



Village of Weston, Wisconsin
OFFICIAL MEETING AGENDA OF THE BOARD OF TRUSTEES

This regular meeting of the Village of Weston Board of Trustees, composed of seven (7) members, will convene at the Weston Municipal Center, Board Room, 5500 Schofield Ave., Weston, on **Monday, April 18, 2016, at 6:00 p.m.**, to consider the following matters:

A. Opening of Session.

1. Meeting called to order by President Ermeling at 6:00 p.m.
2. Pledge of Allegiance to the Flag.
3. Clerk will take attendance and roll call.
4. Request for silencing of cellphones and other electronic devices.
5. Acknowledgement of Visitors

B. Correspondence and comments from the public.

C. Presentations

Recognition of Sharon Jaeger.
Recognition of Karen Schmutzler.

D. Consent Business Items

6. Approve Ordinance No. 16-003 to amend Section 94.3.02 of the Zoning Ordinance entitled "Treatment of Allowable Uses by Zoning District".
7. Approve Ordinance No. 16-004 to amend Section 94.4.02(4)7 of the Zoning Ordinance entitled "Residential Land Use Types – Manufactured Home Community – Performance Standards.
8. Approve Ordinance No. 16-005 to amend Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance entitled "Conditional (C), Prohibited (R), and Permitted (P) Uses in WHP Overlay Districts".
9. Approve Ordinance No. 16-006 to amend Section 94.13.08 of the Zoning Ordinance entitled "One-Time Event Signs".
10. Approve Ordinance No. 16-007 to amend Section 94.16.02(4) of the Zoning Ordinance entitled "Zoning Administrator Review and Recommendations", Section 94.16.02(5) of the Zoning Ordinance entitled "Notice of Public Hearing", Section 94.16.03(4) of the Zoning Ordinance entitled "Zoning Administrator Review and Recommendations", Section 94.16.03(5) of the Zoning Ordinance entitled "Notice of Public Hearing" and amending Section 94.16.03(7) entitled "Review Criteria for Amendments to the Official Zoning Map".
11. Approve Ordinance No. 16-008 to amend Section 94.16.06(2), (3) and (4) of the Zoning Ordinance relating to the Conditional Use Permit Approval Process.
12. Approve Ordinance No. 16-009 to amend Section 94.16.11(4) and (5) of the Zoning Ordinance relating to Variance Procedures.
13. Approve Ordinance No. 16-010 to amend Section 94.16.13(4) of the Zoning Ordinance relating to Concurring Vote and Decision of an Appeal of a Zoning Interpretation.
14. Approve Ordinance No. 16-011 to amend Section 94.16.15(2) of the Zoning Ordinance relating to Zoning Administrator Duties.
15. Approve Ordinance No. 16-012 to amend Section 94.3.03(13) of the Zoning Ordinance entitled "Utility Connections to Principal Building for Human Habitation".

16. Approve Ordinance No. 16-013 to amend Section 94.16.19(1) of the Zoning Ordinance Entitled “Violations”, and Section 94.16.19(3) of the Zoning Ordinance Entitled “Penalties”.
17. Approve Ordinance No. 16-014 to amend Figure 5.01 (1) of the Village Zoning Ordinance Entitled Rural, Open Space and Residential District Lot Dimension and Intensity Standards.
18. Approve Ordinance No. 16-015 to amend Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District.
19. Approve Ordinance No. 16-016 to Amend Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents.
20. Approve Ordinance No. 16-021 to create Section 94.4.10(13) of the Zoning Ordinance Entitled “Temporary Sales by Mobile Food Vendors” and adding This New Temporary Land Use to the Temporary Land Use Category within the charts displayed in Figures 3.04 And 3.05 of the Village Zoning Ordinance and amend Section 94.17.04 Definitions of the Zoning Code to create Definitions Related to This New Use.
21. Approve Ordinance No. 16-022 Adopting the 2016 Official Zoning Map and Official Extraterritorial Zoning Map for the Village of Weston.
22. Approve Ordinance No. 16-023 to Repeal Chapter 18 of the Code of Ordinances of the Village of Weston Entitled Businesses and Amending and Recreating the Same.
23. Approve Ordinance No. 16-024 to amend Village of Weston Code of Ordinances Chapter 86 Utilities, Article III Wells and Renumbering Article IV Sewerage Utility.
24. Approve Resolution 2016-006 - Fee Schedule Revision.
25. Approve the appointment of Director Higgins to Marathon County Uniform Addressing Municipal Advisory Group (MAG).
26. Acknowledge and place on file the 2015 Green Tier Legacy Communities Annual Report and Sustainability Strategies Scoresheet.
27. Approve the Aquatic Center Emergency Action Plan.
28. Approve the Aquatic Center Flexible Wage Scale.
29. Award the replacement of the Ross Avenue and Mesker/Coleen lift stations to Haas Sons, Inc. in the amount of \$487,132.
30. Approve payment of expenditures – Voucher #43228 – 43299.
31. Approve Operator Licenses.
32. Disallow Claims for damage at 1710 and 1720 Highland Avenue as recommended by Statewide Services.
33. Approve a contract amendment with JSD Professional Services for a traffic impact analysis in the amount of \$6,500 for the STH 29/CTH X interchange and the CTH X/Camp Phillips Road corridor.
34. Approve Board of Trustees Minutes from March 21, 2016 and April 4, 2016.
35. Items Removed from Consent (if any).

E. Reports from Committees, including draft meeting minutes (if any).

36. Community Life, and Public Safety (per Schuster/Hodell).
37. Community Development Authority (per Berger/Guild).
38. Finance (Per Berger/Jacobs).
39. Parks and Recreation (per Ostrowski/Osterbrink).
40. Personnel (Per Ziegler/Weinkauf).
41. Plan Commission (Per White/Higgins).
42. Property & Infrastructure (Per Ziegler/Donner).
43. Zoning Board of Appeals (Per Higgins).

F. Reports from Departments

44. Clerk.
45. Fire & EMS.
46. Finance.
47. Parks & Recreation.
48. Planning & Development.

- 49. [Police.](#)
- 50. Public Works & Utilities.
- 51. Technology Services.
- 52. Village Relations.
- 53. Department Directors may be dismissed following reports.

G. Regular New Business

- 54. [Deny the Operator Licenses for Jesse Bartnik and Gail Racino.](#)
- 55. [First Amendment to Charter of SAFER](#)

H. Report from the Administrator.

I. Remarks from Trustees (No Board action will be taken for this agenda item).

J. Remarks from the President (No Board actions will be taken for this agenda item).

K. Discuss items to be included for next agenda (No Board actions will be taken for this agenda item).

L. Set next regular meeting date for Mon, May 2, 2016.

- SE Quadrant Open House on Monday, May 9th, 2016.

M. Adjourn.

WITNESS: My signature this 15th day of April, 2016.

Sherry Weinkauf
Village Clerk

This notice was posted at the Municipal Center, and on the Village's website at www.westonwi.gov, and was emailed to local media outlets (Print, TV, and Radio) on 04/15/2016 @ 4:00 p.m. A quorum of members from other Village governmental bodies (boards, commissions, and committees) may attend the above noticed meeting in order to gather information. No actions to be taken by any other board, commission, or committee of the Village, aside from the Board of Trustees. Should a quorum of other government bodies be present, this would constitute a meeting pursuant to State ex rel. Badke v. Greendale Village Bd., 173 Wis.2d 553,494 N.W.2d 408 (1993). Wisconsin State Statutes which requires all agendas for Committee, Commission, or Board meetings be posted in final form, 24 hours prior to the meeting. Any posted agenda is subject to change up until 24 hours prior to the date and time of the meeting. Any person who has a qualifying disability as defined by the Americans with Disabilities Act requires that meeting or material to be in accessible location or format must contact the Weston Municipal Center at 715-359-6114, by 2pm the Friday prior to the meeting so any necessary arrangements can be made to accommodate each request.

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.6.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-003 AN ORDINANCE AMENDING SECTION 94.3.02 OF THE ZONING ORDINANCE ENTITLED *TREATMENT OF ALLOWABLE USES BY ZONING DISTRICT*.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-003.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

- Attachments – Ord. No. 16-003
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-003

**AN ORDINANCE AMENDING SECTION 94.3.02 OF THE ZONING ORDINANCE ENTITLED
*TREATMENT OF ALLOWABLE USES BY ZONING DISTRICT.***

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.3.02 of the Village of Weston Zoning Ordinance entitled *Treatment of Allowable Uses by Zoning District* is hereby amended to provide as follows:

Section 94.3.02: Treatment of Allowable Uses by Zoning District

The allowable land uses for each standard zoning district established in Article 2 are listed in Figures 3.04 and 3.05. Article 4 contains detailed descriptions and performance standards for the land uses listed in these figures. No land use is permitted or permissible on a property unless it can be located or implemented on that property in full compliance with all applicable provisions of this Chapter, unless a variance has been granted pursuant to Section 94.16.11.

- (1) **Land Uses Permitted by Right.** Land uses listed as permitted uses (designated by the letter “P” in Figures 3.04 and 3.05) are permitted by right, subject to all applicable requirements of this Chapter and other regulations.
- (2) **Land Uses Listed as Conditional Uses.** Land uses listed as conditional uses (designated by the letter “C” in Figures 3.04 and 3.05) are allowed only by conditional use permit, subject to the procedures in Section 94.16.06, other applicable requirements of this Chapter, and other applicable regulations. Uses listed in these figures as conditional uses that were legal land uses (permitted or conditional) prior to March 18, 2015 shall not require a new conditional use permit so long as any previously approved conditions of use and site plan are followed. Any substantial modification of such use or from the previously approved condition of such use, in the determination of the Zoning Administrator, shall require application and Village consideration of a new conditional use permit under Section 94.16.06.
- (3) **Temporary Land Uses.** Temporary land uses (designated by the letter “T” in Figures 3.04 and 3.05) are allowed on a temporary basis subject to temporary use approval requirements in Section 94.16.07.

~~(4) **Unlisted Land Uses.** For land uses that do not appear to be encompassed by a land use category listed in Figures 3.04 and 3.05 the Zoning Administrator is authorized to determine that such an “unlisted” land use has the same permitted-by-right, conditional, temporary, or prohibited status of a listed land use category in a certain zoning district, based on evaluation of how the unlisted use compares to a listed land use category using the following factors:~~

- ~~(a) The relative characteristics of the unlisted land use, including equipment, processes, and employment density for business uses and population density and scale for residential uses.~~
- ~~(b) The relative amount of site or building area devoted to the unlisted land use, and the relative size, scale, and density of the use.~~
- ~~(c) The relative type and amounts of activity, as measured by traffic, loading, sales, customer type, products or services produced or sold, hours of operation, and other reasonably objective factors.~~
- ~~(d) The relative performance of the land use different standards in this Chapter, such as noise, odors, lighting, and signage.~~
- ~~(e) Any allowances or limitations under applicable Wisconsin Statutes.~~

~~Prior to making such a determination, the Zoning Administrator may seek a recommendation from the Plan Commission.~~

- ~~(5) (4) **Multiple Land Uses in Single Building or on Single Lot.** Where, in the determination of the Zoning Administrator, multiple land uses are proposed or in existence within a single building and/or on a single lot, he or she shall first make a determination whether each such use is a principal use or an accessory use. All principal uses sharing a single building and/or a single lot must be listed as either a permitted land use or a conditional land use in the associated zoning district, except in the case of legally established nonconforming uses under Article 15. If any such uses are listed as a conditional use, they shall be subject to the associated procedure requirements in Section 94.16.06.~~

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure,

land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.7.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-004 AN ORDINANCE AMENDING SECTION 94.4.02(4)7. OF THE ZONING ORDINANCE ENTITLED *RESIDENTIAL LAND USE TYPES - MANUFACTURED HOME COMMUNITY – PERFORMANCE STANDARDS.*

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-004.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston’s new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-004
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-004

AN ORDINANCE AMENDING SECTION 94.4.02(4)7. OF THE ZONING ORDINANCE ENTITLED *RESIDENTIAL LAND USE TYPES - MANUFACTURED HOME COMMUNITY – PERFORMANCE STANDARDS.*

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.4.02(4)7. of the Village of Weston Zoning Ordinance entitled *Manufactured Home Community* is hereby amended to provide as follows:

Section 94.4.02: Residential Land Use Types

(4) Manufactured Home Community.

This land use is a form of residential development that is exclusively reserved for individually sold or rented pads or sites containing mobile homes and/or manufactured homes. The placement or

replacement of mobile homes, as defined in Article 17, is not permitted anywhere within the jurisdiction of this Chapter.

Performance Standards: The following performance standards apply to each new Manufactured Home Community established after March 18, 2015, any approved expansion or conversion to a Manufactured Home Community after such date, and each existing Manufactured Home Community to the extent determined practical by the Zoning Administrator.

- 7. Wrecked, damaged, dilapidated, or abandoned mobile or manufactured homes shall not be kept or stored upon any premise. The Building Inspector shall determine if a mobile home is abandoned, wrecked, damaged, or dilapidated to a point that makes it unfit for human occupancy without an investment in the mobile or manufactured home that is greater than 50 percent of its ~~current-assessed~~ value. Whenever the Building Inspector so determines and declared a public nuisance under Chapter 50 of the Code, he or she shall notify the licensee or landowner and owner of the mobile home in writing, giving the findings upon which his determination is based and shall order such home removed or repaired to a safe and sanitary condition of occupancy.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.8.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-005 AN ORDINANCE AMENDING SECTION 94.6.03(4), FIGURE 6.03 OF THE ZONING ORDINANCE ENTITLED *CONDITIONAL (C), PROHIBITED (R), AND PERMITTED (P) USES IN WHP OVERLAY DISTRICTS.*

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-005.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-005
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-005

AN ORDINANCE AMENDING SECTION 94.6.03(4), FIGURE 6.03 OF THE ZONING ORDINANCE ENTITLED *CONDITIONAL (C), PROHIBITED (R), AND PERMITTED (P) USES IN WHP OVERLAY DISTRICTS*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.6.03(4), Figure 6.03 of the Village of Weston Zoning Ordinance entitled *Conditional (C), Prohibited (R), and Permitted (P) Uses in WHP Overlay Districts* is hereby amended to provide as follows:

Figure 6.03: Conditional (C), Prohibited (R), and Permitted (P) Uses in WHP Overlay Districts

Land Use	Status in WHP-A District	Status in WHP-B District
Animal confinement facilities	R	C
Asphalt products manufacturing plants	R	C
Automobile fueling, service, painting, repair, and/or maintenance facilities	C	P
Building materials and product sales	C	P
Buried <u>or exposed</u> hydrocarbon, petroleum or hazardous chemical storage tanks. Hazardous chemicals are identified by OSHA criteria under 40 CFR Part 370, <u>but not including residential LP gas tanks.</u>	R	C
Car washes	C	P
Cartage and express facilities	C	P
Cemeteries	C	C
Center-pivot or other large-scale irrigated agriculture operations	C	C
Chemical storage, sale, processing, and/or manufacturing facilities	C	C
Coal storage facilities	R	R
Composting and post-consumer material recycling and storage facilities	C	C
Dry cleaning establishments	R	C
Dumping or disposing of garbage, refuse, trash, or demolition material, including landfills but excluding composting and post-consumer recycling and storage facilities	R	R
Electronic circuit assembly plants	C	P
Electroplating plants	C	P
Exposed hydrocarbon, petroleum, or hazardous chemical storage tanks, with hazardous chemicals identified by OSHA criteria under 40 CFR Part 370, but not including residential LP gas tanks.	R	C
Exterminating shops	R	P
Fertilizer or pesticide manufacturing or storage, facilities	R	C
Foundries and forge plants	C	C
Industrial liquid waste storage areas, indoor.	C	C
Industrial waste storage facilities, outdoor, such as industrial lagoons and pits	R	R
Junk yards and salvage yards	R	C
Manure and animal waste storage facilities, except for animal waste storage facilities regulated by Marathon County	R	C
Metal plating, reduction, and/or refinement plants	C	P

Land Use	Status in WHP-A District	Status in WHP-B District
Mineral extraction operations	C	C
Motor and machinery service and assembly shops	C	C
Motor freight terminals, rail yards	C	C
Petroleum products processing	R	C
Pharmaceuticals manufacturing	C	C
Photography studios involving the developing of film and pictures (digital excluded)	C	P
Plastics manufacturing	C	P
Printing and publishing establishments	C	C
Private on-site wastewater treatment systems designed for 12,000+ gallons per day flow	C	C
Private on-site wastewater treatment systems on new lots under 20,000 square feet	C	P
Pulp and paper manufacturing	C	C
Rendering plants and slaughterhouses	R	R
Salt or de-icing storage facilities	C	C
Septage, wastewater, or sewage spreading, storage, treatment or disposal, outdoor, except for lagoons and pits exclusively for industrial use	R	C
Storage, manufacturing or disposal of toxic or hazardous materials not otherwise listed	R	C
Storage or processing of extremely hazardous substances, radioactive materials or substances listed in Table 1, Wis. Admin. Code NR Chapter 140. (Extremely hazardous substances are identified by SARA/EPCRA criteria under 40 CFR Parts 302 and 355.)	R	R
Underground petroleum products storage tanks, and above-ground petroleum product storage tanks greater than 660 gallons. All new or replaced tanks shall also be installed in compliance with Wis. Admin. Code SPS Chapter 10.	C	P
Woodworking, wood preserving, and wood products manufacturing	C	P

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the

requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.9.



Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review

REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: **ORDINANCE NO. 16-006 AN ORDINANCE AMENDING SECTION 94.13.08 OF THE ZONING ORDINANCE ENTITLED *ONE-TIME EVENT SIGNS*.**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees approve the amendment to the zoning ordinance as proposed?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-006.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|--|----------------------|
| <input type="checkbox"/> WI Statue: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input type="checkbox"/> Municipal Code: | Section 94.13.08(10) |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All proposed changes have been reviewed by staff as well as by consultant Mark Roffers of MD Roffers and Associates. PC/ETZ saw proposed changes at their 3/14/16 Meeting.

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings.

BACKGROUND:

There are situations that staff have encountered when a new business moves to a new property during the winter months and said property does not have an existing sign or the existing sign is legally-nonconforming and the owner does not wish to utilize the sign. The owner of the property typically wished to utilize a temporary sign until a new sign can be built, but the amount of time the sign is proposed to be utilized would exceed the 30-day time limit of one-time event sign. This amendment would allow for the owner to apply for a temporary sign for a longer period of time in certain situations with the stipulation that a permanent sign permit be filed and installed by a predetermined timeline.

- Attachments: Ord. No 16-006
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-006

AN ORDINANCE AMENDING SECTION 94.13.08 OF THE ZONING ORDINANCE
ENTITLED *ONE-TIME EVENT SIGNS*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.13.08 of the Village of Weston Zoning Ordinance entitled *One-time Event Signs* is hereby amended to provide as follows:

Section 94.13.08: One-time Event Signs

The following are allowable one-time event sign types and unique requirements for each type. A sign permit shall not be required except where indicated.

- (1) **Real Estate Signs.** Within each residential and rural and open space zoning district, only one on-premise real estate sign is permitted. Such sign shall be removed within 30 days of the sale or lease

of the single space it is advertising or of the sale or lease of 90 percent of the total land or space available for sale or lease on the property. Such signs shall not be located in the public right-of-way, shall not exceed 12 square feet in area and 6 feet in height in residential, rural and open space zoning districts, and 64 square feet in area and 12 feet in height in all other districts. No off-premise real estate signs, such as “open house” signs, are permitted.

- (2) **Construction or Project Identification Signs.** Such signs shall be erected no sooner than the beginning of work for which a valid building or demolition permit has been issued, and shall be removed within 30 days of completion of such work. Construction or project identification signs shall not exceed 64 square feet in area and 12 feet in height.
- (3) **Temporary Commercial Signs and Banners.** For sales, limited time offers, grand openings, or other special events only, such signs shall not exceed 64 square feet in area and 12 feet in height if ground mounted, nor extending above the roof line if building mounted. Except as may be allowed below or by site plan approval under Section 94.16.09, no single use is permitted to display more than one temporary commercial sign or banner at a single time and no single lot is permitted to display more than two temporary commercial signs and banners at a single time. No temporary commercial sign or banner shall be placed on a lot for greater than 30 consecutive days. An advertising vehicle sign is not a permitted temporary commercial sign, but a mobile sign is permitted. A sign permit shall be required for a temporary sign serving this purpose. Does not include price or temporary item signs, as described below. If a portable Variable message sign (VMS) is used as a temporary commercial sign, then the regulations in Section 94.13.04(4) shall also apply.
- (4) **Price or Temporary Item Signs.** Signs that advertise the price of products or services offered on the premises or of special temporary goods or services being sold or offered, up to 6 square feet in area per sign face for each double sided sign, not illuminated, no more than two signs per street frontage, and no closer than five feet to any property lines. Each price or temporary sign must be removed within 24 hours of the special being sold or offered, and within 30 days of its placement on the property in any case. Any temporary sign not meeting these limitations but serving a similar purpose shall instead be classified as a temporary commercial sign or banner.
- (5) **Temporary Individual Residential Signs.** Not larger than 12 square feet each, to advertise garage sales, yard sales, or similar merchandise sales during the time the sale is taking place. Such signs shall not be erected more than 1 day before the event and shall be removed within 1 day after the event.
- (6) **Temporary Signs for Events of Public Interest.** For a temporary event of public interest hosted by and/or held at a governmental entity, community organization, or institutional facility (e.g., farmers market, fair operated by a nonprofit organization), two signs of up to 32 square feet each may be located upon the site of the event. Additional off-premise signs shall be allowed, up to one per premise, and up to 12 square feet per sign. Temporary Signs for Events of Public Interest shall not be erected more than 30 days before the event and shall be removed within 7 days after the event. If a portable Variable message sign (VMS) is used as a temporary commercial sign, then the regulations in Section 94.13.04(4) shall also apply.
- (7) **Political/Election Signs.** Temporary political signs are permitted without restriction so long as they locate per the requirements of this Article, including not being allowed within the public right-of-way. Signs promoting a candidate or position on an issue for an upcoming election may not be placed in a manner that would impede vehicular or pedestrian safety, must be outside of required vision triangles, and must meet the requirements of Wis. Stat. Chapter 12.

- (8) **Personal Greeting or Congratulatory Signs.** Permitted for up to 30 days, with such signs not greater than 6 feet in height in residential districts and 12 feet in height in all other districts if ground-mounted, nor extending above the roof line if building mounted.
- (9) **Temporary Window Signs.** Signs temporarily affixed to the inside of a window that advertise commercial situations relating to goods or services sold on premises shall be allowed without restriction on quantity or coverage, provided that they do not interfere with other State and Federal code requirements or public, health, safety, or welfare. If a portable Variable message sign (VMS) is used as a temporary commercial sign, then the regulations in Section 94.13.04(4) shall also apply.
- (10) **Commercial Sign Pro Tempore.** A freestanding sign that advertises a new business, that is installed on an initial and temporary, non-permanent basis, longer than a 30-day period. Sign dimensions shall not exceed those set forth in Section 94.13.07(7) listed under the associated zoning district. This sign type is only valid from November 1st to May 1st. No single use is permitted to display more than one commercial sign pro tempore. An advertising vehicle sign is not a permitted temporary commercial sign, but a mobile sign is permitted. If a portable variable message sign (VMS) is used as a commercial sign, then the regulations in Section 94.13.04(4) shall also apply. This sign type does not include price or temporary item signs or temporary commercial signs and banners as described above. A sign permit shall be required for both a commercial sign pro tempore serving this purpose and a permanent freestanding sign. This sign type may only be applicable in the following additional circumstances:
- (a) The sign is a part of an approved site plan for the purpose of new construction;
 - (b) A freestanding sign is currently not installed on the premise; or
 - (c) A non-conforming permanent, freestanding sign is being removed and replaced with a new permanent, freestanding sign in conformance with this Chapter.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.10.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-007 AN ORDINANCE AMENDING SECTION 94.16.02(4) OF THE ZONING ORDINANCE ENTITLED ZONING ADMINISTRATOR REVIEW AND RECOMMENDATION, SECTION 94.16.02(5) OF THE ZONING ORDINANCE ENTITLED NOTICE OF PUBLIC HEARING, SECTION 94.16.03 (4) OF THE ZONING ORDINANCE ENTITLED ZONING ADMINISTRATOR REVIEW AND RECOMMENDATION, SECTION 94.16.03(5) OF THE ZONING ORDINANCE ENTITLED NOTICE OF PUBLIC HEARING AND AMENDING SECTION 94.16.03(7) ENTITLED REVIEW CRITERIA FOR AMENDMENTS TO THE OFFICIAL ZONING MAP.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-007.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking

over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

Attachments – Ord. No. 16-007



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-007

AN ORDINANCE AMENDING SECTION 94.16.02(4) OF THE ZONING ORDINANCE ENTITLED *ZONING ADMINISTRATOR REVIEW AND RECOMMENDATION*, SECTION 94.16.02(5) OF THE ZONING ORDINANCE ENTITLED *NOTICE OF PUBLIC HEARING*, SECTION 94.16.03 (4) OF THE ZONING ORDINANCE ENTITLED *ZONING ADMINISTRATOR REVIEW AND RECOMMENDATION*, SECTION 94.16.03(5) OF THE ZONING ORDINANCE ENTITLED *NOTICE OF PUBLIC HEARING* AND AMENDING SECTION 94.16.03(7) ENTITLED *REVIEW CRITERIA FOR AMENDMENTS TO THE OFFICIAL ZONING MAP*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.02 (4) of the Village of Weston Zoning Ordinance entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02 (5) of the Village of Weston Zoning Ordinance entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Village of Weston Zoning

Ordinance entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03 (5) of the Village of Weston Zoning Ordinance entitled *Notice of Public Hearing* and Section 94.16.03(7) of the Village of Weston Zoning Ordinance entitled *Review Criteria for Amendments to the Official Zoning Map* is hereby amended to provide as follows:

Section 94.16.02: Amendments to Zoning Regulations (Text Amendments)

(4) Zoning Administrator Review and Recommendation.

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Zoning Administrator shall entitle a public hearing under subsection (6). The Zoning Administrator or designee shall inform the applicant if the application is incomplete in his or her determination.
- (b) Once the Zoning Administrator determines the application is ~~If~~ complete, the Zoning Administrator or designee shall authorize a public hearing and prepare a written evaluation of the application based on the criteria for amending the zoning regulations in subsection (7). The Zoning Administrator or designee shall forward a copy of the evaluation to the Plan Commission, Village Board, and applicant.

(5) Notice of Public Hearing. Following acceptance of a complete application as determined by the Zoning Administrator, the Village Clerk in coordination with the Zoning Administrator shall schedule a public hearing before the Plan Commission, to be held within 45 days after acceptance of a complete application. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23 (7)(d). The Village Clerk in coordination with the Zoning Administrator shall also send said notice to the applicant and the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

Section 94.16.03: Amendments to the Official Zoning Map (Rezonings)

(4) Zoning Administrator Review and Recommendation.

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Zoning Administrator shall entitle a public hearing under subsection (6). The Zoning Administrator shall inform the applicant if the application is incomplete in his or her determination.
- (b) ~~If~~ Once the Zoning Administrator determines the application is complete, the Zoning Administrator or designee shall authorize a public hearing and prepare a written evaluation of the application based on the criteria for amending the Official Zoning Map in subsection (7). The Zoning Administrator or designee shall forward a copy of the evaluation to the Plan Commission, Village Board, and applicant.

(5) Notice of Public Hearing. Following acceptance of a complete application as determined by the Zoning Administrator, the Village Clerk in cooperation with the Zoning Administrator shall schedule a public hearing before the Plan Commission (or Extraterritorial Zoning Committee if within the ETZ Area) to be held within 45 days after acceptance of a complete application. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23 (7)(d). The Village Clerk in cooperation with the Zoning Administrator shall also send said notice to the applicant, owners of record of all lands within 300 feet of the boundaries of the subject property, and the clerk of any municipality

whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

(7) Review Criteria for Amendments to the Official Zoning Map.

The Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area) and Village Board shall utilize the following criteria when reviewing each application to amend the Official Zoning Map:

- (a) Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?
- (b) Does the rezoning further the purpose and intent of this Chapter?
- (c) Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?
 1. A mistake was made in mapping on the Official Zoning Map. That is, an area is or has developed in a manner and purpose different from that for which it is mapped. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the Village may intend to stop an undesirable land use pattern from being perpetuated.
 2. Factors have changed, such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different zoning district.
 3. Growth patterns or rates have changed, thereby creating the need for a rezoning.
- (d) Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
- (e) For applications to rezone land to a multi-family, commercial or industrial zoning district, is, or will there be, adequate public infrastructure available to accommodate the range of uses allowed in that zoning district?

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.11.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-008 AN ORDINANCE AMENDING SECTION 94.16.06(2), (3) AND (4) OF THE ZONING ORDINANCE RELATING TO THE CONDITIONAL USE PERMIT APPROVAL PROCESS.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-008.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-008
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-008

AN ORDINANCE AMENDING SECTION 94.16.06(2), (3) AND (4) OF THE ZONING ORDINANCE RELATING TO THE CONDITIONAL USE PERMIT APPROVAL PROCESS.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process is hereby amended to provide as follows:

Section 94.16.06: Conditional Use Permits

- (2) **Application for Conditional Use Permit.** No application for a conditional use permit shall be placed on any agenda as an item to be acted upon unless the Zoning Administrator has certified acceptance of a complete application. ~~A proposed conditional use permit may be placed on any~~

~~agenda as a discussion only item, with the permission of the Zoning Administrator, without an application.~~ Prior to publication of the required Notice of Public Hearing, the applicant shall provide the Zoning Administrator with the complete application certified by the Zoning Administrator, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Said complete application shall be comprised of all of the following:

- (a) A completed conditional use permit application form furnished by the Zoning Administrator.
- (b) A map of the subject property showing all lands for which the conditional use permit is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) that maintains that control. Said map and all its parts and attachments shall be submitted in a form that is clearly reproducible with a photocopier, and shall be at a scale that is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
- (c) A map, such as the Future Land Use Map from the Comprehensive Plan, of the generalized location of the subject property in relation to the Village as a whole.
- (d) A written description of the proposed conditional use describing the type of activities, buildings, and structures proposed for the subject property and their general locations.
- (e) A site plan of the subject property, with any alterations as may be proposed to accommodate the conditional use. Said site plan shall conform to any applicable requirements of Section 94.16.09. If the conditional use will make use of existing site improvements only, a site plan need only be of sufficient detail to confirm the portion of the site used by the conditional use.
- (f) Written justification for the proposed conditional use consisting of the reasons why the applicant believes the proposed conditional use is appropriate, particularly as evidenced by compliance with the approval criteria set forth in this Section.
- (g) Any other plans and information deemed necessary by the Zoning Administrator or the Plan Commission (or Extraterritorial Zoning Committee if in the ETZ Area) to ensure that the intent of the Chapter is fulfilled.
- (h) Any required fee per the fee schedule approved by the Village Board.

(3) Zoning Administrator Review and Recommendation.

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. Only a complete application in the determination of the Zoning Administrator shall entitle a public hearing under subsection (4). The Zoning Administrator shall inform the applicant if the application is incomplete in his or her determination.
- (b) Once the Zoning Administrator determines that the application is ~~If~~ complete, the Zoning Administrator or designee shall authorize the public hearing and prepare a written evaluation of the application based on the criteria for evaluating conditional use permits in subsection (7) below. The Zoning Administrator shall forward a copy of the evaluation to the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area).

(4) Public Hearing. Following acceptance of a complete application The Village Clerk shall schedule a public hearing before the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area) to be held within 45 days after acceptance of a complete application as determined by the Zoning Administrator. Notice of the time, place, and purpose of such hearing shall be given by publication as a Class 2 Notice in conformance with the requirements of Wis. Stat. § 62.23(7)(d).

The Village Clerk shall also send said notice to the applicant, owners of record of all lands within 300 feet of the boundaries of the subject property, and the clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this Chapter at least ten days prior to the date of such public hearing. Failure to mail said notice or failure to meet the time requirements herein, provided it is unintentional, shall not invalidate proceedings under this Section.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____

Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.12.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-009 AN ORDINANCE AMENDING SECTION 94.16.11(4) AND (5) OF THE ZONING ORDINANCE RELATING TO VARIANCE PROCEDURES.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-009.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-009
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-009

AN ORDINANCE AMENDING SECTION 94.16.11(4) AND (5) OF THE ZONING ORDINANCE RELATING TO VARIANCE PROCEDURES.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures is hereby amended to provide as follows:

Section 94.16.11: Variance Procedures

- (4) **Application Requirements.** ~~All applications for requested variances shall be approved as complete by the Zoning Administrator a minimum of ten days prior to the initiation of this procedure. The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the Zoning Administrator determines that the application is not~~

~~complete or does not fulfill the requirements of this Chapter, he or she shall return the application to the applicant. If the Zoning Administrator determines that the application is complete, he or she shall so notify applicant. No placement of the application on any agenda, as an item to be acted upon, shall occur unless said certification has occurred. Prior to the submittal of the official notice regarding the application to the newspaper by the Village, t~~The applicant shall provide the Zoning Administrator with the complete application certified as complete by the Zoning Administrator under subsection 5(a), including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Said complete application shall be comprised of all of the following:

- (a) A completed application on a form provided by the Zoning Administrator.
- (b) A map of the subject property showing all lands for which the variance is proposed, and all other lands within 300 feet of the boundaries of the subject property, together with the names and addresses of the owners of all lands on said map as the same appear on the current records of the Register of Deeds. Said map shall clearly indicate the current zoning of the subject property and its environs, and the jurisdiction(s) that maintains that control. Said map and all its parts and attachments shall be submitted in a form that is clearly reproducible with a photocopier, and shall be at a scale that is not less than one inch equals 800 feet. All lot dimensions of the subject property, a graphic scale, and a north arrow shall be provided.
- (c) A map, such as the Future Land Use Map from the Comprehensive Plan, of the generalized location of the subject property in relation to the Village as a whole.
- (d) A written description of the proposed variance describing the type of specific requirements of the variance proposed for the subject property.
- (e) A site plan of the subject property, including existing conditions and proposed changes. Said site plan shall conform to those requirements of Section 94.16.09 to the extent deemed necessary by the Zoning Administrator
- (f) Written justification for the requested variance consisting of the reasons why the applicant believes the proposed variance is appropriate, particularly as evidenced by compliance with the criteria set out in subsection (7) below.
- (g) Any fee as may be required under the fee schedule approved by the Village Board.

(5) Review by the Zoning Administrator.

The requested variance shall be reviewed by the Zoning Administrator as follows:

- (a) The Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the Zoning Administrator determines that the application is not complete or does not fulfill the requirements of this Chapter, he or she shall return the application to the applicant with explanation. If the Zoning Administrator determines that the application is complete, he or she shall certify the application as complete. No placement of the application on any agenda, as an item to be acted upon, shall occur unless said certification has occurred.
- (b) Once the Zoning Administrator determines that the application is ~~When~~ complete, the Zoning Administrator or designee shall authorize the public hearing and prepare a review the application and written evaluate evaluation, including and comment on the written whether there is justification for the proposed variance based on the application and the criteria for variance approval.

(c) The Zoning Administrator shall forward the application and evaluation report to the Zoning Board of Appeals for that Board's review and action.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.13.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-010 AN ORDINANCE AMENDING SECTION 94.16.13(4) OF THE ZONING ORDINANCE RELATING TO CONCURRING VOTE AND DECISION OF AN APPEAL OF A ZONING INTERPRETATION.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-010.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-010
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-010

AN ORDINANCE AMENDING SECTION 94.16.13(4) OF THE ZONING ORDINANCE RELATING TO CONCURRING VOTE AND DECISION OF AN APPEAL OF A ZONING INTERPRETATION.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of Zoning Interpretation is hereby amended to provide as follows:

Section 94.16.13: Appeals of Zoning Interpretations

- (4) **Concurring Vote and Decision.** The concurring vote of ~~four members~~ a majority vote of the members present of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official or to decide in favor of any applicant

on any matter upon which it is required to pass under the zoning ordinance or to effect any variance in such ordinance. The grounds of any such determination shall be stated.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.14.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-011 AN ORDINANCE AMENDING SECTION 94.16.15(2) OF THE ZONING ORDINANCE RELATING TO ZONING ADMINISTRATOR DUTIES.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-011.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

- Attachments – Ord. No. 16-011
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-011

**AN ORDINANCE AMENDING SECTION 94.16.15(2) OF THE ZONING ORDINANCE
RELATING TO ZONING ADMINISTRATOR DUTIES.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties is hereby amended to provide as follows:

Section 94.16.15: Zoning Administrator

- (2) **Duties.** The general responsibility of the Zoning Administrator is to interpret and administer this Chapter and to issue permits required by this Chapter, who in addition thereto and in furtherance of said authority shall:

- (a) Determine that all detailed plans and supporting materials comply with all provisions of this Chapter.
- (b) Conduct inspections of buildings, structures, waters, and land to determine compliance with all provisions of this Chapter.
- (c) Be permitted access to premises and structures during reasonable hours to make those inspections as deemed necessary by him to ensure compliance with this Chapter. If, however he or she is refused entry after presentations of his identification, he or she may procure a special inspection warrant in accordance with Wis. Stat. § 66.0119(2).
- (d) Conduct inspections of buildings, structures, waters, and land to determine compliance with all provisions of this Chapter.
- (e) Maintain permanent and current records of this Chapter, including but not limited to all maps, amendments, conditional uses, temporary uses, sign permits, site plans, occupancy permits, variances, appeals, interpretations, and applications therefore.
- (f) Receive, file, and forward all applications for all procedures governed by this Chapter to the designated official bodies.
- (g) Investigate all complaints made relating to the location of structures and the use of structures, lands, and waters, give notice of all violations of this Chapter to the owner, resident, agent, or occupant of the premises, and report uncorrected violations to the Village Attorney in a manner specified by him.
- (h) Institute, in the name of the Village, any appropriate actions or proceedings against a violator of this Chapter, as provided by law.
- (i) Prohibit the use or erection of any structure, land, or water until he or she has inspected and approved such use or erection.
- (j) Where useful, set marks on bridges or buildings or other markers that show the depth of the regional flood, or set marks delineating the boundaries of wetlands.
- (k) Request assistance and cooperation from the Building Inspector, Police Department, Fire Department, Village Attorney, Village Engineer, Village Clerk, Village Public Works Director, and other Village staff and consultants as he or she deems necessary, either as a designee or advisor.
- (l) Make available to the public, to the fullest extent possible, all reports and documents concerning the Village's Comprehensive Plan and ordinances. In addition, information in the form of reports, bulletins, maps, and engineering data shall be readily available and widely distributed. The Village Board may set fees necessary to recover the cost of providing such information to the public.
- ~~(m) Make determinations of which land uses that are not listed in Figures 3.04 and 3.05 shall be allowed in a zoning district, per Section 94.3.02(5).~~
- ~~(m)~~ (n) Make interpretations regarding the provisions of this Chapter per Section 94.16.12.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this

Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.15.



Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review

REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: **ORDINANCE NO. 16-012 AN ORDINANCE AMENDING SECTION 94.3.03(13) OF THE ZONING ORDINANCE ENTITLED *UTILITY CONNECTIONS TO PRINCIPAL BUILDING FOR HUMAN HABITATION.***

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-012.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

- Attachments – Ord. No. 16-012
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-012

AN ORDINANCE AMENDING SECTION 94.3.03(13) OF THE ZONING ORDINANCE ENTITLED *UTILITY CONNECTIONS TO PRINCIPAL BUILDING FOR HUMAN HABITATION*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Buildings for Human Habitation* is hereby amended to provide as follows:

Section 94.3.03: Standards Generally Applicable to Land Uses

- (13) **Utility Connections to Principal Buildings for Human Habitation.** All principal buildings used for human habitation shall be provided at all times with functional connections to water, sanitary sewer, and electrical utilities. Where public water utility service is not available to an area in

the determination of the Village Public Works Director, connection to a functioning private well in accordance with Wis. Admin. Code NR § 812 shall suffice. Where sanitary sewer service is not available to an area in the determination of the Village Public Works Director, connection to a functioning private onsite wastewater treatment system approved by Marathon County shall suffice. The installation of holding tanks in the Village shall not be permitted, except in one of the following circumstances:

- (a) As a replacement on a property where there was a legal holding tank as of March 18, 2015.
- (b) As a replacement system for a private on-site wastewater treatment system only if the Marathon County Conservation, Planning & Zoning Department determines that the property is unsuitable for any other type of private on-site wastewater treatment system, including any conventional or mound system.
- (c) In other circumstances if a variance conditional use permit is applied for and granted under Section 94.16. ~~H06~~.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.16.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-013 AN ORDINANCE AMENDING SECTION 94.16.19(1) OF THE ZONING ORDINANCE ENTITLED VIOLATIONS, AND SECTION 94.16.19(3) OF THE ZONING ORDINANCE ENTITLED PENALTIES.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-013.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-013
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-013

AN ORDINANCE AMENDING SECTION 94.16.19(1) OF THE ZONING ORDINANCE ENTITLED *VIOLATIONS* AND SECTION 94.16.19(3) OF THE ZONING ORDINANCE ENTITLED *PENALTIES*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations* and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties* is hereby amended to provide as follows:

Section 94.16.19: Violations and Penalties

- (1) **Violations.** It shall be unlawful to construct, develop or use any structure, land, ~~or~~ water or air anywhere within the Village in violation of any of the provisions of this Chapter or action or order taken under this Chapter. In case of any violation, the Village may institute appropriate action or proceeding to enjoin a violation of this Chapter, including seeking abatement, removal, forfeiture,

penalty, citation, or some combination, as outlined in this Section. Adoption of this Section does not preclude the Village Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. ~~the Village Board, Plan Commission, Zoning Administrator, or any person who would be specifically damaged by such violation may institute appropriate action or proceeding to enjoin a violation of this Chapter.~~

(3) **Penalties.** Any person, firm, or corporation who fails to comply with the provisions of this Chapter or action taken under this Chapter shall forfeit not less than \$100.00, plus the any applicable costs of prosecution, assessments, and court costs for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.17.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-014 AN ORDINANCE AMENDING FIGURE 5.01 (1) OF THE VILLAGE ZONING ORDINANCE ENTITLED *RURAL, OPEN SPACE AND RESIDENTIAL DISTRICT LOT DIMENSION AND INTENSITY STANDARDS.*

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-014.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-014
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-014

AN ORDINANCE AMENDING FIGURE 5.01 (1) OF THE VILLAGE ZONING ORDINANCE ENTITLED *RURAL, OPEN SPACE AND RESIDENTIAL DISTRICT LOT DIMENSION AND INTENSITY STANDARDS*.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards to allow for a 40 acre AR parcel to be split in two; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance, on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Figure 5.01(1) of the Village of Weston Ordinances entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards* is hereby amended to provide as attached hereto as Exhibit A.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

EXHIBIT A

Figure 5.01(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (ft)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) (a)	Minimum Landscape Surface Ratio (LSR)
FP Farmland Preservation	20 acres	300	100	N/A	N/A	N/A
AR Agriculture and Residential	20 acres(f)(g)	300(f)	100	N/A	1,600	N/A
RR-2 Rural Residential 2 Acres	2.0 acres	150	80	20%	1,600	N/A
RR-5 Rural Residential 5 Acres	5.0 acres	200	80	20%	1,600	N/A
PR Parks and Recreation	N/A	N/A	N/A	10%	N/A	75%
SF-L Single Family – Large Lot	20,000 sf	100	50	30%	1,000	50%
SF-S Single Family – Small Lot	10,000 sf	80	40	40%	800	40%
2F Two Family Residential (c)	10,000 sf	80 (b)	40	40%	800	40%
MF Multi Family Residential (d)	3,000 sf/dwelling unit	100 (b)	40	40%	10% of Lot Area	30%
MH Manufactured Home	5,000 sf/home (e)	50	N/A	40%	350	30%

- (a) Maximum Accessory Structure floor area may be increased by site plan approval under Section 94.16.09 and per the standards in Section 94.4.09(2).
 - (b) For zero lot line structures, each separate lot must be at least 50 feet in width.
 - (c) Single-Family Detached Residences within the 2F district shall comply with the SF-S district requirements.
 - (d) Single-Family Detached Residences within the MF district shall comply with the SF-S district requirements. Two-family Residences within the MF District shall comply with 2F district requirements.
 - (e) Total area of each “Manufactured Home Community” shall be a minimum of 10 acres.
 - (f) Instead of a 20 acre minimum lot size, land in the AR district may be developed at a density of one residential lot per 20 acres and a minimum lot size of 2.0 acres and minimum lot width of 150 feet. See Section 94.5.08 for further description and method of calculation for regulating at a one residential lot per 20 acre density in the AR district.
 - (g) Parcel size in the AR district to be calculated based on gross acreage, including roads and navigable waters within the deeded parcel. Each such parcel meets the 20 acre minimum, even if net acreage is less than 20 acres following the removal of roads and navigable waters, if such removal does not reduce the gross acreage by greater than 15% for corner parcels or 10% for all other parcels. ~~May be considered a nominal 20 acres. A nominal 20 acre parcel shall not be reduced by more than 10% and/or a 20 acre parcel located on a corner or abutting a street on two sides not reduced by more than 15% due to road right of way and survey variations.~~
- [Amended via Ord. 15-022, 10/21/2015]

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.18.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-015 AN ORDINANCE AMENDING SECTION 94.5.08(1)(B) AND (D) OF THE ZONING ORDINANCE RELATING TO CALCULATING MAXIMUM PERMITTED DENSITY IN THE AR DISTRICT.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-015.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-015
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-015

AN ORDINANCE AMENDING SECTION 94.5.08(1)(B) AND (D) OF THE ZONING ORDINANCE RELATING TO CALCULATING MAXIMUM PERMITTED DENSITY IN THE AR DISTRICT.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District is hereby amended to provide as follows:

Section 94.5.08: Calculating Maximum Permitted Density in AR District

(1) **Calculation Method.** The method described in this Section shall be used to calculate the maximum permitted number of dwelling units on lands in the AR Agriculture and Residential district.

- (b) Measure Parcel/Ownership Area. Measure the “gross site area” of the individual parcel or contiguous common ownership lands, including all roads and navigable waters that are within the deed parcel.
- (d) Small Parcels. Individual, legally created parcels that are less than 20 acres in gross site area in the AR district shall be allowed a total of one dwelling unit. No further residential dwelling units or principal land uses shall be permitted while the land remains under AR zoning on individual parcels less than 20 acres.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____

Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.19.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-016 AN ORDINANCE AMENDING SECTION 94.16.09(4) OF THE ZONING ORDINANCE RELATING TO SITE PLAN PROCEDURES APPLICATION CONTENTS.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Board of Trustee approve the amendment to the zoning ordinance as proposed by the Plan Commission?

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-016.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-----|
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budget Line Item: | N/A |
| <input type="checkbox"/> Budgeted Expenditure: | N/A |
| <input type="checkbox"/> Budgeted Revenue: | N/A |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|------------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | Chapter 94 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: All the proposed changes were suggested by Attorney VanderWaal, Town of Weston Attorney (previous Village Attorney) for the recent Town Zoning Ordinance Update

PC and ETZ review at March 14, 2016 and April 11, 2016 Meetings

BACKGROUND:

Staff is requesting the following amendments to the zoning ordinance per the recommendation of Municipal Attorney VanderWaal. These same changes were recently incorporated into the Town of Weston's new zoning code. Mr. VanderWaal has been a municipal attorney for many years and used to assist the Village prior to Attorney Yde taking over a few years ago. Staff recommends the changes as presented in the draft ordinance. A joint public hearing was held on April 11th before the PC and ETZ. No one spoke in opposition of the proposed ordinance and both bodies recommended approval of the ordinance. The ordinance will apply in both the Village and ETZ area of the Town of Weston.

-
- Attachments – Ord. No. 16-016
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-016

**AN ORDINANCE AMENDING SECTION 94.16.09(4) OF THE ZONING ORDINANCE
RELATING TO SITE PLAN PROCEDURES APPLICATION CONTENTS.**

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has requested an amendment to correct sections of the zoning code to be consistent with changes made to the ordinance when the Town of Weston adopted the zoning ordinance in December 2015 and Marathon County in January 2016; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents is hereby amended to provide as follows:

Section 94.16.09: Site Plan Procedures

- (4) **Application Contents.** The applicant shall provide the Zoning Administrator with the complete application certified by the Zoning Administrator, including an easily reproducible electronic copy plus hard copies in a quantity directed by the Zoning Administrator. Except as otherwise allowed below or with the express approval of the Zoning Administrator, the application shall include the

following information within the site plan or in supporting documentation to be considered complete:

- (a) A completed application on a form provided by the Zoning Administrator.
- (b) A title block that indicates the name, address, and phone/fax number(s) of the current property owner and/or agent(s) (developer, architect, engineer, planner) for project.
- (c) The date of the original plan and the latest date of revision to the plan.
- (d) A north arrow and a graphic scale.
- (e) A legal description or plat of survey of the subject property.
- (f) All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled.
- (g) Delineations and labels of floodplains, shoreland-wetlands, shoreland areas, steep slopes, and other natural resource areas.
- (h) All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose.
- (i) All required building setback lines/minimum yards applicable to the zoning district(s), including setbacks from natural resource areas.
- (j) A grading plan at the same scale as the main site plan; showing existing and proposed grades; finish floor elevations of all existing and proposed buildings; elevations of adjacent curbs, property lines, and street center lines; and retention walls and related devices.
- (k) An erosion control plan, meeting applicable state and local requirements.
- (l) The location of existing and proposed stormwater management and structures, along with any technical data required by the Director of Public Works or designee to determine the adequacy of the proposed facilities.
- (m) Proposed land use or uses, with projected number of employees, residents, and maximum customer capacity.
- (n) All existing and proposed buildings, structures, and hard surfaced and graveled areas, including building entrances, walks, drives, decks, patios, fences, utility poles, drainage facilities, ~~and~~ walls, wells (in use or abandoned), on-site waste treatment tank locations and drainage fields, labeling actual and proposed setbacks from all lot lines.
- (o) The location and dimension of all access points onto public streets.
- (p) The location and dimension of all on-site parking (and, if applicable, off-site parking), including a summary of the number of parking stalls provided versus required by this Chapter.
- (q) The location and dimension of all loading and service areas on the subject property and labels indicating the dimension of such areas.
- (r) The location of all outdoor storage areas including dumpsters and the design and materials for all screening fences, including pre-approval from the contracted hauler on proposed design and location.
- (s) The location of all outdoor areas for daily, seasonal, or longer-term sales, display, and/or collection of merchandise, including but not limited to donation drop-off boxes and vending machines.

- (t) The location, type, height, fixture design, and cut-off angle of all exterior lighting, including a detailed photometric plan showing the distribution of light output across the property to the property lines.
- (u) A detailed landscaping plan for the subject property at the same scale as the main plan showing the location, type, and size of all proposed landscaping. All landscape plans shall be prepared by a licensed landscape architect, certified landscape designer, or another professional or individual skilled in landscape design as determined by the Zoning Administrator.
- (v) Elevation drawings, drawn to a recognized architectural scale, of proposed buildings or proposed remodeling of existing buildings to include exterior or roof mechanical equipment and lighting, and showing finished exterior treatment, with adequate labels provided to clearly depict exterior materials, texture, color, and overall appearance.
- (w) The location, type, height, size and lighting of all existing signage on the subject property, and for proposed signage to the extent practical at the time. Multitenant retail centers and group developments shall provide a sign plan for the project that:
 - 1. Meets the submittal requirements of Section 94.13.02(2).
 - 2. Includes proposed signable areas on building facades.
 - 3. Includes a group development sign with space for individual business identification if desired.
- (x) In the site plan map legend, the following additional data for the subject property:
 - 1. Proposed zoning (or existing zoning if no change)
 - 2. Lot area
 - 3. Total number and type of residential dwelling units (if applicable)
 - 4. Total gross floor area of building and outdoor storage space
 - 5. Landscape surface area, and percentage of site to be covered in green space
 - 6. Building heights
- (y) Plans and methods for fire control and suppression, which may include hydrants, sprinklers, alarms, and/or access rooms. Compliance with the Fire Code shall be required.
- (z) If hazardous materials are to be kept or stored on site, a written description of such materials and the operations involving such materials conducted on their property. The Village may also require a process safety management, risk management, containment, and emergency response program.
- (aa) Any required fee per the fee schedule approved by the Village Board.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances

whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.20.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-021 AN ORDINANCE CREATING SECTION 94.4.10(13) OF THE ZONING ORDINANCE ENTITLED *TEMPORARY SALES BY MOBILE FOOD VENDORS* AND ADDING THIS NEW TEMPORARY LAND USE TO THE TEMPORARY LAND USE CATEGORY WITHIN THE CHARTS DISPLAYED IN FIGURES 3.04 AND 3.05 OF THE VILLAGE ZONING ORDINANCE AND AMENDING SECTION 94.17.04 DEFINITIONS OF THE ZONING CODE TO CREATE DEFINITIONS RELATED TO THIS NEW USE.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Village of Weston pursue an ordinance to include mobile food vending units as part of the zoning and licensing codes, which allows for their operation within the confines as the draft ordinance is written.

