million Dollars.

Gary Kastenson asked if all of the water in the new subdivision that is going in, in Union Grove will flow to the drainage ditch as well?

Mr. Jasperson said that it will.

Mr. Kastenson stated that Union Grove should be paying quite a bit more than the Raymond share of the project then. Union Grove and Yorkville have all of the development that is making this necessary.

1. **Plan Commission Business:**
	1. U76, LLC, by Nancy Washburn, agent; Consideration and possible action on the approval of the Developer’s Agreement for Stone Creek East subdivision located north and east of Stone Creek Way, and review (no action) on the Restrictive Covenants. Tax Parcel No. 1680421-09-001000.

Mr. Barbeau stated at the last meeting, there were some concerns about some of the language in the developer’s agreement – that has been changed.

**APPROVE WITH CHANGES, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

* 1. Mark Gelhaus, Gelhaus Farms; Consideration and possible action on the approval of a four parcel Certified Survey Map and Developer’s Agreement on lands at the west end of Westfield Way. Tax Parcel No. 1680421-15-013061.

Mr. Barbeau stated that this could not be signed until July 24, 2022. The Village will plow the roads after the asphalt is in place; there will be no street lights; there will be a one year guarantee after the final lift is put on the road. The storm water pond is on private property – the homeowners on Lots 1, 2, 3 & 4, will maintain the storm water pond.

Trustee Kastenson asked how this will be handled?

Mr. Gelhaus stated that there are drain tiles everywhere. He built his pond according to what RA Smith gave him.

Trustee Schwartz went to the Baumann property in 2020. When we get a lot of rain – those ponds just don’t work.

President Morgan stated that we may need to have the Village Engineer, Chris Stamborski at a meeting.

Gary Kastenson stated that Chris Stamborski and Mark Gelhaus were both aware of this water problem within a year after the pond was built. The fix on Baumann’s property is a simple fix, but, Mr. Baumann shouldn’t have to pay for it.

Trustee Kastenson said the wording in this new agreement is the same as the last one.

Mr. Gelhaus said the Board should tell him how to fix it and he’ll fix it.

Mr. Barbeau said we will not be signing the CSM until the ponds are fixed.

Trustee Schwartz said they have to post a bond if they tear up the roads.

President Morgan stated that all truck traffic will have to use Highway “G”.

**APPROVE CERTIFIED SURVEY MAP AND DEVELOPER’S AGREEMENT, CONDITIONED ON THE POND BEING FIXED IN PHASE 1 AND PHASE 2 PRIOR TO JULY 24, 2022, MADE ON A KASTENSON/SCHWARTZ MOTION. MOTION CARRIED 5-0.**

* 1. Musafar Group, LLC, by Sukhi Singh; Consideration and possible action on a request to amend his conditional use permit to allow for the construction of a four car garage and covered storage area at Akal Trucking, 3039 6 ½ Mile Road and associated site, site grading and architectural plans. Tax Parcel No. 1680421-12-038030

This would be coming off of a gravel driveway; it would house some of the equipment that they have – it would be open-air; three sided, for recycle area.

They will need to appear before the Board of Appeals as they will need a 30-foot variance.

**MOTION TO APPROVE SUBJECT TO THE OWNER GETTING A VARIANCE AND GETTING APPROVAL FROM CALEDONIA, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

* 1. Sandra Madrigal, Los Mariachis Restaurant; Consideration and possible action on a request for a Conditional Use Permit to operate a restaurant at 1558 124th Street and approval of site, site grading, landscape, lighting and architectural plans and plan of operation. Tax Parcel No. 1680421-07-027000.

It was stated that they took out the pick-up window and took away the patio seating; they added a dumpster enclosure. There will be no outdoor events or music.

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

* 1. Village of Raymond; Consideration and possible action to amend the zoning code to incorporate Section 26-493 – Minimum Lot Sizes into the Village Zoning Code, Chapter 20.