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-0021.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: None
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statute: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: DRAFT: 94.4.10(13) and 18.148
- Municipal Rules: _____
-

PRIOR REVIEW: PC and ETZ review at March 14, 2016 and April 11, 2016 (public hearing) Meetings

BACKGROUND:

Last year, staff was approached by several people wanting to operate a mobile food vending unit within the Village. This has become an increasingly popular food option for people around Central Wisconsin. To be pro-business, staff moved forward with compiling a draft ordinance to allow for such a use within the Village. It is important that the Village allows for these uses, as for many of these small business owners it is a stepping stone to owning and operating their own restaurant. If and when they choose to make that big step, staff hopes that with by welcoming this use in the Village the business owner would choose Weston for their brick and mortar location. Please note that if the Board chooses to approve

this ordinance, they will also need to approve Ord. No. 16-023 Chapter 18 as both chapters 94 and 18 contain regulations for the vendors. Chapter 18 is also one of the last ordinances to be updated as part of the project Trustee White and Clerk Weinkauff and myself have been working on.

Attachments: Ordinance No. 16-021.



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-021

AN ORDINANCE CREATING SECTION 94.4.10(13) OF THE ZONING ORDINANCE ENTITLED *TEMPORARY SALES BY MOBILE FOOD VENDORS* AND ADDING THIS NEW TEMPORARY LAND USE TO THE TEMPORARY LAND USE CATEGORY WITHIN THE CHARTS DISPLAYED IN FIGURES 3.04 AND 3.05 OF THE VILLAGE ZONING ORDINANCE AND AMENDING SECTION 94.17.04 DEFINITIONS OF THE ZONING CODE TO CREATE DEFINITIONS RELATED TO THIS NEW USE.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, Village Staff has been tasked to create regulations for temporary sales of mobile food vendors in the Village; and

WHEREAS, Village Staff is proposing amendments to Chapter 94 Zoning and Chapter 18 Businesses to provide regulations for temporary sales of mobile food vendors; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance, on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Chapter 94 Zoning Ordinance is hereby amended to provide as follows:

Section 94.4.10: Temporary Land Use Types

(13) **Temporary Sales by Mobile Food Vendors**

Includes the short-term sale of products and foods outside the confines of a building. Foods and beverages are made by the licensed mobile food vendor. Examples of this land use category include, but are not limited to, mobile retail food establishment, temporary retail food establishment, pushcart, ice cream vendor and temporary food stands. This category does not include “Seasonal Sales of Farm Products” (including farmers’ markets), “Drive-in or Drive-through Sales or Service,” or licensed mobile food vendors associated with a licensed and approved “Outdoor Assembly or Special Event.”

Performance Standards:

1. Each such use shall require the issuance of a “Mobile Food Vendor” License from the Village Clerk per Section 18.148 of the Municipal Code.
2. Vending shall only be permitted to operate between the hours of 7:00 a.m. and 30 minutes after the provided closing hours for Class “B” licensed alcohol establishments as provided in Wis. Stat. §125.32(3).
3. No mobile food vending unit may be set up at any one location for more than a 7-day period. Mobile food vending units that operate out of a motorized vehicle shall be parked in a parking stall overnight as to not inhibit traffic flow.
4. All mobile food vendor units shall be located on a hard or gravel surface, as defined by this Chapter.
5. All mobile food vendor units shall adhere to the setbacks of the hard or gravel surface of the respected zoning district as defined in Figure 5.02(2) Non-residential District Setbacks and Height Standards within this Chapter.
6. Written permission from the property owner or designee granting the permission to vend food from a mobile food vending unit on their property.
7. No mobile food vendor unit shall be located or operate within a rural, open space or residentially zoned district, with the exception of the PR – Parks and Recreation district or unless the mobile food vendor is identified under Section 18.148(d)(2) of Licensing.
8. No mobile food vendor unit shall be located or operate within the right-of-way, which includes, but not limited to, the street and sidewalk, with the exception of a mobile ice cream vendor. No vending shall be made in a public street from a vehicle or other on-street unit except from the curbside of said vehicle or on-street unit. Vehicle or pedestrian flow shall not be impeded in any way. All vending from the right-of-way shall cease at sunset.
9. No mobile food vendor unit shall be located within 10 feet of a fire hydrant or designated bus stop and shall not be located within the vision triangle as described in Chapter 71.
10. No mobile food vendor unit shall be located on the same parcel or any adjacent parcel where a business is selling the same or similar products during the hours of operation of said business, unless written permission is granted by the owner of said business and such documentation is provided with the required application.
11. No mobile food vendor unit shall be located or operating within 1000 feet of school property during school hours, unless written permission is granted by the school superintendent or designee and such documentation is provided with the required application.

12. It shall be prohibited for any mobile food vendor units to be connected to any public source of water, sewer or electricity.
13. The utilization of public property, such as light poles, utility pole, planters is prohibited.
14. The utilization of a drive-up or drive-through window for motorized vehicles is prohibited.
15. The licensee or designated operator of the mobile food vendor unit shall be present at all times during which food is being displayed and sold, except that the operator may leave his/her vending location and mobile vending unit unattended during lawful vending hours for a maximum of 30 minutes per day.
16. The Everest Metropolitan Police Department or the Village shall have the authority to remove or cause the removal of any mobile food vendor unit, any of its accessories or product that is in violation of this chapter or poses a risk to the health, safety or welfare of the general public. In addition to any forfeiture that may be imposed, the violator shall also be liable for any removal, towing and storage charges incurred by the Village or any of its associated agencies as a result.
17. Any signs that are attached to the mobile vending unit are exempt from the requirements of filing a sign permit, but shall adhere to all regulations within Article 13.

Section 94.3.04: Allowable Uses in Rural, Open Space and Residential Zoning Districts

Figure 3.04: Allowable Uses in Rural, Open Space and Residential Zoning Districts

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use				
Land Use Category (#) Land Use Type		Zoning District (see key at end of figure)								
		FP	AR	RR-2; RR-5	PR	SF-L	SF-S	2F	MF	MH
Temporary Land Uses (see Section 94.4.10 for descriptions and standards for each land use)										
(1)	Temporary Outdoor Sales				T					
(2)	Garage, Yard, Estate, and In-Home Sales	T	T	T		T	T	T	T	T
(3)	Outdoor Assembly or Special Event	T	T	T	T	T	T	T	T	T
(4)	Contractor's Project Office	T	T	T	T	T	T	T	T	T
(5)	Contractor's On-Site Equipment Storage Facility	T	T	T	T	T	T	T	T	T
(6)	Relocatable Building	T	T	T	T	T	T	T	T	T
(7)	On-Site Real Estate Sales Office		T	T	T	T	T	T	T	T
(8)	Seasonal Outdoor Sales of Farm Products	T	T		T					
(9)	Temporary Portable Storage Container	T	T	T	T	T	T	T	T	T
(10)	Temporary Shelter	T	T	T	T	T	T	T	T	T
(11)	Temporary Agricultural Structure	T	T							
(12)	Temporary Unscreened Storage									
(13)	Temporary Sales by Mobile Food Vendors				T					

P = Permitted Use		C = Conditional Use		T = Temporary Use		Empty Cell = Prohibited Use		
Land Use Category		Zoning District (see key at end of figure)						
(#)	Land Use Type	INT	B-1	B-2	B-3	BP	LI	GI
Key to Zoning Districts:				B-3 = General Business				
INT = Institutional				BP = Business Park				
B-1 = Neighborhood Business				LI = Limited Industrial				
B-2 = Highway Business				GI = General Industrial				

Section 94.17.04: Definitions

Farmers’ Market: The days the Village of Weston provides a time and space for vendors to peddle, vend, sell, serve, display, offer to sell or give away a grown or homemade good, product, food or beverage.

Mobile Food Vending Unit: Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, pedal cart, stand, display, carried container, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which food and/or beverages are being peddled, vended, sold, served, displayed, or offered for sale or given away. This definition does not include a mobile wholesale delivery unit, a vehicle which is used solely to transport or deliver food, or a common carrier regulated by the state or federal government. See section 94.4.10(13).

Mobile Food Vendor: means a person who peddles, vends, sells, serves, displays, offers to sell or give away food or beverages from a mobile food vending unit.

SECTION 2: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

DRAFT

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.21.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: **ORDINANCE NO. 16-022 AN ORDINANCE ADOPTING THE 2016 OFFICIAL ZONING MAP AND OFFICIAL EXTRATERRITORIAL ZONING MAP FOR THE VILLAGE OF WESTON.**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: **Should the Board of Trustees approve the zoning map as presented as the official zoning map and official extraterritorial zoning map for the Village of Weston?**

RECOMMENDATION TO: **I make a motion to approve Ordinance No. 16-022.**

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|------------|
| <input type="checkbox"/> Budget Line Item: | <u>N/A</u> |
| <input type="checkbox"/> Budget Line Item: | <u>N/A</u> |
| <input type="checkbox"/> Budgeted Expenditure: | <u>N/A</u> |
| <input type="checkbox"/> Budgeted Revenue: | <u>N/A</u> |
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|---------------------------|
| <input checked="" type="checkbox"/> WI Statute: | <u>§§ 62.23 and 61.35</u> |
| <input type="checkbox"/> WI Administrative Code: | <u></u> |
| <input type="checkbox"/> Case Law / Legal: | <u></u> |
| <input checked="" type="checkbox"/> Municipal Code: | <u>Chapter 94</u> |
| <input type="checkbox"/> Municipal Rules: | <u></u> |
-
-

PRIOR REVIEW: **Public Hearing before PC and ETZ Committee on April 11, 2016**

BACKGROUND:

At the time the current official zoning map for the Village and ETZ area was approved in March 2015, the map did not include the mapped shoreland overlay district for the Village or Town of Weston. The new proposed zoning map includes this overlay and also includes all the rezones and all the updates to parcels that have over the last year. Adopting the map as the 2016 Official Maps will give us a historical map for the year 2016. The plan going forward is to adopt a new zoning map each year in the first quarter of the year. This new map also includes the Town Zoning on it that was approved this past January for aid in displaying the zoning of the 3 entities to the public. Going forward the approval date of each zoning map (Town, Village and ETZ) will be shown on the map. The PC and ETZ held a public hearing at their 4/11/16 meeting. No one spoke in opposition. Both the PC and ETZ recommend approval of the ordinance.

- Attachments- Ord. No. 16-022
-
-



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-022

AN ORDINANCE ADOPTING THE 2016 OFFICIAL ZONING MAP AND OFFICIAL EXTRATERRITORIAL ZONING MAP FOR THE VILLAGE OF WESTON.

WHEREAS, the Village of Weston is authorized to prepare, amend and adopt a zoning ordinance under Wis. Stats. §§ 62.23 and 61.35; and

WHEREAS, the Village adopted a new Chapter 94 in March 2015, to serve as the Village's general zoning ordinance and the Village's extraterritorial zoning ordinance for the portions of the Town of Weston defined as the extraterritorial zoning area; and

WHEREAS, at the time of adoption in 2015, the shoreland overlay zoning district was not mapped for either the Village or Town of Weston; and

WHEREAS, the Plan Commission has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Village limits; and

WHEREAS, the Joint Town and Village Extraterritorial Zoning Committee has recommended enactment of the Zoning Ordinance amendments set forth below, for applicability within the Extraterritorial Zoning limits of the Town of Weston; and

WHEREAS, the Joint Village and Town of Weston Extraterritorial Zoning Committee and Village Plan Commission have held a joint public hearing on this ordinance on April 11, 2016, in compliance with Wis. Stat. § 62.23, and following such hearing the Board considered public comments and the recommendation of the Village Plan Commission and Joint Village and Town of Weston Extraterritorial Zoning Committee; and

WHEREAS, the Village Board finds the proposed amendment is reasonable, consistent with the Village Comprehensive Plan, and in the public interest;

NOW, THEREFORE, the Village Board of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Adoption of the Official Zoning Map and Extraterritorial Zoning Map 2016. This ordinance shall be deemed to incorporate and adopt the zoning of each district in the Village and Town of Weston in the manner consistent with and as shown on the official zoning maps. Any ordinance or resolution in conflict therewith is hereby repealed. The Village of Weston Official Zoning Map and Official Extraterritorial Zoning Map of the Village of Weston, presented with this ordinance as Exhibit A and made a part thereof, is hereby adopted, and supersedes and replaces in its entirety the previous official maps, adopted in 2015.

SECTION 2: Display. The Village Zoning Administrator is hereby authorized and directed to display the Official Zoning Maps in a prominent place, in public view. The Village Zoning

Administrator shall also transmit copies of the adopted Official Zoning Maps to the Village Clerk. A copy of the Official Zoning Maps hereby adopted shall be permanently on file and open to public inspection in the office of the Village Clerk.

SECTION 3: The amendment effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 4: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication. The following will no longer be effective as of the date of adoption of this ordinance: the existing Official Zoning Maps for the Village of Weston and within its extraterritorial zoning jurisdiction in the Town of Weston. The new Zoning Maps created by this ordinance shall be applicable to all discretionary projects that are not yet filed with or deemed complete by the Village of Weston prior to the date the ordinance goes into effect. For all other projects this ordinance shall apply on the date the ordinance goes into effect, regardless of whether an application has been filed or is complete.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____

Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

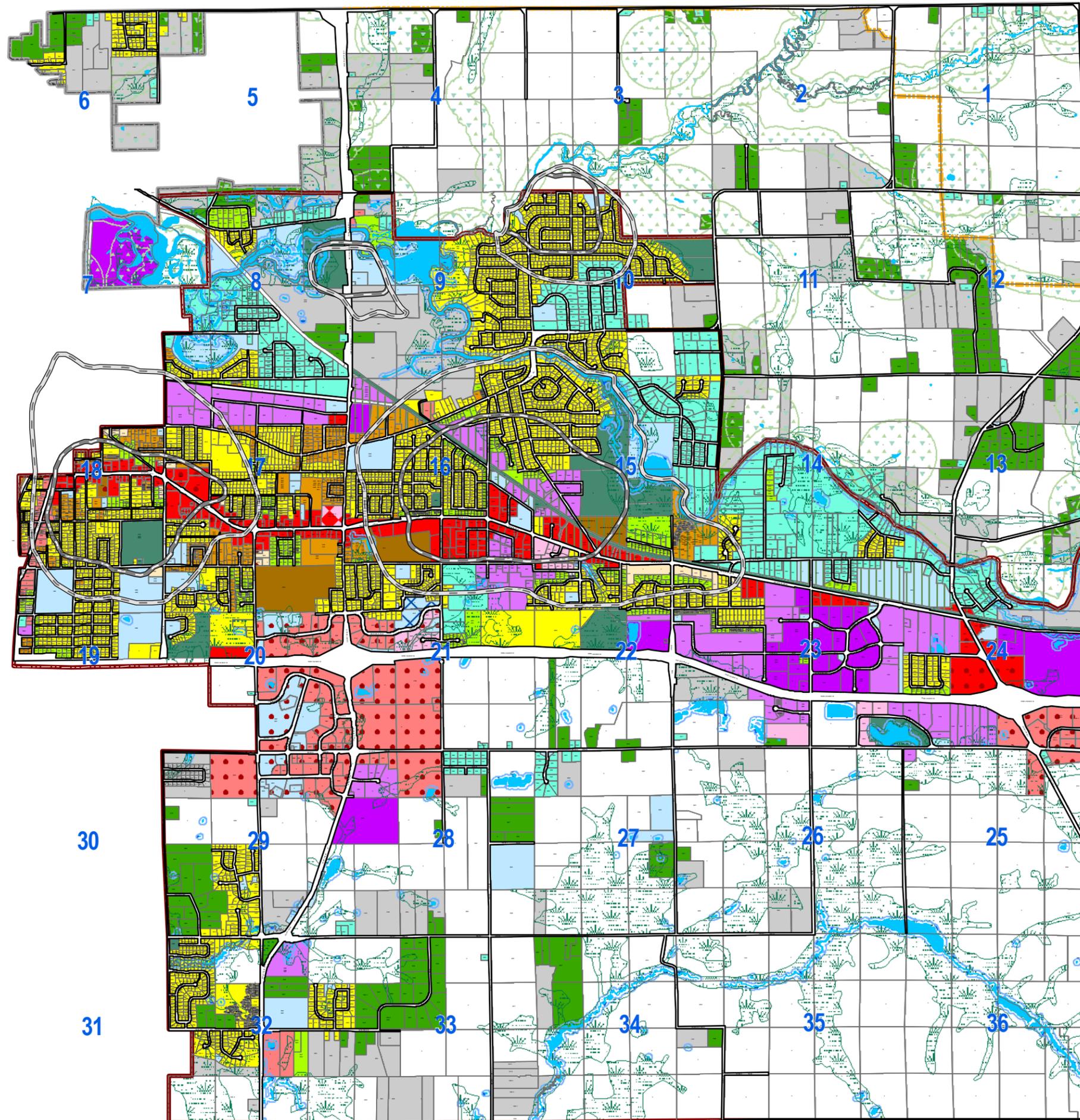
Village of Weston Marathon County, WI



OFFICIAL ZONING MAPS



Map Date: 3/31/2016
 Adoption Date (Village): 4/XX/2016
 Adoption Date (ETZ): 4/XX/2016
 Adoption Date (Town): 01/23/2016
 Map By: Technology Services Department, Village of Weston



Legend

- Village of Weston
 - Extraterritorial Zoning (ETZ) Boundary
 - Town of Weston
 - Right-of-way
 - Parcel Boundary
 - Wetland
 - Surface Water
- ZONING DISTRICTS**
- AR - Agriculture and Residential
 - PR - Parks and Recreation
 - RR-2 - Rural Residential-2 Acre
 - RR-5 - Rural Residential-5 Acre
 - SF-L - Single Family Residential-Large Lot
 - SF-S - Single Family Residential-Small Lot
 - 2F - Two Family Residential
 - MF - Multiple Family Residential
 - MH - Manufactured Home
 - INT - Institutional
 - B-1 - Neighborhood Business
 - B-2 - Highway Business
 - B-3 - General Business
 - BP - Business Park
 - LI - Limited Industrial
 - GI - General Industrial
- OVERLAY ZONING DISTRICTS**
- Design - Commercial Corridor
 - Design - Condominium
 - Design - Renaissance
 - Design - Rail-to-Trail
 - Design - Weston Marketplace
 - Village of Weston Shoreland Zoning
 - Marathon County Shoreland Zoning - Town and ETZ only
- WELLHEAD PROTECTION ZONES**
- Zone A
 - Zone B

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.22.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ORDINANCE NO. 16-023 AN ORDINANCE REPEALING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE VILLAGE OF WESTON ENTITLED "BUSINESSES" AND AMENDING AND RECREATING THE SAME.

DATE/MTG: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

POLICY QUESTION: Should the Village of Weston pursue an ordinance to include mobile food vending units as part of the zoning and licensing codes, which allows for their operation within the confines as the draft ordinance is written.

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-023.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|-------|
| <input type="checkbox"/> Budget Line Item: | None |
| <input type="checkbox"/> Budget Line Item: | _____ |
| <input type="checkbox"/> Budgeted Expenditure: | _____ |
| <input type="checkbox"/> Budgeted Revenue: | _____ |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|---|-------------------------------|
| <input type="checkbox"/> WI Statue: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input checked="" type="checkbox"/> Municipal Code: | DRAFT: 94.4.10(13) and 18.148 |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: PC and ETZ review at March 14, 2016 and April 11, 2016 (public hearing) Meetings

BACKGROUND: Last year, staff was approached by several people wanting to operate a mobile food vending unit within the Village. This has become an increasingly popular food option for people around Central Wisconsin. To be pro-business, staff moved forward with compiling a draft ordinance to allow for such a use within the Village. It is important that the Village allows for these uses, as for many of these small business owners it is a stepping stone to owning and operating their own restaurant. If and when they choose to make that big step, staff hopes that with by welcoming this use in the Village the business owner would choose Weston for their brick and mortar location. Please note that if the Board chooses to approve this ordinance, they will also need to approve Ord. No. 16-021 Sec. 94.4.10(13) Mobile Food Vendors as both chapters 94 and 18 contain regulations for the vendors. The entire Chapter 18 is being repealed and recreated as this chapter is one of the last ordinances to be updated as part of the project Trustee White and Clerk Weinkauff and myself have been working on.

Attachments: Ordinance No. 16-023.



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-023

AN ORDINANCE REPEALING CHAPTER 18 OF THE CODE OF ORDINANCES OF THE VILLAGE OF WESTON ENTITLED “BUSINESSES” AND AMENDING AND RECREATING THE SAME.

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Chapter 18 Businesses of the Village of Weston Municipal Code is hereby repealed, amended and recreated to provide as follows:

CHAPTER 18 BUSINESSES

ARTICLE I. IN GENERAL

Sec. 18.100. Licenses and fees.

No person shall engage in any business, occupation or profession for which a license is required by the village without first obtaining a license established in the village schedule of licenses and fees and payment of the required fees.

Sec. 18.101. Revocation of license.

All licenses provided for in this chapter may be revoked by the village for good cause and satisfactory proof being shown, with all of the operations at such licensed business being terminated and closed down immediately, upon revocation of its license.

(Code 1982, § 5.06)

Sec. 18.102. Penalties.

Any person violating any of the provisions of this chapter shall, upon conviction, be subject to Section 1.111, plus the license fee provided.

(Code 1982, § 5.07. Amended via Ord. 15-013, 06-17-2015)

ARTICLE II. ADULT-ORIENTED ESTABLISHMENTS*

DIVISION 1. GENERALLY

Sec. 18.103. Purpose.

It is a lawful purpose of the board to enact regulatory ordinances protecting and promoting the general welfare, health and safety of its citizens. The board deems it necessary to require licensing and regulation of adult-oriented establishments, namely, adult bookstores, because many such establishments install booths with doors in which patrons can view adult-oriented movies or videotapes or film, or view other forms of adult entertainment. It has been found in many localities that viewing booths in such establishments are used by patrons for engaging in sexual acts, particularly between males, which results in unsafe and unsanitary conditions in the booths.

* **Cross References**--Use of Alcohol Beverages in Adult Entertainment Establishments, Alcohol Beverages Chapter. 6 Section. 6.106.

Pathogenic agents responsible for sexually transmitted diseases have all been isolated at one time or another from body fluids, which have been found to be frequently present in viewing booths in adult-oriented bookstores. It is thereby necessary for the board to regulate adult-oriented bookstores for the protection of the public health, safety and welfare.

(Ord. of 5-17-1993, § 1(1))

Sec. 18.104. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult entertainment means any exhibition of any motion pictures, live performance, display or dance of any type, which has as its dominant theme, or is distinguished or characterized by an emphasis on, any actual or simulated specific sexual activities or specified anatomical areas, or the removal of articles of clothing to appear totally nude or to display a nude genital area or female nude breasts.

Adult-oriented establishment means an adult bookstore having as its stock in trade, for sale, rent, lease, inspection or viewing, books, films, videocassettes, magazines or other periodicals that are distinguished or characterized by their emphasis on matters depicting, describing or relating to specific sexual activities or specific anatomical areas, and in conjunction therewith have facilities for the presentation of adult-oriented films, movies or live performances, for observation by patrons.

Health department means the county health department, health officers, or his/her designee or authorized agent.

Operator means any person operating, conducting, maintaining or owning any adult-oriented establishment.

Specified anatomical areas means:

- (1) Less than completely and opaquely covered human genitals, pubic region, anus or the areola of a female breast; or
- (2) Human male genitalia in a discernible turgid state, even if opaquely covered.

Specified sexual activities means simulated or actual:

- (1) Showing of human genitals in a state of sexual stimulation or arousal; or
- (2) Acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochist abuse, fellatio or cunnilingus; or
- (3) Fondling or erotic touching of human genitals, pubic region, anus or female breasts.

(Ord. of 5-17-1993, § 1(2); Amended via Ord. 15-013, 06-17-2015)

Cross References--Definitions generally, § 1.101.

Sec. 18.105. Penalty.

Any person who shall violate any of the provisions of this article shall upon conviction be subject to section 1.111.

(Ord. of 5-17-1993, § 1(12))

Sec. 18.106. Physical layout of premises.

No adult-oriented establishment shall have available for customers, patrons or members any booth, room or cubicle for the private viewing of any adult entertainment unless the following requirements are complied with:

- (1) Each booth, room or cubicle shall:
 - a. Be separated from adjacent booths, rooms or cubicles and any nonpublic areas by a wall;
 - b. Have at least one side totally open to a public, lighted aisle so that there is an unobstructed view at all times of anyone occupying the booth, room or cubicle;
 - c. Have solid, unbreakable walls without any openings, extended from the floor to a height of not less than six feet, and shall be light colored, with a nonabsorbent, smooth textured and easily cleanable surface;

- d. Have a light-colored, nonabsorbent, smooth-textured and easily cleanable floor;
- e. Have at all times when not in use a minimum lighting level of ten foot-candles as measured three feet above the floor.

(2) Only one individual shall occupy a booth, room or cubicle at any time.

(3) The operator shall ensure there is conspicuously posted inside each booth, stall, partitioned portion of a room, or individual room an un-mutilated and un-defaced sign or poster supplied by the health department, which contains information regarding sexually transmitted diseases and the telephone numbers from which additional information can be sought.

(4) The operator shall ensure that there is conspicuously displayed at a place near the main entrance of the establishment any information, brochures or pamphlets supplied by the health department pertaining to sexually transmitted diseases.

(5) The operator shall ensure there is posted regulations concerning booth occupancy on signs with lettering at least one inch high that are placed in conspicuous areas of the establishment and in each of the viewing enclosures.

(Ord. of 5-17-1993, § 1(10))

Sec. 18.107. Prohibitions.

(a) No person while occupying a booth, room or cubicle or any public area of an establishment licensed under this article shall engage in any type of specified sexual activity, nor shall any such person cause any bodily discharge or litter while in such a booth, room or cubicle. No person shall damage or deface any portion of the booth while occupying that booth.

(b) No operator of an adult-oriented establishment shall permit more than one person to occupy a booth, room or cubicle as described in Sec. [18.106](#) at any time.

(c) No operator shall permit a minor to be in and/or loiter around an establishment licensed under this article or allow a minor to view adult entertainment in such an establishment.

(d) The operator shall maintain the adult-oriented establishment in a clean and sanitary condition at all times. The operator shall submit a fixed cleaning and sanitizing schedule to the health department for approval and, once approved, adhere to that schedule. All employees and operators shall be required to wear impermeable rubber gloves while engaged in the cleaning and sanitation of the booths.

(e) The operator shall maintain a current list of all employees who work on the premises. Such list shall contain the name, current address, date of birth, sex, telephone number, social security number, position of each employee, and date of employment and termination and such list shall be furnished to any police officer immediately upon request.

(f) Every act or omission by an employee constituting a violation of the provisions of this article shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct; and the operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

(g) Every act or omission by an employee constituting a violation of the provisions of this article shall be deemed the act or omission of the operator for the purposes of determining whether the operator's license shall be revoked, suspended or renewed.

(h) No employee of an adult-oriented establishment shall allow any minor to loiter around or to frequent an adult-oriented establishment, or to allow any minor to view sexually oriented adult entertainment.

(i) The operator shall ensure compliance of the establishment and its patrons with the provisions of this article.

(Ord. of 5-17-1993, § 1(11))

DIVISION 2. LICENSE

Sec. 18.108. Required.

(a) No person shall operate, conduct, maintain or own an adult-oriented establishment without first obtaining an adult-oriented establishment license. Licenses may be issued only to adult-oriented establishments that are located at a fixed and certain place. Any person who desires to operate more than one adult-oriented establishment must have a license for each.

(b) No license issued under this article may be transferred to any person nor shall such a license be transferred to another location.

(Ord. of 5-17-1993, § 1(3))

Sec. 18.109. Application.

(a) Application for a license required by this division shall be made to the village clerk/treasurer. A copy of the application shall be forwarded to the chief of police and the health department for review and recommendation, including review of arrest/conviction records and corporate ownership. The application shall be made upon a form provided by the village clerk/treasurer and shall contain the following information under oath:

- (1) The applicant's full name and address;
- (2) Written evidence that the applicant is at least 18 years of age;

(3) The address and description of the location of the proposed adult-oriented establishment; and

(4) If the applicant is a corporation, the name of the corporation, the date and state of incorporation, the name and address of the registered agents of the corporation, and the name and address of all persons owning stock in the corporation, and the name, address, age and position of all officers and directors of the applicant corporation.

(b) An amended application form shall be filed by any corporate licensee upon any change of officer, director or agent. Such amended application shall be reviewed in the same manner as a new application. A fee provided in the village fee schedule shall be paid to the village upon submission of an amended application.

(Ord. of 5-17-1993, § 1(4))

Sec. 18.110. Standards for issuance.

The board shall review all applications received under this division within 30 days after their filing and shall consider the review and recommendations of the chief of police and health department. In recommending action on issuance or non-issuance of such licenses, the board shall consider the probable impact of the location of the proposed business in the area proposed to be licensed, the fitness of the applicant to operate such an establishment, and the history of the operation of the establishment. In addition, the following requirements must be met:

(1) An individual applicant must be at least 18 years of age and must not have been found to have violated this article or a similar law or ordinance within five years immediately preceding the date of application.

(2) All officers, directors and stockholders of a corporate applicant must be at least 18 years of age; and no officer, director or shareholder must have been found to have violated this article or similar law or ordinance within five years preceding the date of application. An applicant which is a partnership, joint venture or other type of organization where two or more persons have a financial interest must demonstrate that no person is less than 18 years of age, and no person must have been found to have violated any provision of this article or a similar law or ordinance within five years immediately preceding the date of the application.

(3) Within 60 days of receiving an application for a license, the village clerk/treasurer shall notify the applicant in writing whether the applications have been granted or denied by the board and if denied, the reason for the denial. Judicial review of denials of applications by the board under this section shall be as provided in Wis. Stat. § [68.13](#).

(Ord. of 5-17-1993, § 1(5))

Sec. 18.111. Fee.

A license fee provided in the village fee schedule shall be submitted with the application for a license. If the application is denied, half the fee shall be retained as a processing fee and the balance shall be returned to the applicant. No fees shall be prorated except upon such denial. No later than three months after the close of each fiscal year, the village clerk/treasurer shall reimburse the health department 20 percent of each permit fee charged under this section. If an application is denied, reimbursement shall not be made to the health department.

(Ord. of 5-17-1993, § 1(6))

Sec. 18.112. Display.

The licensee shall prominently display the license issued under this division in a conspicuous public place in the licensed premises.

(Ord. of 5-17-1993, § 1(7))

Sec. 18.113. Term.

All licenses issued under this division shall expire on June 30 each year unless sooner revoked. A new application shall be made each year, and renewal applications must be filed not later than April 30. A renewal application shall contain the same information and data, given under oath, as is required for an application for a new license. A late processing fee set by the board in the village fee schedule shall be paid with any renewal application made following April 30 of any year. If the application is denied, no portion of the late processing fee shall be refunded.

(Ord. of 5-17-1993, § 1(8))

Sec. 18.114. Revocation or suspension.

(a) **Hearing.** The board may hold a hearing to determine whether a license granted under this division should be suspended or revoked:

(1) If a licensee or a licensee's agent or any of a licensee's officers, directors or shareholders is convicted of an offense which reasonably relates to the licensed operation under this division;

(2) The discovery that false, misleading information or data was provided on any application, or material facts were omitted from any application;

(3) The licensee has failed to comply with an order issued under subsection (d) or (e) of this section;

(4) Any cost or fee required to be paid by this article is not paid; or

(5) Any intoxicating liquor or fermented malt beverage is served or consumed on the premises of the licensed establishment.

(b) **Notice.** Notice of such hearing and the grounds for the hearing shall be provided to any such person, who shall be advised of the time and place of the hearing, of the right to call, examine and cross-examine witnesses, and to have the proceedings recorded at the person's own expense. Such license may be suspended for a period of 60 days or revoked if the board determines that the public interest so requires. The licensee shall be given at least ten days' written notice of the charges prior to the public hearing. The transfer of a license or any interest in a license shall automatically and immediately revoke such license. Any person whose license is revoked shall not be eligible to receive another license for a period of one year from the date of the revocation. No location or premises for which a license has been issued shall be used as an adult-oriented establishment for 12 months from the date of the revocation of the license. Judicial review shall be as provided in Wis. Stat. § [68.13](#).

(c) **Access.** Authorized employees or agents of the chief of police or health department, upon presenting proper identification, shall be permitted to enter any adult-oriented establishment at any reasonable time for the purpose of inspection to determine compliance.

(d) **Enforcement.** If upon inspection of an adult-oriented establishment by an authorized employee or agent of the chief of police or health department, it is found that the establishment is not operated or maintained as required by this article, the employee or agent shall notify the operator in writing. The order shall specify the changes required to make the establishment conform to the standards established in this article, and the time period compliance shall take place.

(e) **Immediate danger to health.** Where there is a reasonable cause to believe that any construction, sanitary condition, operation or method of operation of the premises of an establishment or equipment used on the premises creates an immediate danger to health, an authorized employee or agent of the health department may, without advance written notice, issue an order to remove the immediate danger to health. That order shall take effect on delivery to the operator or other person in charge of the establishment. The order shall be limited to prohibiting the continued operation, use or methods of operation, or a combination of these; except if a more limited order would not remove the immediate danger to health, the order may direct that all operations authorized by the permit cease.

(Ord. of 5-17-1993, § 1(9))

ARTICLE III. EMERGENCY ALARM SYSTEMS*

Sec. 18.115. Purpose.

It is the purpose of this article to minimize the amount of time and effort to the Everest Metro Police Department in responding to false alarms and to provide for a more efficient operation of this service provided by the village emergency services.

(Ord. of 7-31-1989, § 1(1)., Ord. of 3-6-13)

* **Cross References**--Civil Emergencies, Chapter 22; Fire Prevention and Protection, Chapter 34; Law Enforcement, Chapter 42.

State Law References--Burglar alarm installers, Wis. Stats. §§ [111.335](#), [134.59](#).

Sec. 18.116. Applicability.

This article shall be applicable to all alarm systems users within the village that come within the jurisdiction of the Everest Metro Police Department. Alarm systems that come within the jurisdiction of the Everest Metro Police Department are both alarms that terminate at the Marathon County Dispatch Center and those systems that are monitored by other agencies/companies (alarm system operators) that may require the Everest Metro Police Department to respond to the alarm.

(Ord. of 7-31-1989, § 1(2) Ord. of 3-6-13)

Sec. 18.117. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm system - means any device designed for the detection of an unauthorized entry onto premises or for alerting others of the commission of an unlawful act or both, or for the detection of a fire which, when activated, produces a signal, visual or audible, or both, where the intended result of such signal being transmitted would be response by law enforcement or other public safety personnel.

Alarm system operators - means any person in the business of operating a receiving device designed for the detection of an unauthorized entry on premises or for alerting others to the commission of an unlawful act, or both, or for the detection of a fire which, when activated, produces a signal, visible or audible, or both, which signal is caused to be transmitted to the operator of the alarm system, who in turn by telephone or other means transmits any information to the Everest Metro Police Department.

Alarm user - means any person having an alarm system, including individuals, partnerships, associations and/or corporate bodies.

False alarm - means any of the following:

(1) The intentional or unintentional activation of an alarm system by the owner or the lessee of an alarm system or an employee or agent of either under circumstances where there is no unauthorized entry or fire upon the premises or reasonable grounds for belief that such events have occurred or are occurring.

(2) The activation of an alarm system or mechanical failure or malfunction

because of improper maintenance of the alarm system.

(3) The activation of an alarm because of improper installation and/or use of equipment.

Subsections (1) through (3) of this definition do not include false alarms caused by abnormal weather conditions, acts of God or by prior arrangement made for testing of an alarm system.

Self-contained alarm system - means any device designed for the detection of unauthorized entry on the premises or for alerting others of the commission of an unlawful act, or both, or for the detection of a fire, which, when activated, produces a signal, visible or audible, or both, which signal is caused to be transmitted to the general area surrounding the premises so as to give notice to the general public.

(Ord. of 7-31-1989, § 1(3), Ord. of 3-6-13)

Cross References--Definitions generally, § 1.101.

Sec. 18.118. False Alarm Fee.

(a) Any Signal, message or other communication transmitted by an alarm system which causes a response by the Everest Metro Police Department and is determined to be a false alarm shall result in the alarm user or agent paying a fee in accordance with the schedule in subsection (b) of this section. Any fees payable to the police department which are delinquent may be assessed against the property involved as a special charge for current service, without notice, pursuant to Wis. Stat. § [66.0627](#).

(b) The user of any private alarm system shall pay the Everest Metro Police Department a fee according to the following schedule of fees for any false alarm occurring in a moving 12-month period:

(1) For the first false alarm, there is no charge, but the user or his/her agent shall be given a verbal warning.

(2) For the second false alarm, the user or his/her agent shall receive an administrative warning in writing from the police department.

(3) For the third false alarm, the user or his/her agent shall be subject to a fee of \$50.00.

(4) For the fourth false alarm, the user or his/her agent shall be subject to a fee of \$100.00.

(5) For the fifth and subsequent alarms, the user or his/her agent shall be subject to a fee of \$150.00.

(Ord. of 7-31-1989, § 1(10), Ord. of 3-6-13)

Sec. 18.119. Response to emergency services alarms.

The installation and/or operation of an alarm system shall not give rise to any cause of action or claim against the village or any of the village's agents, servants or employees. The village shall be under no duty or obligation to any person having an alarm system for any defects or deficiencies in the system or any delays in response or transmission of the alarm for any other reason.

(Ord. of 7-31-1989, § 1(9))

ARTICLE IV. DIRECT SALES/TEMPORARY EVENTS*

Sec. 18.120 Registration required.

It shall be unlawful for any direct seller, solicitor or person to engage in direct sales, solicitations or hold temporary events within the Village of Weston without being registered and issued a permit for that purpose as provided herein.

Sec. 18.121 Definitions.

In this chapter, the following terms shall have the meanings indicated:

Charitable Organization - Any benevolent, philanthropic, patriotic or eleemosynary person, partnership, association or corporation for which there is provided proof of tax exempt status pursuant to United States Internal Revenue Code Sections [501\(c\)\(3\)](#) or [\(4\)](#).

Direct Seller Employee - Any individual who, for him/herself or for a partnership, association or corporation, sells goods, or takes sales orders for the later delivery of goods, at any location other than the permanent business place or residence of said individual, partnership, association or corporation and shall include but not be limited to peddlers and transient merchants. The sale of goods includes donations required by the direct seller for the retention of goods by a donor or prospective customer.

Direct Seller Business - Any individual, partnership, corporation or business entity of any type whatsoever, which employs direct sellers as defined above either on a full-time, part-time or commission basis and is not a permanent merchant as defined in this section.

Goods - Includes personal property of any kind and shall include goods provided incidental to services offered or sold.

Permanent Merchant - A direct seller who, for at least one year prior to the consideration of the application of this chapter to said merchant, has continuously operated an established place of business in this Village or has continuously resided in this Village and now does business from his/her residence.

Police Department - Everest Metro Police Department.

Solicitor - Any individual who, for him/herself or for any other person, organization, society, association or corporation, personally solicits money, property or financial assistance of any kind from persons other than members of such organization, society, association or corporation.

Temporary Events - carnivals, sports activities over public ways, church bazaars, charity fundraisers and revival meetings which are not detrimental to the public health, safety, comfort, morals, convenience or general welfare provided the use or operation and any incidental temporary structures or tents are in conformance with all other ordinances and codes of the village.

Sec. 18.122 Exemptions.

The following shall be exempt from all provisions of this chapter:

- (a) Any person delivering newspapers, fuel, dairy products or bakery goods to regular customers on established routes.
- (b) Any person selling goods at wholesale to dealers in such goods.
- (c) Any permanent merchant or employee thereof who takes orders away from the established place of business for goods regularly offered for sale by such merchant within this county and who delivers such goods in his/her regular course of business.
- (d) Any person who has an established place of business where the goods being sold are offered for sale on a regular basis and in which the buyer has initiated contact with and specifically requested a home visit by said person.
- (e) Any person who has had, or one who represents a company which has had, a prior business transaction, such as a prior sale or credit arrangement, with the prospective customer.
- (f) Any person selling or offering for sale a service unconnected with the sale or offering for sale of goods.
- (g) Any person holding a sale required by statute or by order of any court and any person conducting a bona fide auction sale pursuant to law.
- (h) Any employee, officer or agent of a charitable organization who engages in direct sales or solicitation for or on behalf of said organization, provided that there is submitted to the Police Department proof that such charitable organization is registered under Wis, Stat, § [202.12](#). Any charitable organization not registered under Wis. Stat. § [202.12](#), or which is exempt from that statute's registration requirements shall be required to register under this chapter.
- (i) Any person who claims to be a permanent merchant but against whom

complaint has been made to the Police Department that such person is a transient merchant, provided that there is submitted to the Police Department proof that such person has leased for at least one year, or purchased, the premises from which he/she is conducting business or proof that such person has conducted such business in this Village for at least one year prior to the date complaint was made.

(j) Any resident of the Village of Weston under age 18. (Permitted exceptions include scouting organizations, sport teams, etc.)

Sec. 18.123 Registration and Permit procedure.

(a) Direct seller (employee) and Direct Seller (Business) must complete all registration requirements with the Village Clerk no less than thirty days prior to commencing any and all selling activities in the Village of Weston. Registration shall include the following information:

(1) Direct Seller (Business):

a. Business name, permanent address, telephone number, name of business contact person, contact person's date of birth, driver's license or identification number and issuing state;

b. Nature of business to be conducted and a brief description of the goods offered, and any services offered;

c. Proposed method of delivery of goods, if applicable;

d. Total number of employees selling during business operations covered by this license;

e. Dollar value of most expensive merchandise or service offered;

f. Dates in which selling activity shall occur;

g. Names of cities, villages and towns, not to exceed three, where business has conducted similar business just prior to making this registration;

h. Place where business contact person can be personally contacted for at least sixty days after leaving this city;

(2) Direct Seller (Employees):

a. Name, permanent address and telephone number, and temporary address, if any.

b. Date of Birth, driver's license or identification number, issuing state, height, weight, and color of hair and eyes.

c. Name, address and telephone number of the person, firm, association or

corporation that the direct seller or solicitor represents or is employed by or whose merchandise is being sold.

d. Location address and telephone number from which business will be conducted, if any, and written permission from the owner of the property for the applicant to conduct business on the property, which statement shall be submitted with the registration form.

e. Nature of business to be conducted and a brief description of the goods offered and any services offered, if applicable.

f. Proposed method of delivery of goods, if applicable.

g. Make, model and license number of any vehicle to be used by the applicant in the conduct of his/her business.

h. Last cities, villages, towns, not to exceed three, where the applicant conducted similar business.

i. Place where the applicant can be contacted for at least seven days after leaving this Village.

j. Statements as to whether the applicant has been convicted of any crime or ordinance violation related to applicant's business within the last five years, the nature of the offense and the place of conviction.

k. Dates in which selling activity will occur.

(b) Applicants shall present to the Village Clerk:

1. A driver's license or some other proof of identity as may be reasonably required.

2. A state certificate of examination and approval from the Sealer of Weights and Measures where the applicant's business requires use of weighing and measuring devices approved by state authorities.

3. A state health officer's certificate where the applicant's business involves the handling of food or clothing and is required to be certified under state law, such certificate to state that the applicant is apparently free from any contagious or infectious disease, dated not more than 90 days prior to the date the application for registration is made.

(c) At the time the registration is returned, a fee as set by the Village Board shall be paid to the Village Clerk to cover the cost of processing said registration.

(d) The applicant shall sign a statement appointing the Village Clerk his/her agent to accept service of process in any civil action brought against the applicant arising out of any sale or service performed by the applicant in connection with the direct sales or soliciting activities of the applicant, in the event the applicant cannot, after reasonable effort, be served personally.

(e) Upon payment of said fee and the signing of said statement, the Village Clerk shall register the applicant as a direct seller or solicitor and date the entry. Said registration shall be valid for a period of one calendar year from the date of entry, subject to subsequent refusal as provided below.

Sec. 18.124 Investigation.

(a) Upon receipt of each application, the Police Department shall make and complete an investigation of the statements made in such registration.

(b) The Police Chief shall refuse to register the applicant if it is determined, pursuant to the investigation above, that:

(1) The application contains any material omission or materially inaccurate statement;

(2) Complaints of a material nature have been received against the applicant by authorities in the last cities, villages and towns, not exceeding three, in which the applicant conducted similar business;

(3) In the case of application for registration as a direct seller, the applicant was convicted of a crime, statutory violation or ordinance violation within the last five years, the nature of which is directly related to the applicant's fitness to engage in direct selling; or

(4) The applicant failed to comply with any applicable provision under the Registration procedure above.

(c) The Zoning Administrator may refuse the application if the "direct sales" violates the zoning code in any way.

Sec. 18.125 Appeals.

Any person denied registration may appeal the denial through the appeal procedure provided by ordinance or resolution of the Village Board or, if none has been adopted, under the provisions of Wis. Stats. §§ [68.07](#) through 68.16.

Sec. 18.126 Prohibited practices; disclosure requirements.

(a) Prohibited practices.

(1) Direct sellers and solicitors shall be prohibited from calling at any dwelling or other place between the hours of 6:00 p.m. and 9:00 a.m., except by appointment; calling at any dwelling or other place where a sign is displayed bearing the words "No Peddlers," "No Solicitors" or words of similar meaning; calling at the rear door of any dwelling place; or remaining on any premises after being asked to leave by the owner, occupant or other person having authority over such premises.

(2) A direct seller shall not misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or character of any goods offered for sale, the purpose of his/her visit, his/her identity or the identity of the organization he/she represents. A charitable organization direct seller shall specifically disclose what portion of the sale price of goods being offered will actually be used for the charitable purpose for which the organization is soliciting. Said portion shall be expressed as percentage of the sale price of the goods.

(3) No direct seller shall impede the free use of sidewalks and streets by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.

(4) No direct seller shall make any loud noises or use any sound- amplifying device to attract customers if the noise produced is capable of being plainly heard outside a one-hundred-foot radius of the source.

(5) No direct seller shall allow rubbish or litter to accumulate in or around the area in which he/she is conducting business.

(b) Disclosure requirements.

(1) After the initial greeting and before any other statement is made to a prospective customer, a direct seller shall expressly disclose his/her name, the name of the company or organization he/she is affiliated with, if any, and the identity of goods or services he/she offers to sell.

(2) If any sale of goods is made by a direct seller, or any sales order for the later delivery of goods is taken by the seller, the buyer shall have the right to cancel said transaction if it involves the extension of credit or is a cash transaction of more than \$25, in accordance with the procedure as set forth in Wis. Stat. § [423.203](#), . The seller shall give the buyer two copies of a typed or printed notice of that fact. Such notice shall conform to the requirements of Wis. Stats. §§ [423.203\(1\)\(a\)](#), [\(b\)](#) and [\(c\)](#), [\(2\)](#) and [\(3\)](#). If the direct seller takes a sales order for the later delivery of goods, he/she shall, at the time the order is taken, provide the buyer with a written statement containing the terms of the agreement, the amount paid in advance, whether full, partial or no advance payment is made, the name, address and telephone number of the seller, the delivery or performance date and whether a guarantee or warranty is provided and, if so, the terms thereof.

Sec. 18.127 Records.

The Police Department shall keep records of all convictions for violation of this chapter and note any such violation on the record of the registrant convicted.

Sec. 18.128 Revocation of registration.

(a) Registration may be revoked by the Village Board after notice and hearing if the registrant made any material omission or materially inaccurate statement in the

application for registration, made any fraudulent, false, deceptive or misleading statement or representation in the course of engaging in direct sales or solicitations, violated any provision of this chapter or, in the case of direct sellers, was convicted of any crime or ordinance or statutory violation which is directly related to the registrant's fitness to engage in direct selling.

(b) Written notice of the hearing shall be served personally on the registrant at least 72 hours prior to the time set for the hearing. Such notice shall contain the time and place of hearing and a statement of the acts upon which the hearing will be based.

Sec. 18.129 Violations and penalties.

Any person convicted of violating any provisions of this chapter shall, upon conviction, be subject to the penalties set forth in Chapter 1, General Provisions, Article I, Penalties, of the Code of the Village of Weston. Each violation shall constitute a separate offense.

(Ord. of 6-18-2007, Ord. of 5-20-2010)

* **Cross References**--Streets, Sidewalks and Other Public Places, Chapter 70, Zoning, Chapter 94.

State Law References--Authority, Wis. Stats. § [66.0423](#).

ARTICLE V. SLAUGHTERHOUSES, STOCKYARDS, JUNKYARDS, AUTOMOBILE GRAVEYARDS*

Sec. 18.130 Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Junkyard, automobile graveyard or automobile salvage or wrecking yard means any place where two or more motor vehicles not in running condition, or their parts, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or their parts, including the commercial salvaging of any other goods, articles, or merchandise. The term "junkyard" shall also be construed to mean an open or enclosed area or building where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to scrap iron and other metals, paper, rags, rubber tires, and glass.

(Code 1982, § 5.02(4); Ord. of 8-10-1992, § 1, Ord. of 5-20-2010)

Cross References --Definitions generally, § 1.101.

* **Cross References**--Animals, Chapter 10; Traffic and Vehicles, Chapter 82.

State Law References--Junkyards generally, Wis. Stat. § [84.31](#).

Sec. 18.131. Permit required; fee.

(a) It shall be unlawful to establish or enlarge and extend the structure of any slaughterhouse, stockyard, junkyard and automobile graveyard within the limits of the village without first registering with the village clerk/treasurer and obtaining a permit, which permit shall only be issued pursuant to resolution of the board, and which permit shall be issued only in the discretion of the board.

(b) It shall be unlawful to buy, sell or deal in junk, junk automobiles or their parts without first registering with the village clerk/treasurer and obtaining a permit, which permit shall be issued only in the discretion of the board.

(c) The permit fee shall be set by board resolution, and the fee shall be listed in the schedule of licenses and permit fees.

(Code 1982, § 5.02(1)--(3) , Ord. of 5-20-2010)

Sec. 18.132. Qualifications.

Before any person shall qualify for a permit under the provisions of this article, such person shall have proven to the village that the slaughterhouse, stockyard, junkyard and/or automobile graveyard has been or will be, within a limited time to be set by the board, enclosed within a high fence enclosure screening off the contents from the public. It will then be in the discretion of the board as to whether or not a permit will be issued.

(Code 1982, § 5.02(5) , Ord. of 5-20-2010)

Sec. 18.133. Exceptions to article provisions.

The covering of a maximum of three disabled and/or dismantled, non-operating automobiles or their parts, and/or items of disabled farm, road or other machinery by a canvass, canopy or other covering that completely excludes them from the view of the public, by any person shall take that person out of the purview of this article.

(Code 1982, § 5.02(6) , Ord. of 5-20-2010)

ARTICLE VI. MASSAGE

Sec. 18.134. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Manager means the operator or an agent licensed under this article, who shall be certified as a massage technician [under Wisconsin Administrative Code SPS Chapter MTBT 1 through MTBT 7](#).

Massage means, where a consideration passes, any process or procedure consisting of rubbing, stroking, kneading or tapping, by physical or mechanical means, upon the external parts or tissues of the body of another; and for purposes of this article shall include wrestling, dancing, body painting and/or removal of such paint from a body, and manicuring, where one or both of the participants expose one or more sexual or genital parts.

Massage establishment means a place of business wherein massage is practiced, used or made available, or where sex education, or sex counseling is carried on by any sex educators or counselors while one or more of the persons present at the counseling session is nude, or where wrestling, dancing, manicuring, or similar activities are conducted or permitted while one or more persons expose one or more sexual or genital parts.

Massage room means the area where private massage, wrestling, dancing, sex education, manicuring, body painting or removal of body paint, is performed.

Massage technician means a person who, for a consideration, practices, administers or engages in wrestling, dancing, manicuring, sex counseling, sex educating or massage, whether or not such persons hold a valid certificate under [Wisconsin Administrative Code SPS Chapter MTBT 1 through MTBT 7](#).

Operator means any person licensed by the village to operate a massage establishment.

Patron means any person who receives a massage or participates in sex counseling or education sessions, wrestles, manicures, dances, body paints or removes body paint under such circumstances that it is reasonably expected that money or other consideration will pass between the patron and the manager, operator, owner or massage [under Wisconsin Administrative Code SPS Chapter MTBT 1 through MTBT 7](#).

Sexual or genital parts shall include the genitals, pubic areas, buttocks, anus or perineum of any person, or the vulva or breasts of a female.

Waiting area means an area adjacent to the main entrance that is separate from any area where massages are given.

(Code 1982, § 5.10(2) , Ord. of 5-20-2010)

Cross References--Definitions generally, § 1.101.

Sec. 18.135. Exceptions.

This article shall not apply to the following classes of individuals while engaged in the duties of their respective professions:

- (1) Physicians, surgeons, chiropractors, osteopaths, masseurs or physical

therapists licensed or registered to practice their respective professions under the laws of the state, or nurses registered under the laws of the state, acting under their direction and control.

(2) Barbershops and beauty parlors, barbers and beauticians licensed under the laws of the state, provided that such massage as is practiced is limited to the head and scalp.

(3) Accredited high schools and colleges and coaches and trainers in such schools while acting within the scope of their employment.

(4) Employees of those organizations that are exempt from real estate taxation pursuant to Wis. Stat. § [70.11](#), who administer massages upon such exempt premises as a duty assigned such employee by the employer.

(Code 1982, § 5.10(8) , Ord. of 5-20-2010)

Sec. 18.136. Operation without a license a public nuisance.

The operation of a massage establishment without a license or the activity of an individual as a massage technician without a certificate [under Wisconsin Administrative Code SPS Chapter MTBT 1 through MTBT 7](#) is deemed a public nuisance and may be enjoined by the village.

(Code 1982, § 5.10(9) , Ord. of 5-20-2010)

Sec. 18.137. Compliance with article required.

It shall be unlawful for any person to suffer, cause or permit the operation of a massage establishment, or for a person to operate as a massage technician, agent, manager or employee, except in strict compliance with this article.

(Code 1982, § 5.10(1) , Ord. of 5-20-2010)

Sec. 18.138. Massage establishment license.

(a) No person shall suffer, cause or permit the conduct of a massage establishment without having first obtained a license from the board. A separate license shall be acquired for each such establishment.

(b) No license shall be granted for any establishment the main entrance to which is within 75 feet of the main entrance to a residence or of the common entry hall to residences, nor for any room in any hotel or motel.

(c) Applications shall be made in writing on forms supplied by the village clerk/treasurer. If application is made for a location not previously licensed, the village clerk/treasurer shall by regular mail notify all property owners and registered electors within 250 feet of the proposed location at least ten days before the hearing on the granting of such

license.

(d) All applications shall include:

(1) A nonrefundable fee as set by board resolution, which shall be listed in the schedule of licenses and permit fees.

(2) The location and mailing address of the proposed establishment.

(3) For an individual or for each person of a partnership or joint venture or agent of a corporation:

a. Name and present address.

b. The two immediately previous addresses and dates of residence at each.

c. Height, weight, color of hair and eyes, social security number, written proof of age, full set of fingerprints and two photographs not more than 30 days old, and at least two inches by two inches.

d. The business or occupation for the two years immediately preceding the date of application.

e. Whether a similar license had been revoked or suspended and, if so, the reason and the location.

f. Whether convicted of any crime or ordinance violation other than traffic offenses within the past three years and, if so, a listing of the violations and their locations.

(4) If the applicant is a corporation, the names and addresses of each officer and director and of the stockholders of such corporation, together with the extent of the ownership of each, and a statement whether such officer, director or stockholder holds office or stock in any other corporation conducting a similar business in the state. Such application shall be made by an agent registered as such who shall have been a resident of the village for at least 90 days.

(5) All phone numbers of the proposed establishment.

(6) The names, addresses and phone numbers of all persons employed by the applicant at the time of application.

(7) Certification of compliance of the proposed premises with the building code and fire code, or in the alternative, the applicant shall file a bond assuring that any work required to be done to bring the premises into compliance with such codes shall be accomplished prior to the opening of business. Compliance with such codes and standards for health and sanitary operation and the acquisition of a health permit shall be conditions precedent to the opening of business.

(8) The application shall contain a statement signed by the applicant and each individual of all partnerships, corporations, LLP's, LLC's or joint ventures that all

information contained in the application is true and correct.

(e) The issuance of this license shall allow for the licensing of up to three additional managers for each establishment.

(Code 1982, § 5.10(3) , Ord. of 5-20-2010)

Sec. 18.139. Massage technician's certificate and manager's certificate.

(a) No person shall act or operate for a consideration as a massage technician or manager without having first obtained a State of Wisconsin certificate as a massage technician [under Wisconsin Administrative Code SPS Chapter MTBT 1 through MTBT 7](#).

Sec. 18.141. Regulations of operations and licenses.

(a) Each establishment shall at all times maintain and comply with the following regulations:

(1) The establishment shall comply with all village codes.

(2) Only one non-flashing business sign clearly identifying the establishment as a massage establishment shall be posted at the main entrance. No description of services, written or pictorial, shall be permitted on such sign, the square footage of which shall not exceed that permitted in the zoning district in which the establishment is located, or 18 feet, whichever is less.

(3) No establishment shall be open for business between the hours of 10:00 p.m. and 8:00 a.m.

(4) Only massage technicians certified [under Wisconsin Administrative Code SPS Chapter MTBT 1 through MTBT 7](#) pursuant to this article shall be employed as massage technicians by the establishment.

(5) The practice of all massage technicians certified by the State of Wisconsin under [SPS Chapter MTBT 1 through 7](#) employed by the establishment shall be limited to the licensed premises.

(6) No person under the age of 18 years shall be permitted on the premises.

(7) No intoxicating beverages or substance included in Wis. Stats. [Chapter 961](#) shall be permitted in the licensed establishment. Food shall be permitted only when there is no charge and when a food preparation area, including sink with hot and cold running water, is a part of the establishment.

(8) The establishment shall provide a waiting area for patrons separate from any area where massages are given. There shall be direct access to this area from the main entrance or from the hallway connected only to the main entrance.

(9) The operator or a licensed manager shall be present on the premises at all

times during hours of operation and shall be responsible for the operation of the establishment.

(10) The establishment shall permit inspections of the premises at any time during business hours by building inspectors, fire inspectors, health inspectors or personnel of any law enforcement agency.

(11) The establishment shall keep current records of the names and addresses of its massage technicians certified by the [State of Wisconsin under SPS Chapter MTBT 1 through 7](#), agents, managers and employees and the date of employment and termination of each. Such records shall be open to inspection by any of the personnel listed in subsection (a)(10) of this section.

(12) The establishment shall report any change of fact required on the application form and all personnel changes to the village clerk/treasurer within ten days after such change.

(13) The establishment shall maintain a system of giving paper receipts to all patrons. The receipt shall bear on its face the name, address and telephone number of the patron, and the time and date of issuance. The name of the massage technician who administers to the patron shall appear on the original of the receipt in the technician's own handwriting. Not less than once each month the county health officer shall inspect the original receipts. The information contained on the receipt shall be confidential. If the health officer believes one or more patrons should be advised of any fact arising out of the patron's patronage of the massage parlor, the contact shall be in a discreet and private manner in order to protect the privacy of the patron. No other public official shall have access to or be provided with any information on the patron receipt without a specific authorization by resolution adopted by the board, or by order of a court of competent jurisdiction.

(14) The establishment shall be equipped with security deposit facilities capable of being locked by the patron. Sufficient safety deposit facilities shall be furnished so that each patron will have a separate compartment available for storage of clothing and valuables.

(15) Every massage establishment shall have a minimum of one shower, one toilet and one washbasin.

(16) If male and female patrons are to be served simultaneously, such massage rooms, dressing facilities, toilet facilities, steam rooms, and sauna rooms as are provided shall be separated for male and female patrons; and each such separate facility or room shall be clearly marked as such.

(17) Rooms in which massage is to be practiced or administered shall have at least 50 square feet of clear floor area, and shall maintain a light level of no less than 40 foot-candles as measured at three feet above the floor. Lighting in colors other than white shall be prohibited. Such rooms shall be equipped with cabinets for the storage of clean linen and chemicals and approved receptacles for the storage of soiled linen. Such rooms shall contain a door incapable of being locked from the exterior or interior. Such door shall contain a transparent window pane no less than 12 inches wide and 12 inches long, such that an unobstructed view of the room is provided from a hallway or other common access area

immediately adjacent to the room.

(18) No stuffed or upholstered furniture or beds and mattresses shall be permitted in rooms in which massage is to be practiced or administered. Such rooms shall be equipped with massage tables having a hard surface impervious to liquids with a width of no more than three feet and a length of no more than eight feet. The surface of such tables shall be positioned at least two feet from the surface of the floor so as to allow for free access to the floor beneath. Such tables may be equipped with either non-disposable pads or coverings or disposable coverings not more than 2 1/2 inches thick. Non-disposable pads or coverings shall be removable, impervious and cleanable.

(19) Massage establishments and massage technicians certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) in such establishments shall prominently and publicly display on the premises their licenses and permits during all hours of operation.

(20) Massage establishments shall at all times be equipped with an adequate supply of clean, sanitary towels, coverings and linens. Clean towels, coverings and linens shall be stored in cabinets. Towels and linens shall not be used on more than one patron unless they have first been laundered and disinfected. Disposable coverings and towels shall not be used on more than one patron. Soiled linens and paper towels shall be deposited in approved receptacles.

(21) Instruments utilized in performing massage shall not be used on more than one patron unless they have first been sterilized, using disinfecting agents or sterilizing equipment approved by the health officer. Massage table pads and reusable table coverings shall be disinfected between each massage with approved chemicals. Chemicals used during massage shall be stored separately in containers clearly labeled as to contents. All chemical containers shall be stored in cabinets reserved solely for such purpose.

(b) Each technician certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) shall at all times comply with the following regulations:

(1) The technician certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) shall practice only on the premises of a licensed massage establishment.

(2) The technician certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) shall massage only patrons over the age of 18 years.

(3) No technician certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) shall administer a massage if he/she believes, knows or should know that he/she is not free of any contagious or communicable disease or infection.

(4) The technician certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) shall report any change of fact required in the application form to the village clerk/treasurer within ten days after such change.

(5)

a. It shall be unlawful for any person in a massage parlor to place his/her hand or hands upon, to touch with any part of his/her body, to fondle in any manner, or to massage,

a sexual or genital part of any other person, or to offer to do any of the acts described in this subsection.

b. It shall be unlawful for any person in a massage parlor to expose his/her sexual or genital parts to any other person. It shall also be unlawful for any person in a massage parlor to expose the sexual or genital parts of any other person, or to offer to do any of the acts described in this subsection.

c. It shall be unlawful for any person, while in the presence of any other person in a massage parlor, to fail to conceal with a fully opaque covering the sexual or genital parts of his/her body, or to offer to do any of the acts described in this subsection.

d. It shall be unlawful for any person owning, operating or managing a massage parlor knowingly to cause, allow or permit in or about such massage parlor any agent, employee or any other person under his/her control or supervision to perform such acts prohibited in subsection (a), (b) or (c) of this section, or to offer to hire or permit any person to do any of the acts described in this subsection.

(c) In the event of denial, the applicant shall receive written notification of denial setting forth the reasons for the denial within ten days after such denial.

(d) Licenses granted by the board shall expire on June 30 of each year. Reapplication shall be not less than 60 days prior to such expiration date and shall be the sole responsibility of the applicant.

(e.) No license shall be transferred between locations or persons, and no massage establishment license shall be sold or be subject to transfer of corporate assets or change of corporate officers or directors.

(f) The massage technician certified by the State of Wisconsin under [SPS Chapter MTBT 1 through MTBT 7](#) does not entitle the holder to operate or manage a massage establishment.

(Code 1982, § 5.10(6), Ord. of 5-20-2010)

Sec. 18.142. Revocation or suspension of license.

(a) **Grounds.** The license granted in this article may be revoked or suspended for up to six months by the board:

(1) If the applicant has made or recorded any statement required by this article knowing it to be false or fraudulent or intentionally deceptive.

(2) For the violation of any provision of this article, except for establishment license matters involving violations of village codes, in which case the license shall be revoked after the second conviction in any license year.

(3) If a technician's or manager's State of Wisconsin certificate, after one conviction of any offense under Wis. Stats. [Chapter 944](#), or of any offense involving

substances included in Wis. Stats. [Chapter 961](#), or of an offense against the person or property of a patron, whether such occurred on or off the premises of the establishment.

(4) If a technician's or manager's State of Wisconsin certificate has been suspended, revoked, or denied under Wisconsin Administrative Code [SPS Chapter MTBT 1 through MTBT 7](#).

(5) If an establishment license, after one conviction of any establishment personnel of an offense under Wis. Stats. [Chapter 944](#), or of an offense against the person or property of a patron or of an offense involving substances in Wis. Stats. [Chapter 961](#), where there is shown the participation or knowledge of any other establishment personnel or of any individual within the business structure of the applicant.

(b) **Notice and hearing.** No license shall be revoked or suspended by the board except upon due notice and a hearing to determine whether grounds for such action exists. The notice shall be in writing and shall state the grounds of the complaint against the licensee. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place of the hearing. The licensee shall be entitled to be heard, to be represented, to cross-examine opposing witnesses, and to present witnesses in his/her own behalf under the subpoena of the board, if such is required. The hearing shall be stenographically recorded, and a copy of the transcript shall be available to the licensee at the expense of the licensee. The board shall decide the matter and shall prepare a written decision, which shall be filed with the village clerk/treasurer and a copy mailed to the licensee within 20 days after the hearing.

(Code 1982, § 5.10(7), Ord. of 5-20-2010)

ARTICLE VII. PAWNBROKERS AND SECONDHAND DEALERS*

Sec. 18.143 Pawnbrokers.

(a) **Purpose.**

(1) The Village Board finds that the services offered by pawnshops provide an opportunity for individuals to readily transfer stolen property to those businesses. The Board also finds that consumer protection regulation is warranted in transactions involving these businesses. The Board further finds that pawnshops have outgrown the Village's current ability to effectively or efficiently identify criminal activity related to them. The purpose of this chapter is to prevent pawnshops from being used to facilitate the commission of crimes and to assure that they comply with basic consumer protection standards, thereby protecting the public health, safety, and general welfare of the citizens, and pursuant to the authority granted by Wis. Stat. § [134.71](#).

(2) This Ordinance implements and establishes the required use of a Pawn Tracking System of the Police Department's choosing to help the police department better regulate current and future pawnshops to decrease and stabilize costs associated with the regulation of pawnshops, and to increase identification of criminal activities in pawnshops through the timely collection and sharing of transaction information.

(b) **Definitions.** In this section:

(1) **Article** means any item of value.

(2) **Billable transaction** means every reportable transaction except renewals, redemptions, voids, or extensions of existing pawns or purchases previously reported and continuously in the pawnbroker's possession.

(3) **Charitable organization** means a corporation, trust, or community chest, fund, or foundation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

(4) **Customer** means a person with whom a pawnbroker, or an agent thereof, engages in a transaction of purchase, sale, receipt, or exchange of any secondhand article.

(5) **Pawnbroker** means any person who engages in the business of lending money on the deposit or pledge of any article or purchasing any article with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price. To the extent that a pawnbroker's business includes buying personal property previously used, rented, leased, or selling it on consignment, the provisions of this chapter shall be applicable. A person is not acting as a pawnbroker when engaging in any of the following:

a. Any transaction at an occasional garage or yard sale, an estate sale, a gun, knife, gem, or antique show, or a convention.

b. Any transaction entered into by a person engaged in the business of junk collector, junk dealer, or scrap processor, as described in Wis. Stat. § [70.995\(2\)\(x\)](#).

c. Any transaction while operating as a charitable organization or conducting a sale, the proceeds of which are donated to a charitable organization.

d. Any transaction between a buyer of a new article and the person who sold the article when new that involves any of the following:

1. The return of the article.

2. The exchange of the article for a different, new article.

e. Any transaction as a purchaser of a secondhand article from a charitable organization if the secondhand article was a gift to the charitable organization.

f. Any transaction as a seller of a secondhand article that the person bought from a charitable organization if the secondhand article was a gift to the charitable organization.

(6) **Reportable transaction** means every transaction conducted by a pawnbroker in which an article or articles are received through a pawn, purchase, consignment, or trade, or in which a pawn is renewed, extended, voided, or redeemed, or for which a unique

transaction number or identifier is generated by their point-of-sale software, and is reportable except:

a. The bulk purchase or consignment of new or used articles from a merchant manufacturer, or wholesaler having an established permanent place of business, and the retail sale of said articles, provided the pawnbroker must maintain a record of such purchase or consignment that describes each item, and must mark each item in a manner that relates it to that transaction record.

b. Retail and wholesale sales of articles originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

(7) ***Secondhand*** means owned by any person, except a wholesaler, retailer, or licensed secondhand article dealer, immediately before the transaction at hand.

(c) ***Inspection of Items.*** At all times during the term of the license, the pawnbroker must allow the police department to enter the premises where the licensed business is located, including all off-site storage facilities, during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the items, wares, merchandise, and records therein to verify compliance with this chapter or other applicable laws.

(d) *(Reserved.)*

(e) ***License.*** No person may operate as a pawnbroker in the Village unless the person first obtains a pawnbroker license under this chapter.

(f) ***Display of license.*** Each license issued under this chapter shall be displayed in a conspicuous place visible to anyone entering a licensed premise.

(g) ***License application.*** A person wishing to operate as a pawnbroker shall apply for a license to the Village Clerk. The clerk shall furnish application forms approved by the police department that shall require all of the following:

(1) The applicant's name, place and date of birth, residence address, and residence addresses for the 10-year period prior to the date of the application.

(2) The name and address of the business and of the owner of the business premises.

(3) Whether the applicant is a natural person, corporation, limited liability company, or partnership; and

1. If the applicant is a corporation, the state where incorporated and the names and addresses of all officers and directors.

2. If the applicant is a partnership, the names and addresses of all partners.

3. If the applicant is a limited liability company, the names and addresses of all members.

4. The name of the manager or proprietor of the business.
5. Any other information that the clerk may reasonably require.

(4) A statement as to whether the applicant, including an individual, agent, officer, director, member, partner, manager, or proprietor, has been convicted of any crime, statutory violation punishable by forfeiture, or county or municipal ordinance violation. If so, the applicant must furnish information as to the time, place, and offense of all such convictions.

(5) Whether the applicant or any other person listed in subsection (4) above has ever used or been known by a name other than the applicant's name, and if so, the name or names used and information concerning dates and places used.

(6) Whether the applicant or any other person listed in subsection (4) above has previously been denied or had revoked or suspended a pawnbroker license from any other governmental unit. If so, the applicant must furnish information as to the date, location, and reason for the action.

(h) ***Investigation of license applicant.*** The police department shall investigate each applicant and any other person listed in subsection (3) above for a pawnbroker license. The department shall furnish the information derived from that investigation in writing to the Village clerk. The investigation shall include each agent, officer, member, partner, manager, or proprietor.

(i) ***License issuance.***

(1) The Village Board shall grant the license if all of the following apply:

a. The applicant, including an individual, a partner, a member of a limited liability company, a manager, a proprietor, or an officer, director, or agent of any corporate applicant, does not have an arrest or conviction record subject to Wis. Stats. §§ [111.321](#), [111.322](#) and [111.335](#).

b. The applicant provides to the Village clerk a bond of \$2,500 with not less than 2 sureties for the observation of all municipal ordinances or state or federal laws relating to pawnbrokers. The bond must be in full force and effect at all times during the term of the license.

(2) No license issued under this subsection may be transferred.

(3) Each license is valid from July 1 until the following June 30.

(j) ***Requirements.***

(1) ***Identification.*** No pawnbroker may engage in a transaction of purchase, receipt, or exchange of any secondhand article from a customer without first securing adequate identification from the customer. At the time of the transaction, the pawnbroker shall require the customer to present one of the following types of identification:

- a. Current, valid Wisconsin driver's license;
- b. Current, valid Wisconsin identification card;
- c. Current, valid photo identification card or photo driver's license issued by another state or province of Canada.

(2) ***Transactions with minors.***

a. Except as provided in subsection (2)b., no pawnbroker may engage in a transaction of purchase, receipt, or exchange of any secondhand article from any minor, defined as a person under the age of 18 years.

b. A pawnbroker may engage in a transaction described under subsection (2)a. if the minor is accompanied by his/her parent or guardian at the time of the transaction and the parent or guardian signs the transaction form and provides identification as required by this section.

(3) ***Records required.*** At the time of any reportable transaction other than renewals, extensions, or redemptions, every pawnbroker must immediately record in English the following information by using ink or other indelible medium on forms or in a computerized record approved by the police department:

a. A complete and accurate description of each item, including, but not limited to any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.

b. The purchase price, amount of money loaned or pledged therefore.

c. The maturity date of the transaction and the amount due, including monthly and annual interest rates and all pawn fees and charges.

d. Date, time, and place the item of property was received by the pawnbroker, and the unique alpha and/or numeric transaction identifier that distinguishes it from all other transactions in the pawnbroker's records.

e. Full name, current residence address, current residence telephone number, date of birth, and accurate description of the person from whom the item of property was received, including sex, height, weight, race, color of eyes, and color of hair.

f. The identification number and state of issue from any of the following forms of identification of the seller:

1. Current, valid Wisconsin driver's license;
2. Current, valid Wisconsin identification card;
3. Current, valid photo identification card or photo driver's license issued by another state or province of Canada.

- g. The signature of the person identified in the transaction.
- h. Renewals, extensions, and redemptions. The pawnbroker shall provide the original transaction identifier, the date of the current transaction, and the type of transaction for renewals, extensions, and redemptions.
- i. Record retention. Data entries shall be retained for at least 1 year from the date of transaction.
- j. For every secondhand article purchased, received, or exchanged by a pawnbroker from a customer off the pawnbroker's premises, or consigned to the pawnbroker for sale on their premises, the pawnbroker shall keep a written inventory. In this inventory the pawnbroker shall record the name and address of each customer, the date, time, and place of the transaction, and a detailed description of the article that is the subject of the transaction. The customer shall sign his/her name on a declaration of ownership of the secondhand article identified in the inventory and shall state that he/she owns the secondhand article. The pawnbroker shall retain an original and a duplicate of each entry and declaration of ownership relating to the purchase, receipt, or exchange of any secondhand article for not less than one year after the date of the transaction, except as provided in subsection (6)., and shall make duplicates of the inventory and declarations of ownership available to any law enforcement officer for inspection at any reasonable time.

(4) ***Holding period.***

- a. Except as provided in subsection (4)c., any secondhand article purchased or received by a pawnbroker shall be kept on the premises or other place for safekeeping for not less than 30 days after the date of purchase or receipt, unless the person known by the pawnbroker to be the lawful owner of the secondhand article redeems it.
- b. During the period set forth in subsection (4)a., the secondhand article shall be held separate from saleable inventory and may not be altered in any manner. The pawnbroker shall permit any law enforcement officer to inspect the secondhand article during this period. Within 24 hours after a request of a law enforcement officer during this period, a pawnbroker shall make available for inspection any secondhand article which is kept off the premises for safekeeping.
- c. Subsections (4)a. and b. do not apply to a secondhand article consigned to a pawnbroker.

(5) ***Redemption period.*** Any person pledging, pawning or depositing any item for security must have a minimum of 60 days from the date of that transaction to redeem the item before it may be forfeited and sold. During the 60-day holding period, items may not be removed from the licensed location. Pawnbrokers are prohibited from redeeming any item to anyone other than the person to whom the receipt was issued, to any person identified in a written and notarized authorization to redeem the property identified in the receipt, or to a person identified in writing by the pledger at the time of the initial transaction and signed by the pledger, or with the approval of the pledger at the time of the initial transaction and signed by the pledger, or with the approval of the police department. Written authorization for release of property to persons other than the original pledger must be

maintained along with the original transaction record in accordance with the subsection (3)i.

(6) ***Police order to hold property.***

a. Investigative hold. Whenever a law enforcement officer from any agency notifies a pawnbroker not to sell an item, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within 72 hours and will remain in effect for 15 days from the date of initial notification, or until the investigative order is canceled, or until an order to confiscate is issued, pursuant to subsection b., whichever comes first.

b. Order to confiscate.

1. If an item is identified or stolen or evidence in a criminal case, the police department may physically confiscate and remove it from the shop, pursuant to a written order from the police department.

2. When an item is confiscated, the person doing so shall provide identification upon request of the pawnbroker, and shall provide the pawnbroker with the name and phone number of the confiscating officer and the case number related to the confiscation.

3. When an order to confiscate is no longer necessary, the police department shall so notify the pawnbroker.

(7) ***Daily reports to police.***

a. Pawnbrokers must submit every reportable transaction to the police department daily in the following manner. Pawnbrokers must provide to the police department all information required in subsection (3) and other required information, by transferring it from their computer to the Police Department's designated Pawn Tracking System. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the police department using procedures that address security concerns of the pawnbroker and the police department. The pawnbroker must display a sign of sufficient size in a conspicuous place on the premises which informs all patrons that all transactions are reported daily to the department and the designated Pawn Tracking System.

b. Billable transaction fees. Pawnbrokers will be charged for each billable transaction reported to the police department. These fees are intended to pay for the cost of participation in the Pawn Tracking System.

c. If a pawnbroker is unable to successfully transfer the required reports by modem, the pawnbroker must provide the police department with printed copies of all reportable transactions by 12:00 noon the next business day.

d. If the problem is determined to be in the pawnbroker's system and is not corrected by the close of the first business day following the failure, the pawnbroker must provide the required reports as detailed in subsection (3), and shall be charged a daily reporting failure fee of \$10.00 until the error is corrected, or, if the problem is determined to be outside the pawnbroker's system, the pawnbroker must provide the required reports in

subsection c. and resubmit all such transactions via modem when the error is corrected.

e. Regardless of the cause or origin of the technical problems that prevented the pawnbroker from uploading the reportable transactions, upon correction of the problem, the pawnbroker shall upload every reportable transaction from every business day the problem has existed.

f. The provisions of this section notwithstanding, the police department may, upon presentation of extenuating circumstances delay the implementation of the daily reporting penalty.

g. Subsection (7). shall not apply to businesses that did not have 200 reportable transactions in the past calendar year. However, any such pawnbroker must follow daily reporting procedure for each reportable transaction by submitting a written transaction form approved by the police department to the department on the business day following the date of the reportable transaction.

(8) ***Exception for customer return or exchange.*** Nothing in this section applies to the return or exchange from a customer to a pawnbroker of any secondhand article purchase from the pawnbroker.

(k) ***Receipt required.*** Every pawnbroker must provide a receipt to the party identified in every reportable transaction and must maintain a duplicate of that receipt for 3 years. The receipt must include at least the following information:

- (1) The name, address, and telephone number of the licensed business.
- (2) The date and time the item was received by the pawnbroker.
- (3) Whether the item was pawned or sold, or the nature of the transaction.
- (4) An accurate description of each item received, including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.
- (5) The signature or unique identifier of the pawnbroker or employee that conducted the transaction.
- (6) The amount advanced or paid.
- (7) The monthly and annual interest rates, including all pawn fees and charges.
- (8) The last regular day of business by which the item must be redeemed by the pledger without risk that the item will be sold, and the amount necessary to redeem the pawned item on that date.
- (9) The full name, residence address, residence telephone number, and date of birth of the pledger or seller.
- (10) The identification number and state of issue from any of the following forms

of identification of the seller:

- a. Current, valid Wisconsin driver's license.
- b. Current, valid Wisconsin identification card.
- c. Current, valid photo driver's license or identification card issued by another state or province of Canada.

(11) Description of the pledger or seller, including approximate sex, height, weight, race, color of eyes, and color of hair.

(12) The signature of the pledger or seller.

(1) ***Label required.*** Pawnbrokers must attach a label to every item at the time it is pawned, purchased, or received in inventory from any reportable transaction. Permanently recorded on this label must be the number or name that identifies the transaction in the shop's records, the transaction date, the name of the item and the description or the model and serial number of the items as reported to the police department, whichever is applicable, and the date the item is out of pawn or can be sold, if applicable. Labels shall not be reused.

(m) ***Prohibited acts.***

(1) No person under the age of 18 years may pawn or sell or attempt to pawn or sell goods with any pawnbroker, nor may any pawnbroker receive any goods from a person under the age of 18 years, except as permitted by section (j) (2) b.

(2) No pawnbroker may receive any goods from a person of unsound mind or an intoxicated person.

(3) No pawnbroker may receive any goods unless the seller presents identification in the form of a valid driver's license, a valid state of Wisconsin identification card, or current, valid photo driver's license or identification card issued by the state of residency of the person from whom the item was received.

(4) No pawnbroker may receive any item of property that possesses an altered or obliterated serial number or other identification number, or any item of property that has had its serial number removed.

(5) No person may pawn, pledge, sell, consign, leave, or deposit any article of property not their own, nor shall any person pawn, pledge, sell, consign, leave, or deposit the property of another, whether with permission or without, nor shall any person pawn, pledge, sell, consign, leave, or deposit any article of property in which another has a security interest with any pawnbroker.

(6) No person seeking to pawn, pledge, sell, consign, leave, or deposit any article of property with any pawnbroker shall give a false or fictitious name, nor give a false date of birth, nor give a false or out-of-date address of residence or telephone number, nor present a false or altered identification or the identification of another to any pawnbroker.

(n) ***License denial, suspension, or revocation.***

(1) The Village Board may deny, suspend, or revoke any license issued by it under this section for fraud, misrepresentation, or false statement contained in the application for a license, or for any violation of this chapter or Wis. Stats. §§ [134.71](#), [943.34](#), [948.62](#) or [948.63](#), or for any other violation of local, state, or federal law substantially related to the businesses licensed under this chapter.

(2) The Village Board may deny, suspend, or revoke any license issued by it under this section if the applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.

(o) ***Fees.***

(1) The license fee under this chapter shall be as contained in the Village of Weston Fees and Licenses Schedule.

(2) A billable transaction fee as contained in the Village of Weston Fees and Licenses Schedule shall be charged for each billable transaction, and such fees shall be billed to each pawnbroker monthly and are due and payable within 30 days of the billing date. Failure to pay within that time period is a violation of this chapter.

(p) ***Penalty.*** Any person who is convicted of violating any of the provisions of this ordinance shall forfeit not less than \$5 nor more than \$2,000, plus the costs of prosecution, and in default of such payment, shall be imprisoned in the county jail until such forfeiture and costs are paid, but not exceeding 90 days. Each day of violation shall constitute a separate offense.

(q) ***Severability.*** If any section of this Ordinance is found to be unconstitutional or otherwise invalid, the validity of the remaining sections shall not be affected.

(Ord. of 11-14-2008 and 5-11-2009, Ord. of 5-20-2010, Ord. of 3-6-13)

Sec. 18.144 Provisions of state law adopted by reference.

Except as otherwise specifically provided in this article, all provisions of Wis. Stats. §§ [134.71](#) and [138.10](#), as amended, relating to pawnbrokers and secondhand article and jewelry dealers, describing and defining regulations with respect to pawnbrokers and secondhand dealers and providing for licensing regulations, including penalties to be imposed for the violation of such sections, are adopted and by reference made a part of this section as if fully set forth in this section. Any act required to be performed or prohibited by any provision of the statutes incorporated by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes incorporated in this section are intended to be made a part of this section in order to secure uniform state regulation of pawnbrokers and secondhand dealers.

(Ord. of 7-30-1990, Ord. of 11-14-2008, § 1(1) , Ord. of 5-20-2010)

* **State Law References**--Pawnbrokers generally, Wis. Stat. § [138.10](#); secondhand goods, dealers generally, Wis. Stat. § [134.71](#).

ARTICLE VIII. SHOWS, CIRCUSES AND CARNIVALS

Sec. 18.145. License.

(a) **Required.** No person shall exhibit to public view for gain within the limits of the village any circus, carnival, theatrical performance, sleight-of-hand performance or other show of any kind where admission is gained by the payment of money or other valuable thing (except lectures on scientific, moral or literary subjects or concerts of music), without first having been licensed as provided in this section.

(b) **Fee.** The sum to be paid for a carnival or circus license shall be set by board resolution, and such fee shall be listed in the schedule of licenses and permit fees.

(c) **Issuance, contents, transferability.** All licenses granted under this article shall be issued and signed by the village clerk/treasurer upon presentation of the receipt for the amount of such license fee. Such license, when granted, shall particularly specify where such show or exhibition is to be held and its duration, and shall not be transferable or inure to the benefit of any person except the one to whom the license shall be issued.

(Code 1982, § 5.05, Ord. of 5-20-2010)

Sec. 18.146. Reserved.

Sec. 18.147. Licensing of cabarets and amusement devices.

(a) **License required.** No person shall keep, maintain, conduct or operate a cabaret as defined in this section, nor shall any person operate or place or keep or have in his/her possession, or under or his/her control, or on his/her premises for operation, any amusement device, coin operated music machine or coin operated pool table without first having obtained a license therefore as provided in this section.

(b) **Definitions.** In this section unless the context requires otherwise:

(1) A "**cabaret**" is defined as a place to which the general public is admitted and where entertainment, such as music of any type, be it instrumental music performed by an individual or group, vocal, by mechanical means or otherwise, singing, vaudeville or dancing is furnished to patrons by the management with or without special charge therefore.

(2) An "**amusement device**" is any mechanical and/or computer operated machine or other apparatus or device located in or on the premises of a business establishment and available for the amusement and/or entertainment of the patrons thereof,

and where a charge is made for the use of any such device.

(c) ***Fee and issuance.*** The fees for cabaret licenses, amusement devices and coin operated music machines shall be determined by Village Board Resolution. Each such fee shall be listed in the schedule of licenses and permit fees on file with the village clerk. Each such license shall be issued by the clerk for a period of one year and shall expire on June 30th of the year for which the license is issued. The village board may grant a special license for a period not exceeding ten days upon application therefore to the village clerk. A daily special license fee shall be listed in the schedule of licenses and permits approved by the board.

(d) ***Exceptions.*** Musical entertainment, amusement devices and coin operated music machines provided by non-profit organizations at events for a period of not more than ten days such as school, religious or charitable fund raising events, shall not be subject to the provisions of this section provided any such event otherwise complies with other village ordinances and any conditions imposed by the village to hold such event.

(e) ***Refusal to grant license; revocation.*** The village board may, upon notice and an opportunity by the holder thereof to be heard, deny any application for or revoke any issued license upon a finding or determination that such license should not be granted or should be revoked for cause based upon the health, welfare and safety of the Village and its residents. Any such determination shall set forth the reasons for the denial of any such permit or revocation.

(f) ***Penalty.*** Any person who shall violate any of the provisions of this section shall upon conviction thereof, be subject to the forfeitures and penalties provided under Sec. 1.111 of the Village of Weston Municipal Code.

(Ord. of 6-3-2002, Ord. of 5-20-2010)

ARTICLE IX. MOBILE FOOD VENDORS

Sec. 18.148. Mobile Food Vendors License.

(a) ***Purpose.*** It is a lawful purpose of the board to enact regulatory ordinances protecting and promoting the general welfare, health and safety of its citizens. The board deems it necessary to require licensing and regulation of Mobile Food Vendor units.

(b) ***Definitions.*** The following definitions shall apply in the interpretation and enforcement of this Article:

(1) ***“Charitable Organization”*** means any patriotic, philanthropic, social service, welfare, benevolent, educational, civic or fraternal, person, partnership, association or corporation that is validly registered under Wis. Stat. § [440.42](#).

(2) ***“Farmers’ Market”*** means the days the Village of Weston provides a time and space for vendors to peddle, vend, sell, serve, display, offer to sell or give away a good, product or food.

(3) “**Licensee**” means an applicant who has obtained a license to conduct a mobile food vending operation pursuant to this Article.

(4) “**Mobile Food Vending Unit**” means any motorized or non-motorized vehicle, trailer, kiosk, pushcart, pedal cart, stand, display, carried container, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which food and/or beverages are being peddled, vended, sold, served, displayed, or offered for sale or given away. This definition does not include a mobile wholesale delivery unit, a vehicle which is used solely to transport or deliver food, or a common carrier regulated by the state or federal government.

(5) “**Mobile Food Vendor**” means a person who peddles, vends, sells, serves, displays, offers to sell or give away food or beverages from a mobile food vending unit.

(6) “**Public Streets**” used in this Article means any highway, street, or alley located within the corporate limits of the Village of Weston.

(7) “**School Property**” means all property owned or operated by a public school as defined in Wis. Stat. § [115.01\(1\)](#) or owned or operated by a private school as defined in Wis. Stat. § [118.165](#), grades kindergarten through twelve (12).

(8) “**Sidewalks**” includes paved walkways and boulevards within the right-of-way within the corporate limits of the Village of Weston.

(9) “**Vending**” means peddle, vend, sell, serve, display, offer to sell or give away food or beverages.

(c) **License Required.** It shall be unlawful for any person or persons to operate a mobile food vendor unit, except as provided within this Article, and without first having obtained a license from the Village Clerk. No license to operate a mobile food vendor unit shall be issued without the Village Board of Trustee’s approval.

(d) **Exemptions.** The following mobile food vendors may vend without a license, but are subject to the regulations set forth under Section 94.4.10(13) of the zoning code:

(1) A person(s), on behalf of a charitable organization, selling individually wrapped, sealed food or beverage items that are prepared and packaged by a licensed food processor.

(2) A person(s), under the age of 18, operating a “lemonade stand” or the equivalent thereof on privately owned, residential use property.

(3) A person(s), during the Village’s designated Farmers’ Market days, selling food or beverages made by said person(s).

(e) **Application.** All applicants shall submit a sworn application on a form provided by the Clerk, which shall require, at a minimum, the following information:

(1) Name, address, telephone number, date of birth, email address and Wisconsin

Drivers' License number of the applicant and all operators.

(2) Name, address, telephone number and Wisconsin Drivers' License number of the person(s), firm, association or corporation that the applicant and operators represent or is employed by.

(3) A statement of whether the applicant has been arrested or convicted of any crime or ordinance violation together with the nature of the offense and the place of conviction.

(4) Make, model and license number of any vehicle to be used or in association with the use by the applicant or operators of the conduct of the business.

(5) A photograph of the unit and a drawing, including the dimensions, of the mobile food vending unit, along with identification and depiction of all supporting features including, but not limited to, umbrella, awning and waste receptacle.

(6) A copy of the current Marathon County Health Department Certificate.

(7) A copy of the current State of Wisconsin Seller's Permit.

(f) **Vehicles.** Any vehicle or other street unit used for vending food in any public right-of-way must be designed and constructed specifically for the purpose of vending such food products. A mobile vendor vending from a mobile food vending unit from a vehicle or other on-street unit must obtain all necessary approvals from the SAFER fire district. All documentation of approval must be submitted with the application.

(1) Any motorized vehicle used in the vending on public street shall have the appropriate and valid vehicle registration as required under Wis. Stat. § 341 and its operator shall have and maintain a valid Wisconsin Driver's License at all times.

(2) A mobile vendor and any vehicle or other on-street vending unit in any public street shall comply with all state and municipal traffic and parking laws at all times.

(g) **Agent.** A licensee may be a corporation, cooperative or partnership; however, the application and license shall designate a primary individual, the agent, who is regularly involved in all phases of the operation of the mobile food vendor unit and who is responsible for the mobile food vendor unit. Such corporation, cooperative or partnership shall be liable for the acts or omissions of its supplemental vendors, but such liability shall not relieve any individual supplemental vendor from liability from his/her own acts or omissions.

(h) **Age.** All applicants must be of at least 18 years of age at the time of the submittal of the application.

(i) **Insurance.** An applicant must have in force adequate liability insurance and must agree to indemnify, defend and hold the Village, its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the Village as a result of any injury to or death of any person or damage or property caused by or resulting from the activities for which a license may be granted. As evidence of liability insurance, the applicant shall furnish a Certificate of Insurance, on a form acceptable by the Village,

evidencing the existence of commercial general liability insurance naming the Village of Weston, its employees and agents as additional insured with minimum limits of one million dollars (\$1,000,000.00) in the aggregate. Whenever such a policy is cancelled, not renewed, or materially changed, the insurer and the licensee shall notify the Village by certified mail.

(1) All motorized vehicles used in the operation of the mobile food vendor, vending from in any public street, shall have in effect motor vehicle liability insurance, as required under Wis. Stat. § [344.62](#) and in a minimum amount of one million dollars (\$1,000,000.00). Proof of such insurance shall be provided at the time of application. Whenever such policy is cancelled, not renewed, or materially changed, the insurer and the licensee shall notify the Village by certified mail.

(j) **Fees.** The applicant shall pay a fee as set forth within the Village Fee Schedule. The license shall be paid at the time the application is filed with the Village Clerk. Fees will not be reimbursed for applications that have been denied or that have been withdrawn after the required background check has been completed.

(1) Any applicant conducting business on behalf of a not-for-profit or representing a not-for-profit shall be exempt from any fees, but are subject to the regulations set forth in this Article. Proof of [501\(c\)\(3\)](#) federal tax-exempt status must be filed with the application at the time of submittal.

(k) **Term.** Licenses shall be issued on an annual basis beginning on April 1 and expiring on March 31, or a 6-month basis beginning on April 1 and expiring on September 30 or a beginning on October 1 and expiring on March 31, subject to subsection (k). There shall not be prorated fees or other reductions for applications.

(l) **Number.** No more than twenty (20) licenses shall be issued each year by the Village. Licenses shall be issued on a “first-come/first-serve” basis, provided that the applicant meets the requirements of this Article. No person may hold more than one license per licensing period.

(m) **Investigation.** Upon receipt of an application and fee, the Village Clerk shall refer the application to the Chief of Police or the appointed designee, as hereby referenced to in this section as the Chief of Police. The Chief of Police shall make an investigation of the accuracy of the statements made in the application and determine whether the applicant has been convicted of felony, misdemeanor, statutory violation punishable by forfeiture, or county or municipal ordinance violation in which the circumstances of the felony, misdemeanor, or other offense substantially relate to the circumstance of the permitted activity, and, if so, the nature and the date of the offense and the penalty assessed.

(n) **Approval.** Upon the completion of an investigation, the Chief of Police shall submit a report regarding the fitness of the applicant to conduct the proposed business based on the accuracy or omission of the statements made in the application. The Chief of Police shall return the application to the Village Clerk for the referral to the Community Life and Public Safety Committee, who shall make the recommendation of action to the Village Board. Upon the return of the application from the Village Board, the Clerk shall either issue the license to the applicant or notify the applicant by mail, or email, and in writing that the application was denied, along with the reasons therefore, based on the approval or denial, respectively.

(o) **License.** Upon the approval of the license by the Village Board, compliance with this Article and any other applicable ordinances, a license will be issued to the mobile food vendor. The possession of a license by a mobile food vendor does not, in and of itself, entitle a vendor to the use of any specific vending site on a specific day or entitle a vendor to a minimum number of vending days during the licensing period.

(1) Licenses shall include information deemed necessary by the Village Clerk and shall contain at a minimum, the name, address, telephone number and the principal operator of the mobile food vending unit, date of issuance, and expiration date.

(2) Every mobile food vendor shall prominently display the license at all times in a conspicuous place, that is unblocked from public view on the mobile food vending unit. Licenses issued under this Article are non-transferable to another mobile food vendor. A mobile food vendor may transfer its license to another mobile food vendor unit, provided the applicant updates the license application and the mobile food vending unit meets the requirements set forth in the Article and under Section 94.4.10(13) of the zoning code. A mobile food vendor may not operate more than one mobile food vendor unit within the Village at any one time.

(p) **Appeals of Denial.** The applicant may appeal the denial of the license through the appeal procedure provided by ordinance or resolution of the Village Board, or if none has been adopted, then under the provisions of Wis. Stats. §§ [68.07 through 68.16](#).

(q) **Suspension, Revocation or Non-Renewal.**

(1) The Community Life and Public Safety Committee may make a recommendation to suspend, revoke or fail to renew a license issued under this Article to the Village Board. Cause for suspending, revoking or non-renewal of a license shall include one of the following reasons:

i. Violation by licensee, its manager or an employee of a provision of this Article, Chapter 94 or any other municipal ordinance applicable to the business of the licensee.

ii. Violation of the Marathon County Health Department, the State food and health regulations, or any other regulations relating to the handling and serving of food to the general public.

iii. Fraud, misrepresentation or false statements contained in the license application submitted under this article or made in carrying on the business of the licensee.

iv. Conviction of the licensee, its manager, or an employee of a felony or misdemeanor substantially related to the mobile food vending operation.

v. Conducting mobile food vending operations in such a manner as to constitute a menace to the health, safety and welfare of the general public.

(2) Appeal of the decision of the Village Board appeal the denial of the license through the appeal procedure provided by ordinance or resolution of the Village Board, or

if none has been adopted, then under the provisions of Wis. Stats. §§ [68.07 through 68.16](#).

(3) No applicant who has had a license denied, or licensee who has had their license suspended, revoked or non-renewed may make any further application for a license under this Chapter for a one-year period.

(r) ***Penalties.*** Any person violating this Article shall:

(1) Upon conviction for a first offense, forfeit \$100.00, together with the cost of prosecution. Each and every day during which any such violation continues shall constitute a separate violation;

(2) Upon conviction for a second offense or subsequent offence, forfeit \$200.00, together with the cost of prosecution. Each and every day during which any such violation continues shall constitute a separate violation.

(s) ***Severability.*** If any provision or portion of this Article is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby.

ARTICLE X. WEIGHTS AND MEASURES

Sec. 18.149. Weights and Measures permit.

(a) ***Purpose.*** This section adopts the State of Wisconsin Weights and Measures Regulations and establishes a Weights and Measures Program wherein any person or entity subject to said regulations must obtain a license in order for the Village to comply with and recoup the costs of enforcing said regulations. This section is adopted pursuant to the provisions of Wis. Stat. [Chapter 98](#).

(b) ***Application of State Codes.*** Except as otherwise specifically provided in this section, the provisions of Wis. Stat. [Chapter. 98](#), Weights and Measures, and Wis. Admin. Code Chapters [ATCP 90](#), [91](#) and [92](#) are hereby adopted and made a part of this section as though fully set forth herein. Any act required to be performed or prohibited by any statute or code incorporated herein by reference is required or prohibited by this section. Any future amendments, revisions or modifications of the statutes and codes incorporated herein are intended to be made a part of this section.

(c) ***State Contract, Appointment of Inspectors, Compliance Required.***

(1) ***State Contract.*** In order to assure compliance with the requirements of the State of Wisconsin related to the inspection and certification of weights and measures, the Village shall contract with the State of Wisconsin Department of Agriculture, Trade and Consumer Protection, pursuant to Wis. Stat. § [98.04\(2\)](#), in lieu of the establishment of a department of weights and measures.

(2) ***Appointment of Inspectors.*** The provisions of the contract set forth in subsection (c)(1) shall provide for the enforcement of the statutes and regulations set forth

herein, and the Village hereby grants the authority and duties of sealers and inspectors required by this section to the State of Wisconsin Department of Agriculture, Trade and Consumer Protection.

(3) ***Compliance Required.*** All persons and entities required to be licensed hereunder shall comply with the enforcement of the statutes and regulations set forth herein, shall comply with the orders and inspections of the inspectors appointed herein, and shall comply with the licensing requirements set forth herein.

(d) ***Definitions.*** As used in this section, the following terms shall have the meanings indicated:

Weights and Measures. Weights and measures of every kind, instruments and devices for weighing and measuring, and any appliances and accessories used with any or all such instruments and devices, except meters for the measurement of electric, gas (natural and manufactured) or water when the same are operated in a public utility system. Weights and measures shall include devices used or employed in establishing the size, quantity, extent, area or measurement of quantities, things, produce or articles for sale, hire or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure and shall include, but not be limited to, commodities, liquid measuring devices, scales, weighing, measuring and price verification systems, timing devices and linear measuring devices.

Weights and Measures Program. The program that includes administration and enforcement of this section, Wis. Stats. [Chapter 98](#), applicable Wisconsin Administrative Code provisions, and any related actions.

(e) ***Weights and Measures License Required.***

(1) ***License Requirements.*** Except as provided in subsection (e)(2), no person or entity shall use, operate or maintain any commercial weights and measures as defined in this section unless the person or entity is licensed by a weights and measures license issued pursuant to the provisions of this section.

(2) ***Exemptions.*** Sales by a person registered as a direct seller or by a holder of a farmer's market, vendor vehicle or special event permit are exempt from licensing under this section, but if any person exempted herein is required by the state to hold a state certificate of examination by the sealer of weights and measures, a copy of said certificate shall be provided to the Village with his or her application for direct seller registration or a farmer's market, vendor vehicle or special events permit.

(f) ***Application for License.*** An application for a weights and measures license shall be made in writing on a form provided by the Village Clerk and shall be signed by the owner of the commercial business or by its authorized agent. Such application shall state the type of the business, the type and number of weighing, measuring and scanning devices used by the business, the location of the devices, the number of check-out lanes present on the premises, the applicant's full name, post office address and telephone, and whether such applicant is an individual, partnership, limited liability company, corporation or other entity. If the applicant is a partnership, the application shall state the names and addresses of each partner. If the applicant is a corporation or limited liability company, the application shall

state the names and addresses of all members, officers and agents of the applicant, including the registered agent thereof.

(g) **Issuance of License.** Upon compliance with this section, the Village Clerk shall issue a license to the applicant upon payment of the annual license fee set by the Village Board. Each store or other business shall require a separate license.

(h) **License Term.** A license issued under this section shall expire on June 30 of each year.

(i) **Enforcement for Nonrenewal.** It shall be the duty of the Village Clerk to notify appropriate village officials and to order the immediate enforcement of the provisions of this section in cases involving a failure to renew a weights and measures license. A licensee shall be prohibited from engaging in any business involved in weights and measures until such time as a valid license has been obtained under the provisions of this section.

(j) **Fees Assessment.**

(1) **Annual Assessment.** The Village Board shall annually assess fees to each licensee based on the number and type of weights and measures devices it operates as of the date of licensure or the date of renewal. The total of the fees assessed and collected under this subsection shall not exceed the actual costs of the weights and measures contract between the Village and the State.

(2) **Clerk to Prepare Assessment Schedule.** The Village Clerk shall at least annually prepare a proposed schedule of assessments which shall be based upon the state contract charges and the number of weights and measures devices *being* operated, which schedule shall be submitted to the Village Board. A copy of the proposed schedule, together with notice of the date and time at which the Village Board will consider the assessments, shall be mailed to each licensee.

(3) **Village Board to Determine Assessment.** Not less than ten days after the mailing set forth in subsection (j)(2), the Village Board shall consider the Clerk's proposed schedule of assessments and determine the schedule of assessments on a reasonable basis. The Village Clerk shall mail to each licensee an invoice for the amount of the fee assessment to the licensee as determined by the Village Board, and each licensee shall pay the fee assessed within 30 days after the date the notice is mailed.