**TABLED UNTIL FEBRUARY MEETING, MADE ON A SCHWARTZ/THELEN MOTION. MOTION CARRIED 5-0.**

1. **Village Business:**
	1. **Discussion/Decision regarding appointment of Fire Commission Members:**

**APPROVE APPOINTING, Karen Kastenson, Mike Pauers, Jeb Kaiser, Mark Gelhaus, and Gary Boldt, AS FIRE COMMISSION MEMBERS, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

* 1. **Discussion/Decision regarding wage increases for Fire/Rescue Department Officers:**

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

* 1. **Discussion/Decision regarding possible Moratorium on Land Divisions:**

President Morgan spoke to Attorney Riffle; he does not feel there is a need for a moratorium.

**No Action Was Taken**

* 1. **Discussion/Decision regarding appointing a resident for Waste Management Siting Committee:**

**APPROVE APPOINTMENT OF BILL THEYS AS WASTE MANAGEMENT LIAISON, MADE ON A KASTENSON/GESZVAIN MOTION. MOTION CARRIED 5-0.**

* 1. **Discussion/Decision regarding Cale’s Automotive:**

We need to authorize the attorney to start the fine process and he will need to issue a cease and desist order.

**AUTHORIZE ATTORNEY TO ENFORCE THE ORDINANCES ON CALE’S, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 5-0.**

* 1. **Discussion/Decision regarding Vesel Conditional Use:**

Tim has been in contact with Eric Vesel – he will talk to the tenants. Tim told Mr. Vesel that he needed to come in because they are the property owners.

Trustee Kastenson stated that Mr. Vesel is dumping vac trucks on the property.

Mr. Barbeau said that if Mr. Vesel doesn’t follow through, the Board can take away his conditional use permit.

**REVISIT THIS NEXT MONTH**

* 1. **Discussion/Decision regarding refund of SWUD fees that were inadvertently charged; parcel #168-042116006000; 8420-Hwy G:**

**APPROVE REFUNDING THE SUM OF $66.69, MADE ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.**

* 1. **Discussion/Decision regarding Ordinance Committee Update:**

Right now, the members are: Gary Boldt, Harold Strohmeier, Doug Schwartz and Keith Kastenson. President Morgan would like to be part of the Committee; however, if that were to happen, the meetings would need to be posted because there would be a quorum of Board members.

* 1. **Discussion/Decision regarding waiving McLeod Legal Fees Invoice / Previously Denied – Doug Schwartz:**

**MOTION TO RECONSIDER LAST MONTH’S MOTION TO DENY WAIVING THE FEES, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 3-2, with Trustees Thelen and Geszvain opposing.**

Mr. Jasperson stated he applied to be on an agenda, but,he was never allowed to be on the agenda.

The final decision should come from the Board, not staff.

Clerk Terry stated that, for the record, she did not talk with the attorney 53 times in the regarding this matter, as Mr. Jasperson had accused her of in his email to the Board members.

President Morgan asked if the CSM that Mr. Jasperson is trying to get approved can be approved at the March meeting.

Mr. Barbeau stated that he is uncomfortable recommending approval for something that he has never seen. He has been told, by Mr. Jasperson, that the Certified Survey Map will not be ready for the February meeting. But,he will do what the Board tells him to do.

 **MOTION TO REDUCE THE LEGAL FEES THAT MRS. MCLEOD IS REQUIRED TO PAY – SHE MUST STILL PAY $1304.70, MADE ON A SCHWARTZ/KASTENSON MOTION. MOTION CARRIED 3-2, WITH TRUSTEES GESZVAIN AND THELEN OPPOSING.**

* 1. **Discussion/Decision regarding Liquor License for:**

**Los Mariachis, LLC;**

**Sandra Bonita Madgrigal - Agent**

**1558-124th Street,**

**Franksville, WI 53126**

 **APPROVED ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.**

* 1. **Operator Licenses pending clear record checks:**

**Sandra Bonita Madgrigal**

**APPROVED ON A SCHWARTZ/GESZVAIN MOTION. MOTION CARRIED 5-0.**

 **At 9:20 PM, the meeting was ADJOURNED ON A GESZVAIN/KASTENSON MOTION. MOTION CARRIED 5-0.**

**Respectfully submitted,**

**Linda M. Terry**

**Village Clerk**

**Village of Raymond**