(4) **Failure to Pay Assessment.** If the assessed fee is not paid within 30 days of the date of the mailing of the invoice, an additional administrative collection charge of ten percent of the total assessment shall be added to the amount due, plus interest shall accrue on the assessment at the rate of 1.5 percent per month or fraction thereof until paid. To the extent permitted by law, if the licensee is the owner of the real estate where the licensed business is located, any delinquent assessment shall be extended upon the current or the next tax bill as a special charge against the real estate premises for current services. No license shall be issued or renewed under this section if the licensee is delinquent in the payment of a fee assessed under this section.

(5) **Mailing of Notices.** Schedules, notices and invoices shall be considered mailed to a licensee when mailed by first class mail, postage prepaid, to the licensee at the

licensee's address as shown on the application form.

(6) ***Change of Ownership.*** If the ownership of a commercial business licensed under this section is transferred during a license year, the owner of the business as of July 1 of the license year shall be liable and responsible for the payment of the fees assessed under this section.

(k) ***Violations.*** In addition to any other remedy, any person who fails to comply with the provisions of this section shall, upon conviction thereof, be subject to the penalties as set forth in Sec. 1.111 of this Code. Each day a violation exists or continues shall constitute a separate offense.

(Ord. 15-028 of 1-23-2016)

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauf, its Clerk

APPROVED: _____

PUBLISHED: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.23.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS; DIRECTOR OF PLANNING AND DEVELOPMENT
VALERIE PARKER; PLANNING TECHNICIAN**

ITEM DESCRIPTION: **ORDINANCE NO. 16-024 AN ORDINANCE AMENDING VILLAGE OF
WESTON CODE OF ORDINANCES CHAPTER 86 UTILITIES, ARTICLE III
WELLS AND RENUMBERING ARTICLE IV SEWERAGE UTILITY.**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Village of Weston update Chapter 86 to reflect the changes the State has made to their ordinance regulating private wells.

RECOMMENDATION TO: I make a motion to approve Ordinance No. 16-024.

LEGISLATIVE ACTION:

- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: None
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: Chapter 86 Article III Wells and Article IV Sewerage Utility
- Municipal Rules: _____
-

PRIOR REVIEW: Director of Public Works/Services Donner & Planning Technician Parker

BACKGROUND:

Last year, the State made some changes to their Private Well Ordinances. The Private Well regulations used to be completely in NR 812 and now has been broken into multiple areas of the statutes. Our ordinance had not been updated for some time and did not include the new requirement that every well must be re-inspected by a licensed well driller or pump installer every 10 years. There is also a requirement new that if a well is taken out of use for 90 days, the well must be abandoned and cannot be re-used or permitted. This does not apply for irrigation wells. The changes made to Article III also resulted in Article IV needing to be renumbered. I will be giving the ordinance to Loren to create hyperlinks prior to being uploaded to the website. I just ran out of time prior to needing to get this ready for the packet. Any questions on the ordinance changes can be directed to Keith Donner or Valerie Parker.

Attachments: Ordinance No. 16-024.



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-024

**AN ORDINANCE AMENDING VILLAGE OF WESTON CODE OF
ORDINANCES CHAPTER 86 UTILITIES, ARTICLE III WELLS AND
RENUMBERING ARTICLE IV SEWERAGE UTILITY.**

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Chapter 86 Utilities, of the Village of Weston Municipal Code, Article III “Wells” is hereby amended and Article IV “Sewerage Utility” is hereby renumbered to provide as follows:

CHAPTER 86 UTILITIES

ARTICLE III. WELLS

Sec. 86.147. Authority.

Whereas, s. NR 810.16, Wisconsin Administrative Code, directs suppliers of water for municipal water systems to require the abandonment of all unused, unsafe or noncomplying wells located on the premises served by their system, and to provide a permit system to allow retention of safe and code complying wells, by local ordinance or water utility rule, to eliminate sources of unsafe water and to prevent such wells from becoming channels for vertical movement of contaminated water and to eliminate all existing cross-connections and prevent all future cross-connections.

Sec. 86.148. Purpose.

To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.

Sec. 86.149. Applicability.

This Ordinance applies to all wells located on premises served by the Weston Water Utility municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement, or utility rule, to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Section 86.147 above.

Sec. 86.150. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Noncomplying, means a well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.

Pump installation, means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

Unsafe, means a well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of Wisconsin Administrative Code Chapters NR 140 or 809, or for which a Health Advisory has been issued by the Department of Natural Resources.

Unused, means a well or pump installation which is not used or does not have a functional pumping system.

Well, means a drillhole or other excavation or opening deeper than it is wide that extends more than 10 feet below surface, constructed for the purpose of obtaining groundwater.

Well abandonment, means the proper filling and sealing of a well according to the provisions of Wisconsin Administrative Code Chapter [NR § 812.26](#).

Sec. 86.151. Abandonment required.

All wells on premises served by the municipal water system shall be properly abandoned in accordance with Section 86.153 of this ordinance by [insert adoption date], or not later than 30 days from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by Weston Municipal Utilities under the terms of Section 86.152 of this ordinance.

Sec. 86.152. Well operation permit.

Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than 30 days after connection to the municipal water system. Weston Municipal Utilities shall grant a permit to a well owner to operate a well for a period not to exceed 5 years providing

all conditions of this section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this section are met. Weston Municipal Utilities, or its agent, shall conduct inspections and water quality tests, or require inspections and water quality tests, to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Utility Clerk.

- (a) The following conditions must be met for issuance or renewal of a well operation permit:
 - (1) The well and pump installation shall meet the Standards for Existing Installations described in s. NR 812.42, Wisconsin Administrative Code. The well and pump system shall be evaluated by a licensed well driller or pump installer and certified on the Wisconsin Well and Pressure System Inspection Form 3300-221 to comply with ch. NR 812 subch. IV, prior to issuing the initial permit and no less than every 10 years afterwards.
 - (2) The well and pump shall have a history of producing safe water evidenced by at least 1 coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.
 - (3) There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.
 - (4) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.
 - (5) The private well shall have a functional pumping system.
 - (6) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.
- (b) A property owner may request issuance of a well operation permit for a newly constructed drilled or driven-point well, for a period not to exceed five years, provided the following conditions are met:
 - (1) The owner of the proposed private well must provide evidence of the DNR issued well notification number; and
 - (2) Following completion of the new private well construction, the well owner must furnish a copy of the DNR approved well construction report, which also indicates the assigned Wisconsin Unique Well Number (WUWN) and the owner must comply with all conditions described in (a)(1) through (a)(6) of this section.

Sec. 86.153. Well abandonment procedures.

(a) All wells abandoned under the jurisdiction of this section shall be abandoned according to the procedures and methods of Wisconsin Administrative Code Chapter [NR 812.26\(3\)](#) . All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(b) The owner of the well, or the owner's agent, shall notify the Weston Municipal Utilities at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.

(c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted to the Utility Clerk and the Department of Natural Resources within 30 days of the completion of the well abandonment. The form must be completed by the licensed well driller, pump installer, or certified operator performing the abandonment.

Sec. 86.154. Penalties.

(a) *Violations, Injunctions, Abatement, and Removal.* It shall be unlawful to violate any of the provisions of this section. In case of any violation, the Village Board may institute appropriate legal action or proceedings to enjoin a violation of this section, or seek abatement or removal. In addition, those actions commenced by the Village may seek a forfeiture or penalty as outlined in this section.

(b) Any person, firm, or corporation, or agent, employee, or contractor of such, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provision of this section, shall upon conviction, pay forfeiture not to exceed \$500.00 for each offense, together with the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.

ARTICLE IV. SEWERAGE UTILITY*

Sec. 86.155. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Equivalent meter, means one unit per meter. One unit is defined as one residential housing unit or 210 gallons per day and which utilizes a meter size of either five-eighths inch or three-fourths inch. The number of equivalent units multiplied by the fee prescribed shall determine the hookup charge for each connection.

Sec. 86.156. Hookup charges.

A sewer hookup charge per the village fee schedule for each equivalent meter shall be paid by the owner of any building for each connection to the sanitary sewer system occurring after February 1, 1988. These charges shall apply only to new buildings upon which construction was commenced after February 1, 1988, to all new or existing buildings in areas annexed to the village after February 1, 1988.

Sec. 86.157. Sewer service charges.

A sewer service charge is imposed upon each lot, parcel of land, building or premises fronted by a public sewer and/or served by wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage and wastewater facilities. Such sewer service charge shall be payable in an amount determinable as follows:

(1) *Category A*, is defined as normal or domestic strength wastewater having organic concentrations of biochemical oxygen demand (BOD5) no greater than 250 milligrams per liter (mg/l) and suspended solids (SS) no greater than 250 milligrams per liter (mg/l). The sewer service charge for category A wastewater is as follows:

- a. The sewer service charge shall consist of a meter/unit charge plus a volumetric charge. The meter/unit charge shall be determined by either the equivalent water meter table or the number of units served by the meter, whichever is greater. When a meter serves more than one unit, the unit/meter charge shall be based upon the number of units served by the meter. The charge would then be determined by multiplying the number of units times the meter charge for a five-eighths-inch and three-fourths-inch water meter.
- b. The equivalent meter table is based upon one unit per meter. One unit is defined as one residential housing unit or 210 gallons per day.
- c. The meter/unit charge for commercial customers not serving living quarters shall be determined by the equivalent meter table or 210 gallons per day per unit, whichever is greater.

EQUIVALENT METER TABLE

<i>Meter Size (Inches)</i>	<i>Equivalent Units</i>
5/8 and 3/4	1.0
1	2.5
1 1/4 and 1 1/2	5
2	8
3	15
4	25
6	50

METER/UNIT CHARGE TABLE

<i>Meter Size (Inches)</i>	<i>Meter/Unit Charge</i>
5/8 and 3/4	As set from time to time by the board
1	As set from time to time by the board
1 1/4 and 1 1/2	As set from time to time by the board
2	As set from time to time by the board

3	As set from time to time by the board
4	As set from time to time by the board
6	As set from time to time by the board

- d. In addition, a volumetric charge is assessed. The volumetric charge is based on a waste strength of 250 mg/l BOD₅ and 250 mg/l SS.
- e. The sewer service charge shall be determined as follows:

$$\text{S.C.} = \text{U.C.} + \text{C.V.V.}$$

S.C.	=	Total sewer service charge
U.C.	=	Meter unit charge
C.V.	=	Volume unit price - As set from time to time by the board, per 1,000 gallons
V.	=	Total volume of water used during billing period in 1,000 gallons

(2) **Category B**, is defined as wastewater having organic concentrations of biochemical oxygen demand (BOD⁵) greater than 250 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The minimum category B charge will be based on a concentration of 250 mg/l BOD⁵ and 250 mg/l SS. The equation for the monthly category B charge is as follows:

SSC	-	Total sewer service charge
SSC	-	Category A charge (fixed plus volumetric) plus high-strength surcharge
High-strength surcharge - $(\text{CB} \times \text{BOD}^5) + (\text{CS} + \text{SS}) + \text{AC}$		
CB	-	BOD ⁵ unit price - Price per 1,000 pounds shall be determined annually by the RMMSD
BOD⁵	-	1,000 pounds of BOD ₅ discharged during billing period in excess of domestic strength wastewater
SS	-	1,000 pounds of SS discharged during billing period in excess of domestic strength wastewater
AC	-	Cumulative analytical charges for analyzing the BOD ⁵ and SS samples collected over the billing period

Sec. 86.158. Permanently installed in-ground sprinkler systems.

- (a) **Permit required.** All permanently installed in-ground sprinkler / irrigation systems require a Village of Weston in-ground sprinkler system permit & inspection.
- (b) **Permit fees.** The application for in-ground sprinkler system permit must be accompanied by the fees as defined in the Village Fee Schedule

- (c) **Right of way.** The Village of Weston or any other party authorized to work in village rights of way are not responsible for damage to sprinkler pipes or sprinkler heads, installed in village right of way or within 18” of any village right of way. Property lines must be established by applicant before the installation of any in-ground sprinkler system. It is the applicant’s responsibility to have all underground utilities located prior to the installation of the in-ground sprinkler system.
- (d) **Connection.** All sprinkler systems connected to the villages water distribution system must comply with Sec. 86.117 of this ordinance and Wisconsin Department. of Commerce [SPS 382.41](#) cross connection control.
- (e) **Site plan.** The applicant must provide a drawing of the site & proposed sprinkler system to the village at the time of permit application. Sprinkler systems should not spray on or across public sidewalks, or on to any paved surfaces.
- (f) **Watering ban.** The Village of Weston reserves the right to order any sprinkling / irrigation system shut off in the event of a water emergency or shortage.
- (g) **Inspection required.** The permit applicant shall notify the building inspector when installation is complete and ready for final inspection.
- (h) **Violations.** Any person who shall violate any of the provisions of this section shall upon conviction thereof, be subject to the forfeitures and penalties provided under Sec. 1.111 of the Village of Weston Ordinances.

SECTION 2: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of April, 2016

WESTON VILLAGE BOARD

By: _____
Barbara Ermeling, its President

Attest:

Sherry Weinkauff, its Clerk

APPROVED: _____

PUBLISHED: _____

Chapter 86

UTILITIES*

ARTICLE I. IN GENERAL

[Sec. 86.100. Penalty.](#)

[Sec. 86.101. Protection of wells, septic tanks, similar structures.](#)

ARTICLE II. WATER UTILITY

DIVISION 1. GENERALLY

[Sec. 86.102. Adoption of state plumbing code.](#)

[Sec. 86.103. Supplementary nature of article.](#)

[Sec. 86.104. Discontinuance of service for violation of article.](#)

[Sec. 86.105. Name.](#)

[Sec. 86.106. Management.](#)

[Sec. 86.107. Failure to repair leaky or broken pipes.](#)

[Sec. 86.108. Thawing frozen services.](#)

[Sec. 86.109. Refreezing and rethawing.](#)

[Sec. 86.110. Charges for water used to prevent refreezing.](#)

[Sec. 86.111. Stop boxes.](#)

* **Cross References**--Any ordinance prescribing utility rates and fees saved from repeal, § 1.110(11); any ordinance regarding water, sewer, solid waste, and electric rates, rules and regulations and sewer and water main construction saved from repeal, § 1.110(22); Administration, Chapter 2; Buildings and Building Regulations, Chapter 14; Businesses, Chapter 18; Health and Sanitation, Chapter 38; Mobile Homes, Chapter 46; water supply, sewage disposal and related facilities in mobile home parks, § 46.111; Nuisances, Chapter 50; Planning Commission, Chapter 62; Solid Waste, Chapter 66; Streets, Sidewalks and Other Public Places, Chapter 70; Subdivision Regulations, Chapter 74; required subdivision improvements, § 74.112 et seq.

Style Definition: TOC 4: Indent: Left: 0", First line: 0", Tab stops: 0.5", Left + 0.75", Left + Not at 0.38"

[Sec. 86.112. Outside hydrants.](#)

[Sec. 86.113. Turning on water.](#)

[Sec. 86.114. Service piping.](#)

[Sec. 86.115. Electrical grounding.](#)

[Sec. 86.116. Water emergency.](#)

[Sec. 86.117. Cross connections.](#)

[Sec. 86.118. Immediate discontinuance of service.](#)

[Sec. 86.119. Curb stops.](#)

[Sec. 86.120. Deposit and guarantee rules.](#)

DIVISION 2. OPERATING RULES

[Sec. 86.121. Applicability of state rules.](#)

[Sec. 86.122. Tampering with system prohibited.](#)

[Sec. 86.123. Water for construction use.](#)

[Sec. 86.124. Taking water from a consumer's premises.](#)

[Sec. 86.125. Failure of supply.](#)

[Sec. 86.126. Vacation of premises.](#)

DIVISION 3. SERVICE RULES

[Sec. 86.127. Handling water mains and service pipe in sewer or other trenches.](#)

[Sec. 86.128. Repairs to mains.](#)

[Sec. 86.129. Tapping mains.](#)

[Sec. 86.130. Permit.](#)

[Sec. 86.131. Service connections.](#)

[Sec. 86.132. One structure for each connection.](#)

[Sec. 86.133. Corrections.](#)

[Sec. 86.134. Laying service.](#)

[Sec. 86.135. Repair to services.](#)

DIVISION 4. METERS

[Sec. 86.136. Installation.](#)

[Sec. 86.137. Repairs.](#)

[Sec. 86.138. Complaint meter tests.](#)

DIVISION 5. CONNECTIONS, FEES AND CHARGES

[Sec. 86.139. Definitions.](#)

[Sec. 86.140. Mandatory hookup.](#)

[Sec. 86.141. Failure to connect.](#)

[Sec. 86.142. Water utility rates.](#)

[Sec. 86.143. Consumer's premises with several buildings.](#)

[Sec. 86.144. Public service.](#)

[Sec. 86.145. Building and construction water service.](#)

[Sec. 86.146. Private fire protection service.](#)

ARTICLE III. WELLS

[Sec. 86.147. Definitions.](#)

[Sec. 86.148. ~~Penalties~~Purpose.](#)

[Sec. 86.149. ~~Well operation permit~~Applicability.](#)

[Sec. 86.150. ~~Well abandonment~~Definitions.](#)

[Sec. 86.151. Abandonment required.](#)

[Sec. 86.152. Well operation permit.](#)

[Sec. 86.153. Well Abandonment procedures.](#)

[Sec. 86.154. Penalties.](#)

Formatted: English (United States)

ARTICLE IV. SEWERAGE UTILITY

[Sec. 86.~~151~~155. Definitions.](#)

[Sec. 86.~~152~~156. Hookup charges.](#)

[Sec. 86.~~153~~157. Sewer service charges.](#)

[Sec. 86.~~155~~158. Permanently installed in-ground sprinkler systems.](#)

ARTICLE V. STORMWATER UTILITY

DIVISION 1. STORMWATER UTILITY

[Sec. 86.200. Creation.](#)

[Sec. 86.201. Authority.](#)

[Sec. 86.202. Definitions.](#)

[Sec. 86.203. Rates and Charges.](#)

[Sec. 86.204. Alternative Method to Collect Stormwater Charges.](#)

[Sec. 86.205. Budget Excess Revenues](#)

[Sec. 86.206. Penalty.](#)

(Code 1982, § 15.12) [Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.145. Building and construction water service.

Metered service rates shall apply to all building and construction water service.

(Code 1982, § 15.13) [Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.146. Private fire protection service.

- (a) Private fire protection service shall consist of connections for automatic sprinkler systems, standpipes (where they are connected permanently or continuously to the mains), and private hydrant systems.
- (b) Quarterly demand charges for private fire protection service are as outlined by the public service commission, on file with the water utility clerk.

(Code 1982, § 15.14) [Amended via Ord. No 15-027, 11/18/2015]

ARTICLE III. WELLS

Sec. 86.147. Authority.

Whereas, s. NR 810.16, Wisconsin Administrative Code, directs suppliers of water for municipal water systems to require the abandonment of all unused, unsafe or noncomplying wells located on the premises served by their system, and to provide a permit system to allow retention of safe and code complying wells, by local ordinance or water utility rule, to eliminate sources of unsafe water and to prevent such wells from becoming channels for vertical movement of contaminated water and to eliminate all existing cross-connections and prevent all future cross-connections.

Sec. 86.148. Purpose.

To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.

Sec. 86.149. Applicability.

This Ordinance applies to all wells located on premises served by the Weston Water Utility municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement, or utility rule, to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Section 86.147 above.

Sec. 86.150. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Formatted: Font: Bold

~~***Community or private water system***, means a system for the provision to the public of piped water for human consumption when such system has at least 15 service connections or regularly serves at least 25 year round residents owned or operated by a city, village, county, town, town sanitary district, utility district or public institution as defined in Wisconsin Administrative Code NR § 812.07, or a privately owned water utility serving any of the above.~~

~~***Noncomplying***, means a well or pump installation ~~that which~~ does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code, the provisions of Wisconsin Administrative Code Chapter NR 812, in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation.~~

Pump installation, means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

Unsafe, means a well or pump installation ~~that which~~ produces water ~~that which~~ is bacteriologically contaminated or contaminated with substances ~~which~~ exceeding the drinking water standards of Wisconsin Administrative Code ~~Chapter NR 812- Chapters NR 140 or 809~~, or for which a ~~health Health advisory Advisory~~ has been issued by the ~~department Department~~ of ~~natural Natural resources Resources~~.

Unused, means a well or pump installation ~~that which~~ is not ~~in-used~~ or does not have a functional pumping system.

Well, means ~~a~~ ~~drillhole or other~~ excavation or opening ~~deeper than it is wide that extends more than 10 feet below surface, constructed into the ground made by digging, boring, drilling, driving or other methods~~ for the purposes of obtaining groundwater ~~for~~

~~consumption or other use or as provided in Wisconsin Administrative Code Chapter NR § 812.07(119).~~

Well abandonment, means the proper filling and sealing of a well according to the provisions of Wisconsin Administrative Code Chapter NR § 812.26.

(Ord. of 7-1-1991, § 1(3)) [Amended via Ord. No 15-027, 11/18/2015]

Cross References--Definitions generally, § 1.101.

Sec. 86.148. Penalties.

~~(a) **Violations, Injunctions, Abatement, and Removal.** It shall be unlawful to violate any of the provisions of this section. In case of any violation, the Village Board may institute appropriate legal action or proceedings to enjoin a violation of this section, or seek abatement or removal. In addition, those actions commenced by the Village may seek a forfeiture or penalty as outlined in this section.~~

~~(b) Any person, firm, or corporation, or agent, employee, or contractor of such, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provision of this section, shall upon conviction, pay forfeiture not to exceed \$500.00 for each offense, together with the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.~~

(Ord. of 7-1-1991, § 1(7); Ord. of 4-9-2008; Ord. of 4-10-2009) [Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.151. Abandonment required.

All wells on premises served by the municipal water system shall be properly abandoned in accordance with Section 86.153 of this ordinance by [insert adoption date], or not later than 30 days from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by Weston Municipal Utilities under the terms of Section 86.152 of this ordinance.

Formatted: Font: Not Bold

Sec. 86.149152.** Well operation permit.**

Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than 30 days after connection to the municipal water system. Weston Municipal Utilities shall grant a permit to a well owner to operate a well for a period not to exceed 5 years providing all conditions of this section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this section are met. Weston Municipal Utilities, or its agent, shall conduct inspections and water quality tests, or require inspections and water quality tests, to be conducted at the applicant's expense to obtain or verify information necessary for

Formatted: Indent: First line: 0.5"

Formatted: No underline

consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Utility Clerk.

- (a) The following conditions must be met for issuance or renewal of a well operation permit:~~The Village may grant a permit to a private well owner to operate a well for a period not to exceed five years providing the conditions of this section are met.~~

(1) The well and pump installation shall meet the Standards for Existing Installations described in s. NR 812.42, Wisconsin Administrative Code. The well and pump system shall be evaluated by a licensed well driller or pump installer and certified on the Wisconsin Well and Pressure System Inspection Form 3300-221 to comply with ch. NR 812 subch. IV, prior to issuing the initial permit and no less than every 10 years afterwards.

(2) The well and pump shall have a history of producing safe water evidenced by at least 1 coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.

(3) There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.

(4) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

(5) The private well shall have a functional pumping system.

(6) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.

- (b) A property owner may request issuance of a well operation permit for a newly constructed drilled or driven-point well, for a period not to exceed five years, provided the following conditions are met:

(1) The owner of the proposed private well must provide evidence of the DNR issued well notification number; and

(2) Following completion of the new private well construction, the well owner must furnish a copy of the DNR approved well construction report, which also indicates the assigned Wisconsin Unique Well Number (WUWN) filed with the DNR, and the owner must comply with all conditions described in (ea)(1) through (ea)(46) of this section.

- ~~(c) An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this section are met. The village shall conduct on-site~~

~~inspections and water quality tests at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the village. The following conditions must be met for issuance or renewal of a well operation permit:~~

- ~~(1) The well and pump installation meet or are upgraded to meet the requirements of Wisconsin Administrative Code Chapter NR 812,~~
- ~~(2) The well construction and pump installation have a history bacteriologically safe water as evidenced by one sample as required by Wisconsin Administrative Code Chapter NR § 812.41(3), ; and no exception to this condition may be made for unsafe wells unless the Department of Natural Resources approves, in writing, the continued use of the well.~~
- ~~(3) There are no cross connections between the well and pump installation and the municipal water system, and~~
- ~~(4) The proposed use of the well and pump installation is necessary in addition to water provided by the municipal water system.~~

Formatted: Indent: Left: 0", Hanging: 0.75", Tab stops: 0.38", Left

(Ord. of 7-1-1991, § 1(5); Ord. of 2-18-2002, § 1; Ord. of 4-9-2008; Ord. of 4-10-2009)
[Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.150153. Well abandonment procedures.

- ~~(a) **Purpose.** The purpose of this section is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or noncompliant wells, or wells that may serve as conduits for contamination, or wells that may be illegally cross connected to the municipal water system are properly abandoned.~~
- ~~(b) **Applicability.** This section applies to all wells located on premises served by the municipal water system.~~
- ~~(c) **Abandonment procedures.** The following procedures shall be followed for the abandonment of all wells within the Village:~~
 - ~~(1a) All wells abandoned under the jurisdiction of this section shall be abandoned according to the procedures and methods of Wisconsin Administrative Code Chapter NR 812.26(3) . All debris, pump, piping, unsealed liners and any other obstructions ~~that which~~ may interfere with sealing operations shall be removed prior to abandonment.~~
 - ~~(2b) The owner of the well, or the owner's agent, shall notify the Village-Weston Municipal Utilities at least 48 hours in advance of prior to the commencement of any well abandonment activities. The abandonment of the well ~~shall may~~ be observed or verified by personnel of the Village municipal system.~~

Formatted: Indent: Left: 0", First line: 0"

(3c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted to the Utility Clerk by the well owner to the Village and the Department of Natural Resources within 30 days of the completion of the well abandonment. The form must be completed by the licensed well driller, pump installer, or certified operator performing the abandonment.

(Ord. of 7-1-1991, § 1(1), (2), (6)) [Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.154. Penalties.

(a) Violations, Injunctions, Abatement, and Removal. It shall be unlawful to violate any of the provisions of this section. In case of any violation, the Village Board may institute appropriate legal action or proceedings to enjoin a violation of this section, or seek abatement or removal. In addition, those actions commenced by the Village may seek a forfeiture or penalty as outlined in this section.

(b) Any person, firm, or corporation, or agent, employee, or contractor of such, who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provision of this section, shall upon conviction, pay forfeiture not to exceed \$500.00 for each offense, together with the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.

(Ord. of 7-1-1991, § 1(7); Ord. of 4-9-2008; Ord. of 4-10-2009)

ARTICLE IV. SEWERAGE UTILITY*

Sec. 86.~~154~~155. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Equivalent meter, means one unit per meter. One unit is defined as one residential housing unit or 210 gallons per day and which utilizes a meter size of either five-eighths inch or three-fourths inch. The number of equivalent units multiplied by the fee prescribed shall determine the hookup charge for each connection.

(Ord. of 1-18-1988(1), § 1(2)) [Amended via Ord. No 15-027, 11/18/2015]

Cross References--Definitions generally, § 1.101.

Sec. 86.~~152~~156. Hookup charges.

A sewer hookup charge per the village fee schedule for each equivalent meter shall be paid by the owner of any building for each connection to the sanitary sewer system occurring after

Editor's note—The village presently contributes to the Rib Mountain sewage treatment facilities.

February 1, 1988. These charges shall apply only to new buildings upon which construction was commenced after February 1, 1988, to all new or existing buildings in areas annexed to the village after February 1, 1988.

(Ord. of 1-18-1988(1), § 1(1)) [Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.153157. Sewer service charges.

A sewer service charge is imposed upon each lot, parcel of land, building or premises fronted by a public sewer and/or served by wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage and wastewater facilities. Such sewer service charge shall be payable in an amount determinable as follows:

(1) *Category A*, is defined as normal or domestic strength wastewater having organic concentrations of biochemical oxygen demand (BOD5) no greater than 250 milligrams per liter (mg/l) and suspended solids (SS) no greater than 250 milligrams per liter (mg/l). The sewer service charge for category A wastewater is as follows:

- a. The sewer service charge shall consist of a meter/unit charge plus a volumetric charge. The meter/unit charge shall be determined by either the equivalent water meter table or the number of units served by the meter, whichever is greater. When a meter serves more than one unit, the unit/meter charge shall be based upon the number of units served by the meter. The charge would then be determined by multiplying the number of units times the meter charge for a five-eighths-inch and three-fourths-inch water meter.
- b. The equivalent meter table is based upon one unit per meter. One unit is defined as one residential housing unit or 210 gallons per day.
- c. The meter/unit charge for commercial customers not serving living quarters shall be determined by the equivalent meter table or 210 gallons per day per unit, whichever is greater.

EQUIVALENT METER TABLE

<i>Meter Size (Inches)</i>	<i>Equivalent Units</i>
5/8 and 3/4	1.0
1	2.5
1 1/4 and 1 1/2	5
2	8
3	15
4	25
6	50

METER/UNIT CHARGE TABLE

<i>Meter Size (Inches)</i>	<i>Meter/Unit Charge</i>
5/8 and 3/4	As set from time to time by the board
1	As set from time to time by the board
1 1/4 and 1 1/2	As set from time to time by the board
2	As set from time to time by the board
3	As set from time to time by the board
4	As set from time to time by the board
6	As set from time to time by the board

- d. In addition, a volumetric charge is assessed. The volumetric charge is based on a waste strength of 250 mg/l BOD₅ and 250 mg/l SS.
- e. The sewer service charge shall be determined as follows:

$$\mathbf{S.C. = U.C. + C.V.V.}$$

- S.C.** = Total sewer service charge
U.C. = Meter unit charge
C.V. = Volume unit price - As set from time to time by the board, per 1,000 gallons
V. = Total volume of water used during billing period in 1,000 gallons

(2) **Category B**, is defined as wastewater having organic concentrations of biochemical oxygen demand (BOD⁵) greater than 250 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The minimum category B charge will be based on a concentration of 250 mg/l BOD⁵ and 250 mg/l SS. The equation for the monthly category B charge is as follows:

- SSC** - Total sewer service charge
- SSC** - Category A charge (fixed plus volumetric) plus high-strength surcharge
- High-strength surcharge - $(CB \times BOD^5) + (CS + SS) + AC$
- CB** - BOD⁵ unit price - Price per 1,000 pounds shall be determined annually by the RMMSD
- BOD⁵** - 1,000 pounds of BOD₅ discharged during billing period in excess of domestic strength wastewater
- SS** - 1,000 pounds of SS discharged during billing period in excess of domestic strength wastewater
- AC** - Cumulative analytical charges for analyzing the BOD⁵ and SS samples collected over the billing period

(Ord. of 6-6-1988, § 3) [Amended via Ord. No 15-027, 11/18/2015]

Sec. 86.155158. Permanently installed in-ground sprinkler systems.

- (a) **Permit required.** All permanently installed in-ground sprinkler / irrigation systems require a Village of Weston in-ground sprinkler system permit & inspection.
- (b) **Permit fees.** The application for in-ground sprinkler system permit must be accompanied by the fees as defined in the Village Fee Schedule
- (c) **Right of way.** The Village of Weston or any other party authorized to work in village rights of way are not responsible for damage to sprinkler pipes or sprinkler heads, installed in village right of way or within 18” of any village right of way. Property lines must be established by applicant before the installation of any in-ground sprinkler system. It is the applicant’s responsibility to have all underground utilities located prior to the installation of the in-ground sprinkler system.
- (d) **Connection.** All sprinkler systems connected to the villages water distribution system must comply with Sec. 86.117 of this ordinance and Wisconsin. Department. of Commerce [SPS 382.41](#) cross connection control.
- (e) **Site plan.** The applicant must provide a drawing of the site & proposed sprinkler system to the village at the time of permit application. Sprinkler systems should not spray on or across public sidewalks, or on to any paved surfaces.
- (f) **Watering ban.** The Village of Weston reserves the right to order any sprinkling / irrigation system shut off in the event of a water emergency or shortage.
- (g) **Inspection required.** The permit applicant shall notify the building inspector when installation is complete and ready for final inspection.
- (h) **Violations.** Any person who shall violate any of the provisions of this section shall upon conviction thereof, be subject to the forfeitures and penalties provided under Sec. 1.111 of the Village of Weston Ordinances.

Formatted: Font: Bold

(Ord. 4-24-2009) [Amended via Ord. No 15-027, 11/18/2015]

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.24.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS, DIRECTOR OF PLANNING & DEVELOPMENT**

ITEM DESCRIPTION: **RESOLUTION NO. 2016-006 A RESOLUTION AMENDING THE 2016 VILLAGE FEE SCHEDULE**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees approve the revisions to the Village of Weston Fee Schedule, effective 4/18/2016?

RECOMMENDATION TO: I make a motion to approve Resolution No. 2016-0006 as proposed.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|--|
| <input type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input checked="" type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: Section 2.100
- Municipal Rules: _____
-
-

PRIOR REVIEW: Reviewed by Finance and the Village Clerk

BACKGROUND:

The Weights and Measures fees were not final back in December 2015 when the 1/1/16 Fee Schedule was adopted. The Finance Committee has since recommended the fees as proposed in Exhibit A. If the new Mobile Food Vendor Ordinance is adopted, a license has been provided for in the new fee schedule. I have also made corrections to staff and contact information as requested by the Department Head.

Attachments: Resolution 2016-006 with Exhibit A



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

RESOLUTION NO. 2016-006

A RESOLUTION AMENDING THE 2016 VILLAGE FEE SCHEDULE

WHEREAS, Section 2.100 *Fees and charges*, allows the Village Board to set and amend a Fee Schedule for all fees and charges required by the Village through its Municipal Code of Ordinances; and

WHEREAS, the Village recently amended Chapter 94 and Chapter 18 of the Municipal Code to add requirements for a Mobile Food Vendor License; and

WHEREAS, the Village recently amended Chapter 18 of the Municipal Code to include provisions for a Weights and Measures Ordinance which requires a fee be paid for each type of weights and measurement device provided for in the ordinance; and

WHEREAS, Village staff have made the proposed changes to the 2016 Fee Schedule adopted 1/1/2016 and provided those changes to the Village Board in the amended fee schedule attached as Exhibit A to this resolution; and

WHEREAS, the Village Board has determined the fees set forth in the amended fee schedule attached as Exhibit A to this resolution are appropriate and reasonably approximate the Village's basic costs in providing these new services within the Village; and

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees for the Village of Weston hereby adopts the fee schedule attached as Exhibit A and the fees set forth therein.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTON, at a regular meeting thereof, this 18th day of the month of April, 2016.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By: _____
BARBARA ERMELING, Village President

ATTEST:

By: _____
SHERRY WEINKAUF, Village Clerk

EFFECTIVE DATE: **APRIL 18, 2016**

2016

FEE SCHEDULE

VILLAGE OF WESTON

CLERK

VILLAGE CLERK

Sherry Weinkauff

(715) 241-2626/359-6114

sweinkauff@westonwi.gov / clerks@westonwi.gov

Formatted: Default Paragraph Font

ANIMAL LICENSING FEES

Class	Fee Description	Fee
Animal Fancier	Foster Animal Rescue	NO FEE*
	All Other Uses, Annual Fee	\$25.00 + Animal License Fee/Animal
Commercial Animal Establishment	Non-Municipal Animal Shelter	NO FEE
	Circus/Transient Animal Exhibitions	\$500.00/Day
	Pet Shops/Store, Annual Fee	\$150.00
	All Other Uses, Annual Fee	\$100.00
Cats and Dogs	Unaltered, Annual Fee (Prior to March 31)	\$25.00
	Unaltered, Late Fee	\$75.00
	Unaltered w/ Microchip, Annual Fee (Prior to March 31)	\$20.00
	Unaltered w/ Microchip, Late Fee	\$60.00
	Spayed/Neutered, Annual Fee (Prior to March 31)	\$15.00
	Spayed/Neutered, Late Fee	\$45.00
	Spayed/Neutered w/ Microchip, Annual Fee (Prior to March 31)	\$10.00
	Spayed/Neutered w/ Microchip, Late Fee	\$30.00
Kennel License	Juvenile (under 1 year of age) w/ or w/o Microchip	\$10.00
	Annual Fee	\$150.00

BUSINESS LICENSING FEES

Class	Fee Description	Fee
Adult Orientated Establishment	Annual Fee	\$500.00
Adult Escort	Annual Fee	\$300.00
Alcohol/Liquor	Class A Beer License	\$350.00
	Class A Combination Beer and Liquor	\$600.00
	Class B Beer License	\$100.00
	Class B Combination Beer and Liquor	\$600.00
	Class B Reserve Liquor	\$10,000.00
	Provisional Class A Beer, A Liquor, B Beer and B Liquor	\$15.00
	Class C Wine	\$100.00
	Temporary Class "B" (Picnic), Beer	\$10.00
	Temporary Class "B" (Picnic), Wine	\$10.00
Operator/Bartender	Provisional	\$15.00
	New Application	\$47.00
	Renewal	\$45.00
	Temporary	\$10.00
Amusement	Annual Fee	\$10.00/Machine
Cabaret	Annual Fee	\$140.00
	One-Time Event	\$40.00
Carnival and Circus	One-Time Event	\$500.00
Cigarette	Annual Fee	\$100.00
Direct Sellers	Year	\$200.00
	6-Months	\$100.00
	Month	\$50.00
	Week	\$20.00
	Daily	\$5.00

Hotel/Motel Establishment	Annual Fee	\$150.00
Junk/Salvage Yard	Annual Fee	\$300.00
Massage	Annual Parlor Fee	\$150.00
Manufactured Home Park	Annual Fee	\$100.00 + \$2.00/lot over 50 lots
<u>Mobile Food Vendor</u>	<u>Annual Fee</u>	<u>\$100.00</u>
	<u>6-Months</u>	<u>\$75.00</u>
Pawnbroker	Annual Fee	\$216.00
	Billable Transaction	\$1.50/Transaction
Popcorn, Peanut, Ice Cream Wagon	Annual Fee	\$30.00
Secondhand Article Dealers	Annual Dealer's Fee	\$27.50
	Annual Dealer Mall/Flea Market Fee	\$165.00
	Annual Secondhand Jewelry Dealer's Fee	\$30.00

WEIGHTS AND MEASURES

Class	Fee Description	Fee
<u>Scales</u>	<u>Light Capacity Scale</u>	<u>\$5.00/device</u>
	<u>Medium Capacity Scale</u>	<u>\$10.00/device</u>
	<u>Heavy Capacity Scale</u>	<u>\$15.00/device</u>
	<u>Scanner</u>	<u>\$0.25/device</u>
	<u>Liquid Measuring Device</u>	<u>\$10.00/device</u>
	<u>High Speed Diesel Pump 20 gpm</u>	<u>\$15.00/device</u>
	<u>High Speed Diesel Pump 30 gpm</u>	<u>\$15.00/device</u>
<u>Penalties</u>	<u>Penalty for Non-Registered Devices</u>	<u>Additional</u> <u>\$25.00/device</u>

OTHER SPECIAL FEES

Class	Fee Description	Fee
Copies and Look-Up's	Assessor File Look-Up Fee	\$10.00/File
	Assessment Letters	\$40.00/Request
	Copy of Municipal Code	\$50.00 + Tax
	Email Documents (10MB Max)	\$0.25/File
	General Copy (Black and White)	\$0.25/Copy + Tax
	General Copy (Color)	\$0.50/Copy + Tax
	Voter Registration List	\$35.00 + Tax
Garbage and Recycling	45/95-Gallon Collection, Annual Fee	\$155.00
	Garbage Bag Sticker	\$1.50
Tax Bill	Copy (sent to non-owner)/Flat Fee	\$1.00
	Per Tax Parcel Charge	\$0.25/Parcel
	Tax Bill Information Sent to Escrow Company (On Mortgage Report)	\$1.00
	Per Tax Parcel Charge	\$0.10

DEPARTMENT OF PARKS, RECREATION AND FORESTRY

PARKS, FORESTRY AND GROUNDS SUPERINTENDANT

Shawn Osterbrink
(715) 359-9988 (Park Office)
sosterbrink@westonwi.gov

AQUATIC CENTER MANAGER

Brad Mroczenski
(715) 241-7649 (Aquatic Center)
bmroczenski@westonwi.gov

AQUATIC CENTER FEES

Class	Fee Description	Fee
Daily Pass	Youth/Adult	\$4.00
	Senior Citizen (Age 62+)	\$2.00
	After 6:00PM (All Ages)	\$2.00
	Group Rate (50+)	\$85.00
Swim Lessons	Resident	\$15.00
	Non-Resident	\$20.00
Season Pass Fees	Individual, Resident	\$59.00
	Individual, w/ Rothschild, Resident	\$79.00
	Individual, Non-Resident	\$79.00
	Individual, w/ Rothschild, Non-Resident	\$99.00
	Family (up to 5), Resident	\$120.00
	Family (up to 5), w/ Rothschild, Resident	\$160.00
	Family (up to 5), Non-Resident	\$140.00
	Family (up to 5), w/ Rothschild, Non-Resident	\$180.00
	Senior Citizen (Age 62+), Resident	\$25.00
	Senior Citizen (Age 62+), Non-Resident	\$50.00
	Early Bird, Family (up to 5), Resident (up to 2 weeks prior to opening)	\$100.00
	Early Bird, Family (up to 5), Resident w/ Rothschild (up to 2 weeks prior to opening)	\$140.00
	Early Bird, Family (up to 5), Non-Resident (Prior to May 20)	\$120.00
Early Bird, Family (up to 5), Non-Resident w/Rothschild (Prior to May 20)	\$160.00	
Mid-Season, Family (up to 5)	\$65.00	
Mid-Season, Family (up to 5), w/ Rothschild	\$85.00	
Birthdays Party	Minimum of 6 people	\$7.00/Person
Pool Rental (includes Rothschild) 8:30PM – 9:30PM or 8:30PM – 10:30PM time slots only.	1 – 50 People w/ Water Slide	\$125.00/Hour
	51 – 75 People w/ Water Slide	\$150.00/Hour
	76 – 100 People w/ Water Slide	\$175.00/Hour
	Over 100 w/ Water Slide	\$175.00 + \$1.00/Person (over 100)/Hour

PARK AND FACILITY RENTAL FEES

Class	Fee Description	Fee
Facility Rental (Kennedy Hall)	Security Deposit – Always	\$50.00
	Private Party, Resident	\$75.00
	Private Party, Non-Resident	\$125.00
	Public Party	\$85.00
	Non-Profit Party, Resident	NO FEE
	Non-Profit Party, Non-Resident	\$75.00
	Weston Based Youth, Children or Senior Citizen Group	NO FEE
Park Shelter Rental	Standard Security Deposit	\$25.00
	Business Security Deposit	\$50.00

Family/Group Gatherings, Resident	\$60.00
Family/Group Gatherings, Non-Resident	\$85.00
Non-Profit, Resident	\$60.00 + Tax
Non-Profit, Non-Resident	\$110.00 + Tax
Business, Resident	\$160.00 + Tax
Business, Non-Resident	\$310.00 + Tax

DRAFT

DEPARTMENT OF PLANNING AND DEVELOPMENT

DIRECTOR/ZONING ADMINISTRATOR

Jennifer Higgins
(715) 241-2638
jhiggins@westonwi.gov

ASSISTANT PLANNER

Jared Wehner
(715) 241-2639
jwehner@westonwi.gov

BUILDING INSPECTOR

Shaun "Scott" Tatro
(715) 359-6114
statro@westonwi.gov

PROPERTY INSPECTOR

Jayson "Roman" Maguire
(715) 359-6114
rmaguire@westonwi.gov

PLANNING TECHNICIAN

Valerie Parker
(715) 241-2607
vparker@westonwi.gov

Please note:

All fees within this section also pertain to the joint Town and Village of Weston Extraterritorial Zoning (ETZ) Area.

Failure to obtain and file a permit or application shall result in a **DOUBLE FEE plus a \$50.00 FINE**. Please visit The Planning and Development Department's Permits and Applications page for permit applications and details at www.westonwi.gov/permits

PUBLIC HEARING FEES

Class	Fee Description	Fee
Rezoning (Village and ETZ):	Map Amendment	\$250.00
	Text Amendment	\$200.00
Comprehensive Plan:	Map Amendment	\$350.00
	Map Amendment with Rezone Map Amendment	\$500.00
	Text Amendment	\$200.00
	Text Amendment with Rezone Text Amendment	\$350.00
Conditional Use:	New Residential	\$250.00
	New Non-Residential (Includes Multiple Family Dwelling Units)	\$250.00 + \$10.00/Acre over 10 Acres
	Amendment to Conditional Use Permit	\$250.00
	Appeal of Decision to the Village Board	\$250.00
Discount:	Site Plan, Rezone and/or Conditional Use Combination	(-\$100.00)
Zoning Board of Appeals:	Variance	\$400.00
	Interpretation	\$250.00
	Appeal of Decision	\$400.00
Miscellaneous:	Street Vacation	\$500.00
	Annexation	\$250.00
	Annexation (ETZ only, no change in zoning/comp plan)	\$100.00

LAND DIVISION FEES

Class	Fee Description	Fee
Certified Survey Map:	Plat of Survey or Extraterritorial Zoning CSM	\$25.00
	Standard Certified Survey Map	\$50.00
	Certified Survey Map with Street Dedication (PC, PIC and Board)	\$250.00
Subdivision Plat Review:	Concept Plat Review	\$100.00
	Preliminary Plat Review	\$300.00 + \$10.00/Lot over 20

	Final Plat Review	\$150.00 + \$10.00/Lot over 20
	Amendment or Revision	\$250.00/Revision
Parkland Dedication Fees:	Single Family Detached Residence	\$244.00/Lot
	Two-Family Residence	\$446.00/Lot
	Multiple Family Dwelling Units, 1 Bedroom	\$138.00/Unit
	Multiple Family Dwelling Units, 2 Bedroom	\$204.00/Unit
	Multiple Family Dwelling Units, 3+ Bedroom	\$244.00/Unit

COMMERCIAL PERMIT FEES

Class	Fee Description	Fee
Zoning and Occupancy:	Zoning/Pre-Application Permit	\$25.00
	Occupancy Inspection and Certificate	\$50.00
	Add On: Occupancy Re-Inspection (3+ inspections)	+\$50.00
Site Plan Review:	Accessory Structure Plan Review	\$100.00
	Architectural Review	\$100.00
	Landscape Plan Review	\$100.00
	Parking Lot Plan or Drainage Review (includes Landscaping)	\$300.00
	Building Addition (Under 50% of existing building)	\$300.00
	New Construction – Staff Review Only	\$500.00
	New Construction – Plan Commission Review	\$600.00
	New Construction – Large Retail/Commercial Services (Plan Commission Review and Conditional Use Permit included)	\$750.00 + \$10.00/Acre over 10 Acres
	New Construction - Large Retail/Commercial Services over 75,000 ft ² (Plan Commission Review and Conditional Use Permit included)	\$900.00 + \$10.00/Acre over 10 Acres
	Add On: Plan Commission Review	\$100.00
Early Start Permit:	Footings and Foundation	\$200.00
Building Permit:	Minimum Fee	\$100.00
	Maximum Fee	\$15,000.00
	Multiple Family Dwelling Units (3+ units)	\$0.15/ft ²
	Agricultural	\$0.05/ft ²
	Institutional and Recreational	\$0.15/ft ²
	Commercial	\$0.15/ft ²
	Storage and Building Shells	\$0.08/ft ²
	Warehousing	\$0.11/ft ²
	Transportation and Industrial	\$0.11/ft ²
Completion Surcharge*:	Minor Projects (under 50%)	\$2,500.00
	Major Projects (New or Over 50%)	\$5,000.00
	<small>*Returned after completion and final inspection of both site and building.</small>	
Drainage Review:	Multiple Family Dwelling Units (3+ units)	\$200.00
	Multiple Family Dwelling Units (3+ units) (Over 1 acre)	\$300.00
	Commercial and Industrial	\$200.00
	Commercial and Industrial (Over 1 acre)	\$300.00
Plumbing:	Minimum Fee	\$60.00
	Maximum Fee	\$3,000.00
	Multiple Family Dwelling Units (3+ units)	\$30.00/unit
	Commercial and Industrial	\$6.00/fixture
Electrical:	Minimum Fee	\$60.00
	Multiple Family Dwelling Units (3+ units)	\$0.08/ft ²
	Agricultural	\$0.05/ft ²
	Institutional and Recreational	\$0.09/ft ²
	Commercial	\$0.09/ft ²
	Storage and Building Shells	\$0.04/ft ²
	Warehousing	\$0.05/ft ²

	Transportation and Industrial	\$0.06/ft ²
	Service Change – 200 AMPS, Single Meter	\$45.00
	Service Change – 400 AMPS, Single Meter	\$60.00
	Service Change – 600 AMPS, Single Meter	\$80.00
	Service Change – 800 AMPS, Single Meter	\$100.00
	Service Change – 1,000+ AMPS, Single Meter	\$125.00
	Add On: Multiple Metering	+\$9.00/Meter
	Special Inspection	\$65.00/Hour
	Add On: Re-Inspection	+\$65.00
HVAC:	Minimum, New Project	\$60.00
	Minimum, Replacement	\$30.00
	Maximum	\$3,000.00
	New Project	\$0.04/ft ²
	Replacement, 1 to 3 units	\$30.00/unit
	Replacement, 4+ units	\$20.00/unit
Roofing:	Minimum	\$60.00
	Maximum	\$3,000.00
	Multiple Family Dwelling Units (3+ units)	\$10.00/\$1,000.00 Cost of Project
	Commercial and Industrial	\$10.00/\$1,000.00 Cost of Project
Signs:	Permanent, Wall Signs	\$25.00 + \$1.00/ft ² over 50 ft ²
	Permanent, Monument Signs (Single Business)	\$50.00 + \$1.00/ft ² over 50 ft ²
	Permanent, Development Signs (Multiple Businesses)	\$100.00 + \$1.00/ft ² over 100 ft ²
	Permanent, Development Sign Panel Replacement	\$25.00/Panel
	Sandwich/Pedestal Sign	\$25.00
	Face Copy Replacement Only, Existing Business	No Charge
	Add On: Electrical Inspection, New Signs	+\$50.00/Sign
	One-Time Use Sign, Non-Residential	\$25.00/Sign

RESIDENTIAL PERMIT FEES

Class	Fee Description	Fee
Zoning and Occupancy:	Zoning/Pre-Application Permit	Included
	Occupancy Inspection and Certificate	Included
	Add On: Occupancy Inspection (3+ inspections)	+\$50.00
Early Start Permit:	Footings and Foundations	\$100.00
Building Permit:	Single Family Detached and Two-Family Residence	\$600.00 + \$20.00/100 ft ² over 1,500 ft ²
	Add On: State of Wisconsin UDC Seal	\$40.00
	Manufactured Home Installation	\$150.00
	Interior Remodel/Basement Build-out	\$50.00 + \$20.00/100 ft ² over 200 ft ²
	Add On: Plumbing Inspection, Interior Remodel/Basement Build-out	\$30.00
	Add On: Electrical Inspection, Interior Remodel/Basement Build-out	\$30.00
	Add On: HVAC, Interior Remodel/Basement Build-out	\$30.00
	Home Additions (Includes Plumbing, Electrical and HVAC)	\$200.00 + \$20.00/100 ft ² over 200 ft ²
	Attached Garage Addition (Principal Structure) (Includes Electrical, Plumbing and HVAC)	\$100.00 + \$20.00/100 ft ²

	over 200 ft ²	
Re-Roofing, Siding, Soffit and Fascia	\$50.00	
Window Replacement	\$30.00 + \$5.00/Window over 2	
Door Replacement	\$30.00 + \$5.00/Door over 2	
Replacing of Heating/Cooling unit	\$30.00	
Electrical Service Upgrade	\$55.00	
Completion Surcharge:	Single Family Detached and Two-Family Residence	\$1,000.00
<i>*Returned after completion and final inspection of both site and building.</i>		
Drainage Review:	Single Family Detached Residence	\$100.00
	Two-Family Residence	\$150.00
In-Home Business:	Home Occupation Permit	\$25.00
	Home Occupation Permit, Conditional Use	\$250.00
	Residential Business Permit, Conditional Use	\$250.00

MISCELLANEOUS PERMITS FEES

Class	Fee Description	Fee
Accessory Structure:	Under 150 ft ² , Residential	\$30.00
	150 to 199 ft ² , Residential	\$60.00
	200 to 500 ft ² , Residential	\$120.00
	Over 500 ft ² , Residential	\$120.00 + \$0.20/ft ² over 500 ft ²
	Accessory Structure, Non-Residential (Up to 2,000 ft ²)	\$100.00 + \$0.20/ft ² over 1000 ft ²
	Add On: Plan Commission Review	+\$100.00
	Add On: Plumbing Inspection, Accessory Structure	+\$30.00
	Add On: Electrical Inspection, Accessory Structure	+\$30.00
Driveway:	Add On: HVAC, Accessory Structure	+\$30.00
	New, Residential	\$75.00
Deck:	Expansion or Resurfacing, Residential (Excludes Seal Coat)	\$35.00
	New	\$75.00
Fence:	Repair	\$35.00
	Residential	\$30.00
In-Ground Sprinkler:	Non-Residential	\$50.00
	Residential	\$50.00
Swimming Pool:	Non-Residential	\$100.00
	Portable, Removed Annually	No Fee
	Permanent, Above Ground	\$50.00
	Permanent, In-Ground	\$100.00
Demolition:	Hot Tub, Indoor/Outdoor	\$55.00
	Principal Structure	\$100.00/Structure
	Accessory Structure	\$50.00/Structure
	Manufactured Homes	\$50.00/Structure
Shoreland:	Shoreland Grading	\$220.00
	Shoreland Grading, Waterfront	\$300.00
	Cutting Vegetation	\$30.00
	Shoreland Zoning Permit	\$100.00
Shoreland Restoration:	1 to 500 ft ²	\$150.00
	501 to 1500 ft ²	\$250.00
	1500+ ft ²	\$350.00
Ponds:	Decorative	No Fee
	Groundwater Pond	\$220.00
	Diked Pond	\$275.00

	Stock Pond	\$50.00
Temporary Use Permits	Outdoor Sales	\$25.00
	Outdoor Sales, Non-Profit	No Fee
	Outdoor Assembly or Special Event	\$100.00
	Contractor's Project Office	\$25.00
	Contractor's On-Site Equipment Storage Facility	\$25.00
	On-Site Real Estate's Office	\$25.00
	Relocatable Building	\$25.00
	Season Outdoor Sales of Farm Products (Includes Christmas Trees)	\$25.00
	Temporary Portable Storage Containers (Pods)	\$25.00
	Temporary Shelter	\$25.00
	Temporary Unscreened Outdoor Storage Accessory to Industrial Use	\$25.00
	Add On: Police Department Background Check	+\$25.00
	Add On: Use of Tent	+\$25.00
	Add On: Plan Commission Review	+\$100.00
Miscellaneous:	Ditch Grade	\$40.00/Hour
	Fire/House Number Sign	\$50.00
	Floodplain Zoning Permit	\$100.00
	Permanent Sign, Residential	\$25.00
	Snow Shovel/Fine	\$75.00 + Cost
	Weed Cutting/Fine	\$75.00 + Cost
	Zoning Verification	No Fee
Streets and Public Property:	Special Event on Public Property	\$100.00
	Add On: EMPD Assistance	+\$70.00/hour 2-hour minimum
	Moving Permit, Principal Structures through Village	\$150.00
	Moving Permit, Principal Structures into Village (PC Approval)	\$200.00
	Moving Permit, Accessory Structures, Wide Load	\$50.00
	Road Excavation, Utility	\$75.00
	Road Excavation, Other	\$100.00
	Street Privilege for Construction Materials, 30-days	\$100.00
Zoning Compliance Letter:	Residential	\$30.00
	Non-Residential	\$50.00
Copies and Look-Ups:	Copy of Building Permit	\$0.25/Page
	Copy of Subdivision Code	\$10.00 + Tax
	Copy of Zoning Code	\$20.00 + Tax
	Copy of Zoning Map	\$5.00 + Tax
	Copy of Village Map (8.5" x 11")	\$2.00 + Tax
	Copy of Village Map (11" x 17")	\$3.50 + Tax
	Copy of Village Map (36" x 42")	\$5.00 + Tax
	Copy of Village Street Map	\$11.00 + Tax
GIS Services:	Elevations, 2ft Contours	\$100/Section
	Aerials, Color	\$150.00/Section
	Miscellaneous Digital Data	\$25.00/Shapefile
	Labor	\$40.00/Hour
	Data on CD (700 MB)	\$3.00/Disc
	Data on DVD (4.5 GB)	\$5.00/Disc
	Data on Flash Drive (1 GB)	\$10.00/Drive

SAFER FIRE DISTRICT

CHIEF

Matt Savage

DEPUTY CHIEF

Josh Finke

FIRE INSPECTOR

Marty Christiansen

Station No. 1

5901 Hummingbird Road

Rib Mountain, WI 54401

Non-Emergency Phone: (715) 355-6763

Station No. 2

5303 Mesker Street

Weston, WI 54476

Non-Emergency Phone: (715) 355-5419

AQUATIC CENTER FEES

Class	Fee Description	Fee
ALS Base Rate	Resident	\$625.00
	Non-Resident	\$700.00
ALS On-Scene Care	Resident	\$625.00
	Non-Resident	\$700.00
BLS Base Rate	Resident	\$550.00
	Non-Resident	\$625.00
BLS On-Scene Care	Resident/Non-Resident	\$200.00
Mileage	Resident	\$13.00/Mile
	Non-Resident	\$14.00/Mile
Other Services	Oxygen	\$70.00
	Spinal Immobilization	\$130.00
Fire Alarm	Registration of Alarm System at time of Site Plan Approval	NO FEE
	Failure to Register Alarm System	\$100.00
	Failure to Return a Fire Alarm Report (3+ Alarms within 30-day period requires a service/repair report)	\$50.00
	False Alarm caused by Onsite Alarm Contractor Employee	\$100.00
	1 st False Fire Alarm within 30-Day Period	NO FEE
	2 nd False Fire Alarm within 30-Day Period	NO FEE
	3 rd – 4 th False Fire Alarm within 30-Day Period	\$55.00/Alarm
	5 th – 8 th False Fire Alarm within 30-Day Period	\$400.00/Alarm
	9 th or More False Fire Alarm within 30-Day Period	\$800.00/Alarm
	Late Fee (All fines/bills are to be paid within 30-days of bill date)	\$10.00/Day
Services	EMS/Fire Report Admin Fee	\$25.00
	Fire Inspection, 3 rd and Subsequent	\$30.00/Inspection
	Fire Response, Working Structure Only	\$500.00
	Haz-Mat Response/Large Fuel Spill Clean-Up	\$350.00/Hour + \$25.00/Hour/Crew Member
	Standby – EMS, Ambulance w/ 2 Crew Members	\$200.00/Hour
	Standby – EMS, SUV w/ 1 Crew Member	\$75.00/Hour
	Standby – Fire, Engine or Truck w/ 3 Crew Members	\$350.00/Hour
	State Highway Crash Response	\$500.00

MUNICIPAL UTILITIES

DIRECTOR OF PUBLIC WORKS

Keith Donner
(715) 241-2610
kdonner@westonwi.gov

DEPUTY DIRECTOR OF PUBLIC WORKS

Michael Wodalski
(715) 241-2636
mwodalski@westonwi.gov

CLERK, UTILITIES

Donna Van Swol
(715) 359-2876
dvanswol@westonwi.gov

METER RATES AND FEES

Class	Fee Description	Fee
Sewer Meter Hookup	5/8" and 3/4" Meter	\$500.00
	1" Meter	\$1,250.00
	1 1/2" Meter	\$2,500.00
	2" Meter	\$4,000.00
	3" Meter	\$7,500.00
	4" Meter	\$12,500.00
Lateral Inspections	6" Meter	\$25,000.00
	Water	\$10.00/Lateral
Sewer Base Rates	Sewer	\$35.00/Lateral
	5/8" and 3/4" Meter	\$28.50/Quarter
	1" Meter	\$85.50/Quarter
	1 1/2" Meter	\$171.00/Quarter
	2" Meter	\$284.00/Quarter
	3" Meter	\$654.00/Quarter
	4" Meter	\$1,164.00/Quarter
	6" Meter	\$2,610.00/Quarter
	Volume Rate	+\$3.00/1,000gal of Metered Water
	Wastewater BOD's Exceeds 250 mg/L	*Additional Charges
Wastewater Suspended Solids Exceeds 250 mg/L	*Additional Charges	
Sanitary Sewer Connection w/o Metered Water Connection (Minimum)	\$80.00/Quarter	
Private Well Permit	5-Year Permit	\$115.00
	Additional Water Samples (Over 1)	\$40.00/Sample
Water Rates and Fees	Public Service Commission Website – Weston Water Utility	See PDF

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.25.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS, DIRECTOR OF PLANNING & DEVELOPMENT**

ITEM DESCRIPTION: **APPOINTMENT OF HIGGINS TO REPRESENT THE VILLAGE ON THE MARATHON COUNTY UNIFORM ADDRESSING SYSTEM – MUNICIPAL ADVISORY GROUP (MAG)**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees approve appointing Planning and Development Director Higgins to represent the Village at the Marathon County Uniform Addressing System – Municipal Advisory Group (MAG) meetings?

RECOMMENDATION TO: I make a motion to approve Higgins as the representative from the Village of Weston on the Marathon County Uniform Addressing System – Municipal Advisory Group (MAG).

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statute: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-
-

PRIOR REVIEW: Resolution 2015-049 adopted 12/21/15

BACKGROUND:

President Ermeling has received notice from Marathon County that they will begin meeting in May 2016 to begin discussing the upcoming County led Uniform Addressing Project. The County is requesting President Ermeling attend these meetings or nominate someone to attend these Municipal Advisory Group (MAG) meetings on her behalf. After discussing this with President Ermeling, we felt that it is best that I attend these meetings as I will be working closely with the County to readdress the Village when the time comes. We therefore are asking the Board to approve my nomination to this Committee so that I can attend the upcoming meetings on the Village's behalf.

Attachments: Letter dated 3/31/16 from Marathon County

*160418 jlh R4C BoT Appointing Higgins to MC
Addressing MAG*



March 31, 2016

Barbara Ermeling President
Village of Weston
5500 Schofield Ave
Weston WI 54476

UNIFORM ADDRESSING SYSTEM – MUNICIPAL ADVISORY GROUP (MAG)

Marathon County's commitment to the goal of ensuring the safety of its residents was demonstrated by the adoption of the Uniform Addressing System Ordinance 0-7-16 by the County Board on February 16, 2016. To help us achieve this goal, we are reaching out to government, community business and industry leaders, emergency management agencies, and citizens asking them to work with us in an advisory capacity to develop the County Addressing Implementation Plan. Engaging local government officials and other stakeholders is critical to the success of any plan to make Marathon County the safest county in the state.

The Marathon County Conservation, Planning, and Zoning Department is seeking stakeholder input from all 62 municipalities to support the County Addressing Implementation Team (CAIT). We invite one representative from your municipality to represent your municipality and serve a one year term on the Municipal Advisory Group (MAG). By participating in this group, your community will have the opportunity to make advisory recommendations to CAIT. We encourage your representative to commit to all meetings with the option of sending an alternate if there is a schedule conflict.

The Municipal Advisory Group will meet three times over the course of 2016 beginning this spring and ending during the fall. Two meetings are initially scheduled with the potential for a third meeting later in the year. The first two meetings are scheduled for **May 12 and June 9** from 7-9 pm in Room 5, 212 River Drive, Wausau.

Please indicate your commitment to serve on this team by checking the appropriate box and signing where indicated. Return this letter to our office in the enclosed envelope or fax to 715-261-6016 by **April 22, 2016**. A duplicate copy of this letter is enclosed for your files. Please contact Conservation, Planning and Zoning at 715-261-6000 if you have any questions.

Sincerely,

Rebecca Frisch
Director
Enclosures
Cc: Sherry Weinkauf, Clerk, Village of Weston

Preston Vande Voort
GIS Specialist

- I accept the advisory appointment
 - Our municipality will not serve on the advisory group
 - I have nominated _____ to represent the Village of Weston
- Contact information for designee: _____

Signature: _____ Date: _____

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.26.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT
VALERIE PARKER, PLANNING TECHNICIAN**

ITEM DESCRIPTION: **2015 GREEN TIER LEGACY COMMUNITIES ANNUAL REPORT AND
SUSTAINABILITY STRATEGIES SCORESHEET.**

DATE/MTG: **BOARD OF TRUSTEES; APRIL 18, 2016**

POLICY QUESTION: **Should the Board of Trustees acknowledge and place on file the submitted 2015 Green Tier Legacy Communities Annual Report and the Sustainability Strategies Scoresheet**

RECOMMENDATION TO: **I make a motion to acknowledge the 2015 Green Tier Legacy Communities Annual Report and the Sustainability Strategies Scoresheet as submitted and direct staff to file.**

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____

PRIOR REVIEW: **Reviewed by Village Staff.**

BACKGROUND:

The Village of Weston is a member of the Green Tier Legacy Communities, and has been since 2011. Through this organization, member communities receive information on upcoming grants, share experiences (successful and non-successful) on sustainability projects completed which might be helpful for peer communities to learn from.

The following are the goals of this Charter:

The Goals of this Charter are:

1. To assist municipalities and counties in achieving superior environmental performance in sustainability, health and social equity; and to recognize their efforts and progress.
2. To assist municipalities in achieving superior environmental performance in water resources.
3. To improve the quality of life and economic vitality of communities.
4. To help municipalities and the Wisconsin Department of Natural Resources address wastewater, stormwater, drinking water, wetlands, and other water issues in a holistic, integrated, watershed-based manner.
5. To assist municipalities and counties in preparing, implementing and improving over time a sustainability plan that reduces a municipality's and county's impact on the environment.
6. To facilitate access to state and federal funding for projects and activities related to achieving the purposes of this charter, such as energy efficiency, renewable energy, GHG greenhouse gas reductions, comprehensive planning, transportation policies, and integrated planning for wastewater treatment, storm water treatment and management; and drinking water.
7. To realize taxpayer savings through reduced municipal and county expenditures on motor vehicle fuels and energy resulting from efficient development patterns.
8. To help municipalities comply with various water regulations in a more efficient, cost effective and flexible manner.
9. To achieve other demonstrable and measurable environmental improvements beyond what is required by local, state, or federal law.

One of the responsibilities of being a Charter member is:

“Annually assess the impact and effectiveness of the Charter and report annually to the department on the activities that have been engaged in under the Charter. This annual report shall be submitted to the DNR by March 31st for the preceding year.”

This is done through the Annual Report and Scoresheet. These have been completed, and submitted to the DNR on April 1st.

Supplemental Briefer for Agenda Items under Consideration?

Attachments?

2015 Green Tier Legacy Communities Annual Report
Sustainability Strategies Scoresheet



Village of Weston,
Wisconsin

2015 Green Tier Legacy Communities Annual Report

Sustainability Component of the
Green Tier Legacy Charter

Report last revised January 1, 2013

Sustainability Mission Statement: The Village of Weston strives to be the location of choice for living, working, and recreation. The Village is committed to excellence and delivery of cost-effective public services. Weston will promote sustainable new development and redevelopment that add jobs, products, services, and homes and that contribute to a sense of community and quality of life in the Village. Weston will protect, enhance, and celebrate natural amenities such as the riverway and wetlands, and will grow its sense of place through a network of attractive spaces, buildings, and activities. Weston will provide, maintain, and collaborate on trails, parks, playgrounds, and open spaces that encourage an active, engaged and healthy community. Weston will provide and support community facilities, utilities, and broadband communications that are cost-effective, efficient, support resident connections, maintain reasonable tax rates, and protect natural resources.

Transportation

- Commuter Bike Route (MPO Bike Plan)
 - The Village has been working with the Wausau Metropolitan Planning Organization (MPO) to list projects on the regional long range transportation plan, which includes supporting bicycling as a commuting option. Weston now has on-street bike routes that connect to other communities in the Wausau metro area. When performing improvements on roads along the bike routes, Weston intends to provide bike lanes or similar space to accommodate riders.
- Bike and Pedestrian Network Connection (Comprehensive Plan)
 - As Part of our Comprehensive Plan, Transportation Chapter, an emphasis is being placed on the importance of constructing pedestrian and bicycle friendly paths and lanes as Village roads are being reconstructed or constructed.
- League of American Bicyclists Certification
 - Continue to maintain our Bronze certification status.
- Complete Streets
 - The Village plans to design new and improved roadways as Complete Streets serving motorists, pedestrians, bicyclists, and adjoining neighborhoods. The Village will also promote interconnected streets.
- Street Maintenance Program
 - The Village spent the past two decades building a sizeable inventory of roadways. Maintaining these roads is essential for commerce and daily transportation needs. Keeping existing road in good condition and engaging in strategic improvements will take priority over new construction projects.
- Road Diets
 - The Village utilized a technique in transportation planning called a road diet to improve safety and congestion relief on public roadways, by taking an existing four-lane, undivided roadway, that serves both through and turning traffic into a three-lane segment with two through lanes and a center, two-way left-turn lane, and pedestrian lanes.

- Anti-Icing
 - This winter, residents may have noticed a new piece of equipment involved in the snow and ice control process. The Village has added an anti-icing truck to the fleet by retrofitting an existing 1-ton truck with a salt brine tank and spray bar. The process of spraying salt brine onto streets is called anti-icing.

Anti-icing consists of applying liquid salt brine to the pavement surface prior to anticipated snow or ice storms. Anti-icing significantly reduces the amount of salt used because it prevents snow from becoming compacted and bonded to the road surface, which allows plows to more effectively clear the streets.

Anti-icing will be applied on major thoroughfares, main intersections, bridge decks, hills and curves

Land Use

- Camp Phillips Corridor (Redevelopment)
 - Camp Phillips Road is the major travel way into the Village of Weston from State Highway 29. The road struggles to keep up with traffic, and residential land uses along it reflect a quieter time. In collaboration with land owners and residents, the Village will advance redevelopment along Camp Phillips Road. The intent is to grow the local economy and tax base; increase commercial services, retail, and restaurants; provide sensitive transitions to neighborhoods; and beautify and unify Weston's front door.
- Mixed Land Use Language
 - Within the Land Use Chapter of our Comprehensive Plan, we have added the allowance and language for mixed use land uses within certain zoning districts. General description consists of: A carefully designed blend of commercial services, retail, office, multiple family residential, and/or institutional land uses, including mixed use sites and/or buildings, creating vibrant urban places and community gathering spots. Compared to the "Planned Neighborhood" future land use designation, "Mixed Use" areas typically are denser, more focused on non-residential development, do not typically include single family housing, and are generally located along major roadway corridors. All served by a public sewer system.
- New Landscaping Requirements
 - Through our 2015 Zoning Code update, new landscaping requirements were put in place to help provide and maintain vegetation in a manner that promotes the Village's natural resource protection, aesthetic, and public health goals.
- Tree Planting (Street trees)
 - Through our Natural Resources Chapter of the Comprehensive Plan and an updated Subdivision Ordinance, the Village plans to require street terrace trees in new developments and street reconstruction projects, per the Village's Complete Streets policy and zoning and subdivision regulations.

- Tree City USA
 - Continue to maintain our “Tree City USA” status by maintaining trees in the public right-of-way and on public lands, managing common tree diseases that threaten urban forest health, and serving as a resource for landowners to manage other mature trees and woodlands.

Energy

- Alternative Energy
 - Regulations in favor of:
 - Solar Panels
 - Wind Turbines
 - Geothermal Systems

Our New 2015 Zoning Regulations allows for the construction and use of Solar, Wind, and Geothermal energy sources; however, places regulations to follow to ensure these are constructed and used properly as to not have any adverse impacts on neighboring properties.
- LED Street Lights

A \$110,000 project to replace light fixtures throughout the Village of Weston with LED lights, which, due to cost, was initially stalled, is now back in motion with the successful grant awarded to the Village from the State Energy Office. This will be a long-term benefit for the Village as yearly energy costs will drop and the lighting will also be better along our commercial corridors.
- Municipal Facilities Study – Reduce Energy Consumption
 - Plans for future replacement of municipal structures (i.e. Municipal Center, Parks Office, Police Department, etc.) with keeping the reduction in energy consumption in mind by improving building efficiency, reducing heating/cooling costs, increase employee environments.

Water

- Asset Management (Beehive)
 - A new software program “Beehive” has been implemented and now in use to improve planning and work scheduling and optimize labor and equipment use. This maintenance management system will help to track history and document certain events.
- VFD’s for Pumps at Well Houses
 - Variable Frequency Drives are being installed at Municipal well houses (started in 2015), which will eliminate wasted water by eliminating high maintenance control valves prone to leakage and reduces energy consumption of pumping operations.
- Automated Meter Reading
 - Since the last report, the Village of Weston Water Utility has been continuing its efforts in transitioning from touch pad water meters to radio-read water meters, in the homes of residential customers. This transition is occurring as water meters are due to be changed out. As previously reported, by using radio-read water meters, the Village of Weston Water Utility will save a great amount of time and energy used in our utility operators traveling from house

to house to read water meters, where meter readings will, in the future, be done by a touch of a button by our Utility Clerk from her office computer.

- A RFP is currently being finalized, and planned to go out this year. The Village is looking for a firm to hire to go to all residential properties, who do not currently have the radio-read meters installed, and install them for the Village. This service will allow the Village to go from quarterly utility billing to monthly utility billing.
- Stormwater Credits – Rain Barrel and Rain Garden
 - Each spring the Village holds a “How to Build a Rain Barrel” Workshop. Through these workshops, participants receive education on the importance of conserving water, protecting our wetlands by being aware of what is washing from your yards, through the storm sewer system, to the wetlands, and how to take advantage of the storm water, by collecting it and reusing it for watering lawns, gardens, and other outdoor watering uses.
 - Residents who have rain barrels installed or rain gardens are then offered a one-time storm water credit, which is equivalent to 68% of their annual storm water utility billing.

Waste

- “Sell It”, “Donate It”, “Pitch It” Campaign
 - In 2013, the Village held a “Sell It”, “Donate It”, “Pitch It” campaign as part of our annual spring clean-up. Here we were encouraging residents who had unwanted items to first consider selling those items by taking part in our annual Village-Wide Rummage Sale, which typically occurs the first weekend in May. If people are unsuccessful in selling their unwanted items, we then encourage that they consider donating their items to non-profit locations, such as Goodwill. Lastly, if they were unsuccessful in selling or donating their unwanted items to take part in the spring bulk-item drop-off, which occurs at our contracted refuse/recycling hauler’s location, where they can unload those items free of charge.
- Single-Stream Recycling Program
 - In 2014, the Village of Weston began its Single-Stream Recycling Program. Through this program, all Village residents within single-family up to 4-unit residences (on one tax parcel), received a 95-gallon single-stream recycling cart, where all of their clean recyclables (plastics, glass, metals, paper, and cardboard) can be loosely mixed and placed within their cart. Prior to this, though recycling was collected dual stream, residents placed their recyclables within 18-gallon containers. This meant potentially several containers, open to the elements, carried to and placed at the edge of their property. By making recycling easier, more people are participating. The single-stream recycling cart keeps the neighborhoods cleaner, are easier to use, safer for the recycling driver and the resident.
- Home Composting Workshops
 - Since the start of the Single-Stream Recycling Program, residents started asking us what to do with their food waste and yard waste. Working with Marathon County Solid Waste Department and Recycling Connections Corporation, we have held Home Composting Workshops in the spring of 2014, 2015, and planning a workshop this April, to teach residents how to build your own home compost, and kind of yard waste and food waste can go in those, and how to properly manage the materials as they turn to compost.

Healthy Community

- Farmer's Market with EBT
 - In July 2012, the Weston Farmer's Market offered the needed resource to accept FoodShare (EBT Cards). This system allows those families on the FoodShare program to swipe their EBT card at a terminal located at the market tent and receive tokens to use at participating vendors throughout the market. Tokens are then used to purchase food products, such as fruit, vegetables, cheese, meat, eggs, bakery items, spices and maple syrup.
- Sidewalk Plan (new and fill in gaps)
 - A strong emphasis will be placed on filling gaps and completing projects in areas near schools and parks and long arterial and collector roads. Filling gaps in the sidewalk or shared-use path network may happen as part of new subdivisions, with street reconstruction projects, or as stand-alone projects where need dictates.
- Complete Streets
 - In June 2015, The Village of Weston Board adopted a Complete Streets policy, and directed Village staff to develop implementation strategies to increase the usability of all streets for all modes of travel for citizens of all ages and abilities in the Village, via Resolution VW-15-14. The policy will be implemented through inclusion of Complete Streets improvements in roadway projects proposed in the Village's Official Future Transportation Map and through an update to the Village's subdivision ordinance, planned later in 2016.
- Employee Wellness Program
 - The Village of Weston implemented a wellness plan for all Village employees. This plan started with a voluntary health risk assessment (consisting of a health questionnaire and biometric screening) for employees to participate in. The Village offered a financial incentive to get employees to participate. The goal is keep employees healthy and happy, as a way to keep healthcare costs down, and in keeping productivity up and employee turnover down. With this program, staff has been participating in wellness challenges, which has proven to also help bring workplace morale up.

Element	Max. Score	 GREEN TIER	<h2 style="text-align: center;">Sustainability Strategies Scoresheet</h2> <p style="text-align: center;">(Also known as Appendix 3 of GTLC Charter, Last Revised 02-08-2016 by Rick Ellertson)</p>					
			Village of Weston 2011 Baseline Scores*	Village of Weston 2012 Scores*	Village of Weston 2013 Scores*	Village of Weston 2014 Scores*	Village of Weston 2015 Scores*	Village of Weston 2016 Goal*
     			<p>This Sustainability Strategies Scoresheet is provided for member communities to track sustainability management strategies in transportation, energy, land use, water, waste, and health. This scoresheet is intended to be dynamic and flexible. In the spirit of continuous improvement toward superior environmental performance, suggested revisions to this scoresheet are always encouraged.</p>					
T R A N S P O R T A T I O N	TRANSPORTATION DEMAND MANAGEMENT:							
	<p>Transportation demand management strategies aim to reduce GHG emissions and VMT by influencing change in individual behavior. These strategies encourage walking, bicycling, and transit as modes of transportation within a community and seek to curb the number and length of trips by vehicle.</p>							
	<u>Bicycle and Pedestrian Programs/Projects</u>							
	2	Require bike parking for all new non-residential and multifamily uses.	0	0	0	0	1	1
	1	Set standards for placement and number (as function of intensity of use) for bike parking spaces.	0	0	0	0	1	1
	3	Commuter bike routes identified and cleared.	1	2	3	3	3	3
	10	League of American Bicyclists certification. (Bronze 5, Silver 7, Platinum 10)	0	0	0	0	5	5
	3	Funded and operating SRTS program (or functional equivalent) covering at least 10 percent of students.	1	0	0	0	1	1
	1	Conduct annual survey of students' mode of transport to school.	0	0	0	0	1	1
	<u>Employer-Based Programs</u>							
	5	Require large employers seeking rezoning to set a price signal (cash-out or charge).	0	0	0	0	0	0
	5	Require large employers seeking rezoning to provide subsidized transit.	0	0	0	0	0	0
	5	Require large employers seeking rezoning to provide a TDM plan that would reduce trips by 20 percent over business as usual.	0	0	0	0	0	0
	<u>Traffic Volume</u>							
	3	Track VMT or traffic counts and report on efforts at reduction (including those on this list).	1	1	1	1	2	2
	3	Eliminate parking minimums from non-residential districts.	0	0	0	0	0	0
	5	Set parking maximums at X per square feet for office and retail uses.	0	0	0	0	0	0
	5	Scheduled transit service at basic level (hour peak service within half-mile of 50 percent of addresses).	0	0	0	0	0	0
	10	Scheduled transit service at enhanced level (half-hour peak service within 75 percent of addresses).	0	0	0	0	0	0
	TRANSPORTATION SYSTEM MANAGEMENT							
<p>Transportation system management strategies aim to reduce GHG emissions and VMT by improving the overall performance of a transportation system. These strategies improve existing infrastructure, introduce new technology, and plan for the future of the system.</p>								
<u>Preservation and Improvement</u>								
3	Develop and fully fund comprehensive maintenance program for existing roads.	2	2	2	2	2	2	
5	Charge impact fees for new roads.	0	0	0	0	0	0	
5	Calculate lane-miles per capita for arterials and collectors, and show reductions	2	2	2	2	2	2	
5	Prepare a plan identifying disconnections in bike and pedestrian networks, prioritizing fixes and identifying potential funding sources for the most important projects.	3	4	4	4	5	5	
5	Any proposal to add lanes to a two-lane roadway shall be evaluated for a center turn lane, the preferred option over an expansion to four lanes.	0	1	1	1	1	1	

Element	Max. Score	 GREEN TIER	<h2 style="text-align: center;">Sustainability Strategies Scoresheet</h2> <p style="text-align: center; font-size: small;">(Also known as Appendix 3 of GTLC Charter, Last Revised 02-08-2016 by Rick Ellertson)</p>					
			Village of Weston 2011 Baseline Scores*	Village of Weston 2012 Scores*	Village of Weston 2013 Scores*	Village of Weston 2014 Scores*	Village of Weston 2015 Scores*	Village of Weston 2016 Goal*
3	Identify four-lane roadways with fewer than 20,000 vehicles per day (AADT) and evaluate them for "road diets" with bike lanes or on-street parking		0	1	1	1	1	2
	Electric Vehicles							
	1	Allow NEVs on appropriate roadways.	0	0	0	0	1	1
	2	Provide public charging stations	0	0	0	0	1	1
	Vehicle Idling							
2	Ban idling (more than 5 minutes) with local government vehicles.		0	0	0	0	1	1
	5	Ban idling (more than 5 minutes) community-wide.	0	0	0	0	1	1
ZONING AND DEVELOPMENT								
Zoning and development strategies work toward improving the overall environmental, economic, and social health of a community by promoting mixed-use and infill development, walkable neighborhoods, and an overall sustainable lifestyle.								
L A N D U S E	Infill Development							
	5	Identify priority areas for infill development, including those eligible for brownfields funding.	0	5	5	5	5	5
	1	Create land bank to acquire and assemble priority infill sites	0	0	0	0	0	0
	1	Develop an inventory of known contaminated properties for reuse planning, with possible GIS application	1	1	1	1	1	1
	Walkscore							
	10	Measure Walkscore at 10 random residential addresses per Census tract, compute average, and improve upon overall score	0	5	5	5	10	10
	Zoning							
	5	Adopt traditional neighborhood design ordinance (If population is less than 12,500)	5	5	5	5	5	5
	5	Zoning for office and retail districts permits floor-area ratio > 1, on average.	3	3	3	3	3	3
	8	Zoning for office and retail districts requires floor-area ratio > 1, on average.	0	0	0	0	0	0
5	Zoning code includes mixed use districts	5	5	5	5	5	5	
8	Mixed-use language from Smart Code TBA.	0	0	0	0	0	0	
NATURAL RESOURCE MANAGEMENT								
Natural resource management strategies seek to conserve, preserve, protect and promote a community's greenspace, wildlife, wetlands and waterways for this and future generations by promoting pervious surfaces and adequate setbacks.								
Canopy								
3	Adopt tree preservation ordinance per GTLC standards.	1	1	1	1	2	2	
4	Set a tree canopy goal and develop a management plan to achieve it	2	2	2	2	4	4	
2	Require trees to be planted in all new developments	0	0	0	0	1	1	
2	Certification as Tree City USA	2	2	2	2	2	2	
2	Certification as Bird City Wisconsin Community	0	0	0	0	0	0	
Vegetation Management								
2	Public properties and rights of way mown or cleared only for safe sightlines and/or to remove invasive species.	0	1	1	1	1	1	
2	Create community policy and BMP guidelines on minimizing chemical use during vegetation management of public and private properties	0	0	0	0	0	0	
Water Protection								
10	Establish 75-foot natural vegetation zone by surface water.	10	10	10	10	10	10	
5	Inventory wetlands and ensure no net annual loss.	2	2	2	2	3	3	
COMMUNITY ENERGY USE								

Element	Max. Score	 GREEN TIER	<h2 style="text-align: center;">Sustainability Strategies Scoresheet</h2> <p style="text-align: center; font-size: small;">(Also known as Appendix 3 of GTLC Charter, Last Revised 02-08-2016 by Rick Ellertson)</p>					
			Village of Weston 2011 Baseline Scores*	Village of Weston 2012 Scores*	Village of Weston 2013 Scores*	Village of Weston 2014 Scores*	Village of Weston 2015 Scores*	Village of Weston 2016 Goal*
Community energy use strategies encourage energy efficiency and the use of renewable fuels to reduce total energy consumption throughout the community								
<u>Community Energy Use Policies</u>								
6	Use PACE financing		0	0	0	0	0	0
1	Watt meters available to the public		1	1	1	1	1	1
10	Adopt Residential Energy Conservation Ordinance (time-of-sale certification and upgrades).		0	0	0	0	0	0
<u>Measuring Community Energy Use</u>								
4	Work with local utilities to calculate total electricity and natural gas consumption annually, beginning with the fifth year before entering the program.		0	1	1	1	2	2
1	State of Wisconsin Energy Independent (EI) Community designation.		0	0	0	0	0	0
MUNICIPAL ENERGY USE Municipal energy use strategies encourage municipal employees to conserve energy, preserve the environment, and decrease greenhouse gas emissions from municipal facilities, services, and vehicle fleets.								
<u>Government Energy Use Policies</u>								
5	Include transportation energy/emissions as criterion in RFPs for purchases of goods over \$10,000.		0	0	0	0	0	0
3	Develop list of lighting, HVAC and shell improvements to raise Energy Star Portfolio Manager or LEED EBO&M score		0	1	1	1	2	2
3	Reduce motor fuels use for non-transit activities --		0	1	1	1	2	2
6	Provide transit passes at 50 percent or more off the regular price and/or provide parking cash-out options for local government employees.		0	0	0	0	0	0
5	Streetlights operate at 75 lumens/Watt or higher		5	5	5	5	5	5
3	Stoplights are LED or functional equivalent		3	3	3	3	3	3
5	Municipal electricity purchases are at least 5 percentage points higher in renewable content than the statewide renewable portfolio standard requires. Calculation may include self-generated power and purchased offsets.		0	0	0	0	1	1
<u>Measuring Government Energy Use</u>								
5	Complete EPA Energy Star Portfolio Manager spreadsheet for government energy use. Or score existing buildings with LEED EBO&M.		0	0	0	0	2	2
2	Calculate annual government fleet use of motor fuels, in gallons of petroleum and biofuels, beginning with the fifth year before entering the program.		0	1	1	2	2	2
10	All new and renovated municipal buildings must meet LEED Silver or greater.		0	0	0	0	4	4
WATER USE CONSERVATION Water Conservation strategy options set baselines and goals for water and energy performance in municipalities. They measure progress and promote water conservation by the government, business, and the community at-large.								
<u>Water Conservation</u>								
6	Track water and sewer use annually, beginning with fifth year before entering program, and develop plan for reductions.		2	2	2	2	5	5
4	Develop a water loss control plan with targets below the 15% required by the state and include a system-wide water audit implementation and time table		2	2	2	2	4	4
2	Join EPA's WaterSense Program for water utilities or the Groundwater Guardian Green Sites program and promote them to local business.		0	0	0	0	2	2
6	Use block rates and flat rates to encourage water conservation among residential, commercial, and industrial users.		6	6	6	6	6	6
3	Infiltration and inflow reduction by 10%		1	1	1	1	3	3
5	Plan for replacing all toilets using > 1.6 gpf and annual progress sufficient to reach 90 percent replacement in 10 years.		0	1	1	1	4	4
<u>Local Government Use</u>								
2	Install waterless urinals in men's restrooms at municipal facilities (city hall, parks, etc.)		0	0	0	0	2	2
3	All outdoor watering by local government, excluding parks and golf courses, from rain collection.		0	0	0	0	1	1

Element	Max. Score	 GREEN TIER	<h2 style="text-align: center;">Sustainability Strategies Scoresheet</h2> <p style="text-align: center; font-size: small;">(Also known as Appendix 3 of GTLC Charter, Last Revised 02-08-2016 by Rick Ellertson)</p>					
			Village of Weston 2011 Baseline Scores*	Village of Weston 2012 Scores*	Village of Weston 2013 Scores*	Village of Weston 2014 Scores*	Village of Weston 2015 Scores*	Village of Weston 2016 Goal*
W A T E R	4	Develop a water efficiency and conservation plan for municipal buildings						
	WATER AND WASTEWATER INFRASTRUCTURE MANAGEMENT							
	Setting goals for the sustainable management of water and wastewater infrastructure reduces costs; saves energy; and ensures the protection of public health and the environment.							
	10	Develop and implement asset management plans that set targets for the sustainable maintenance, operation and renewal of water and wastewater infrastructure.						
	5	Wastewater biogas captured and used in operations.						
	1	Financial assistance for sewer lateral replacements.						
	5	Set goals for increasing the recovery of resources from wastewater for energy generation (heat or electricity) and fertilizer.						
	2	Explore partnership options with high-strength waste.						
	6	Upgrade water and wastewater utility equipment (e.g., variable frequency drive motors) to achieve energy efficiency based on total life cycle, triple bottom line costs (e.g. maintenance and replacement strategies in asset management plans).						
	STORMWATER MANAGEMENT							
	Stormwater Management strategy options encourage the use of best management practices to achieve a reduction in the amount of harmful pollutants introduced to our streams, rivers, and lakes.							
	3	Develop a regular street sweeping program to reduce total suspended solids						
	3	Stormwater utility fees offer credits for best management practices such as rain barrels, rain gardens, and pervious paving						
	2	Inventory all paved surfaces (e.g., by GIS mapping), and develop a plan for reduction						
	2	Work with commercial or light industrial businesses to develop stormwater pollution plans						
WATER AND DEVELOPMENT								
Water and Development strategy options link water conservation and the preservation of land, wetlands, and wildlife habitat while promoting compact development, restoration and rehabilitation efforts, and long-term planning.								
Land Development								
5	Identify key green infrastructure areas during plan development and/or implement a plan to acquire and protect key green infrastructure areas							
Waters, Wetlands, and Wildlife								
6	Replace concrete channels with re-meandered and naturalized creeks, wetlands, or swales							
3	Develop a system for identifying culverts that obstruct fish migration and install fish friendly culverts where needed							
4	Provide incentives for protection of green infrastructure, sensitive areas, important wildlife habitat, or for the restoration or rehabilitation of wetlands or other degraded habitats such as credit towards open space or set-aside requirements							
WASTE MANAGEMENT AND REDUCTION								
Waste Management and Reduction strategy options encourage municipalities and their citizens to divert organics and recyclables from landfills and properly dispose of hazardous materials in an effort to reduce waste in a community.								
3	Community waste stream monitored at least annually . Waste reduction plan prepared and updated annually							
4	Waste and materials management plan based on "zero-waste" principles, with specific goals, prepared and updated annually							
3	Construction/deconstruction waste recycling ordinance							
3	Mandatory residential curbside recycling pickup that covers paper, metal cans, glass and plastic bottles							
5	Develop a municipal collection program that encourages the diversion of food discards, yard materials, and other organics from landfills to composting or anaerobic digestion with energy recovery							
3	Develop and promote programs that dispose of household hazardous, medical, and electronic waste							
4	Use anaerobic digesters to process organic waste and produce energy							
3	Implement municipal ordinances requiring manufacturer takeback for fluorescent bulbs, thermostats and other mercury-containing devices							
2	Ordinances in place to reduce the usage of phone books as well as single-use shopping bags, styrofoam food containers and other disposable packaging							
W A S T E	0	1	1	1	3	3		
	0	0	0	0	0	0		
	0	0	0	0	1	1		
	0	0	0	0	0	0		
	0	0	0	0	0	0		
	3	4	4	4	6	6		
	2	2	2	2	3	3		
	2	2	2	2	3	3		
	1	1	1	1	2	2		
	0	1	1	1	2	2		
	2	3	3	3	5	5		
	3	4	4	4	6	6		
	0	1	1	1	2	2		
	0	0	0	0	2	2		
	2	2	2	2	2	2		
0	0	0	3	3	3			
0	0	0	1	1	1			
3	3	3	3	3	3			
3	3	3	4	4	4			
3	3	3	3	3	3			
0	0	0	0	0	0			
0	0	0	0	0	0			
0	0	0	0	0	0			

Element	Max. Score	 GREEN TIER	<h2 style="text-align: center;">Sustainability Strategies Scoresheet</h2> <p style="text-align: center;">(Also known as Appendix 3 of GTLC Charter, Last Revised 02-08-2016 by Rick Ellertson)</p>					
			Village of Weston 2011 Baseline Scores*	Village of Weston 2012 Scores*	Village of Weston 2013 Scores*	Village of Weston 2014 Scores*	Village of Weston 2015 Scores*	Village of Weston 2016 Goal*
2		Pay-as-you-throw system implemented by municipality or required of private waste haulers	1	1	1	1	1	1
1		Use public education and outreach to promote recycling, backyard composting, product re-use and waste reduction	1	1	1	1	1	1
HEALTHY COMMUNITY PLANNING								
Policies and projects related to incorporating health living into community design- whether by built form, programs, education, etc. in an effort to reduce trends in poor nutrition, inactive lifestyles, chronic diseases, such as obesity and heart disease, and other negative health risk factors.								
<u>Policies Affecting Multiple Program Areas</u>								
5		Adopt a resolution that promotes Health in All Policies at the community level (e.g., HEAL Resolution). Include that educational campaigns supporting a program covered by the resolution are appropriately targeted to all of the populations addressed by the program	0	0	0	0	0	0
8		Establish a Health Impact Assessments policy, including when an assessment is required and its scope	0	0	0	0	0	0
<u>Planning</u>								
8		Add health policies in 1 or more of the community's plans, including the comprehensive plan, long-range transportation plan, bicycle/pedestrian plan and open spaces recreation plan (embedded or stand-alone chapter) or develop a comprehensive, community wide wellness plan.	0	0	0	0	5	5
3		Site schools in the Comprehensive Plan for accessibility with existing or new bicycle and pedestrian infrastructure	0	0	0	0	3	3
5		Encourage the formation and/or support of Neighborhood Improvement Districts (NIDs), Neighborhood Development Corporations, or other similar types of neighborhood reinvestment and enhancement strategies in plans or policies.	0	0	0	0	4	5
<u>Healthy Food Access</u>								
6		Implement strategies (urban agriculture, community gardens on public land, diversified farmer's markets, expanded traditional retail food options, ordinances to allow urban chickens and beekeeping and vegetable gardening in rights of way) that help increase fresh food access in the community, in particular in areas with food insecurity (e.g., "food deserts" and "food swamps"), including access by EBT and WIC participants.	0	0	0	0	5	5
7		Create a Food Systems Plan that addresses the production, distribution, value-added, marketing, end-market, and disposal of food, and charge a new or existing governmental body to oversee the plan's implementation.	0	0	0	0	0	0
<u>Physical Activity and Access</u>								
4		Provide an on-street and/or off-street trail network connecting recreational areas in the community (e.g. safe routes to parks) and other trip generators, such as shopping malls, ensuring all neighborhoods are included in planning and implementation.	0	0	0	0	2	3
4		Encourage pedestrian and bicycle site connections from front door of businesses or apartments to a public sidewalk and/or bike lane ensuring connections to all neighborhoods.	0	0	0	0	2	3
3		Provide education and establish programming to encourage physical activity, especially by youth.	0	0	0	0	0	1
7		Establish an expanded public transit that serves commuters from all neighborhoods and major parks and recreation facilities, and has racks on vehicles for carrying bicycles.	0	0	0	0	0	0
6		Require sidewalks in new residential areas and establish a policy for adding sidewalks, as appropriate, in areas built out without sidewalks.	0	0	0	0	6	6
8		Implement a Complete Streets policy.	0	0	0	0	8	8
5		Provide recreation programs for youth, adults, senior citizens and disabled persons.	0	0	0	0	3	5
3		Establish a pedestrian safety task force.	0	0	0	0	0	0
<u>Housing</u>								
7		Adopt ordinances and programs to maintain a healthy housing stock (code enforcement, landlord licenses, volunteer program, truth-in housing disclosure before sale, etc.).	0	0	0	0	5	5
6		Allow life cycle or adaptable housing options, such as "aging in place", accessory dwelling units, Universal or Inclusive Design, Dementia Friendly Communities, Age-Friendly Communities, etc.	0	0	0	0	4	4
8		Establish a program to make housing more affordable.	0	0	0	0	0	0
7		Establish a program to address chronic homelessness, such as "permanent housing".	0	0	0	0	0	0

Element	Max. Score	 GREEN TIER	<h2 style="text-align: center;">Sustainability Strategies Scoresheet</h2> <p style="text-align: center; color: red; font-size: small;">(Also known as Appendix 3 of GTLC Charter, Last Revised 02-08-2016 by Rick Ellertson)</p>					
			Village of Weston 2011 Baseline Scores*	Village of Weston 2012 Scores*	Village of Weston 2013 Scores*	Village of Weston 2014 Scores*	Village of Weston 2015 Scores*	Village of Weston 2016 Goal*
<u>Crime Prevention and Other Harm Reduction</u>								
6		Use by policy, ordinance or practice, Crime Prevention Through Environmental Design and active threat planning to make public spaces, such as recreational space, crime free.	0	0	0	0	6	6
5		Establish and implement Harm Reduction strategies for alcohol outlet density and sexual oriented establishments (e.g. zoning limitations)	0	0	0	0	5	5
4		Adopt an ordinance or policy that requires tobacco-free and e-cigarette free apartments or places limitations on such structures.	0	0	0	0	0	0
3		Adopt an ordinance or policy that promotes tobacco-free and e-cigarette free parks and/or public events on local government-owned property.	0	0	0	0	3	3
<u>Climate Change</u>								
7		Create and implement a climate change action plan that includes a carbon footprint study, and health related components on reducing air pollution from combustion of fossil fuels and responding to heat episodes and flooding, focusing in particular on most vulnerable populations.	0	0	0	0	0	0
<u>Noise</u>								
2		Adopt an ordinance, including conditional use permits, on noise abatement for various zoning districts.	0	0	0	0	2	2
<u>Employee Health</u>								
5		Implement a wellness program for employees of the local jurisdiction.	0	0	0	0	5	5
6		Encourage or partner with others, such as the Chamber of Commerce, etc., to advance workplace wellness programs within the community.	0	0	0	0	0	0
<u>Placemaking</u>								
5		Support placemaking at varying scale (neighborhood to major city facility) and permanence (temporary to permanent) through programming, financial support and removal of regulatory barriers to promote healthy living and social capital in the community.	0	0	0	0	2	2
8		Adopt form-based codes or similar type design guidelines for healthy active living environments.	0	0	0	0	3	5
<u>Waste Pharmaceuticals</u>								
4		Establish partnerships to reduce waste pharmaceuticals generated in the community and to efficiently collect remaining wastes to prevent their abuse and entry into solid waste or wastewater.	0	0	0	0	4	4
536			87	112	113	119	262	271
			16%	21%	21%	22%	49%	51%

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.27.



Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review

REQUEST FROM: **BRADLEY MROCZENSKI, AQUATIC CENTER MANAGER**

ITEM DESCRIPTION: **AQUATIC CENTER EMERGENCY ACTION PLAN**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016**

POLICY QUESTION: **Should the Board of Trustees approve the Aquatic Center Emergency Action Plan?**

RECOMMENDATION TO: **I recommend the approval of the Aquatic Center Emergency Action Plan**

LEGISLATIVE ACTION:

- | | | |
|--|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-

PRIOR REVIEW: **The Aquatic Center Emergency Action Plan has been reviewed by Parks, Recreation and Forestry Director Osterbrink and Administrator Guild.**

BACKGROUND:

Until now, the Weston Aquatic Center has used a plan that was originally provided by the Wausau/Marathon County Parks, Recreation and Forestry Department, when the aquatic center was built. The plan was a very broad plan that didn't pertain to our facility all that well and didn't address how to handle specific emergencies. I developed the Emergency Action Plan to provide specific protocol in responding to specific emergencies and provide all emergency information and phone numbers that would be needed. This plan was put together with the help of Marty Christiansen from S.A.F.E.R. in regards to Fire and Chemical Spill emergency protocol and also Detective Goff from Everest Metro in regards to Missing Person and Major Criminal emergency protocol. All other emergency protocol was developed from the training I've received as a lifeguard and lifeguard instructor through the American Red Cross.

- Supplemental Briefer for Agenda Items under Consideration?
- Attachments?
-

Village of Weston, Wisconsin
AGENDA ITEM LEGISLATIVE ANALYSIS
Supplemental Briefer for Agenda Items under Consideration

From: Bradley Mroczenski, Aquatic Center Manager
Date/Mtg: Monday, April 18, 2016
Re: Aquatic Center Emergency Action Plan

1. Policy Question:

Should the Board of Trustees approve of the Aquatic Center Emergency Action Plan?

2. Purpose:

The purpose of the Aquatic Center Emergency Action Plan is to provide staff with specific protocol in various emergency situations, which will allow us to act in a more professional and efficient manner should an emergency occur.

3. Background:

Until now, the Weston Aquatic Center has used a plan that was originally provided by the Wausau/Marathon County Parks, Recreation and Forestry Department, when the aquatic center was built. The plan was a very broad plan that didn't pertain to our facility all that well and didn't address how to handle specific emergencies. I developed the Emergency Action Plan to provide specific protocol in responding to specific emergencies and provide all emergency information and phone numbers that would be needed. This plan was put together with the help of Marty Christiansen from S.A.F.E.R. in regards to Fire and Chemical Spill emergency protocol and also Detective Goff from Everest Metro in regards to Missing Person and Major Criminal emergency protocol. All other emergency protocol was developed from the training I've received as a lifeguard and lifeguard instructor through the American Red Cross.

4. Issue Analysis:

The Emergency Action Plan addresses our most common emergencies such as a distressed swimmer, thunder and lightning, high winds and missing persons. The plan also covers less common but extremely possible emergencies such as drowning and spinal emergencies, various facility emergencies, several medical emergencies and major criminal emergencies. This plan will take a specific emergency and provide protocol in the visual manner of a flow chart. The flow chart is designed to take each staff member step by step through their role in the emergency. Also provided is a more detailed explanation of the steps in the flow chart.

In developing the Emergency Action Plan, I received help from Marty Christiansen from S.A.F.E.R. in regards to the Fire and Chemical Spill emergencies. I also received help from Detective Goff from Everest Metro in regards to the Missing Person and Major Criminal Emergencies. I wanted to include individuals that had more knowledge and experience in these emergencies to be sure that we have the proper protocol in place when responding to the emergencies. The rest of the emergency protocols in the plan were developed by myself through the lifeguard and lifeguard instructor training I have received through the American Red Cross.

I've also included in the Emergency Action Plan, an example of a 911 call that includes all the information that needs to be relayed to dispatch. In an emergency, most people have a high stress level and by providing what needs to be relayed, it can help with the efficiency of the call as well as reduce the stress on the individual that calls.

5. Fiscal Impact:

6. Statutory References:

7. Prior Review:

Upon completing the Emergency Action Plan, I submitted it to Director Osterbrink and Administrator Guild for their thoughts and input on the plan.

8. Policy Choices:

Approve Aquatic Center Emergency Action Plan
Approve Aquatic Center Emergency Action Plan with modifications
Not Approve Aquatic Center Emergency Action Plan

9. Recommendation:

I recommend the Aquatic Center Emergency Action Plan be approved.

10. Legislative Action:

11. Attachments:

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.28.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **BRADLEY MROCZENSKI, AQUATIC CENTER MANAGER**

ITEM DESCRIPTION: **AQUATIC CENTER FLEXIBLE WAGE SCALE**

DATE/MTG: **BOARD OF TRUSTEES; MONDAY, APRIL 18, 2015**

POLICY QUESTION: **Should the Board of Trustees approve the Aquatic Center Flexible Wage Scale?**

RECOMMENDATION TO: **I recommend the approval of the Aquatic Center Flexible Wage Scale.**

LEGISLATIVE ACTION:

- | | | |
|--|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: Minimal impact due to budgeting between \$9.00 and \$10.75 per hour.
- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-
-

PRIOR REVIEW: **The Aquatic Center Flexible Wage Scale has been discussed with Administrator Guild and Park, Recreation and Forestry Director Osterbrink.**

BACKGROUND:

In 2014, all starting wages were raised in an effort to become more competitive in the area. In 2014, Wausau also raised their wages which continued to make them the highest paying entity in the area for lifeguards. In 2015, a wage scale was implemented in the effort to reward staff that returned each season and keep us competitive by offering a higher wage for returning guards.

In February I had two lifeguard applicants that had informed me they no longer would continue in the hiring process due to accepting positions with Wausau. I also currently have an applicant who has told me she has also applied at Wausau.

- Supplemental Briefer for Agenda Items under Consideration?
- Attachments?
-
-

Village of Weston, Wisconsin
AGENDA ITEM LEGISLATIVE ANALYSIS
Supplemental Briefer for Agenda Items under Consideration

From: Bradley Mroczenski, Aquatic Center Manager
Date/Mtg: Monday, April 18, 2015
Re: Aquatic Center Flexible Wage Scale

1. Policy Question:

Should the Board of Trustees approve of the Aquatic Center Flexible Wage Scale?

2. Purpose:

The purpose of the Aquatic Center Flexible Wage Scale is to provide a range in wages that staff can earn. Wages would be based on employee performance and experience. This would allow me flexibility when hiring staff to be competitive and attract new staff.

3. Background:

In 2014, all starting wages were raised in an effort to become more competitive in the area. In 2014, Wausau also raised their wages which continued to make them the highest paying entity in the area for lifeguards. In 2015, a wage scale was implemented in the effort to reward staff that returned each season and keep us competitive by offering a higher wage for returning guards.

In February I had two lifeguard applicants that had informed me they no longer would continue in the hiring process due to accepting positions with Wausau. I also currently have an applicant who has told me she has also applied at Wausau.

4. Issue Analysis:

With current staffing issues in the area, primarily with lifeguards, having a flexible scale to work with would allow us to be more competitive and potentially hire more experienced guards. The flexible scale would be what we currently have in place for a wage scale. What would differ would be having the flexibility to offer staff wage increases based on their experience and performance rather than having a hard set amount for each year. This would allow me to pay experienced guards a little more than new guards and also be able to match what Wausau is paying their lifeguards.

5. Fiscal Impact:

Since we would continue to use the current wage scale, there wouldn't be any fiscal impact. Employee wages are already budgeted between \$9.00 and \$10.75 per hour.

6. Statutory References:

7. Prior Review:

There hasn't been any prior review of this proposal, but I have spoken to Administrator Guild and Park, Recreation and Forestry Director Osterbrink.

8. Policy Choices:

Approve Aquatic Center Flexible Wage Scale
Approve Aquatic Center Flexible Wage Scale with modifications
Not Approve Aquatic Center Flexible Wage Scale

9. Recommendation:

I recommend the Aquatic Center Flexible Wage Scale be approved.

10. Legislative Action:

11. Attachments:

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.29.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **KEITH DONNER, DIRECTOR OF PUBLIC WORKS AND UTILITIES**

ITEM DESCRIPTION: **BID RESULTS FOR MESKER/COLLEEN AND ROSS AVENUE LIFT STATION REPLACEMENTS AND RECOMMENDATION FOR AWARD OF CONTRACTS TO HAAS SONS, INC.**

DATE/MTG: **BOARD OF TRUSTEES, MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees award the replacement of the Ross Avenue and Mesker/Colleen lift stations to Haas Sons, Inc., utilizing the Hydromatic pump equipment as supplied by L.W. Allen of Madison, as recommended by the Property and Infrastructure Committee, for a total contract amount of \$487,132?

RECOMMENDATION TO: I recommend the Board of Trustees award the replacement of the Ross Avenue and Mesker/Colleen lift stations to Haas Sons, Inc., utilizing the Hydromatic pump equipment as supplied by L.W. Allen of Madison, as recommended by the Property and Infrastructure Committee, for a total contract amount of \$487,132.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input checked="" type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|---|
| <input type="checkbox"/> Budget Line Item: | Capital Assets for Sewer Utility, 61-00-18700 |
| <input type="checkbox"/> Budgeted Expenditure: | Fund 61 – \$592,000 |
| <input type="checkbox"/> Budgeted Revenue: | |
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|--|-------|
| <input type="checkbox"/> WI Statute: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input type="checkbox"/> Municipal Code: | _____ |
| <input type="checkbox"/> Municipal Rules: | _____ |
-
-

PRIOR REVIEW: PIC 2015, Finance, 3/23/2016, PIC 4/04/16

BACKGROUND: The replacements of the Ross Avenue and Mesker/Colleen vacuum primed lift stations were recommended in 2015 due to increased maintenance and deteriorating structural steel. Replacement equipment will be with submersible pumps which will eliminate the need for priming and improve the stations' reliability. Following an engineering study and design by Becher-Hoppe Engineers, bids were opened for the projects on March 23. Bid evaluation was still in process prior to the PIC meeting of 4/04/16. Upon consideration of the circumstances the Director recommended the project be awarded for the low bidder(s), Haas Sons, Inc, supplying the Hydromatic pumping equipment. The PIC committee agreed with the Director's recommendation in action taken on 4/04/16.

- RFC with Supplemental Briefer prepared for 4/04/16 meeting of the Property & Infrastructure Committee
 Attachment
-
-

**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **KEITH DONNER, DIRECTOR OF PUBLIC WORKS AND UTILITIES**

ITEM DESCRIPTION: **BID RESULTS FOR MESKER/COLLEEN AND ROSS AVENUE LIFT STATION REPLACEMENTS AND RECOMMENDATION FOR AWARD OF CONTRACTS**

DATE/MTG: **PROPERTY & INFRASTRUCTURE COMMITTEE, MONDAY, APRIL 4, 2016
BOARD OF TRUSTEES, MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees award the replacement of the Ross Avenue and Mesker/Colleen lift stations to the low bidder(s) utilizing the preferred equipment Barnes-Crane, or based on a different equipment supplier, or do something else?

RECOMMENDATION TO: No recommendation is being made at this time. A recommendation may be made on Monday, April 4, pending the evaluation and presentation of additional information.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input checked="" type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- | | |
|--|---|
| <input type="checkbox"/> Budget Line Item: | Capital Assets for Sewer Utility, 61-00-18700 |
| <input type="checkbox"/> Budgeted Expenditure: | Fund 61 – \$592,000 |
| <input type="checkbox"/> Budgeted Revenue: | _____ |
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- | | |
|--|-------|
| <input type="checkbox"/> WI Statue: | _____ |
| <input type="checkbox"/> WI Administrative Code: | _____ |
| <input type="checkbox"/> Case Law / Legal: | _____ |
| <input type="checkbox"/> Municipal Code: | _____ |
| <input type="checkbox"/> Municipal Rules: | _____ |
-

PRIOR REVIEW: PIC 2015, Finance 2016

BACKGROUND: The replacements of the Ross Avenue and Mesker/Colleen vacuum primed lift stations were recommended in 2015 due to increased maintenance and deteriorating structural steel. Replacement equipment will be with submersible pumps which will eliminate the need for priming and improve the stations' reliability. Following an engineering study and design by Becher-Hoppe Engineers, bids were opened for the projects on March 23. The bid evaluation is still in process. The Director may have a recommendation on April 4.

- Supplemental Briefer for Agenda Items under Consideration, with attachments
 Attachment

Village of Weston, Wisconsin
AGENDA ITEM LEGISLATIVE ANALYSIS
Supplemental Briefer for Agenda Items under Consideration

From: Keith Donner, Director of Public Works & Utilities
Date/Mtg: Monday, April 4, 2016
Re: Bid Results for Mesker/Colleen and Ross Avenue Lift Station Replacements and Recommendation for Award of Contracts.

1. Policy Question:

Should the Board of Trustees award the replacement of the Ross Avenue and Mesker/Colleen lift stations to the low bidder(s) utilizing the preferred equipment Barnes-Crane, or based on a different equipment supplier, or do something else?

2. Purpose:

The replacements of the Ross Avenue and Mesker/Colleen vacuum primed lift stations were recommended in 2015 due to increased maintenance and deteriorating structural steel. Replacement equipment will be with submersible pumps which will eliminate the need for priming and improve the stations' reliability. Following an engineering study and design by Becher-Hoppe Engineers, bids were opened for the projects on March 23.

3. Background:

As was the desire of Village staff Becher-Hoppe set up the bidding documents and specifications to allow the Village to select among alternate choices of equipment – whichever alternate is felt to be in the Village's best interests. Bids from general contractors were required to include pricing for 2 pre-approved pump systems – Barnes Crane and Hydromatic. A 3rd pump equipment - ABS Sulzer -received approval during the bidding process. Village staff favors the equipment associated with the Barnes-Crane pump system which happens to be the most expensive alternate.

4. Issue Analysis:

Village staff has experience with submersible pumping equipment from Barnes-Crane and Hydromatic as well as the controls and service provided through their distributors. Village staff has developed a more favorable impression of Barnes-Crane equipment due mainly to the distributor's – Energenec of Cedarburg - historic record of service and responsiveness to Village needs and the relationship with their service technicians. The Village's experience with the Hydromatic pumps and service provided by the distributor – L.W. Allen of Madison - has not been as good and the experience with the Hydromatic pumps has not been as favorable to date. The Village has no experience with the equipment from ABS Sulzer or the distributor.

The Village considered writing an exclusive specification which only considered the preferred equipment. The Village also considered pre-purchasing the preferred equipment to remove this variable from the general contractors' bids. With either of these options the Director did not feel there was a sufficient level of competition to obtain the most favorable pricing for the preferred equipment. However, after bid opening the goal of each pump equipment supplier "sharpening the pencil" does not seem to have occurred across the board.

Using the low bid prices for the preferred equipment results in a total bid for both stations of \$518,930 - \$233,930 for Mesker/Colleen (Haas) and \$285,000 for Ross (Kruczek).

Our specifications required that the bidders provide a price for both the Barnes-Crane and Hydromatic pump systems. The 2 lowest bids – Kruczek for Ross Avenue and Haas Sons for Mesker/Colleen - with Barnes-Crane turn out to be just under \$32,000 more than the bids with Hydromatic and just under \$48,000 more than the ABS Sulzer. Owing to

Kruczek not reflecting the equipment discrepancy in their bid, it looks like the total difference would actually be in the range of \$54,000 or \$27,000 per station for Hydromatic; and \$72,000/\$36,000 for ABS Sulzer.

At this stage there is a lot of speculation as to why there is such a discrepancy in the bid prices. In addition to the equipment suppliers, there are now the general contractors in the mix and what details were included in equipment proposals vs. what general contractor included in their bids is probably going to remain confidential. The Village does not need to rush to a decision, so additional information is being gathered to make a more thorough comparison. Although we had hoped that was all taken care of in specification writing, there is a possibility that both the preferred vendor and the contractors were aware of the Village's preference for Barnes-Crane and may be.

The Director feels the service relationship with Energenecs is a factor to be considered. However, the Director also feels that the preferred supplier may be taking advantage of the Village preference. To be fair though, this could be a case of the e contractors trying to take advantage of the preference. That is perhaps less likely owing to the Barnes-Crane equipment being in the range of \$20,000 higher in cost with most of the contractors across the board as compared to the Hydromatic equipment.

There are currently 4 lift stations in our system with the Barnes-Crane equipment from Energenecs. Energenecs has also been the supplier for all of the vacuum primed stations as well as the more customized larger stations in our collection system. Hydromatic pumps supplied by L.W. Allen were/are the original equipment in the Eau Claire River station and the Ryan Street station. There have been 2 pump failures in these stations since they were installed approximately 15 years ago. A Barnes-Crane pump was installed as a replacement for the failed Hydromatic pump at each station.

Lift Station Location	Station Style	Pumping Equipment	Supplier
Eau Claire River	Submersible	Hydromatic	L.W. Allen
Ryan Street	Submersible	Hydromatic	L.W. Allen
Tanya Tricia	Vacuum Primed	Smith & Loveless	Energenecs
Mesker/Colleen	Vacuum Primed	Smith & Loveless	Energenecs
Ross Avenue	Vacuum Primed	Smith & Loveless	Energenecs
Park Terrace Sub.	Submersible	Barnes-Crane	Energenecs
Fox Street	Customized Flooded Suction	Smith & Loveless	Energenecs
Mesker-Jelinek	Customized Flooded Suction	Smith & Loveless	Energenecs
Kathleen Street	Submersible	?????	Likely Energenecs
Pointe Road	Submersible	Barnes-Crane	Energenecs
Business Park South	Submersible	Barnes-Crane	Energenecs
Heritage Hills	Submersible	Barnes-Crane	Energenecs
Harlyn Street	Vacuum Primed	Smith & Loveless	Energenecs

More information is necessary before the Director will make a recommendation. Village staff and the engineer are evaluating more detailed information about the different pumping equipment from the 3 potential suppliers.

5. Fiscal Impact:

The original budget estimate for the project was \$550,000 in 2015 with \$100,000 estimated for engineering and the balance of \$450,000 estimated for construction. The total engineering contract turned out to be only \$47,000 in 2015 with the balance of \$503,000 represented as lapsing for calendar year 2015 capital budget.

In 2016 the construction estimate was revised to \$530,000 - \$230,000 for Mesker-Colleen and \$300,000 for Ross – and this was included in the CIP for 2016 budget. Becher-Hoppe updated the estimated construction costs to \$590,000 - \$330,000 for Mesker/Colleen and \$230,000 for Ross – in February 2016, though there was no amendment to the CIP budget proposed at that time.

Using the cost of the preferred equipment - \$518,930 – together with a contingency of \$26,000 (approximately 5% of construction bids) and the engineering contract amount of \$47,000, the total project estimate becomes \$590,000. The project budget was \$577,000 based on the engineering services contract of \$47,000 and the construction estimate of \$530,000. On March 23 the Finance Committee approved increasing the project budget by \$15,000 for a total amended budget amount of \$592,000.

The project(s) have been planned to be paid for from fund balance – an accumulation of excess utility revenues from prior years which is kept in various investments. Fund balance is something the utility should use for larger capital projects such as this though the Village should establish a policy for the amount kept in fund balance as well as what purposes it should be used for. Current sewer utility fund balance is just under \$6.9M.

There is sufficient budget for whatever alternate may be recommended.

6. Statutory References:

The engineer, Becher-Hoppe, indicates having bid and awarded projects in other communities with the ability to select the preferred equipment. With the difference in costs being solely attributable to equipment based on the language in the specifications, selecting the preferred equipment is proper.

7. Prior Review:

The financial aspects of the project were discussed at the 3/23/16 meeting of the Finance Committee. The issue has been discussed with utility operations staff and the engineer prior to and after bid opening. Evaluation continues as noted above.

8. Policy Choices:

The initial reaction was to recommend award with regard to the Director's preferred equipment option. The Director may be prepared to present a recommendation at the Property & Infrastructure Committee meeting on Monday, April

4. The choices will be:

1. Award based on the Director's recommendation, or allow the Director to make the recommendation to the Board of Trustees at their April 18, 2016, meeting.
2. Award to the bidder based on the Committee's recommendation and recommend to the Board of Trustees on 4/18/16.
3. Reject all bids and re-bid.

9. Recommendation:

A recommendation is not being made at this time. The Director may be prepared to present a recommendation at the Property & Infrastructure Committee meeting on Monday, April 4.

10. Legislative Action:

Dependent on the recommendation or PIC preference.

11. Attachments:

Bid Summary Letter from Becher-Hoppe Engineers dated 3/24/16.
Worksheet provided to Finance Committee summarizing 2015 and 2016 CIP for the project(s).
Request for Consideration and Background Report provided for 3/23/16 Finance Committee Meeting.



330 N. 4th Street, Wausau, WI 54403-5417
Telephone: 715-845-8000 | www.becherhoppe.com

March 24, 2016

Mr. Keith Donner, PE
Director of Public Works and Utilities
Village of Weston
5500 Schofield Ave
Weston, WI 54476

Subject: Ross Avenue and Mesker/Colleen Lift Station Replacements
Bid Summary

Dear Keith:

We prepared the bid documents to receive bids for three alternate manufacturers of pump equipment. Enclosed herewith is the Bid Summary for the project. We have reviewed the Bids.

Utilizing Barnes/Crane pump equipment, the low bidders for the lift station replacements are:

<u>Lift Station</u>	<u>Low Bidder</u>	<u>Low Bid</u>
Ross Avenue	Kruczek Construction	\$285,000
Mesker/Colleen	Haas Sons, Inc.	<u>\$233,930</u>
	Total Cost	\$518,930

Utilizing Hydromatic pump equipment, the low bidders for the lift station replacements are:

<u>Lift Station</u>	<u>Low Bidder</u>	<u>Low Bid</u>
Ross Avenue	Haas Sons, Inc.	\$281,177
Mesker/Colleen	Haas Sons, Inc.	<u>\$205,955</u>
	Total Cost	\$487,132

Utilizing ABS Sulzer pump equipment, the low bidders for the lift station replacements are:

<u>Lift Station</u>	<u>Low Bidder</u>	<u>Low Bid</u>
Ross Avenue	Haas Sons, Inc.	\$273,177
Mesker/Colleen	Haas Sons, Inc.	<u>\$197,955</u>
	Total Cost	\$471,132

The pre-bid opinion of the probable cost was \$260,000 for the Ross Avenue lift station.
The pre-bid opinion of the probable cost was \$330,000 for Mesker/Colleen lift station.

The bid documents allow the Village to select the manufacturer of the pump that the Village believes will be in the best interest of the Village. The award must be made to the low bidder of that manufacturer of pumps selected by the Village.

Please advise who the Village decides to award the project. We will prepare the Notice of Award for your signature.

Sincerely,



Kenneth J. Ligman, PE
Senior Project Manager

KJL/tms
Enclosures

Bid Summary - **APPARENT LOW BY PUMP MANUFACTURER**

Village of Weston

2015.064

Bid Opening March 23, 2016 at 2:00 PM

Contractor	Contract 1 Ross Avenue a) Barnes/Crane	Contract 2 Mesker/Colleen a) Barnes/Crane	Contract 2 Combined Bid a) Barnes/Crane	Contract 1 Ross Avenue b) Hydromatic	Contract 2 Mesker/Colleen b) Hydromatic	Contract 2 Combined Bid b) Hydromatic	Contract 1 Ross Avenue C) ABS Sulzer	Contract 2 Mesker/Colleen C) ABS Sulzer	Contract 2 Combined Bid C) ABS Sulzer
Earth, Inc Arpin, WI	\$ 304,330.00	\$ 266,720.00	\$ 571,050.00	\$ 309,615.00	\$ 272,640.00	\$ 582,255.00			
Haas Sons, Inc., Thorp, WI	\$ 309,352.00	\$ 233,930.00	\$ 543,282.00	\$ 281,177.00	\$ 205,955.00	\$ 487,132.00	\$ 273,177.00	\$ 197,955.00	\$ 471,132.00
Integrity Grading & Excav. Schofield, WI	\$ 538,929.58	\$ 378,657.24		\$ 514,744.45	\$ 348,657.24				
James Peterson Sons Medford, WI	\$ 323,000.00	\$ 293,000.00	\$ (5,000.00) \$ 611,000.00	\$ 296,000.00	\$ 258,000.00	\$ (5,000.00) \$ 549,000.00	\$ 292,000.00	\$ 252,000.00	\$ (5,000.00) \$ 539,000.00
Kruczek Construction Green Bay, WI	\$ 285,000.00	\$ 315,000.00	\$ (5,000.00) \$ 595,000.00	\$ 285,000.00	\$ 315,000.00	\$ (5,000.00) \$ 595,000.00			
Pember Companies, Menomonie, WI				\$ 347,119.00	\$ 303,723.00	\$ (8,000.00) \$ 642,842.00			
PTS Contractors, Inc., Green Bay, WI	\$ 486,164.00	\$ 408,552.00		\$ 474,216.00	\$ 398,561.00		\$ 473,752.00	\$ 388,366.00	

Apparent Low	\$ 285,000.00 Kruczek	\$ 233,930.00 Haas		\$ 281,177.00 Haas	\$ 205,955.00 Haas		\$ 273,177.00 Haas	\$ 197,955.00 Haas	
---------------------	--------------------------	-----------------------	--	-----------------------	-----------------------	--	-----------------------	-----------------------	--

VILLAGE OF WESTON
2015-2016 CIP BUDGET YEARS for Ross Avenue & Mesker/Colleen Lift Station Capital Projects

	2015 Adopted Budget	2015 Estimate	2015 Carryforward	2015 Lapsed
<u>2015 CIP Budget:</u>				
Design - Ross Ave. Lift Station	\$ 60,000	\$ 47,000	\$ -	\$ 53,000
Design - Mesker/Colleen Lift Station	\$ 40,000	"	\$ -	\$ -
Construction - Ross Ave. Lift Station	\$ 200,000	\$ -	\$ -	\$ 200,000
Construction - Mesker/Colleen Lift Station	\$ 250,000	\$ -	\$ -	\$ 250,000
Total	<u>\$ 550,000</u>	<u>\$ 47,000</u>	<u>\$ -</u>	<u>\$ 503,000</u>

	2016 Adopted Budget	2016 Estimate	2015 Prior Year Costs	2015-2016 Grand Total Project Estimate
<u>2016 CIP Budget:</u>				
Design - Ross Ave. Lift Station	\$ -	\$ -	\$ 47,000	
Design - Mesker/Colleen Lift Station	\$ -	\$ -	"	
Construction - Ross Ave. Lift Station	\$ 300,000	\$ -	\$ -	
Construction - Mesker/Colleen Lift Station	\$ 230,000	\$ -	\$ -	
Total Bids Received		\$ 519,000		
Contingency		\$ 26,000		
	<u>\$ 530,000</u>	<u>\$ 545,000</u>	<u>\$ 47,000</u>	<u>\$ 592,000</u>

Shall the Finance Committee amend the 2016 CIP Budget for these 2 Sewer Projects by adding an additional + \$13,000 to these projects?

The funding source would come from the Sewer Fund Balance, and was leftover from the unused 12/31/2015 CIP Budget Funds from 2015.

Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review

REQUEST FROM: **KEITH DONNER, DIRECTOR OF PUBLIC WORKS AND UTILITIES**

ITEM DESCRIPTION: **AUTHORIZE EXPENDITURE OF SEWER UTILITY FUNDS FOR REPLACEMENT OF MESKER-COLLEEN AND ROSS AVENUE WASTEWATER PUMPING STATIONS**

DATE/MTG: **FINANCE COMMITTEE, WEDNESDAY, MARCH 23, 2016**
PROPERTY & INFRASTRUCTURE COMMITTEE, MONDAY, APRIL 4, 2016
BOARD OF TRUSTEES, MONDAY, APRIL 4, 2016

POLICY QUESTION: Should the Board of Trustees authorize expenditure from Sewer Utility investments and/or the hook-up fee account to cover 100% of the cost of replacement of the wastewater pumping stations at Ross Avenue and Mesker-Colleen?

RECOMMENDATION TO: I make a motion that the Board of Trustees authorize expenditure from Sewer Utility investments and/or the hook-up fee account to cover 100% of the cost of replacement of the wastewater pumping stations at Ross Avenue and Mesker-Colleen.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input checked="" type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budgeted Expenditure: 61-00-18700-000-444 – Ross \$300,000; Mesker-Colleen \$230,000
- Budgeted Revenue: _____
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statute: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-
-

PRIOR REVIEW: 2016 Budget preparation; June 2015 Retained Becher-Hoppe for engineering services.

BACKGROUND: In June 2015 the Village retained Becher-Hoppe for engineering services related to the replacement of the wastewater pumping stations at Ross Avenue west of Bayberry and Mesker-Colleen Streets. The Director's estimate of cost included in the 2016 budget documents has since been superseded by a February opinion of probable cost from Becher-Hoppe. The current estimates are: Ross Avenue \$260,000, Mesker-Colleen \$330,000; Engineering \$47,000. The costs of replacement excluding engineering are, therefore, \$590,000 - \$60,000 over the budget estimate. Including engineering the costs are approximately \$107,000 over the estimate. Actual costs will be much clearer once bids for the project are opened on March 23, prior to the Finance Committee meeting. Irrespective of bid results, these projects would be recommended to be financed from Sewer Utility investments and/or the hook-up fee account. The Director recommends financing the projects 100% from Sewer Utility funds at the discretion of the Finance Director. Attached Budget Information and Previous Request for Consideration

Keith Donner

From: Kenneth J. Ligman <kligman@becherhoppe.com>
Sent: Wednesday, February 17, 2016 4:18 PM
To: Keith Donner
Cc: Michael Wodalski; Stephen M. Opatik
Subject: weston lift stations

Opinion of probable construction cost for Ross Avenue lift station = \$260,000

Opinion of probable construction cost for Mesker/Colleen lift station = \$330,000

VILLAGE OF WESTON
2016 CIP BUDGET REQUEST
AND 2017 FINANCIAL PLAN
PROGRAM COMMENTS

Department/Office: Finance	Budget: Capital Equipment Fund
Program: Capital Projects Funds	Submitted by: Keith Donner/John Jacobs

UTILITY FUNDS (WATER, SEWER, & STORMWATER) - CAPITAL IMPROVEMENTS FUND
2016 Capital Improvements Program (CIP) Budget – 2017 Financial Plan

	2014 Actual	2015 Budget	2015 Estimate	2016 Proposed Budget	2017 Financial Plan
Fund Balance, January 1	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES					
Fund Balance - Water Utility	\$ 26,046	\$ 4,700	\$ 6,755	\$ 1,358,755	\$ 34,755
Fund Balance - Sewer Utility	-	550,000	-	610,000	-
Fund Balance - Stormwater Utility	-	-	-	5,000	-
Total Revenues	\$ 26,046	\$ 554,700	\$ 6,755	\$ 1,973,755	\$ 34,755
EXPENDITURES					
Water - SCADA Equipment	\$ -	\$ -	\$ -	\$ -	\$ -
Water - Furniture & Equipment	-	-	-	-	-
Water - Replace Excavator #23	-	4,700	6,755	6,755	6,755
Water - Power Valve Turner	-	-	-	40,000	-
Sewer - Magnetic Manhole Lifter	-	-	-	8,000	-
Sewer - Sewer Televising Camera	-	-	-	50,000	-
Water/Sewer - Utility Van Replacement	26,046	-	-	22,000	28,000
Design - Ross Ave. Lift Station	-	60,000	-	-	-
Design - Mesker/Colleen Lift Station	-	40,000	-	-	-
Construction - Ross Ave. Lift Station	-	200,000	-	300,000	-
Construction - Mesker/Colleen Lift Station	-	250,000	-	230,000	-
Design Well #7 - Camp Phillips Road	-	-	-	100,000	-
Ridgeview Subdivision Connection to E. Everest	-	-	-	17,000	-
Automated Meter Reading - Water Utility	-	-	-	1,200,000	-
Total Expenditures	\$ 26,046	\$ 554,700	\$ 6,755	\$ 1,973,755	\$ 34,755
Excess Revenues Over (Under) Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance, December 31	\$ -	\$ -	\$ -	\$ -	\$ -

VILLAGE OF WESTON
2016 Operating Budget - 2017 Financial Plan
ENTERPRISE FUNDS - Budget Summary

Fund Name	2014 Actual	2015 Amended Budget	2015 Estimate	2016 Proposed Budget	2017 Financial Plan
NET ASSETS BALANCES - including Infrastructure					
<u>Water Utility (Fund 60)</u>					
Net Assets, January 1st	\$ 23,816,805	\$ 24,023,328	\$ 24,023,328	\$ 23,960,806	\$ 23,722,766
Revenues	2,302,472	2,249,585	2,174,815	2,156,956	2,167,956
Expenses	(2,095,949)	(2,438,663)	(2,237,337)	(2,394,996)	(2,296,206)
Net Assets, December 31st	<u>\$ 24,023,328</u>	<u>\$ 23,834,250</u>	<u>\$ 23,960,806</u>	<u>\$ 23,722,766</u>	<u>\$ 23,594,516</u>
<u>Sewer Utility (Fund 61)</u>					
Net Assets, January 1st	\$ 25,508,219	\$ 25,889,922	\$ 25,889,922	\$ 26,010,899	\$ 26,064,313
Revenues	2,216,889	1,968,900	2,104,639	2,234,138	2,443,638
Expenses	(1,835,186)	(2,007,072)	(1,983,662)	(2,180,724)	(2,286,259)
Net Assets, December 31st	<u>\$ 25,889,922</u>	<u>\$ 25,851,750</u>	<u>\$ 26,010,899</u>	<u>\$ 26,064,313</u>	<u>\$ 26,221,692</u>
<u>Stormwater Utility (Fund 63)</u>					
Net Assets, January 1st	\$ 9,281,874	\$ 9,353,771	\$ 9,353,771	\$ 9,372,749	\$ 9,436,754
Revenues	658,596	605,224	619,835	644,642	644,125
Expenses	(586,699)	(579,007)	(600,857)	(580,637)	(570,524)
Net Assets, December 31st	<u>\$ 9,353,771</u>	<u>\$ 9,379,988</u>	<u>\$ 9,372,749</u>	<u>\$ 9,436,754</u>	<u>\$ 9,510,355</u>
<u>GRAND TOTAL</u>					
Net Assets, January 1st	\$ 58,606,898	\$ 59,267,021	\$ 59,267,021	\$ 59,344,454	\$ 59,223,833
Revenues	5,177,957	4,823,709	4,899,289	5,035,736	5,255,719
Expenses	(4,517,834)	(5,024,742)	(4,821,856)	(5,156,357)	(5,152,989)
Net Assets, December 31st	<u>\$ 59,267,021</u>	<u>\$ 59,065,988</u>	<u>\$ 59,344,454</u>	<u>\$ 59,223,833</u>	<u>\$ 59,326,563</u>
UNRESTRICTED NET ASSETS BALANCES - excluding Infrastructure					
<u>Water Utility (Fund 60)</u>					
Unrestricted Net Assets, Jan. 1st		\$ 3,928,680	\$ 3,928,680	\$ 3,866,158	\$ 3,628,118
Revenues		2,249,585	2,174,815	2,156,956	2,167,956
Expenses		(2,438,663)	(2,237,337)	(2,394,996)	(2,296,206)
Unrestricted Net Assets, Dec. 31st		<u>\$ 3,739,602</u>	<u>\$ 3,866,158</u>	<u>\$ 3,628,118</u>	<u>\$ 3,499,868</u>
<u>Sewer Utility (Fund 61)</u>					
Unrestricted Net Assets, Jan. 1st		\$ 6,718,296	\$ 6,718,296	\$ 6,839,273	\$ 6,892,687
Revenues		1,968,900	2,104,639	2,234,138	2,443,638
Expenses		(2,007,072)	(1,983,662)	(2,180,724)	(2,286,259)
Unrestricted Net Assets, Dec. 31st		<u>\$ 6,680,124</u>	<u>\$ 6,839,273</u>	<u>\$ 6,892,687</u>	<u>\$ 7,050,066</u>
<u>Stormwater Utility (Fund 63)</u>					
Unrestricted Net Assets (Deficit), Jan. 1st		\$ (142,503)	\$ (142,503)	\$ (123,525)	\$ (59,520)
Revenues		605,224	619,835	644,642	644,125
Expenses		(579,007)	(600,857)	(580,637)	(570,524)
Unrestricted Net Assets, (Deficit), Dec. 31st		<u>\$ (116,286)</u>	<u>\$ (123,525)</u>	<u>\$ (59,520)</u>	<u>\$ 14,081</u>
<u>GRAND TOTAL</u>					
Unrestricted Net Assets, Jan. 1st		\$ 10,504,473	\$ 10,504,473	\$ 10,581,906	\$ 10,461,285
Revenues		4,823,709	4,899,289	5,035,736	5,255,719
Expenses		(5,024,742)	(4,821,856)	(5,156,357)	(5,152,989)
Unrestricted Net Assets, Dec. 31st		<u>\$ 10,303,440</u>	<u>\$ 10,581,906</u>	<u>\$ 10,461,285</u>	<u>\$ 10,564,015</u>

**VILLAGE OF WESTON
REQUEST FOR CONSIDERATION**

AGENDA ITEM DSCRPTN: RECOMMENDATION TO EXECUTE CONTRACT WITH BECHER-HOPPE ENGINEERS FOR SEWAGE PUMP STATION REPLACEMENTS – ROSS AVENUE AND MESKER/COLLEEN

FOR CONSIDERATION AT: PROPERTY & INFRASTRUCTURE COMMITTEE, MONDAY, JUNE 1, 2015
BOARD OF TRUSTEES, MONDAY, JUNE 1, 2015

LEGISLATION TYPE: ACKNOWLEDGE | **MOTION** | ORDINANCE | POLICY | RESOLUTION

RECOMMENDATION TO: Execute a contract with Becher-Hoppe Engineers for the Ross Avenue and Mesker-Colleen sewage pump station replacements in accordance with their proposal dated April 30, 2015. Fees for the project are summarized as follows:

Ross Avenue Area Alternatives Analysis	\$4,800 Lump Sum
Ross and Mesker-Colleen Siting	\$5,200 Lump Sum
Ross Avenue Station Design	\$8,400 Lump Sum
Mesker-Colleen Station Design	\$8,400 Lump Sum
Bidding for both projects	\$2,800 Lump Sum
Ross Avenue Construction Administration	\$5,100 Lump Sum
Mesker-Colleen Construction Administration	\$5,100 Lump Sum
Ross Avenue Construction Inspection*	\$3,600 Estimate
Mesker-Colleen Construction Inspection*	\$3,600 Estimate

*Construction Inspection is time and material based on minimum inspections at 5 project milestones as defined in the request for proposals.
Total Fees - \$39,800 Lump Sum plus \$7,200 Estimated for Construction Inspection.

REPORT PREPARED BY: KEITH DONNER; DIRECTOR OF PUBLIC WORKS AND UTILITIES

BACKGROUND: There is a need to replace the two referenced sewage pump stations (a.k.a. lift stations) due to the deterioration of the steel floor plate in the dry-well of each of them. These stations have vacuum primed pumps and date back to the 1980's for their original construction. The Village has been working toward converting its vacuum primed sewage pump stations to submersible pump style stations in the interest of improved equipment reliability and improved safety for personnel conducting routine operation and maintenance activities. The projects require the procurement of a consulting engineer for design, bidding, and construction services. The Village anticipated project costs in the range of \$450,000 and engineering design fees in the range of \$100,000 for the two projects combined (see 2015 budget detail attached). Although the Village does not have a formal procurement policy, the Department of Public Works determined it to be prudent to obtain proposals for the professional services required for the project, owing to the estimated design costs and overall project costs. In the interest of allowing the Director and Deputy Director to devote their attention to other matters, and for additional professional perspective regarding the project, the Village partnered with Roth Professional Solutions for the preparation of a request for proposals (RFP), management/administration of the proposal solicitation process, and evaluation of proposals. The Department invited 5 engineering firms with a presence in the Central Wisconsin region – CWE, Inc.; Becher-Hoppe Associates; MSA Professional Services; Clark-Dietz &

Associates; and AECOM – to submit proposals for the project(s). AECOM elected not to submit a proposal. Proposals were received from the other four firms. While all firms are qualified to perform the services needed for the project, staff concurs with the recommendation of Robert Roth, P.E., Roth Professional Solutions, as described in the proposal evaluation (attached). It is further recommended to execute a contract with Becher-Hoppe in accordance with their proposal. Also attached is the RFP, and a copy of each responding firm's proposal (minus any information of a more proprietary or confidential nature).

FISCAL IMPACTS:

Budget Line Item:	61-07-*****_***_*** – Sewer Capital Projects Fund
Budget Line Item:	
Budgeted Expenditure:	Estimated \$100,000 design; \$450,000 construction
Budgeted Revenue:	N/A

STATUTORY REFERENCES:

Wisconsin Statue:	
Administrative Code:	
Municipal Code:	
Judicial Ruling:	

FURTHER REVIEW:

VILLAGE OF WESTON
2015 CIP BUDGET REQUEST
AND 2016 FINANCIAL PLAN
PROGRAM COMMENTS

Department/Office: Finance	Budget: Facility Projects Fund
Program: Capital Projects Funds	Submitted by: John Jacobs/Keith Donner

FACILITY PROJECTS FUND
2015 Capital Improvements Program (CIP) Budget – 2016 Financial Plan

A capital projects fund has been created to account for the financing and project costs for the construction and major repairs of specific Village building facilities and for the purchase and development of Village parkland areas. The primary financial resources of this fund are the proceeds of general obligation debt, contributions/donations, room tax funds, and state grants. The capital projects fund is a part of the Village's 5-year Capital Improvements Program (CIP) Budget.

A transfer from the Room Tax Fund to reimburse this fund for the 2008 construction of the new Skateboard Park at Kennedy Park is planned to occur during the period of 2010-2014, until the Facilities Fund has been fully reimbursed for the \$278,316 total project costs of the Skateboard Park. Currently, there are no projects budgeted for 2015 or 2016.

	2013 Actual	2014 Budget	2014 Estimate	2015 Proposed Budget	2016 Financial Plan
Fund Balance (Deficit), January 1	\$ (94,983)	\$ -			
REVENUES					
Transfer from Other Funds:					
Room Tax Fund	\$ 31,000	\$ -			
Capital Equipment Fund	63,983	-			
Total Revenues	\$ 94,983	\$ -			
EXPENDITURES					
None	\$ -	\$ -			
Total Expenditures	\$ -	\$ -			
Excess Revenues Over (Under) Expenditures	\$ 94,983	\$ -			
Fund Balance, December 31	\$ -	\$ -			
Summary of Fund Balance (Deficit):					
Advance from Debt Service Fund	\$ -	\$ -			
Unassigned Fund Balance	-	-			
TOTAL FUND BALANCE, December 31	\$ -	\$ -			

Moved to Capital
Improvements Fund

UTILITY FUNDS (WATER, SEWER, & STORMWATER) - FACILITY PROJECTS FUND
2015 Capital Improvements Program (CIP) Budget – 2016 Financial Plan

	2013 Actual	2014 Budget	2014 Estimate	2015 Proposed Budget	2016 Financial Plan
Fund Balance, January 1	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES					
Fund Balance - Sewer Utility	\$ -	\$ -	\$ -	\$ 550,000	\$ -
Total Revenues	\$ -	\$ -	\$ -	\$ 550,000	\$ -
EXPENDITURES					
Design - Ross Ave. Lift Station	\$ -	\$ -	\$ -	\$ 60,000	\$ -
Design - Mesker/Colleen Lift Station	-	-	-	40,000	-
Construction - Ross Ave. Lift Station	-	-	-	200,000	-
Construction - Mesker/Colleen Lift Station	-	-	-	250,000	-
Total Expenditures	\$ -	\$ -	\$ -	\$ 550,000	\$ -
Excess Revenues Over (Under) Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -
Fund Balance, December 31	\$ -	\$ -	\$ -	\$ -	\$ -

RECOMMENDATION

ROSS AVENUE & MESKER-COLLEEN LIFT STATION REPLACEMENTS CONSULTING SERVICES FOR LIFT STATION DESIGN & CONSTRUCTION

For:

WESTON MUNICIPAL UTILITIES
Village of Weston, Marathon County, Wisconsin
5500 Schofield Ave., Weston, WI 54476

PREPARED BY:



RFP RELEASED: APRIL 2, 2015
PROPOSALS DUE: APRIL 30, 2015

INCLUDED WITHIN THIS DOCUMENT:

BACKGROUND	PAGE 1
SCOPE OF WORK	PAGE 1-2
EVALUATION OF PROPOSALS	PAGE 2
FEE ANALYSIS	PAGE 2-3
RECOMMENDATION	PAGE 3

BACKGROUND

Lift stations have evolved significantly over the years and the Public Works Department has determined that it is in its best interests to work with an experienced firm who may be familiar with the details involved with planning and designing a lift station in today's standards. On April 2, 2015 a Request for Proposal (RFP) for Design Services for the Rehabilitation of the Ross Avenue Lift Station and the Mesker-Colleen Lift Station was solicited to invited firms with a local presence in the metro-area. The objective of the RFP was to contract with a qualified firm who best suits the Village of Weston. A significant part of the scope of work includes the feasibility and alternatives analysis of the Ross Avenue Lift Station, which is a planning step that would potentially impact how the station is designed.

Firms were provided with all available Village data on each lift station to use in their preparation of proposals. Engineers were asked to put a detailed proposed together including costs, for all aspects of the project work including construction services. The RFP was prepared to maximize the respondent's information going-in to the project, to eliminate vast amounts of Staff's time in dealing with apples and oranges responses, as well as to provide a solid basis for preparation of quality proposals.

The RFP was coordinated by Roth Professional Solutions who is assisting the Village in providing guidance and expertise in the consultant selection process. Proposals were submitted on April 30, 2015. There were very few questions fielded from the respondents throughout the proposal process.

SCOPE OF WORK

Feasibility Study. A study of feasible alternatives is requested to determine viable options for a possible re-routing of the Village of Weston collection system west of the intersection of Ross Avenue and Alderson Street. This area flows through Schofield to the Wausau Treatment Plant. The Village of Weston pays per gallon via a separate agreement for conveyance flows through Schofield. The analysis would general include a life-cycle cost comparison of all alternatives. The Village is looking for all realistic options to be considered, including gravity sewer main rerouting and pump station alternatives. Since the study may impact the design of the Ross Avenue Station, it is requested prior to any design work on that Station.

Ross Avenue Station. The Ross Avenue site is located in a mid-block area between Bayberry Street and Birch Street. It is currently within the Ross Avenue right-of-way (north side) as approximately shown below. The Ross Avenue Pump Station is a Smith & Loveless Recessed Wetwell Mounted Lift Station with Vacuum Primed Pumps. The scope includes a full rehabilitation of this station by converting it to a submersible pump lift station with integral valve vault. It currently operates around 100 GPM at 22.7' TDH.



Ross Avenue Lift Station Site



Mesker-Colleen Lift Station Site

Mesker-Colleen Station. The Mesker-Colleen Pump Station site is located off the end of Colleen Avenue at its intersection with Mesker Street. It is currently within right-of-way of Mesker Street (west side) as approximately shown above. The Mesker-Colleen Pump Station is also a Recessed Wetwell Mounted Lift Station with Vacuum

Primed Pumps. The scope includes a full rehabilitation of this station by converting it to a submersible pump lift station with integral valve vault. It currently operates around 130 GPM at 66' TDH with 7.5 hp motors.

PROPOSAL EVALUATION

Proposals were received from four (4) out of the five (5) invited firms. AECOM opted out due to workload issues. Submitted proposals were reviewed for completeness, approach, relevant experience, staff & qualifications, ability to meet the timeframe, and cost. Because all of the firms were considered experienced in lift station work, a general guideline for evaluating the proposals also assisted in the proposal ranking. The proposal ranking structure was not publicized during the process – it was simply utilized as a guide.

The Village received four (4) excellent proposals that were completed in a comprehensive and detailed manner in accordance with the RFP. All the proposals showed each firm's quality of service and experience in municipal public works projects. However, some of the proposals lacked in approach and content specific to the Village's needs.

Proposals were narrowed down to two (2) possible firms based on completeness of the proposal, approach for the overall project, current lift station experience, and familiarity with Village (for the feasibility portion). These firms provided more information in their respective proposals in these categories. Becher Hoppe and CWE were those firms.

FEE ANALYSIS

While cost is not the ultimate basis for selection, it reveals a great deal of information about the intent of responding firms on how they will approach the project. Hours were requested for each major category, to ascertain the level of budgeting and time compared to expected ranges. Design and construction fees ranged from \$47,000 to \$111,670. This is a very wide range for design and construction services from firms in a relatively close geographic area.

The following summary of fees and hours is provided for the two firms:

Firms	Fee	Hours Design	Hours Construction	Total Hours
Becher Hoppe	\$47,000	382	190	572
CWE	\$87,060	630	530	1160

The following information is interpreted from the fee information:

Becher Hoppe

The fee and hours provided by Becher Hoppe were adequate for typical municipal lift station projects. The design-through-bidding proposal fee was \$29,600. The hours provided for feasibility of the Ross Avenue station is adequate and appears to be based on a knowledge of the system/area. They provided a detailed approach on the project in the proposal document, so it is clear their work for the station is based on knowledge, experience, and typical details in station design and construction, with input from pump suppliers and electronics controls technicians. It is noted that Becher Hoppe is utilizing a sub-consultant for the electrical design/controls component. This is fairly common although some firms can provide this in house. While we would normally identify a benefit to having all services provided under one roof, on lift station projects it is inevitable that outside representatives such as pump suppliers, controls specialists, and other product representatives provide recommendations on the station design, so it is not deemed as a detractor from a valuable design delivery. Becher Hoppe appears to provide the required amount of inspection time as identified in the RFP.

CWE

The fee and hours provided by CWE included \$55,420 for design-through-bidding fees. In general CWE represented a knowledge of the scope of work, and they have significant experience with the Village including involvement in both of the original lift station designs. However, this did not appear to convey as a savings value to the Village. CWE did not identify in their approach any insight or recommendations on the project from their experience with the Village systems. CWE appears to allocate additional time in working with the Village to meet the Village’s needs and consequentially this may carry through the proposal in other areas. The hours and value provided seem to indicate this. CWE’s proposal included more hours for the Ross Avenue LS feasibility – this is the most arbitrary portion of the RFP which we expected to have some variability. However, the numbers for lift station design and construction were all approximately twice that of Becher Hoppe. The additional budgeted hours correlate to a higher overall fee, but it is difficult to determine what additional level of quality would be achieved for the extra cost on a lift station project.

Construction, Generally

Construction observation/inspection was not considered as a determining factor for proposal award. Full-time inspection is not necessarily needed for lift station construction as a significant portion of the work is below ground or interior confined space construction. Milestone inspections and performance-based inspections are typical in lift station construction.

RECOMMENDATION

It is recommended that Becher Hoppe be retained as the design and construction consultant for the scope of work included in the RFP. Becher Hoppe has been found through the evaluation process to be a suitable choice that is experienced, has identified a detailed approach, and has staff identified that are qualified to complete the scope of work. While there is a significant range in proposal fees from the respondents, we rely on the detailed scope of work provided in the RFP that fully disclosed the Village’s expectations thus making the likelihood of a major scope change only limited to changes directed by the Village or due to unique construction circumstances. Further, we find that Becher Hoppe’s experience and familiarity with similar stations affords them to be more efficient on the project to meet the Village’s best interests overall.

RESPECTFULLY SUBMITTED,

Robert J. Roth, PE

Roth Professional Solutions, Inc.

	Becher-Hoppe		Clark-Dietz		CWE		MSA	
	Cost Estimates	Hours	Cost Estimates	Hours	Cost Estimates	Hours	Cost Estimates	Hours
Ross Ave. Alternatives	4,800	57	3,340	28	16,000	172	12,008	133
Siting & Deliverables (Both Stations)	5,200	63	3,750	34	4,820	60	9,482	88.75
Ross Avenue								
Design	8,400	99	18,675	159	15,600	168	20,227	215
Bidding	2,800	32	1,670	14	2,500	26	3,439	29
Construction Admin	5,100	51	7,070	58	15,220	96	10,731	101
Construction RPR	3,600	44	-	-	??	160	10,693	136
Mesker-Colleen								
Design	8,400	99	18,675	159	14,000	152	20,227	215
Bidding	-	32	1,670	14	2,500	26	3,439	29
Construction Admin	5,100	51	7,070	58	16,420	114	10,731	101
Construction RPR	3,600	44			??	160	10,693	136
Total Estimate	\$ 47,000	572.00	\$ 61,920	524.00	\$ 87,060	1,134.00	\$ 111,670	1,183.75
	Assumed to bid both projects together	44 hrs. on-site RPR each station	Construction Admin and RPR costs and hours combined in estimate.	??? hrs. on-site RPR each station	Construction Admin and RPR costs combined in estimate.	160 hrs. on-site RPR each station		136 hrs. on-site RPR each station
Average hourly rate	\$ 82.17		\$ 118.17		\$ 76.77		\$ 94.34	
Approach	Response was prepared as detailed in the RFP. Proposal included additional thought and consideration on certain LS details.		Response was prepared as detailed in the RFP. The approach included a summary work plan for the project.		Proposal was complete and provided comprehensive description of project scope and delivery of services. The approach included a general work plan for the project, but proposes to confirm scope/deliverables by working closely with Village staff.		Proposal was prepared as detailed in the RFP. The approach included a summary of work and deliverables.	
Experience	Firm has completed several lift station projects, some recently.		Firm has completed several lift station projects in Wisconsin and Illinois.		Firm has completed several lift stations in Wisconsin.		Firm has completed several lift station projects in the area.	
Qualifications	Firm is familiar with the Village and its infrastructure and supplies qualified staff. A subconsultant is provided for electrical consulting services.		Firm supplies qualified and capable staff, including electrical consulting, from local and branch offices.		Firm represents an understanding of Village infrastructure and supplies qualified staff with experience in the Village for design services.		Firm supplies qualified and capable staff, including electrical consulting, from local and branch offices.	

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.30.



**VILLAGE OF WESTON
REQUEST FOR CONSIDERATION**

AGENDA ITEM DSCRPTN: VOUCHERS – PAYMENT OF VILLAGE EXPENDITURES.

FOR CONSIDERATION AT: BOARD OF TRUSTEES; MONDAY, APRIL 18, 2016

LEGISLATION TYPE: ACKNOWLEDGE | **MOTION** | ORDINANCE | POLICY | RESOLUTION

RECOMMENDATION TO: Approve payment of Village expenditures (vouchers) for the period of 04/01/2016-04/14/2016 in the grand total amount of \$91,351.84. Check numbers were #43228-43299.

REPORT PREPARED BY: JOHN JACOBS; FINANCE DIRECTOR/TREASURER

BACKGROUND: Vouchers were received by the Finance Department from various departments during the period of 04/01/2016-04/14/2016 for payment. All invoices were reviewed for proper authorized approval by a department manager or supervisor, prior to processing for payment. Finance Director Jacobs reviewed the voucher register report, prior to the accounts payable checks being printed and mailed.

FISCAL IMPACTS:

Budget Line Item: Various – across all departments and funds
Budget Line Item: _____
Budgeted Expenditure: Various – across all departments and funds
Budgeted Revenue: _____

STATUTORY REFERENCES:

Wisconsin Statute: 66.0607(4)
Administrative Code: _____
Municipal Code: _____
Judicial Ruling: _____

FURTHER REVIEW: No further review required at this time.

Report Criteria:
 Report type: GL detail

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
43228									
04/16	04/01/2016	43228	21238	ARNDT, JAY	RBLD-7-15-6084	OCCUPANCY PERMIT REFUND: 8708 RYAN ST	1	10-00-44327-00	1,000.00
Total 43228:									1,000.00
43229									
04/16	04/01/2016	43229	20688	CIVICPLUS	158281	WEBSITE TRAINING - STROIK & TRITTIN	1	10-01-51450-15	1,000.00
Total 43229:									1,000.00
43230									
04/16	04/01/2016	43230	2940	CK AUTO GLASS LLC	10404	#106: INSTALLATION OF SIDE WINDOWS	1	10-03-53310-35	75.00
Total 43230:									75.00
43231									
04/16	04/01/2016	43231	20932	DENYON HOMES	RBLD-10-15-6356	OCC SUR REFUND: 6306 TOWER RDGE PL	1	10-00-44327-00	1,000.00
04/16	04/01/2016	43231	20932	DENYON HOMES	RBLD-10-15-6362	OCC SUR REFUND: 6210 VON KANEL ST	1	10-00-44327-00	1,000.00
Total 43231:									2,000.00
43232									
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN487210	PRESSURE FOLDING MACHINE FOR UTILITIES	1	60-03-53771-31	1,647.50
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN487210	PRESSURE FOLDING MACHINE FOR UTILITIES	2	61-03-53612-31	1,647.50
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN488116	NEW UTILITY PRINTER	1	60-03-53771-31	526.67
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN488116	NEW UTILITY PRINTER	2	61-03-53612-31	526.67
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN488116	NEW UTILITY PRINTER	3	63-03-53652-31	526.66
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN488118	UTILITY PRINTER - EXTRA TRAY	1	60-03-53771-31	108.33
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN488118	UTILITY PRINTER - EXTRA TRAY	2	61-03-53612-31	108.33
04/16	04/01/2016	43232	4620	E O JOHNSON COMPANY	ARIN488118	UTILITY PRINTER - EXTRA TRAY	3	63-03-53652-31	108.34
Total 43232:									5,200.00
43233									
04/16	04/01/2016	43233	4900	FARRELL EQUIPMENT & SUPPLY CO	788419	MARKING PAINT/SAFETY GLASSES - UTILITIES	1	60-03-53740-34	94.99

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
Total 43233:									94.99
43234									
04/16	04/01/2016	43234	4910	FASTENAL COMPANY	WISCH263167	REPLACEMENT TIES FOR BANNERS THROUGHOUT LANDSCAP	1	10-05-55210-36	68.03
04/16	04/01/2016	43234	4910	FASTENAL COMPANY	WISCH263321	#100: LEAF VAC KEYSTOCK IMPELLAR	1	18-03-53635-35	4.79
04/16	04/01/2016	43234	4910	FASTENAL COMPANY	WISCH263447	RUB GROM - FOR WIRING SNOW BLOWER TO PROTECT ELEC	1	10-03-53312-35	1.09
04/16	04/01/2016	43234	4910	FASTENAL COMPANY	WISCH263508	JOBBER FOR DRILLING HOLE IN STAINLESS STEEL BOX FOR P	1	10-03-53312-35	9.35
Total 43234:									83.26
43235									
04/16	04/01/2016	43235	20024	FRONTIER	241-9268 APR16	HERITAGE HILLS L/S: 3/22-4/21/16	1	61-03-53610-22	44.20
04/16	04/01/2016	43235	20024	FRONTIER	355-4719 APR16	TANYA/TRICIA L/S: 3/22-4/21/16	1	61-03-53610-22	52.77
04/16	04/01/2016	43235	20024	FRONTIER	355-4720 APR16	ROSS AVE L/S: 3/22-4/21/16	1	61-03-53610-22	52.77
04/16	04/01/2016	43235	20024	FRONTIER	355-5218 APR16	KATHLEEN ST L/S: 3/22-4/21/16	1	61-03-53610-22	52.77
04/16	04/01/2016	43235	20024	FRONTIER	355-5649 APR16	BUS PK SOUTH L/S: 3/25-4/24/16	1	61-03-53610-22	57.53
Total 43235:									260.04
43236									
04/16	04/01/2016	43236	20596	GUSTAVE A LARSON COMPANY	HD00131712	HOT PATCHER	1	10-03-53310-35	241.45
04/16	04/01/2016	43236	20596	GUSTAVE A LARSON COMPANY	HD00131712	DISCOUNT - HOT PATCHER	2	10-03-53310-35	1.10-
04/16	04/01/2016	43236	20596	GUSTAVE A LARSON COMPANY	WAU0298801	PART FOR MESKER JELINEK L/S HEATER	1	61-03-53601-24	7.75
04/16	04/01/2016	43236	20596	GUSTAVE A LARSON COMPANY	WAU0298801	DISCOUNT - PART FOR MESKER JELINEK L/S HEATER	2	61-03-53601-24	.04-
Total 43236:									248.06
43237									
04/16	04/01/2016	43237	10050	MENARDS INC	27672	BLINDS FOR SHERRY'S NEW OFFICE	1	10-01-51600-82	53.94
Total 43237:									53.94
43238									
04/16	04/01/2016	43238	19505	MIDWEST INDUSTRIAL SEWING COR	VW-031116-A	TOW STRAPS FOR #70 AND SHOP (2)	1	10-03-53312-35	300.10
Total 43238:									300.10

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
43239									
04/16	04/01/2016	43239	19838	RHYME BUSINESS PRODUCTS LLC	AR54689	MONTHLY B&W USAGE: 2/11-3/10/16	1	10-01-51450-28	96.07
04/16	04/01/2016	43239	19838	RHYME BUSINESS PRODUCTS LLC	AR54689	MONTHLY COLOR USAGE: 2/11-3/10/16	2	10-01-51450-28	376.32
Total 43239:									472.39
43240									
04/16	04/01/2016	43240	20240	TRUCK EQUIPMENT INC	673798-00	PLANKS FOR #70 SIDE BOARDS	1	10-03-53312-35	481.50
Total 43240:									481.50
43241									
04/16	04/01/2016	43241	16830	VALLEY AQUATIC SOLUTIONS LLC	0057370-IN	FLOAT BALL FOR MUDULATING VALVE AT AQ CTR	1	22-05-55420-24	172.76
Total 43241:									172.76
43242									
04/16	04/01/2016	43242	17130	VIKING ELECTRIC SUPPLY	1213857	PHONE DATA JACKS - SAFER STATION 1	1	10-00-14520-00	26.62
04/16	04/01/2016	43242	17130	VIKING ELECTRIC SUPPLY	1213857	DISCOUNT - PHONE DATA JACKS - SAFER STATION 1	2	10-00-14520-00	.05-
Total 43242:									26.57
43243									
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00023 MAR16	VILLAGE S/L: MARCH - 31 DAYS	1	10-03-53420-22	13,893.71
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00027 MAR16	ROSS TRAF LIGHTS: 2/24-3/24/16	1	10-03-53311-22	107.37
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00047 MAR16	SHOREY WARNING SIREN: 2/24-3/24/16	1	10-02-52910-22	33.07
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00057 MAR16	MINISTRY IRRIG: 2/23-3/23/16	1	10-03-53317-22	27.13
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00082 MAR16	NORMANDY/SCHOFIELD S/L: 2/19-3/21/16	1	10-03-53420-22	194.48
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00091 MAR16	FLASH SIGN CAMP PHILLIPS: 2/25-3/28/16	1	10-03-53311-22	30.25
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00108 MAR16	STONE RIDGE IRRIG: 2/19-3/21/16	1	10-03-53317-22	29.00
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00119 MAR16	HOWLAND AVE S/L: 2/16-3/16/16	1	10-03-53420-22	67.33
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00143 MAR16	BUS PK S/L: MARCH - 31 DAYS	1	10-03-53420-22	474.40
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00157 MAR16	ALDERSON/SCHOFIELD TRAF LIGHTS: 2/23-3/23/16	1	10-03-53311-22	51.76
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00160 MAR16	SCHOFIELD TRAF LIGHTS: 2/23-3/23/16	1	10-03-53311-22	52.27
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00167 MAR16	ZINSER WFS: 2/23-3/23/16	1	10-03-53420-22	46.43
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00168 MAR16	RICKYVAL WFS: 2/23-3/23/16	1	10-03-53420-22	42.57
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00169 MAR16	RYAN WFS: 2/23-3/23/16	1	10-03-53420-22	27.13
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00170 MAR16	WESTON/PROG WFS: 2/23-3/23/16	1	10-03-53420-22	41.94
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00181 MAR16	MUSKIE WARNING SIREN: 2/23-3/23/16	1	10-02-52910-22	28.70

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00187 MAR16	WINDSOR DR AERATOR: 2/23-3/23/16	1	63-03-53655-22	27.13
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00194 MAR16	MUN CTR: 2/25-3/28/16	1	10-01-51600-22	1,289.16
04/16	04/01/2016	43243	18990	WISCONSIN PUBLIC SERVICE	2484-00194 MAR16	MUN CTR: 2/24-3/27/16	2	10-01-51600-22	690.74
Total 43243:									17,154.57
43244									
04/16	04/05/2016	43244	21071	DEPT OF NATURAL RESOURCES	WATER EXAMS 5/4	SKERVEN -WTRWRKS CERT EXAM - DISTRIBUTION	1	60-03-53780-39	25.00
04/16	04/05/2016	43244	21071	DEPT OF NATURAL RESOURCES	WATER EXAMS 5/4	SKERVEN -WTRWRKS CERT EXAM - GROUNDWATER	2	60-03-53780-39	25.00
04/16	04/05/2016	43244	21071	DEPT OF NATURAL RESOURCES	WATER EXAMS 5/4	SKERVEN -WTRWRKS CERT EXAM - VOC REMOVAL	3	60-03-53780-39	25.00
Total 43244:									75.00
43245									
04/16	04/05/2016	43245	20303	MITCH KING & SONS GRAVEL & TRUC	S16-002	RECYCLED BREAKER RUN CRUSHING	1	10-03-53316-29	9,510.65
Total 43245:									9,510.65
43246									
04/16	04/05/2016	43246	18620	WI RURAL WATER ASSOC	EXAM REVIEW 5/3/	SKERVEN - MUNICIPAL WATER OPERATOR EXAM REVIEW 5/3/1	1	60-03-53780-32	125.00
Total 43246:									125.00
43247									
04/16	04/08/2016	43247	560	AMERICAN DOOR CO OF WAUSAU IN	105477	REPL WORN COUPLER/KEYWAY - AMB DOOR/ STN #2	1	10-00-14520-00	286.90
Total 43247:									286.90
43248									
04/16	04/08/2016	43248	21135	AMERICAN MESSAGING	U1350110QD	PAGER SERVICE: 4/1-4/30/16	1	60-03-53780-29	28.47
04/16	04/08/2016	43248	21135	AMERICAN MESSAGING	U1350110QD	PAGER SERVICE: 4/1-4/30/16	2	61-03-53613-29	28.48
04/16	04/08/2016	43248	21135	AMERICAN MESSAGING	U1350112QD	PAGER SERVICE: 4/1-4/30/16	1	10-03-53312-29	22.96
Total 43248:									79.91
43249									
04/16	04/08/2016	43249	1580	BEHNKE, DOUG	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
Total 43249:									20.00
43250									
04/16	04/08/2016	43250	19634	BIANEW	2016 DUES	2016 MEMBERSHIP: TATRO	1	10-02-52400-32	40.00
04/16	04/08/2016	43250	19634	BIANEW	2016 DUES	2016 MEMBERSHIP: MAGUIRE	2	10-02-52400-32	30.00
Total 43250:									70.00
43251									
04/16	04/08/2016	43251	1750	BLAREK, FORREST	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43251:									20.00
43252									
04/16	04/08/2016	43252	1900	BORTH, JOHN	C/P REIMB MAR16	C/P REIMB MAR16	1	60-03-53780-22	20.00
Total 43252:									20.00
43253									
04/16	04/08/2016	43253	2330	BUSINESS SERVICE CENTER INC	31WSD1-040416	ANSWERING SERVICE: 4/4-5/1/16	1	60-03-53780-29	40.75
04/16	04/08/2016	43253	2330	BUSINESS SERVICE CENTER INC	31WSD1-040416	ANSWERING SERVICE: 4/4-5/1/16	2	61-03-53613-29	40.75
Total 43253:									81.50
43254									
04/16	04/08/2016	43254	19882	CELLCOM	693388	WATER (HOT SPOT): 3/21-4/20/16	1	60-03-53740-22	21.96
04/16	04/08/2016	43254	19882	CELLCOM	693388	WATER: 3/21-4/20/16	2	10-06-56905-22	71.96
04/16	04/08/2016	43254	19882	CELLCOM	693388	WATER: 3/21-4/20/16	3	60-03-53740-22	21.96
04/16	04/08/2016	43254	19882	CELLCOM	693388	SEWER: 3/21-4/20/16	4	61-03-53610-22	21.96
04/16	04/08/2016	43254	19882	CELLCOM	693388	ADMINISTRATOR: 3/21-4/20/16	5	10-01-51410-22	70.40
Total 43254:									208.24
43255									
04/16	04/08/2016	43255	20050	COMPLETE OFFICE OF WISCONSIN	536173	46X60 CHAIRMAT - WEINKAUF	1	10-01-51600-31	66.29
04/16	04/08/2016	43255	20050	COMPLETE OFFICE OF WISCONSIN	536173	48X79 CHAIRMAT - BROWN	2	10-01-51600-31	218.49
04/16	04/08/2016	43255	20050	COMPLETE OFFICE OF WISCONSIN	536173	(500) SHEETS OF YELLOW PAPER	3	10-06-56940-31	14.66

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
Total 43255:									299.44
43256									
04/16	04/08/2016	43256	3370	CROWE, NATHAN	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53160-22	50.00
Total 43256:									50.00
43257									
04/16	04/08/2016	43257	3920	DIETSCHE, CHAD	C/P REIMB MAR16	C/P REIMB MAR16	1	60-03-53780-22	20.00
Total 43257:									20.00
43258									
04/16	04/08/2016	43258	4100	DONNER, KEITH	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53100-22	50.00
Total 43258:									50.00
43259									
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	(8) CHAIRS + TABLE - CONF ROOM	1	10-01-51600-81	2,279.68
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	MESH BACK CHAIR - DG	2	10-01-51600-81	426.40
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	(2) LATERAL FILES, WORKSTATION - DS	3	10-01-51600-81	3,254.67
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	(4) LATERAL FILES - FINANCE HALLWAY	4	10-01-51600-81	3,594.38
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	(2) OVERHEAD CABINETS - JT	5	10-01-51600-81	952.49
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	CHAIR - RM	6	10-01-51600-81	382.72
04/16	04/08/2016	43259	20789	EMMONS BUSINESS INTERIORS LLC	118815	INSTALL COSTS - FINANCE AREA	7	10-01-51600-81	685.00
Total 43259:									11,575.34
43260									
04/16	04/08/2016	43260	4860	FALKOWSKI, JESSICA	C/P REIMB MAR16	C/P REIMB MAR16	1	10-05-55200-22	20.00
Total 43260:									20.00
43261									
04/16	04/08/2016	43261	5010	FERGUSON ENTERPRISES INC #1020	3282440	AQ CTR PLUMBING PARTS	1	22-05-55420-24	185.10
Total 43261:									185.10

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
43262									
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	1	10-01-51450-22	545.22
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	2	10-00-14510-00	253.23
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	3	10-00-14520-00	44.38
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	4	10-00-14410-00	19.39
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	5	10-00-14530-00	19.39
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	6	60-03-53780-22	31.88
04/16	04/08/2016	43262	20024	FRONTIER	359-6114 APR16	MUN CTR: 3/22-4/21/16	7	61-03-53613-22	31.88
Total 43262:									945.37
43263									
04/16	04/08/2016	43263	20417	GUILD, DANIEL	APRIL 2016 AUTO	APRIL 2016 AUTO STIPEND	1	10-01-51410-33	120.00
Total 43263:									120.00
43264									
04/16	04/08/2016	43264	6730	HIGGINS, JENNIFER	C/P REIMB MAR16	C/P REIMB MAR16	1	10-06-56900-22	50.00
Total 43264:									50.00
43265									
04/16	04/08/2016	43265	6780	HODELL, RENEE	C/P REIMB MAR16	C/P REIMB MAR16	1	10-06-56905-22	50.00
Total 43265:									50.00
43266									
04/16	04/08/2016	43266	20526	JERRY'S CLEANING	MARCH 2016	CLEANING SERVICES: MARCH 2016	1	10-01-51600-21	600.00
Total 43266:									600.00
43267									
04/16	04/08/2016	43267	19563	KNUTSON CONSTRUCTION CO INC	3114	NEW OFFICE CONSTR - WEINKAUF	1	10-01-51600-82	5,363.66
Total 43267:									5,363.66
43268									
04/16	04/08/2016	43268	8320	KRAUSE, DAVE	C/P REIMB MAR16	C/P REIMB MAR16	1	60-03-53780-22	20.00
04/16	04/08/2016	43268	8320	KRAUSE, DAVE	PARKING REIMB -	2016 WRWA CONFERENCE - PARKING REIMBURSEMENT	1	60-03-53780-33	18.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
Total 43268:									38.00
43269									
04/16	04/08/2016	43269	20947	LAKE, STEVEN G	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43269:									20.00
43270									
04/16	04/08/2016	43270	8910	LENHARD, JASON	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43270:									20.00
43271									
04/16	04/08/2016	43271	9910	MARATHON COUNTY TREASURER	FEB 2016	JAIL SURCHARGES: FEB 2016	1	10-00-45111-00	570.00
04/16	04/08/2016	43271	9910	MARATHON COUNTY TREASURER	FEB 2016	DRIVER IMPROVEMENT SURCHARGES: FEB 2016	2	10-00-45111-00	88.30
04/16	04/08/2016	43271	9910	MARATHON COUNTY TREASURER	FEB 2016	IGNITION INTERLOCK SURCHARGE: FEB 2016	3	10-00-45111-00	50.00
Total 43271:									708.30
43272									
04/16	04/08/2016	43272	10900	MROZCZENSKI, BRAD	C/P REIMB MAR16	C/P REIMB MAR16	1	10-05-55200-22	20.00
Total 43272:									20.00
43273									
04/16	04/08/2016	43273	11530	NORTHERN BATTERY	1517634	HERITAGE HILLS L/S: AUTO DIALER BATTERY	1	61-03-53601-34	10.71
Total 43273:									10.71
43274									
04/16	04/08/2016	43274	19860	NORTHERN LAKE SERVICE INC	292188	NITRATES & VOC TESTING	1	60-03-53730-29	140.00
Total 43274:									140.00
43275									
04/16	04/08/2016	43275	20598	OFFICE ENTERPRISES INC	371136	SPLIT LABELS - POSTAGE MACHINE	1	10-01-51450-31	19.95

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
Total 43275:									19.95
43276									
04/16	04/08/2016	43276	12060	OSTERBRINK, SHAWN	C/P REIMB MAR16	C/P REIMB MAR16	1	10-05-55200-22	50.00
Total 43276:									50.00
43277									
04/16	04/08/2016	43277	21177	PICK N SAVE	RESTITUTION 2/24	CIT# BR80BW4SFN	1	10-00-45111-00	5.49
04/16	04/08/2016	43277	21177	PICK N SAVE	RESTITUTION 2/24	CIT# BR80CR2KRG	2	10-00-45111-00	25.00
04/16	04/08/2016	43277	21177	PICK N SAVE	RESTITUTION 2/24	CIT# BR80CR2KRF	3	10-00-45111-00	1.15
Total 43277:									31.64
43278									
04/16	04/08/2016	43278	12580	PLATTA, JAMES	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43278:									20.00
43279									
04/16	04/08/2016	43279	14430	SCHOFIELD, CITY OF	FEB 2016	ALLOCATED TOTALS TO MUNICIPALITY: FEB 2016	1	10-00-24425-00	1,927.25
Total 43279:									1,927.25
43280									
04/16	04/08/2016	43280	15020	SKRZYPCHAK, ANTHONY	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43280:									20.00
43281									
04/16	04/08/2016	43281	18220	STATE OF WI - COURT FINES	FEB 2016	ALLOCATED TOTALS TO COURTS: FEB 2016	1	10-00-45111-00	1,843.90
Total 43281:									1,843.90
43282									
04/16	04/08/2016	43282	15970	TATRO, SHAUN	C/P REIMB MAR16	C/P REIMB MAR16	1	10-02-52400-22	50.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
Total 43282:									50.00
43283									
04/16	04/08/2016	43283	16710	USA BLUE BOOK	902099	WATER TESTING SUPPLIES	1	60-03-53740-34	98.94
Total 43283:									98.94
43284									
04/16	04/08/2016	43284	16890	VAN ERT ELECTRIC COMPANY INC	000127733	REPLACE RED TRAFFIC LIGHT - ALDERSON/SCHOF	1	10-03-53311-24	128.75
Total 43284:									128.75
43285									
04/16	04/08/2016	43285	17180	VLIETSTRA, RANDY	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43285:									20.00
43286									
04/16	04/08/2016	43286	17810	WEBKO	187052	VOW LOGO SHIRTS	1	10-01-51450-29	336.00
Total 43286:									336.00
43287									
04/16	04/08/2016	43287	20711	WEHNER, JARED	C/P REIMB MAR16	C/P REIMB MAR16	1	10-06-56900-22	50.00
Total 43287:									50.00
43288									
04/16	04/08/2016	43288	18090	WESTON, TOWN OF	FEB 2016	ALLOCATED TOTALS TO MUNICIPALITY: FEB 2016	1	10-00-24425-00	166.00
Total 43288:									166.00
43289									
04/16	04/08/2016	43289	20522	WODALSKI, MICHAEL J	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53170-22	50.00
Total 43289:									50.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
43290									
04/16	04/08/2016	43290	19190	YONKER, JOHN	C/P REIMB MAR16	C/P REIMB MAR16	1	10-03-53310-22	20.00
Total 43290:									20.00
43291									
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001081596: WDH MARCH ZONING ORDINANCE PUBLIC HEARI	1	10-06-56925-32	78.94
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001081596: WDH MARCH ZONING ORDINANCE PUBLIC HEARI	2	10-06-56910-32	78.94
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001081604: WDH PUBLIC HEARING NOTICE REZN-2-16-1566 P	3	10-06-56910-32	60.36
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	5001982051: L/S AD FOR BIDS 2/29/16	4	61-00-18700-82	121.96
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001141186: ORD# 16-017 REZN-2-16-1566 8902 PROGRESS WA	5	10-06-56910-32	15.21
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001150487: KWIK TRIP LIQ LIC NOTICE	6	10-01-51420-32	35.62
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001150608: VB ORD NO 16-019 DELETE CHAP 63 TRANSPORT	7	10-01-51420-32	13.63
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001150614: VB ORD 16-018 CHAPTER 54 FIREARMS & WEAPO	8	10-01-51420-32	13.63
04/16	04/11/2016	43291	5490	GANNETT WISCONSIN MEDIA	0009730749	0001150616: VB ORD 16-020 PREFACE, CODE INDEX, STATE LA	9	10-01-51420-32	13.63
Total 43291:									431.92
43292									
04/16	04/11/2016	43292	20597	PETDATA	MAR 2016	MARCH 2016 PAWS AND PROTECT LICENSING PROGRAM	1	10-00-44220-00	300.00
Total 43292:									300.00
43293									
04/16	04/11/2016	43293	13670	RIVERSIDE LAND SURVEYING LLC	2670	PLAT OF SURVEY GUERNDT PROPERTY PIN 19228082330953	1	40-06-56740-29	928.20
04/16	04/11/2016	43293	13670	RIVERSIDE LAND SURVEYING LLC	2671	PROHASKA PROPERTY CSM/SURVEY	1	40-06-56740-29	1,749.80
04/16	04/11/2016	43293	13670	RIVERSIDE LAND SURVEYING LLC	2672	MASHUDA PROPERTY CSM/SURVEY PIN 19228082340997	1	40-06-56740-29	1,474.20
04/16	04/11/2016	43293	13670	RIVERSIDE LAND SURVEYING LLC	2673	CSM OF INTERCITY DRIVING RANGE PROPERTY	1	40-06-56740-29	1,445.60
04/16	04/11/2016	43293	13670	RIVERSIDE LAND SURVEYING LLC	2681	CCSM-3-16-1573 LOT 5 BP SOUTH - FTF LOT	1	40-06-56740-29	248.80
Total 43293:									5,846.60
43294									
04/16	04/11/2016	43294	21079	ROTH PROFESSIONAL SOLUTIONS	2015-008 (G) #2	LED STREET LIGHT RETROFIT SERV THRU 2/29/16	1	10-03-53420-29	2,800.00
04/16	04/11/2016	43294	21079	ROTH PROFESSIONAL SOLUTIONS	2015-008 (G) #3	LED ST LIGHT RETROFIT: SERV THRU 3/31/16	1	10-03-53420-29	165.00
Total 43294:									2,965.00

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
43295									
04/16	04/11/2016	43295	14830	SHERWIN-WILLIAMS CO, THE	5450-1	PAINT FOR SAND PLAY BOARDS @ AQ CTR	1	22-05-55420-24	91.60
Total 43295:									91.60
43296									
04/16	04/11/2016	43296	15780	SUN PRINTING	79109	(30) VOW BRAND GUIDELINES SPIRAL BOOKLETS	1	10-01-51450-31	212.50
04/16	04/11/2016	43296	15780	SUN PRINTING	79524	(20) 20TH ANNIVERSARY PARTY TABLETENTS	1	29-05-55320-31	84.00
04/16	04/11/2016	43296	15780	SUN PRINTING	79904	(25) PHONE USER SPIRAL BOOKLETS - 58 PAGES	1	10-01-51450-31	579.75
04/16	04/11/2016	43296	15780	SUN PRINTING	79969	(1400) AQ CTR BROCHURES - 2016	1	22-05-55420-31	534.00
04/16	04/11/2016	43296	15780	SUN PRINTING	80054	(20) WESTON NEXTDOOR SPIRAL BOOKLETS	1	10-01-51450-31	215.25
04/16	04/11/2016	43296	15780	SUN PRINTING	80097	(7126) SOUL OF COMMUNITY SURVEY POSTCARD	1	10-01-51101-31	798.00
04/16	04/11/2016	43296	15780	SUN PRINTING	80097	(6831) PREP POSTAL PATRON - POST OFFICE	2	10-01-51101-31	187.00
04/16	04/11/2016	43296	15780	SUN PRINTING	80097	(295) INKJETTED PIECES - MAIL SEPARATELY	3	10-01-51101-31	40.00
04/16	04/11/2016	43296	15780	SUN PRINTING	80097	(7126) SURVEY POSTCARDS - POSTAGE COST	4	10-01-51101-31	1,177.94
Total 43296:									3,828.44
43297									
04/16	04/11/2016	43297	18250	WISCONSIN CHAPTER IAEI	91ST ANNUAL MTG	WI IAEI CONF: 5/11-5/13/16 ELKHART LAKE - TATRO	1	10-02-52400-32	225.00
Total 43297:									225.00
43298									
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00001 MAR16	FOREMOST WELL: 2/25-3/28/16	1	60-03-53720-22	2,123.35
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00002 MAR16	MESKER WELL: 2/25-3/28/16	1	60-03-53720-22	883.08
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00002 MAR16	MESKER WELL: 2/24-3/27/16	2	60-03-53720-22	92.30
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00004 MAR16	WTP/STERNBERG WELL: 2/25-3/28/16	1	60-03-53720-22	868.79
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00004 MAR16	WTP/STERNBERG WELL: 2/25-3/28/16	2	60-03-53730-22	1,737.58
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00004 MAR16	WTP/STERNBERG WELL: 2/24-3/27/16	3	60-03-53720-22	89.21
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	0293-00004 MAR16	WTP/STERNBERG WELL: 2/24-3/27/16	4	60-03-53730-22	178.41
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00001 MAR16	HARLYN L/S: 2/25-3/28/16	1	61-03-53610-22	242.71
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00002 MAR16	FOX ST L/S: 2/25-3/28/16	1	61-03-53610-22	492.97
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00002 MAR16	FOX ST L/S: 3/3-3/27/16	2	61-03-53610-22	18.76
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00004 MAR16	JELINEK/MESKER L/S: 2/25-3/28/16	1	61-03-53610-22	1,270.64
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00004 MAR16	JELINEK/MESKER L/S: 2/24-3/27/16	2	61-03-53610-22	23.18
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00005 MAR16	KATHLEEN L/S: 2/25-3/28/16	1	61-03-53610-22	40.48
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00006 MAR16	ROSS AVE L/S: 2/25-3/28/16	1	61-03-53610-22	147.75
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00007 MAR16	COLLEEN L/S: 2/25-3/28/16	1	61-03-53610-22	262.95

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00008 MAR16	E.C. RIVER L/S: 2/25-3/28/16	1	61-03-53610-22	309.18
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00008 MAR16	E.C. RIVER L/S: 2/24-3/27/16	2	61-03-53610-22	20.07
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00009 MAR16	TANYA L/S: 2/25-3/28/16	1	61-03-53610-22	166.94
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2457-00014 MAR16	BUS PK SOUTH: 2/25-3/28/16	1	61-03-53610-22	59.90
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00001 MAR16	STERNBERG: 2/25-3/28/16	1	10-05-55340-22	29.94
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00001 MAR16	STERNBERG: 2/24-3/27/16	2	10-05-55340-22	17.88
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00003 MAR16	COMM CTR IRRIG: 2/25-3/28/16	1	10-03-53317-22	59.88
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00007 MAR16	ENT WAY TRAF LIGHTS: 3/1-3/30/16	1	10-03-53311-22	125.53
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00008 MAR16	COMM CTR STREET LIGHTING: 2/25-3/28/16	1	10-03-53420-22	160.70
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00012 MAR16	ENT WAY FNTN ST LIGHTING: 3/1-3/30/16	1	10-03-53420-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00017 MAR16	EVEREST: 2/25-3/28/16	1	60-03-53740-22	135.01
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00020 MAR16	ALTA VERDE: 2/25-3/28/16	1	60-03-53720-22	997.95
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00020 MAR16	ALTA VERDE: 2/24-3/27/16	2	60-03-53720-22	92.30
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00025 MAR16	QUENTIN ST: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00026 MAR16	ROGAN ST: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00029 MAR16	LANDFILL: 2/26-3/29/16	1	18-03-53631-22	113.33
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00032 MAR16	KENNEDY: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00035 MAR16	NORTHWESTERN: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00037 MAR16	SCHOF/CHERRY IRRIG: 2/25-3/28/16	1	10-03-53317-22	29.94
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00038 MAR16	NEUPERT: 2/25-3/28/16	1	10-05-55340-22	38.08
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00038 MAR16	NEUPERT: 2/24-3/27/16	2	10-05-55340-22	43.42
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00039 MAR16	PARKWAY: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00041 MAR16	EVERGREEN POINTE L/S: 2/25-3/28/16	1	61-03-53610-22	59.58
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00043 MAR16	NORTHWESTERN: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00044 MAR16	PARK TERRACE L/S: 2/25-3/28/16	1	61-03-53610-22	47.68
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00045 MAR16	MINISTRY ST LIGHTING: 2/24-3/24/16	1	10-03-53420-22	328.14
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00050 MAR16	ROBINWOOD: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00051 MAR16	ST CLARE'S PUMP IRRIG: 2/24-3/24/16	1	10-03-53317-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00054 MAR16	BUS PARK: 2/25-3/28/16	1	60-03-53740-22	82.21
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00070 MAR16	BIRCH/SCHOFIELD STREET LIGHTING: 2/25-3/28/16	1	10-03-53420-22	289.96
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00074 MAR16	RYAN ST L/S: 2/25-3/28/16	1	61-03-53610-22	239.89
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00075 MAR16	WESTON/CTY X TRAF LIGHTS: 2/24-3/24/16	1	10-03-53311-22	199.23
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00076 MAR16	ZINSER TRAF LIGHTS: 3/1-3/30/16	1	10-03-53311-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00077 MAR16	ALDERSON/SCHOFIELD STREET LIGHTING: 2/25-3/28/16	1	10-03-53420-22	294.46
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00081 MAR16	ALTA VERDE: 2/24-3/24/16	1	10-05-55210-22	67.09
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00081 MAR16	ALTA VERDE: 2/23-3/23/16	2	10-05-55210-22	48.86
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00098 MAR16	CROSS POINTE ST LIGHTING: 2/24-3/24/16	1	10-03-53420-22	271.12
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00107 MAR16	HERITAGE HILLS L/S: 2/25-3/28/16	1	61-03-53610-22	62.91
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00120 MAR16	SHOREY ST LIGHTING: 2/24-3/24/16	1	10-03-53420-22	48.47

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Invoice Number	Description	Inv Seq	Invoice GL Account	Check Amount
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00122 MAR16	SUMMIT: 2/25-3/28/16	1	60-03-53740-22	36.72
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00156 MAR16	CTY RD J SIGN: 3/1-3/30/16	1	10-03-53420-22	32.24
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00183 MAR16	SPEED SIGN: 2/25-3/28/16	1	10-03-53311-22	31.71
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00188 MAR16	WIFI @ KEN PK: 2/24-3/24/16	1	10-05-55210-22	27.13
04/16	04/11/2016	43298	18990	WISCONSIN PUBLIC SERVICE	2484-00190 MAR16	BIRCH PED BRIDGE LIGHTING: 2/25-3/28/16	1	10-03-53420-22	63.64
Total 43298:									13,374.55
43299									
04/16	04/11/2016	43299	21239	WOJNOWIAK, JASON	DAMGD MAILBOX	REIMBURSEMENT FOR MAILBOX DAMAGED BY PLOW	1	10-03-53312-37	50.00
Total 43299:									50.00
Grand Totals:									91,351.84

Summary by General Ledger Account Number

GL Account	Debit	Credit	Proof
10-00-14410-000-000	19.39	.00	19.39
10-00-14510-000-000	253.23	.00	253.23
10-00-14520-000-000	357.90	.05-	357.85
10-00-14530-000-000	19.39	.00	19.39
10-00-21111-000-000	1.15	67,030.74-	67,029.59-
10-00-24425-000-000	2,093.25	.00	2,093.25
10-00-44220-000-000	300.00	.00	300.00
10-00-44327-000-000	3,000.00	.00	3,000.00
10-00-45111-000-000	2,583.84	.00	2,583.84
10-01-51101-311-000	1,404.94	.00	1,404.94
10-01-51101-312-000	798.00	.00	798.00
10-01-51410-225-000	70.40	.00	70.40
10-01-51410-332-000	120.00	.00	120.00
10-01-51420-321-000	76.51	.00	76.51
10-01-51450-157-000	1,000.00	.00	1,000.00
10-01-51450-225-000	545.22	.00	545.22
10-01-51450-280-000	472.39	.00	472.39
10-01-51450-290-000	336.00	.00	336.00

GL Account	Debit	Credit	Proof
10-01-51450-310-000	19.95	.00	19.95
10-01-51450-312-000	1,007.50	.00	1,007.50
10-01-51600-216-000	600.00	.00	600.00
10-01-51600-222-000	1,289.16	.00	1,289.16
10-01-51600-224-000	690.74	.00	690.74
10-01-51600-310-000	284.78	.00	284.78
10-01-51600-812-000	11,575.34	.00	11,575.34
10-01-51600-822-000	5,417.60	.00	5,417.60
10-02-52400-225-000	50.00	.00	50.00
10-02-52400-324-000	70.00	.00	70.00
10-02-52400-325-000	225.00	.00	225.00
10-02-52910-222-000	61.77	.00	61.77
10-03-53100-225-000	50.00	.00	50.00
10-03-53160-225-000	50.00	.00	50.00
10-03-53170-225-000	50.00	.00	50.00
10-03-53310-225-000	160.00	.00	160.00
10-03-53310-353-000	316.45	1.10-	315.35
10-03-53311-222-000	625.25	.00	625.25
10-03-53311-249-000	128.75	.00	128.75
10-03-53312-290-000	22.96	.00	22.96
10-03-53312-353-000	792.04	.00	792.04
10-03-53312-370-000	50.00	.00	50.00
10-03-53316-290-000	9,510.65	.00	9,510.65
10-03-53317-222-000	173.08	.00	173.08
10-03-53420-222-000	16,303.85	.00	16,303.85
10-03-53420-290-000	2,965.00	.00	2,965.00
10-05-55200-225-000	90.00	.00	90.00
10-05-55210-222-000	284.13	.00	284.13
10-05-55210-224-000	48.86	.00	48.86
10-05-55210-365-000	68.03	.00	68.03
10-05-55340-222-000	68.02	.00	68.02
10-05-55340-224-000	61.30	.00	61.30
10-06-56900-225-000	100.00	.00	100.00
10-06-56905-225-000	121.96	.00	121.96
10-06-56910-321-000	154.51	.00	154.51
10-06-56925-321-000	78.94	.00	78.94
10-06-56940-310-000	14.66	.00	14.66
18-00-21111-000-000	.00	118.12-	118.12-
18-03-53631-222-000	113.33	.00	113.33
18-03-53635-353-000	4.79	.00	4.79

GL Account	Debit	Credit	Proof
22-00-21111-000-000	.00	983.46-	983.46-
22-05-55420-247-000	449.46	.00	449.46
22-05-55420-312-000	534.00	.00	534.00
29-00-21111-000-000	.00	84.00-	84.00-
29-05-55320-312-000	84.00	.00	84.00
40-00-21111-000-000	.00	5,846.60-	5,846.60-
40-06-56740-290-000	5,846.60	.00	5,846.60
60-00-21111-000-000	.00	10,356.36-	10,356.36-
60-03-53720-222-000	4,873.17	.00	4,873.17
60-03-53720-224-000	273.81	.00	273.81
60-03-53730-222-000	1,737.58	.00	1,737.58
60-03-53730-224-000	178.41	.00	178.41
60-03-53730-294-000	140.00	.00	140.00
60-03-53740-222-000	253.94	.00	253.94
60-03-53740-225-000	43.92	.00	43.92
60-03-53740-349-000	193.93	.00	193.93
60-03-53771-314-000	2,282.50	.00	2,282.50
60-03-53780-225-000	91.88	.00	91.88
60-03-53780-290-000	69.22	.00	69.22
60-03-53780-325-000	125.00	.00	125.00
60-03-53780-334-000	18.00	.00	18.00
60-03-53780-399-000	75.00	.00	75.00
61-00-18700-826-444	121.96	.00	121.96
61-00-21111-000-000	.04	6,271.62-	6,271.58-
61-03-53601-247-000	7.75	.04-	7.71
61-03-53601-349-000	10.71	.00	10.71
61-03-53610-222-000	3,403.58	.00	3,403.58
61-03-53610-224-000	62.01	.00	62.01
61-03-53610-225-000	282.00	.00	282.00
61-03-53612-314-000	2,282.50	.00	2,282.50
61-03-53613-225-000	31.88	.00	31.88
61-03-53613-290-000	69.23	.00	69.23
63-00-21111-000-000	.00	662.13-	662.13-
63-03-53652-314-000	635.00	.00	635.00
63-03-53655-222-000	27.13	.00	27.13
Grand Totals:	91,354.22	91,354.22-	.00

Dated _____

Finance Committee Chairperson _____

Report Criteria:

Report type: GL detail

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.31.





OPERATOR LICENSE APPLICATION

No provisional given

LICENSE TYPE: Operator License

Please review the information below and correct any errors shown:

NAME: Theodore Johnson

BUSINESS NAME:

ADDRESS:

NEW ADDRESS:

BIRTH DATE:

DRIVERS LICENSE #:

TELEPHONE NUMBER:

APPLICANT NOTICE:

- 1. The VILLAGE performs background checks on all applicants. The VILLAGE OF WESTON may suspend, revoke or deny a license issued upon this application if the applicant fails to provide requested information or is not truthful in completion of this application.
- 2. The VILLAGE OF WESTON does not issue licenses or permits related to alcohol beverages to any person who has habitually been a law offender or has been convicted of a felony that the VILLAGE determines, substantially relates to the licensing activity unless the person has been duly pardoned.
- 3. Even if your license has been granted by the Village Board, it will be held if you owe any outstanding fines, forfeitures or other debts to the VILLAGE.
- 4. Because application fees offset the cost to process your application, the fees are non-refundable regardless of whether you obtain a license or not.

Have you been arrested, or have charges pending or been convicted of any offenses, or violations or any federal, state, or municipal laws or ordinances here or any other municipality? NO YES (Complete arrest or conviction information below)

NAME _____ STATUTE #/ LOCAL ORDINANCE _____

CHARGE _____ WHERE CONVICTED _____

DATE _____ PENALTY _____ MISDEMEANOR _____ FELONY _____

List additional information regarding arrest / conviction information on the back of this application.

I hereby testify the above information is true and correct. I agree, in consideration of the granting of this license to comply with the laws of the State of Wisconsin, the VILLAGE OF WESTON Municipal Code and the rules and regulations of the various regulatory agencies and commissions of the VILLAGE OF WESTON pertaining to the supervision of activities permitted under the license for which this application is made. I understand this license may be revoked by the VILLAGE OF WESTON according to the law.

Note: If you renew by mail and have not received your license by the end of June, please call the VILLAGE OF WESTON CLERK

Theodore Johnson
(APPLICANT SIGNATURE)

3-28-16
(DATE)

Remit completed application with payment to:

VILLAGE OF WESTON
VILLAGE CLERK
5500 SCHOFIELD AVE, WESTON, WI 54476

APPROVED
Date 4-13-16
By [Signature]



OPERATOR LICENSE APPLICATION

Provisional given due 5/30

LICENSE TYPE: Operator License

Please review the information below and correct any errors shown:

NAME: Christine Weber

BUSINESS NAME: The Jim

ADDRESS: _____

NEW ADDRESS: _____

BIRTH DATE: _____

DRIVERS LICENSE # _____

TELEPHONE NUMBER: _____

APPLICANT NOTICE:

1. The VILLAGE performs background checks on all applicants. The VILLAGE OF WESTON may suspend, revoke or deny a license issued upon this application if the applicant fails to provide requested information or is not truthful in completion of this application.

2. The VILLAGE OF WESTON does not issue licenses or permits related to alcohol beverages to any person who has habitually been a law offender or has been convicted of a felony that the VILLAGE determines, substantially relates to the licensing activity unless the person has been duly pardoned.

3. Even if your license has been granted by the Village Board, it will be held if you owe any outstanding fines, forfeitures or other debts to the VILLAGE.

4. Because application fees offset the cost to process your application, the fees are non-refundable regardless of whether you obtain a license or not.

Have you been arrested, or have charges pending or been convicted of any offenses, or violations or any federal, state, or municipal laws or ordinances here or any other municipality? NO YES (Complete arrest or conviction information below)

NAME _____ STATUTE #/ LOCAL ORDINANCE _____

CHARGE _____ WHERE CONVICTED _____

DATE _____ PENALTY _____ MISDEMEANOR _____ FELONY _____

List additional information regarding arrest / conviction information on the back of this application.

I hereby testify the above information is true and correct. I agree, in consideration of the granting of this license to comply with the laws of the State of Wisconsin, the VILLAGE OF WESTON Municipal Code and the rules and regulations of the various regulatory agencies and commissions of the VILLAGE OF WESTON pertaining to the supervision of activities permitted under the license for which this application is made. I understand this license may be revoked by the VILLAGE OF WESTON according to the law.

Note: If you renew by mail and have not received your license by the end of June, please call the VILLAGE OF WESTON CLERK

[Signature]
(APPLICANT (SIGNATURE))

3-30-16
(DATE)

Remit completed application with payment to:

VILLAGE OF WESTON
VILLAGE CLERK
5500 SCHOFIELD AVE, WESTON, WI 54476

APPROVED
Date 4-5-16

By [Signature]

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.32.



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **KEITH DONNER, DIRECTOR OF PUBLIC WORKS AND UTILITIES**

ITEM DESCRIPTION: **DISALLOW CLAIMS FOR DAMAGE DUE TO SANITARY SEWER BACK-UP AT 1710 / 1720 HIGHLAND AVE**

DATE/MTG: **BOARD OF TRUSTEES, MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees disallow claims for damage at 1710 & 1720 Highland Ave as recommended by Statewide Services, Inc. in their letter dated March 23, 2016?

RECOMMENDATION TO: I make a motion that the Board of Trustees disallow the claims for damage at 1710 & 1720 Highland Ave, as recommended by Statewide Services, Inc. in their letter dated March 23, 2016.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: §893.80(1g) Stats.
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-
-

PRIOR REVIEW:

BACKGROUND: On February 27, 2016, Village of Weston Municipal Utilities staff responded to a report of a sewer backup on Highland Ave. between Normandy St. and Lawndale St. affecting two homes on Highland Ave. Staff found flushable wipes in the manhole at the intersection of Highland Ave. and Normandy St. Both claimants reported sewer backups in their basements, with the resident at 1720 Highland reporting the most significant damage. After investigating the claims, the Village's insurance company reported the Village was not negligent for these incidents and recommends disallowance of both claims.

- Supplemental Briefer for Agenda Items under Consideration
- Attachments
-
-

March 23, 2016

Village of Weston
Attn: Ms. Sherry Weinkauff, Clerk
5500 Schofield Ave.
Weston, WI 54476

RE: Our Claim #: WM000371920042
Date of Loss: 03/23/2016
Claimant: Maxine Folz
1710 Highland Ave,
Weston, WI 54476

Loss location: 1710 Highland Ave.
Weston, WI 54476

Dear Ms. Weinkauff:

As you know, Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the Village of Weston. We are in receipt of the above-captioned claim regarding damages caused by a backup of sewer water into Ms. Folz's home.

Our investigation has revealed that the Village was not negligent for this incident. Therefore, we recommend that the Village disallow this claim pursuant to the Wisconsin Statute for disallowance of claim 893.80(1g). The disallowance of the claim in this manner will shorten the statute of limitations period to six months.

This loss occurred when a section of the sewer main became clogged; however, the Village is not liable for the clog as their operations did not cause it. Once more, Village staff had no prior notice of a problem to the section of sewer main, thus they were unable to take any preventive action. Once Village staff was alerted to the problem, they reacted quickly to diagnose and correct the problem, thus, the Village bears no liability on account of any delayed response time. Finally, per WI statute the Village enjoys discretionary immunity for the "...designing, planning and implementing of a sewer system..." should it be argued that the pipe or system itself allowed for the clog to occur. Therefore, we recommend that the claim be disallowed.

I have enclosed a sample Notice of Disallowance for your use, should you choose to use it, or you may use your own. Please send your disallowance, on your letterhead, directly to the claimant at the above listed address. This should be sent certified or registered (restricted) mail and must be received by the claimant within 120 days after you received the claim. Please send me a copy of your letter for our file.

Thank you, Sherry, for your attention to the above, and please do not hesitate to contact me with any questions.

Best regards,

Douglass A. Detlie
Casualty Claims Specialist
Statewide Services, Inc
PO Box 5555
Madison, WI 53705-0555
Office: 608-828-5503
Fax: 800-720-3512
Email: ddetlie@statewidesvcs.com

CC: Mike Zagrodnik, Agent

March 23, 2016

Village of Weston
Attn: Ms. Sherry Weinkauff, Clerk
5500 Schofield Ave.
Weston, WI 54476

RE: Our Claim #: WM000371920042
Date of Loss: 03/23/2016
Claimant: Joshua Dickerson
1720 Highland Ave,
Weston, WI 54476

Loss location: 1720 Highland Ave.
Weston, WI 54476

Dear Ms. Weinkauff:

As you know, Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the Village of Weston. We are in receipt of the above-captioned claim regarding damages caused by a backup of sewer water into Mr. Dickerson's home.

Our investigation has revealed that the Village was not negligent for this incident. Therefore, we recommend that the Village disallow this claim pursuant to the Wisconsin Statute for disallowance of claim 893.80(1g). The disallowance of the claim in this manner will shorten the statute of limitations period to six months.

This loss occurred when a section of the sewer main became clogged; however, the Village is not liable for the clog as their operations did not cause it. Once more, Village staff had no prior notice of a problem to the section of sewer main, thus they were unable to take any preventive action. Once Village staff was alerted to the problem, they reacted quickly to diagnose and correct the problem, thus, the Village bears no liability on account of any delayed response time. Finally, per WI statute the Village enjoys discretionary immunity for the "...designing, planning and implementing of a sewer system..." should it be argued that the pipe or system itself allowed for the clog to occur. Therefore, we recommend that the claim be disallowed.

I have enclosed a sample Notice of Disallowance for your use, should you choose to use it, or you may use your own. Please send your disallowance, on your letterhead, directly to the claimant at the above listed address. This should be sent certified or registered (restricted) mail and must be received by the claimant within 120 days after you received the claim. Please send me a copy of your letter for our file.

Thank you, Sherry, for your attention to the above, and please do not hesitate to contact me with any questions.

Best regards,

Douglass A. Detlie
Casualty Claims Specialist
Statewide Services, Inc
PO Box 5555
Madison, WI 53705-0555
Office: 608-828-5503
Fax: 800-720-3512
Email: ddetlie@statewidesvcs.com

CC: Mike Zagrodnik, Agent

Statewide Services, Inc.

Claim Division

1241 John Q. Hammons Dr.
P.O. Box 5555
Madison, WI 53705-0555
877-204-9712

March 23, 2016

Ms. Maxine Folz
1710 Highland Ave.
Weston, WI 54476

Regarding: Our Insured: Village of Weston
Claim No: WM000371920042
Date/Loss: 02/27/2015

Dear Ms. Folz:

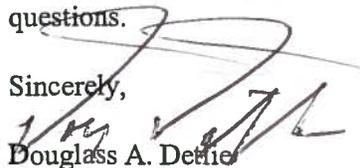
Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the Village of Weston. As discussed, we are in receipt of the above-captioned claim involving damage from a sewer backup into your home.

To reiterate, we have completed our investigation, and we are recommending that the Village of Weston disallow your claim. The unfortunate sewer backup occurred due to a clog in the sewer main line, however, Village operations did not cause the clog. Once more, Village staff had no prior notice that the unforeseen clog existed, thus, they were unable to take a preventive measure. Once Village staff was made aware of the problem, they responded timely to diagnose the clog and clear it from the line, thus, Village staff is not liable for any delayed response time. Finally, per WI statute the Village has immunity as "...the acts of designing, planning and implementing a sewer system are discretionary acts protected"; thus, the immunity applies should it be argued that the design, or placement, of the sewer main allowed for the clog to occur.

Given the Village bears no liability causing the clog; and given they had no prior notice of it so as to take a preventive measure; and given that they responded timely once made aware of the problem so as to correct the problem and/or given the immunity in place for the Village regarding the design of their sewer main, Statewide Services, Inc. will not be able to pay for your damages.

I am sorry that we cannot of assistance to you, and please do not hesitate to call me with any questions.

Sincerely,


Douglass A. DeFie
Casualty Claims Specialist
Statewide Services, Inc.
PO Box 5555
Madison, WI 53705-0555
Office: 608-828-5503
Cc: Village of Weston

Statewide Services, Inc.

Claim Division

1241 John Q. Hammons Dr.
P.O. Box 5555
Madison, WI 53705-0555
877-204-9712

March 23, 2016

Mr. Joshua Dickerson
1720 Highland Ave.
Weston, WI 54476

Regarding: Our Insured: Village of Weston
 Claim No: WM000371920042
 Date/Loss: 02/27/2015

Dear Mr. Dickerson:

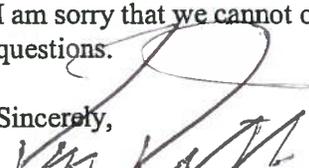
Statewide Services, Inc. administers the claims for the League of Wisconsin Municipalities Mutual Insurance, which provides the insurance coverage for the Village of Weston. As discussed, we are in receipt of the above-captioned claim involving damage from a sewer backup into your home.

To reiterate, we have completed our investigation, and we are recommending that the Village of Weston disallow your claim. The unfortunate sewer backup occurred due to a clog in the sewer main line, however, Village operations did not cause the clog. Once more, Village staff had no prior notice that the unforeseen clog existed, thus, they were unable to take a preventive measure. Once Village staff was made aware of the problem, they responded timely to diagnose the clog and clear it from the line, thus, Village staff is not liable for any delayed response time. Finally, per WI statute the Village has immunity as "...the acts of designing, planning and implementing a sewer system are discretionary acts protected"; thus, the immunity applies should it be argued that the design, or placement, of the sewer main allowed for the clog to occur.

Given the Village bears no liability causing the clog; and given they had no prior notice of it so as to take a preventive measure; and given that they responded timely once made aware of the problem so as to correct the problem and/or given the immunity in place for the Village regarding the design of their sewer main, Statewide Services, Inc. will not be able to pay for your damages.

I am sorry that we cannot of assistance to you, and please do not hesitate to call me with any questions.

Sincerely,


Douglass A. Deffie
Casualty Claims Specialist
Statewide Services, Inc.
PO Box 5555
Madison, WI 53705-0555
Office: 608-828-5503
Cc: Village of Weston

Weston Water/Sewer Utility

WORK ORDER NUMBER: **13524**

CUSTOMER: DICKERSON, LESLEI JO
SERVICE ADDRESS **1720 HIGHLAND AVE**
ACCOUNT NUMBER 2814-00
PHONE NUMBER 715-359-9553

DATE/TIME CREATED 02/27/2016 2:55 PM
DUE DATE **02/27/2016**
Requested By: JOSH DICKERSON

WORK ORDER DESCRIPTION **WATER Other Activity**
POSSIBLE SEWER BACK-UP.

New Customer Information:

Name: _____
Mailing Address: _____

Phone: _____

Cross Connection inspection - if any violation please note below

Task: POSSIBLE SEWER BACKUP

READING INFORMATION

CURRENT METER	SIZE	MAKE	METER ID / EMR ID	CURRENT READ
Service: WATER	5/8 INCH	SENSUS	65252487	_____
MXU ID		Installed 2009-10-12 - INS	LAST READING DATE 02/08/2016	Outside / Remote Read
			LAST METER READING 282	_____

COMPLETED COMMENTS:

OPERATOR: JB/CD DATE: _____ START TIME: _____ END TIME: _____

CLERK: DV

Customer Name _____
Address 1720 Highland Ave

Date/Time of service call 2/27/16
Person ordering _____
Work order Rob Dickerson

TYPE OF SERVICE PROVIDED

Deliver Meter Inspection Private well water sample (see attached info)
 Final meter reading Inside reading _____ Outside reading _____
New Tenant or
Owner _____
Rental _____
Property _____

Moved Old Meter Installed New Meter
Material Number _____ Serial Number _____
ID Number _____
Reading _____
Remote reading _____

CURB STOP SERVICE
 Turn on / off Tapping water main
Tapping size _____
 Locating
 Raising /lowering Flow test/excess water usage complaint
 Straighten
 Cross connection inspection - if any violation please note below

Possible sewer backup _____

OTHER There was a sewer plug between Highland Ave and Boothill Ave on Normandy St. affecting residence on Highland Ave. The debris was made up of clorox wipes or baby wipes bound together. The →

OPERATOR John / chad DATE 2/27/16 START TIME 10:50 END TIME 1:35

resident at 1720 Highland ave reached up in their basement causing some damage. They had K-Tech over cleaning up the mess. Also the resident just west of 1720 Highland had reached-up, but do not know the amount of damage.

EMERGENCY SEWER BACKUP/CLEANING LOG

DATE: 2/26/16

OPERATOR CALLED OUT: John

TIME: 10:50

ARRIVED: 11:12

LOCATION: Highland Ave / Normandy St

PROBLEM: sewer main backed-up

MH'S INSPECTED

NO: _____

LOCATION: _____

Normandy / Highland
1/2 full of waste water

MH'S SURCHARGED

SOLUTION: _____

called Chad in for assistance and
brought Vector Truck over to the intersection
of Normandy and Boothill and jetted
to the south

COMMENTS: _____

line was plugged with cherax wipes
or baby wipes.

From: Sherry Weinkauf
To: "Maxine": "Folz, Maxine"
Subject: RE: info from M Folz regarding sewer backup damage on 2/27/16
Date: Thursday, March 3, 2016 4:00:00 PM

Thank you

From: Maxine [mailto:mmfolz@charter.net]
Sent: Wednesday, March 2, 2016 6:11 PM
To: Sherry Weinkauf <sweinkauf@westonwi.gov>; 'Folz, Maxine' <MAXINE.FOLZ@LibertyMutual.com>
Subject: info from M Folz regarding sewer backup damage on 2/27/16

Hi Sherry, below is the information you requested regarding the sewer backup that occurred on Saturday, 2/27/16, in the area of Normandy Ave & Highland Ave.

Michael & Maxine Folz, at 1710 Highland Ave, Weston

Home phone 715-359-0930 (evenings)
Maxine's work phone 715-261-5563 (daytime)
Maxine's cell phone 715-573-2985 (anytime)
Mike's cell phone 715-573-2226 (anytime)
Maxine's work email (maxine.folz@libertymutual.com)
Our home email (mmfolz@charter.net)

On Saturday morning, 2/27/16, a sewer backup in our neighborhood caused our basement & our neighbor's basement to get flooded. Our basement consists of a workshop area with concrete flooring, a carpeted family room area, a bathroom with vinyl flooring, and a storage closet. Fortunately the water did not reach the storage closet. We contacted K-Tech Cleaning & Restoration and they arrived shortly after 1 PM to begin the cleaning process. They were here until about 6 PM. All of the carpeting had to be removed. They applied a Micro-ban spray to the entire floor and brought in 13 large fans and 2 dehumidifiers to assist with the drying process. K-Tech Cleaning has returned each day this week to monitor the drying process and have removed much of their equipment. As of today, March 2, there is still 1 fan, 1 dehumidifier and 1 air scrubber running in the basement. They will be back each day to continue monitoring the progress.

The specialist from K-Tech that has been returning daily has indicated that there is some drywall and baseboard damage in areas of the basement that will need to be replaced. He also indicated that the vinyl flooring, baseboards, drywall and vanity in the bathroom need to be replaced. At this point, because the drying process is not complete we don't have an evaluation from him on the extent of the damages.

We did throw out some items that had been on the cement floor in the workshop area or on the wet carpet. But fortunately we did not have any pieces of furniture down there so no furniture was damaged. K-Tech Cleaning hauled away and disposed of all of the contaminated carpeting and items. They have a 12" sample of the carpeting and I have photos of the items that we had to throw away.

As soon as the K-Tech technicians arrived they took pictures of each room and I'm sure you can contact them for those pictures if you need them.

We paid a \$1,000 deposit to K-Tech on Saturday but we have not received any other bills or estimates from them yet so I cannot provide any estimate on the amount of loss.

Please let me know if you need any additional information from me at this time. And when corresponding

via email please include both my work and home email so that I am sure to see it and respond as quickly as I can.

Thank you,
Maxine Folz

From: Sherry Weinkauf
To: ["Joshua Dickerson"](#)
Subject: RE: Information needed for the Village's insurance
Date: Tuesday, March 22, 2016 5:38:00 PM

Thank you. I will forward to the Village's insurance company.

Sherry

From: Joshua Dickerson [mailto:100trackfish@gmail.com]
Sent: Tuesday, March 22, 2016 9:36 AM
To: Sherry Weinkauf <sweinkauf@westonwi.gov>
Subject: Re: Information needed for the Village's insurance

Sherry,

3 Bedroom House with finished basement

Joshua & Leslei Dickerson
1720 Highland Ave.
Weston, WI 54476

715-571-1774

Sewer blockage on the street that caused had sewer water damage across the entirety of our basement. We had sewer water up to 3' deep in some areas. We removed carpeting, cut trim and walls to remove contaminated areas. We are only looking for help specific to the rebuild of the basement and not personal items, such as luggage, clothing, kids toys and so on.

We are still working on an estimate to refinish the basement, we have the current bill from KTech. Our insurance covers 5,000 dollars damage.
Please let me know how much time we still have to submit for estimate to rebuild basement.

[Meemic Insurance Company](#)
Policy # HOP0248878

Many thanks,

Joshua Dickerson

K-tech Kleening Systems, Inc.
 7710 Technology Drive
 P.O. Box 289
 Weston, WI. 54476
 1-800-215-8324



Invoice

Date	Invoice #
3/4/2016	328

Josh Dickerson
 1720 Highland Ave.
 Weston, WI. 54476

P.O. No.	Terms	Project
Mitigation	Net 15	

Quantity	Description	Rate	Amount
	Main Level:		
	Service call - After Hours	167.56	167.56
	Equipment setup, take down & monitoring - after hours (3 hrs @ 59.91/HR)	179.73	179.73
	Equipment setup, take down & monitoring - normal business hours (6 @ 39.90/HR)	239.40	239.40
	Contractor Bags - used for disposal of contaminated items (40 @ 3.53 each)	141.20	141.20
	Haul debris - per pickup truck load - including dump fees (2 @ 118.78/ load)	237.56	237.56
	Dumpster load - Approx 12 yards, 1-3 tons of debris	332.21	332.21
	Content manipulation - after hours (16hrs @ 45.35/HR)	725.60	725.60
	Cleaning - Haul debris from basement to truck (6hrs @ 39.90/HR)	239.40	239.40
	Neg. air fan/ Air scrub - Large (per fan @ 107.35 per day)	322.05	322.05
	1 for 3 days		
	Replacement of pre and post filters on air filtration device (2 @ 10.54 each)	21.08	21.08
	Replacement of HEPA filter on air filtration device	237.40	237.40
	Axial fan air mover - 1 HP (per fan @ 35.87 per day)	1,147.84	1,147.84
	13 air movers for 2 days		
	6 air movers for 1 day		
	Dehumidier - XLARGE (per dehu @ 114.92 per day)	689.52	689.52
	2 dehus for 3 days		
	Equipment decontamination - per piece of equipment (16 pieces @ 27.67 each)	442.72	442.72
	Closet:		
	Tear out wet non-salvageable carpet, cut/bag - Category 3 (80.63SF @ .59/SF)	47.57	47.57
	Water extraction from carpeted floor - Category 3 - after hours (80.63SF @ 1.59/SF)	128.20	128.20
	Clean floor - Heavy (80.63SF @ .31/SF)	25.00	25.00
	Apply anti-microbial agent - after hours (80.63SF @ .25/SF)	20.16	20.16
	Apply anti-microbial agent - normal business hours (80.63SF @ .19/SF)	15.32	15.32
	Bathroom:		
	Water extraction from hard surface floor - Category 3 - after hours (84.38SF @ .66/SF)	55.69	55.69
	Clean floor - Heavy (84.38SF @ .31/SF)	26.16	26.16
	Apply anti-microbial agent - after hours (84.38SF @ .25/SF)	21.10	21.10
	Apply anti-microbial agent - normal business hours (84.38SF @ .19/SF)	16.03	16.03
	Clean shower - Heavy	40.59	40.59

Thank you for your business.

Total

K-tech Kleening Systems, Inc.
 7710 Technology Drive
 P.O. Box 289
 Weston, WI. 54476
 1-800-215-8324



Invoice

Date	Invoice #
3/4/2016	328

Josh Dickerson
 1720 Highland Ave.
 Weston, WI. 54476

P.O. No.	Terms	Project
Mitigation	Net 15	

Quantity	Description	Rate	Amount
	Clean floor (18.44SF @ .31/SF)	5.72	5.72
	Apply anti-microbial agent - after hours (18.44SF @ .25/SF)	4.61	4.61T
	Apply anti-microbial agent - normal business hours (18.44SF @ .19/SF)	3.50	3.50T
	Family Room:		
	Tear out wet carpet pad, cut/bag - after hours (722.11SF @ .81/SF)	584.91	584.91
	Tear out wet, non-salv. carpet, cut/bag - Category 3 (722.11SF @ .59/SF)	426.04	426.04
	Water extract from carpeted floor - Category 3 - after hours (722.11SF @ .59/SF)	1,148.15	1,148.15
	Clean floor (722.11SF @ .31/SF)	223.85	223.85
	Apply anti-microbial agent - after hours (722.11SF @ .25/SF)	180.53	180.53T
	Apply anti-microbial agent - normal business hours (722.11SF @ .19/SF)	137.20	137.20T
	Remove siding - tongue & groove - cedar (342.40SF @ .35/SF)	119.84	119.84
	Tear out trim and bag for disposal (139.17LF @ .71/LF)	98.81	98.81
	Tear out wet drywall, cleanup and bag (286.60SF @ 1.00/SF)	286.60	286.60
	Sump Pit:		
	Water extraction from hard surface floor - Category 3 (11.81SF @ .66/SF)	7.79	7.79
	Clean floor (11.81SF @ .31/SF)	3.66	3.66
	Apply anti-microbial agent - after hours (11.81SF @ .25/SF)	2.95	2.95T
	Apply anti-microbial agent (11.81SF @ .19/SF)	2.24	2.24T
	Hazardous Waste/mold rem.	137.65	137.65
	Siding labor	73.50	73.50
	Sales Tax	5.50%	189.89

Thank you for your business.

Total

\$10,593.56



CORPORATE OFFICE: P.O. BOX 289, WESTON, WI 54476-0289 • FAX (715) 355-7912 • 1-800-215-8324
WAUSAU AREA (715) 355-1369, STEVENS POINT (715) 341-7170, RHINELANDER (715) 369-7478
APPLETON (920) 830-4910, OSHKOSH (920) 233-9161, STURGEON BAY (920) 743-6256, CHIPPEWA VALLEY (715) 834-6304

CUSTOMER RESPONSIBILITY FORM
AIR MOVERS, DEHUMIDIFIERS, OTHER EQUIPMENT

The Customer has been instructed about the fact that air movers should be shut off and/or unplugged before moving. Reset circuit breakers, or replace fuses, should they trip or burn out during equipment operation. Please check the catch basin of the dehumidifier at least once every 24 hours and dump as required. The dwelling should have a temperature setting between 65° to 70° to prevent "freeze-up" and to allow ideal drying conditions and inhibit bacterial growth. Turn on exhaust fans as applicable to accelerate drying. Do not open windows and minimize entering the affected rooms, this will prolong the drying process. Tackless strip is a danger even if it is covered with a pad. The floors may be slippery, walk cautiously.

I have read and understand the above paragraph about equipment operation, drying procedures, and safety precautions.

Customer's Name: Dickerson, Josh

Customer's Address: 1720 Highland Ave City Weston State WI Zip

Date 2/27/16 Time AM/PM (circle one)

The customer is responsible for damage and/or loss while in their care and custody.

The above equipment on location will be picked up between the hours of 8:00a.m. and 4:00p.m. Monday - Friday, excluding holidays. An agreed upon time and date for pick up is not to exceed seven (7) days, unless unforeseen conditions require additional drying time. It is the Customer's responsibility to allow KKS personnel access to custody location to pick up the above listed equipment as herein stipulated.

EQUIPMENT START DATE: 2/27/16 TECHNICIAN: Alex Kosmanovic

EQUIPMENT PICKUP DATE: TECHNICIAN:

NOTE: A minimum charge will apply for pick up service other than above requested hours. Should you, the customer, have any problems with any equipment, call our office at 1-800-215-8324 - a 24 hour number.

Form box containing equipment list: AIR MOVER(S) #1165 #203 #250 #105 #169 #134 #117 #241 #99 #170 #201 #200 #190 #187 # DEHUMIDIFIER(S) LGR #99 #51 # OTHER EQUIPMENT: EXT CORDS#() TURBO VENTS#() OCTIDRY#() ELECT. BOX() GALE STANDS() OTHER

RENTAL CHARGES
\$ 35.00 per Air Movers per day 24 hour period int.
\$ 125.00 per Dehumidifier per day 24 hour period int.
\$ per Air Filtration Device (AFD) per day 24 hour period int.
\$ Other int.

CUSTOMER'S SIGNATURE: DATE: 2/27/2016

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.33.



Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review

REQUEST FROM: **DANIEL GUILD, ADMINISTRATOR**
KEITH DONNER, DIRECTOR OF PUBLIC WORKS AND UTILITIES

ITEM DESCRIPTION: **CONTRACT AMENDMENT WITH JSD PROFESSIONAL SERVICES FOR TRAFFIC IMPACT ANALYSIS**

DATE/MTG: **BOARD OF TRUSTEES MEETING OF MONDAY, APRIL 18, 2016**

POLICY QUESTION: Should the Board of Trustees approve a contract amendment with JSD Professional Services in the amount of \$6,500 for additional effort required to complete a Traffic Impact Analysis (TIA) for the STH 29/CTH X interchange area and the CTH X/Camp Phillips Rd. corridor?

RECOMMENDATION TO: I recommend the Board of Trustees approve a contract amendment with JSD Professional Services in the amount of \$6,500 for additional effort required to complete a Traffic Impact Analysis (TIA) for the STH 29/CTH X interchange area and the CTH X/Camp Phillips Rd. corridor.

LEGISLATIVE ACTION:

- | | | |
|---|------------------------------------|---------------------------------------|
| <input checked="" type="checkbox"/> Acknowledge/Approve | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Proclamation |
| <input type="checkbox"/> Administrative Order | <input type="checkbox"/> Policy | <input type="checkbox"/> Reports |
| <input checked="" type="checkbox"/> Expenditure | <input type="checkbox"/> Procedure | <input type="checkbox"/> Resolution |
-

FISCAL IMPACT ANALYSIS:

- Budget Line Item: _____
- Budgeted Expenditure: _____
- Budgeted Revenue: _____
-

STATUTORY / RULEMAKING / POLICY REFERENCES:

- WI Statue: _____
- WI Administrative Code: _____
- Case Law / Legal: _____
- Municipal Code: _____
- Municipal Rules: _____
-

PRIOR REVIEW: Village staff

BACKGROUND: The Village of Weston partnered with JSD Professional Services in 2015 to prepare a neighborhood plan for the nominal 320 acres of land in the South East quadrant of the STH 29 and CTH X interchange area and the CTH X corridor from Weston Avenue to Ross Avenue.

It was recognized that a critical component of the neighborhood plan, and the corridor plan, is a Traffic Impact Analysis (TIA). A TIA is a tool used to predict the impact of anticipated development on an existing transportation system and justify improvements to the transportation system to correct any predicted deficiencies.

A computer model is used to predict future traffic situations for the TIA. While not perfect, the computer model is the best available method available to assist with planning for transportation system improvements. Once modeling of anticipated future development has been accomplished the relevant public agencies (Wisconsin Department of

Transportation (WisDOT) and Marathon County) have a review and approval process for the written TIA reports which are produced. WisDOT has to be consistent with the methods used to predict traffic which ultimately could lead to recommended improvements on the State Highway system, as the Village's SE Quadrant and CTHX corridor study will. In order for WisDOT to evaluate the predicted impacts of the future development, WisDOT also does some comparative modeling.

The uncertainty with any of the modeling is that assumptions made for the level of development may be totally incorrect in reality due to unpredictable factors such as incorrectly predicting the year of full build-out of the development. Concurrence between WisDOT and JSD is critical in justifying transportation system improvements such as intersection locations (e.g. Westview Boulevard to the east) and types of intersections (e.g., round-a-bouts vs. signalized). The need for specific transportation system improvements could also affect how the Wisconsin Department of Natural Resources and US Army Corps of Engineers evaluate whether wetland disturbances will be allowed.

The original JSD contract was based on modeling scenarios to evaluate traffic under existing conditions, year 2020 projected build and assumed full build-out in 2026. After reviewing JSD's results in February 2016, WisDOT requested additional modeling be performed for the years 2036 and 2050. JSD and the Village collaborated to furnish data for WisDOT to input to their regional travel demand model in mid-March. WisDOT completed their modeling on April 12.

As an aside, data input to the model used by JSD and that used by WisDOT are not identical. The models used by consultants such as JSD simply estimate traffic generation based on land use. These traffic generation estimates are typically from the Institute of Traffic Engineers (ITE). The WisDOT model differs in that it is tied to population in the most recent census and Department of Administration population projections. Traffic Analysis Zones used by WisDOT in their model are tied to census blocks and use numbers of households and jobs within those census blocks/TAZ's to predict traffic numbers.

JSD is now tasked with completing their modeling for the SE Quadrant and the CTH X corridor for the additional "horizon" years of 2036 and 2050. The JSD TIA will then include evaluation of additional impacts of the future development over previously predicted development impacts without the development. The additional modeling and reporting level require additional effort on the part of JSD as compared to what is included in their existing professional services agreement with the Village. The additional cost of \$6,500 corresponds to between 50 and 60 hours of effort by JSD to complete the TIA under Task 5.1 of JSD's existing agreement with the Village. The additional services result in an amended total for Task 5.1 of \$41,500 and an amended total for the original contract of \$154,250. Staff recommends approval.

- Supplemental Briefer for Agenda Items under Consideration
- Attachments – Proposed Amendment to Professional Services Agreement with JSD Professional Services
April 13, 2016 e-mail thread between JSD and Village of Weston
Original Professional Services Agreement with JSD Professional Services.

April 12, 2016

Mr. Daniel Guild, Village Administrator
Village of Weston
5500 Schofield Avenue
Weston, WI 54476-4333

Subject: **Professional Consulting Services**
Camp Phillips Road Corridor Planning
Weston, Wisconsin
JSD Project No. 15-6918

Dear Mr. Guild:

REQUEST FOR ADDITIONAL SCOPE OF WORK

At this time, we are requesting a contract modification for additional work identified as above and beyond the original scope of work outlined in our original contract dated October 16, 2015. This modification is related to a request from WisDOT to include two additional horizon years of 2036 and 50 years in the Preliminary Traffic Impact (TIA) for the SE Neighborhood Plan and to incorporate revised traffic forecasts provided by WisDOT in support of the TIA. Due to the potential impacts of the SE Neighborhood and unanticipated surrounding developments on the regional transportation network, these additional analyses were requested by WisDOT.

Additionally, JSD will perform three (3) TIAs for alternative site layouts in support of the WDNR wetland fill permit as a part of the Alternative Analysis required by the WDNR and U.S. Army Corps of Engineers.

Task 5.1: Project Coordination and Meetings

\$41,500.00

(\$6,500.00 increase in the lump sum amount)

Modify Task 5.1 as follows:

JSD will conduct a preliminary Traffic Impact Analysis per WisDOT standards and guidelines "Traffic Impact Analysis Guidelines (January 2014)" pertaining to establishing base year and horizon-year **three horizon year** projections of anticipated traffic on Camp Phillips Road and including the following intersections on Camp Phillips Road (CPR) and Weston Avenue (WA) as prescribed by the Village (see Exhibit #4):

- Ross Avenue (CPR)
- Schoefield Avenue (CPR)
- Community Center Drive/Barbican Avenue (CPR)
- STH 29 WB and EB Ramps (CPR)
- Westview Boulevard (CPR)
- Weston Avenue (CPR)
- Van Kanel Street (WA)

This preliminary Traffic Impact Analysis will be based upon existing vehicle count and turning movement data to be collected during October-November 2015, existing land uses, and planned land use development prepared as part of the Camp Phillips Road Corridor Plan and the "South Study Area" Preliminary Neighborhood Plan.

The TIA will include up to three (3) alternative plan alternatives to be developed as an integral part of the application for wetland fill application. The WDNR and U.S. Army Corps of Engineers require comprehensive Alternative Analysis to support any wetland fill or disturbance. These analysis will be developed for the planned horizon year and the two additional horizon years for each of the three (3) alternatives.

This work effort will entail site reconnaissance, field observation of vehicle turning movements at the identified intersections, collaboration with Village staff, and collaboration and coordination with WisDOT district and central office staff.

AUTHORIZATION

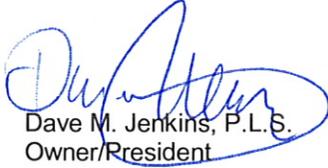
Thank you for your continued confidence in our capabilities and this opportunity to provide additional services in support of your project. We value and look forward to continuing our working relationship with you.

Please indicate your acceptance of this change in scope by signing the *Client's Authorized Signature* line below and returning to JSD to authorize the additional services and confirm our understanding of your needs.

Please do not hesitate to contact me if I can provide additional information and assistance.

Sincerely,

JSD Professional Services, Inc.


Dave M. Jenkins, P.L.S.
Owner/President

Client's Authorized Signature / Date

cc: Bill Dunlop, JSD
Justin Frahm, JSD

Keith Donner

From: Justin Frahm <justin.frahm@jsdinc.com>
Sent: Wednesday, April 13, 2016 4:48 PM
To: Keith Donner; Jennifer Higgins; Daniel Guild
Cc: Dave M. Jenkins; Bill Dunlop; Jim Bricker; Dennis Steinkraus (dgs@forwarddevgroup.com)
Subject: RE: Request for Additional Services - Camp Phillips Road Corridor Planning, Weston, WI (JSD # 15-6918)

Keith:

The 50-60 hours estimate is generally accurate to what we have anticipated. Below are additional notes and a detailed breakdown of the efforts associated with the additional scope.

- Original Scope – a Preliminary Traffic Impact Analysis based on the South Study Area Preliminary Neighborhood Plan for the base year and horizon year, 2026 (field work, WisDOT coordination, 1 detailed analysis and report)
- Current Scope – ten (10) impact analysis (three alternative analyzed for based year and 3 horizon years, 2026, 2036, 2050). The addition effort is for running each of the additional analysis, analyzing the results, determining lane and signal configurations for each, and writing up each of the results, and consolidating them into a completed report.

Regards,

Justin Lee Frahm, ASLA, ICSC

Project Consultant | Planner | Site Designer

B.S. Landscape Architecture

JSD Professional Services, Inc.

· Engineers · Surveyors · Planners

Please consider your environmental responsibility before printing this email.

Wausau Regional Office

7402 Stone Ridge Dr. Suite 4

Weston, WI 54476

715.298.6330

715.298.6326 fax

Madison Regional Office

161 Horizon Drive, Suite 101

Verona, WI 53593

608.848.5060 phone ext. 226

608.848.2255 fax

justin.frahm@jsdinc.com | www.jsdinc.com

JSD Electronic Disclaimer

All electronic files transferred by JSD Professional Services, Inc. are provided solely for the convenience of the addressee and are warranted only to the extent that they conform to the original, hard copy plot(s) or other originally sealed document(s) produced by JSD Professional Services, Inc. By opening this file the recipient accepts all responsibility for use of the information contained herein. Deviation in any respect from the original content shall render the entire contents void and release JSD Professional

Services, Inc. from any and all liability to the addressee and third parties. All electronic files are transmitted in trust for the sole use of the addressee and acceptance constitutes assumption of responsibility for its use and safekeeping. There shall be no use by any third parties without the express written consent of JSD. Any use by third parties shall be at the sole risk of the addressee. Any alterations to or tampering with the files shall constitute the agreement of the addressee to release, defend and hold harmless JSD Professional Services, Inc., from all claims and causes of action by said addressee and third parties.

From: Keith Donner [mailto:kdonner@westonwi.gov]
Sent: Wednesday, April 13, 2016 4:08 PM
To: Justin Frahm <justin.frahm@jsdinc.com>; Jennifer Higgins <jhiggins@westonwi.gov>; Daniel Guild <dguild@westonwi.gov>
Cc: Dave M. Jenkins <dave.jenkins@jsdinc.com>; Bill Dunlop <bill.dunlop@jsdinc.com>; Jim Bricker <jim.bricker@jsdinc.com>; Dennis Steinkraus (dgs@forwarddevgroup.com) <dgs@forwarddevgroup.com>
Subject: RE: Request for Additional Services - Camp Phillips Road Corridor Planning, Weston, WI (JSD #15-6918)

Justin:

As a point of reference in preparing a recommendation for the Board, how many hours were allocated to the original \$35,000 for this task and how many additional hours are being estimated?

It appears to be in the range of 50 – 60 hours of additional effort. What activities account for the added hours?

Keith

[Keith Donner, P.E.](#)

Director of Public Works & Utilities

[Village of Weston](#)

5500 Schofield Ave Weston, WI 54476

p. 715.359.6114 | f 715.359.6117 | m. 715-574-1537

Want to receive the "**This Week in Weston**" e-newsletter? [Sign up here!](#)

From: Justin Frahm [mailto:justin.frahm@jsdinc.com]
Sent: Tuesday, April 12, 2016 3:00 PM
To: Keith Donner <kdonner@westonwi.gov>; Jennifer Higgins <jhiggins@westonwi.gov>; Daniel Guild <dguild@westonwi.gov>
Cc: Dave M. Jenkins <dave.jenkins@jsdinc.com>; Bill Dunlop <bill.dunlop@jsdinc.com>; Jim Bricker <jim.bricker@jsdinc.com>; Dennis Steinkraus (dgs@forwarddevgroup.com) <dgs@forwarddevgroup.com>
Subject: FW: Request for Additional Services - Camp Phillips Road Corridor Planning, Weston, WI (JSD #15-6918)

Dan/Keith/Jennifer:

FYI – provided to Daniel Guild as I had realized the original email did cc did not include Keith and Jennifer on the correspondence.

This additional services request is related to WDOT's request of additional horizon year analyses (2036, 2050) to be included in the Traffic Impact Analysis (TIA) JSD has outlined the additional efforts in the attached additional services letter. This work will be done in addition to the original TIA scope which includes analysis of the horizon year 2026 as noted in the original contract.

This work includes the preliminary analyses associated with the WDNR submission of the Wetland Impact review and the TIA study for the corridor associated with all intersections.

As it is our understanding this may need to go to board for approval, it is our intent to provide for review to proceed with this work given efforts to be undertaken in the next few weeks.

Please let me know if you have any further questions related to this item-

Regards,

Justin Lee Frahm, ASLA, ICSC
Project Consultant | Planner | Site Designer
B.S. Landscape Architecture
JSD Professional Services, Inc.

· Engineers · Surveyors · Planners

Please consider your environmental responsibility before printing this email.

Wausau Regional Office

7402 Stone Ridge Dr. Suite 4

Weston, WI 54476

715.298.6330

715.298.6326 fax

Madison Regional Office

161 Horizon Drive, Suite 101

Verona, WI 53593

608.848.5060 phone ext. 226

608.848.2255 fax

justin.frahm@jsdinc.com | www.jsdinc.com

JSD Electronic Disclaimer

All electronic files transferred by JSD Professional Services, Inc. are provided solely for the convenience of the addressee and are warranted only to the extent that they conform to the original, hard copy plot(s) or other originally sealed document(s) produced by JSD Professional Services, Inc. By opening this file the recipient accepts all responsibility for use of the information contained herein. Deviation in any respect from the original content shall render the entire contents void and release JSD Professional Services, Inc. from any and all liability to the addressee and third parties. All electronic files are transmitted in trust for the sole use of the addressee and acceptance constitutes assumption of responsibility for its use and safekeeping. There shall be no use by any third parties without the express written consent of JSD. Any use by third parties shall be at the sole risk of the addressee. Any alterations to or tampering with the files shall constitute the agreement of the addressee to release, defend and hold harmless JSD Professional Services, Inc., from all claims and causes of action by said addressee and third parties.

From: Donna Edge
Sent: Tuesday, April 12, 2016 1:33 PM
To: Daniel Guild <dguild@westonwi.gov>
Cc: Justin Frahm <justin.frahm@jsdinc.com>; Bill Dunlop <bill.dunlop@jsdinc.com>; Dave M. Jenkins <dave.jenkins@jsdinc.com>; Jim Bricker <jim.bricker@jsdinc.com>; dgs@forwarddevgroup.com
Subject: Request for Additional Services - Camp Phillips Road Corridor Planning, Weston, WI (JSD #15-6918)

Dan,

On behalf of Justin Frahm, please find attached JSD's request for additional consulting services for the subject project for your review and approval. The original will also be sent to you through regular US Mail as well.

If you should have any questions or would like to discuss this proposal further, please feel free to contact Justin at our Weston office at 715-298-6330 or via email at Justin.frahm@jsdinc.com.

If you wish to authorize these services, please sign the “Client’s Authorized Signature” line on the letter and return the letter to our office (to my attention) either via fax, mail, or email for our records and to confirm our understanding of your needs. Thank you.

Sincerely,

Donna Edge
Project Coordinator

JSD Professional Services, Inc.

· Engineers · Surveyors · Planners

Madison Regional Office
161 Horizon Drive, Suite 101
Verona, WI 53593

608.848.5060 phone
608.848.2255 fax

donna.edge@jsdinc.com | www.jsdinc.com

JSD Electronic Disclaimer

All electronic files transferred by JSD Professional Services, Inc. are provided solely for the convenience of the addressee and are warranted only to the extent that they conform to the original, hard copy plot(s) or other originally sealed document(s) produced by JSD Professional Services, Inc. By opening this file the recipient accepts all responsibility for use of the information contained herein. Deviation in any respect from the original content shall render the entire contents void and release JSD Professional Services, Inc. from any and all liability to the addressee and third parties. All electronic files are transmitted in trust for the sole use of the addressee and acceptance constitutes assumption of responsibility for its use and safekeeping. There shall be no use by any third parties without the express written consent of JSD. Any use by third parties shall be at the sole risk of the addressee. Any alterations to or tampering with the files shall constitute the agreement of the addressee to release, defend and hold harmless JSD Professional Services, Inc., from all claims and causes of action by said addressee and third parties.

August 27, 2015

Mr. Daniel Guild, Village Administrator
Village of Weston
5500 Schofield Avenue
Weston, WI 54476-4333

Subject: **Professional Consulting Services
Camp Phillips Road Corridor Planning
Weston, Wisconsin
JSD Project No. 15-6918**

Dear Mr. Guild:

Thank you for considering JSD Professional Services, Inc. (JSD) to provide professional planning and engineering services for the above-described project. We are pleased to submit this expanded and clarified proposal and look forward to working with you on this project.

JSD employs a staff of professionals providing complete services in **site civil engineering, landscape architecture, surveying and mapping, structural design, planning and development, sustainable development, storm water management, and LEED documentation**. Our offices in Verona (Madison Regional Office), Waukesha (Milwaukee Regional Office), Kenosha (Regional Office) and Appleton (Fox Valley Regional Office) allow JSD to provide services throughout Wisconsin and Northern Illinois in the institutional, commercial, industrial, residential, and recreational markets.

With a strong commitment to Client satisfaction, JSD provides practical and cost-effective solutions for each project. We strive to provide prompt, accurate, and quality service from project inception to completion with our skilled and experienced professional staff and state-of-the-art field and office equipment.

SCOPE OF WORK

Our understanding of this project is based upon discussions with you on August 18th and follow-up conversations/emails with you, Jennifer Higgins, Keith Donner, Mark Roffers, and Stephanie Finamore.

JSD will provide services and assistance to the Village of Weston to support a collaborative effort to elaborate on the planning details for the development and redevelopment of the Camp Phillips Road Corridor. We understand that this corridor is broadly envisioned as the Village's "Main Street" in the overall land use scheme and will continue to be a significant component of the local tax base. We also understand the Village is currently actively engaged in planning for this area with work being performed by Village staff, MDRoffers Consulting, and CWE, Inc.

Our work effort will be a collaborative approach with Village staff and other consultants to address the following elements. These elements will be incorporated into the Camp Phillips Road Corridor chapter of the Village's Comprehensive Plan, preliminary Neighborhood Plan, and planning process for the "South Area" of the corridor (see Exhibit #1).

- Transportation
- Natural Resource Management
- Public and Private Utility Infrastructure

- Land use in the southeast quadrant of the Camp Phillips Road and State Highway 29 intersection. (The “South Study Area” encompasses approximately 310 acres bounded by Camp Phillips Road, STH 29, Weston Avenue, and the east line of Section 21.)

As part of the preparation of this scope of work, JSD created a generalized conceptual development illustration as an exercise to identify potential planning considerations (opportunities, constraints, and issues) that will be part of the conversation to plan and advocate the development of the “South Area” (see Exhibit #2 for an example of a conceptual layout). The initial consensus at JSD is that the location has attractive attributes (access to the regional and local transportation network, reasonably visible building sites, relatively large trade area with demographics with disposable income, and good proximity to regional economic centers) that are foundational elements of a viable business development effort. However, there are several not significant – though not insurmountable – challenges that will require resolution in order for the area to be successfully developed. These include:

- Challenges associated with wetlands.
- Challenges associated with the regional gas and electric transmission corridors.
- Traffic capacities on adjoining streets and intersections.
- Site terrain and drainage.
- Articulation and coordination of uses and development aesthetics with the Village’s expectations.

We understand that the Village has begun to address some of these issues, including:

- Wetland Mitigation – Currently, a relatively large wetland has been delineated in the west half of the southwest quarter of Section 21 and the Village is in the preliminary stages of formulating mitigation strategies. We would recommend additional investigation and delineation work be initiated in the balance of the planning area as well (see Task 5.2).
- Electric Transmission and Gas Pipeline Corridors – The Village has begun exploratory discussions with ATC and ANR about options for minimizing the impacts of the high voltage overhead transmission line and the high pressure gas pipeline corridors which traverse the planning study area. If relocation/rerouting of either of these facilities is determined feasible, specialized engineering will be required (see Task 5.3).

The following scope of work describes work tasks and the framework of our approach to this project. From a broad overview perspective there are three phases in this process. Each phase provides substantive information as the basis for the following phase; and each phase concludes with a collaborative discussion and decision by the Village as to proceeding to the next planning phase for the development. We envision that the overriding criteria of the go/no-go decision will be a rational evaluation of project viability as reflected in a determination of acceptable returns (long-term and short-term) from both public and private investment.

- Phase 1 – Due Diligence Investigation and Preliminary Neighborhood Plan
- Phase 2 – Preliminary Site Master Planning and Business Recruitment
- Phase 3 – Land Division and Final Project Entitlements

This proposal pertains only to the tasks and activities for Phase 1.

TASK 1.0: PROJECT COORDINATION, ADMINISTRATION, AND COMMUNICATION

Project Coordination and Administration

This task accounts for our internal project management and coordination activities. Projected meetings and coordination contact with Village staff, discussions with stakeholders, meetings with local community groups and state agencies, and meetings with the Village Plan Commission are identified under specific tasks. As we discussed, we anticipate that there will be a need to involve sub-consultants

to investigate and/or collect data on specific topics such as traffic data collection, endangered or threatened species, wetland mitigation, and relocation engineering for the gas and electric transmission lines. JSD will recommend, coordinate, and administer any sub-consultant work engagements with Village approval. It is understood that the Village Administrator will have input into the subcontract selection and will monitor the execution of the work.

Communication

Our approach is to work closely with you during the course of this project, and we anticipate at least biweekly coordination discussions. We anticipate these conversations to be conducted primarily by telephone and video conferencing and periodic on-site meetings as necessary.

Also, it is our intention to build upon and support the relationships the Village has cultivated with various local and state agencies and business organizations.

TASK 2.0: SITE INVENTORY AND ANALYSES

Site Inventory and Analyses

JSD will conduct research and an investigation of existing site conditions, public policies, publicly available market information, and other factors relevant to preparing conceptual site development plans, which will support viable business locations within the corridor, and primarily the "South Study Area". This investigation will be coordinated with Village staff and will include, but is not limited to, the following:

Investigating and Reviewing

- Site characteristics (terrain, soils and geology, drainage, vegetative cover, existing land use, and development history)
- Infrastructure (water, sanitary sewer, electric service, natural gas service, communication facilities, transportation capacity, and traffic volumes)
- Public development policies (Village Comprehensive Plan, Camp Phillips Road Corridor Plan, Tax Increment District #1, Village Capital and Operating Budgets)
- Regulatory requirements, issues, and procedures (Zoning and Land Division, Stormwater Management, Wetlands, Street and Highway access, and municipal utility extension)
- Published market and demographic information
- Conducting a Phase 1 Environmental Site Assessment per ASTM E1527-13 and CERCLA (40 CFR 312) to identify sites within the planning area that may pose potential environmental contamination concerns.
- Identifying and interviewing stakeholders (property owners, adjoining businesses, and local and state agencies and organizations) to identify and articulate concerns and expectations.

This work effort will entail site reconnaissance, research, contacts with property owners and local officials and stakeholders, and collaborative discussions with Village Staff.

Meetings and Communication

- Village staff contacts and meetings, including routine project coordination discussions on schedules, policies issues, data collection requirements, and topical discussions as needed.
 - Village Administration and Planning staff
 - Village's Consulting Planner
 - Village Engineer

- Stakeholder/neighborhood discussion on expectations
- Marathon County Highway Department
- Marathon County Economic Development
- WDNR and Corps of Engineers wetland regulatory staff
- WisDOT North Central District and Central Office Planning staff
- ATC and ANR
- Local Chamber of Commerce
- Ascension Health/Ministry Health Care
- Other property owners

Fieldwork

- Environmental site assessment reconnaissance
- Collection of baseline traffic data
- Observation of traffic movement patterns
- Validation of stormwater drainage patterns

Deliverables

- Summary Site Inventory and Assessment Report
- Phase 1 Environmental Site Assessment Report

TASK 3.0: CONCEPTUAL PLANNING AND ALTERNATIVE ANALYSES

Conceptual Planning

JSD will collaborate with the Village and will formulate two (2) conceptual development layouts for the “South Study Area” which will be based on consideration of issues identified in Task 2, preliminary market exploration, and an assessment of requirements of prospective businesses. We anticipate that the conceptual layouts and potential land uses will be critical to the discussions and reconciliation of wetland impacts, utility corridor options, and traffic access and circulation management within the “South Study Area” (see Exhibit #2 for an example of a conceptual layout).

The conceptual alternatives will include sufficient detail and information for preparing initial schematic site civil engineering plans, conceptual stormwater management plans, construction cost projections, traffic studies, and initial general estimates of project costs. The evaluation of the conceptual alternatives will utilize methods compatible with Alternative Analysis Procedures that would be generally required by permitting agencies (WDNR, COE, Marathon County Highway Department, WisDOT, and Village officials).

This work effort will entail collaborative discussions with Village staff, Village consultants, contact with property owners, and participation in process discussions with WDNR/COE regarding wetlands, discussions with WisDOT, other agencies, and communication/collaboration with business prospects identified by the Village.

Meetings and Communications

- Two to three collaborative discussions with Village staff on pertinent topics and concept plan alternatives, preliminary development cost estimates, and implementation strategy(ies).
- Discussions and communication with property owners on alternatives.
- Discussions and communications with WisDOT regarding coordination of the Traffic Impact Study investigation and recommendations.
- Discussion and communication with WDNR and COE regarding permitting and mitigation strategies and recommendations.

Deliverables

- Two Concept Plan Alternatives, including:
 - Land use layouts
 - Street alignments
 - Municipal utility schematic plans
 - General grading plans
- Preliminary Traffic Impact Study (both alternatives)
- Preliminary Development Cost Estimate (both alternatives)
- Preliminary Implementation Strategy addressing phasing, budgeting, construction, and business recruitment

TASK 4.0: PRELIMINARY NEIGHBORHOOD PLAN CONSENSUS AND ADOPTION

Preliminary Neighborhood Planning

JSD will collaborate with Village staff and the Village Plan Commission to refine the concepts and reach a consensus on a preferred concept which will be refined into a Preliminary Neighborhood Plan for the “South Study Area” addressing the requirements of Village Ordinance 94.10.04 (2), (3), and (4). We anticipate that this neighborhood plan will be a key marketing and outreach document to be used by the Village when recruiting prospective businesses to locate or relocate into the “South Study Area”.

In addition to illustrating and articulating the Village’s vision, a key objective of the plan will be to document the Alternative Analysis process, and conclusions, that could be used to substantiate a wetland mitigation strategy and plan for the area.

This work effort will entail collaborative discussions with Village staff and the Village Plan Commission.

Meetings

- Two to four collaborative discussions with Village staff.
- Two to three Village Plan Commission discussions on plan elements and adoption of preliminary neighborhood plan and moving forward into the next phase.

Deliverables

- Preliminary Neighborhood Plan*
- Preliminary Traffic Impact Analysis* (see Task 5.1)
- Preliminary Wetland Mitigation Strategy* (see Task 5.2)
- Preliminary Opinion of Probable Construction Costs*
- Preliminary Utility Relocation Strategy* (see Task 5.3)
- Implementation program recommendations for scheduling and the scope of public and private investment*

(*) Note: The deliverables are described as “Preliminary” since we envision that they will likely be subject to modifications proposed in response to specific needs and accommodations identified during the business recruitment and entitlement phases of the overall development program.

TASK 5.0: SPECIAL STUDIES

We understand that the Village has identified two specific special study topics within the overall framework of the Camp Phillips Road Corridor Planning Project. As a component of our work activities, we will undertake and/or oversee both of these studies and will incorporate findings and recommendations into the report and planning documentation under this project.

Task 5.1: Preliminary Traffic Impact Analysis

JSD will conduct a preliminary Traffic Impact Analysis per WisDOT standards and guidelines "Traffic Impact Analysis Guidelines (January 2014)" pertaining to establishing base year and horizon year projections of anticipated traffic on Camp Phillips Road and including the following intersections on Camp Phillips Road (CPR) and Weston Avenue (WA) as prescribed by the Village (see Exhibit #4):

- Ross Avenue (CPR)
- Schoefield Avenue (CPR)
- Community Center Drive/Barbican Avenue (CPR)
- STH 29 WB and EB Ramps (CPR)
- Westview Boulevard (CPR)
- Weston Avenue (CPR)
- Van Kanel Street (WA)

This preliminary Traffic Impact Analysis will be based upon existing vehicle count and turning movement data to be collected during September 2015, existing land uses, and planned land use development prepared as part of the Camp Phillips Road Corridor Plan and the "South Study Area" Preliminary Neighborhood Plan.

This work effort will entail site reconnaissance, field observation of vehicle turning movements at the identified intersections, collaboration with Village staff, and collaboration and coordination with WisDOT district and central office staff.

Task 5.2: Wetland Delineation and Mitigation Study

Since the "South Study Area" has expanded to 310 acres from the 80-acre area initially investigated by the Village (the west half of the southwest quarter of Section 21), an additional wetland study is needed. In coordination with the Village, JSD has obtained a proposal from CWE, Inc. to conduct a wetland delineation within the east half of the southwest quarter and the southeast quarter of Section 21. CWE, Inc. would prepare and submit a Wetland Delineation Report and would be available to participate in site visit(s) to discuss/advocate appropriate site mitigation strategies.

JSD will direct this wetland investigation and will collaborate with CWE, Inc. on preparing an appropriate mitigation strategy to facilitate the conceptual plan alternatives prepared under Task 3. JSD in consult with CWE, Inc. will develop a recommended permitting strategy to be included in the Preliminary Neighborhood Plan.

Upon direction of the Village, the required wetland permits will be prepared per CWE, Inc.'s proposal (see Exhibit #5).

Task 5.3: Electric and Gas Transmission Relocation Feasibility Study

JSD will contact the electric and gas transmission companies to determine the feasibility of relocating the utilities that traverse the "South Study Area". The planning and engineering work effort involved will included our analysis of the existing easement requirements upon the conceptual plans for the area, permitting and design costs, and a preliminary estimate of relocation costs. This information will be incorporated into the Preliminary Neighborhood Plan and implementation discussion.

GENERAL PROJECT UNDERSTANDING

1. The Village will provide copies of approved and draft comprehensive plans, neighborhood plans, previous studies, wetland delineations, traffic impact analyses, and other planning documents required to complete the work.
2. The Village will provide GIS data sets, 2015 aerial photography, and AutoCAD files required to complete the work.
3. The data will include roadway and utility data sets.
4. Traffic control assistance if required during the Traffic Impact Analysis data collection.
5. The Village will provide traffic counts performed in the past two years.
6. Subconsultants required to complete the specific work elements or special studies will be sub-contracts to JSD in coordination with the Village.

SCHEDULE AND COST

Based on our understanding of the scope of work and the above-described tasks, we will perform the professional services for a lump sum fee as follows:

<i>Task 1.0: Project Coordination, Administration, and Communication</i>	<i>\$3,000.00</i>
<i>Task 2.0: Site Inventory and Analyses</i>	<i>\$35,000.00</i>
<i>Task 3.0: Conceptual Planning and Alternative Analyses</i>	<i>\$30,000.00</i>
<i>Task 4.0: Preliminary Neighborhood Plan Consensus & Adoption</i>	<i>\$25,000.00</i>
TASK 5.0: SPECIAL STUDIES	
<i>Task 5.1: Preliminary Traffic Impact Analysis (by JSD)</i>	<i>\$35,000.00</i>
<i>Task 5.2: Wetland Delineation and Mitigation Study</i> <i>Includes: Sub-consultant, CWE, Inc. (delineation)</i>	<i>\$12,750.00</i>
<i>Task 5.3: Electric & Gas Transmission Relocation Feasibility Study (by JSD)</i>	<i><u>\$7,000.00</u></i>
<i>Lump Sum Total</i>	<i>\$147,750.00</i>

Based on our understanding of the scope of work and the above detailed tasks, we estimate the project planning will be completed as shown in Exhibit #3.

AUTHORIZATION

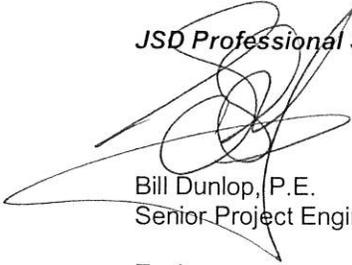
Our services will be performed in accordance with the Village's specified contract upon acceptance of this proposal. Any additional scope will be performed in accordance with the attached JSD 2015 Standard Rate Schedule (see Exhibit #6) on a time and materials basis following approval by the Village. The hourly rates indicated on the attached Standard Rate Schedule are subject to change on an annual basis. Invoice disputes must be made within 30 days of invoice date.

JSD will provide a certificate of insurance for general liability and professional liability, as requested, upon notice of award of contract.

If you have any questions regarding this proposal or additional scope of services, please feel free to contact our office.

Sincerely,

JSD Professional Services, Inc.



Bill Dunlop, P.E.
Senior Project Engineer

Enclosures:

- Exhibit #1: South Study Area
- Exhibit #2: Bubble Plan for Discussion
- Exhibit #3: Project Timeline
- Exhibit #4: TIA Study
- Exhibit #5: CWE, Inc. Proposal
- Exhibit #6: JSD Rate Schedule

cc: Dave Jenkins, JSD

EXHIBIT 1

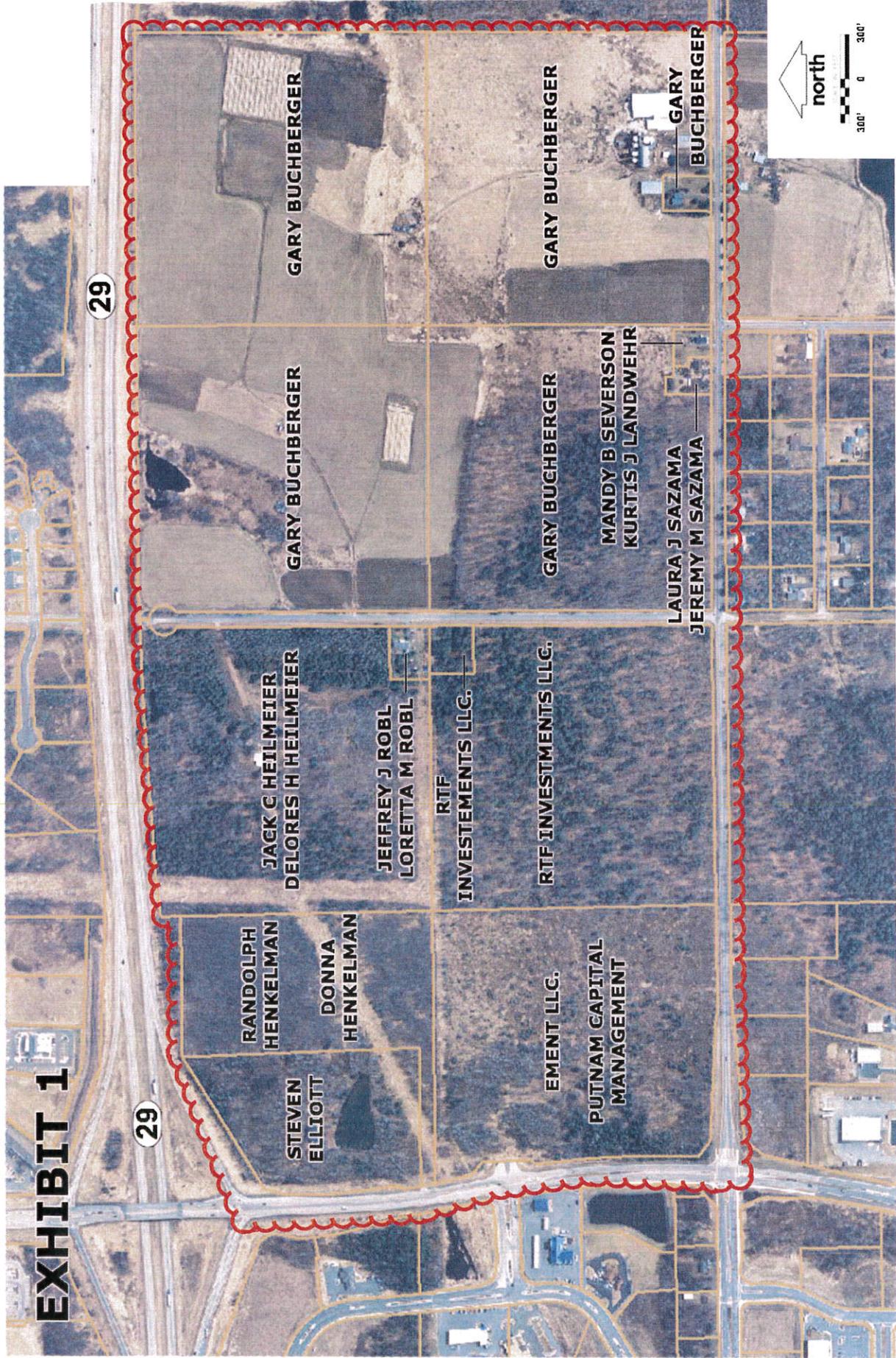
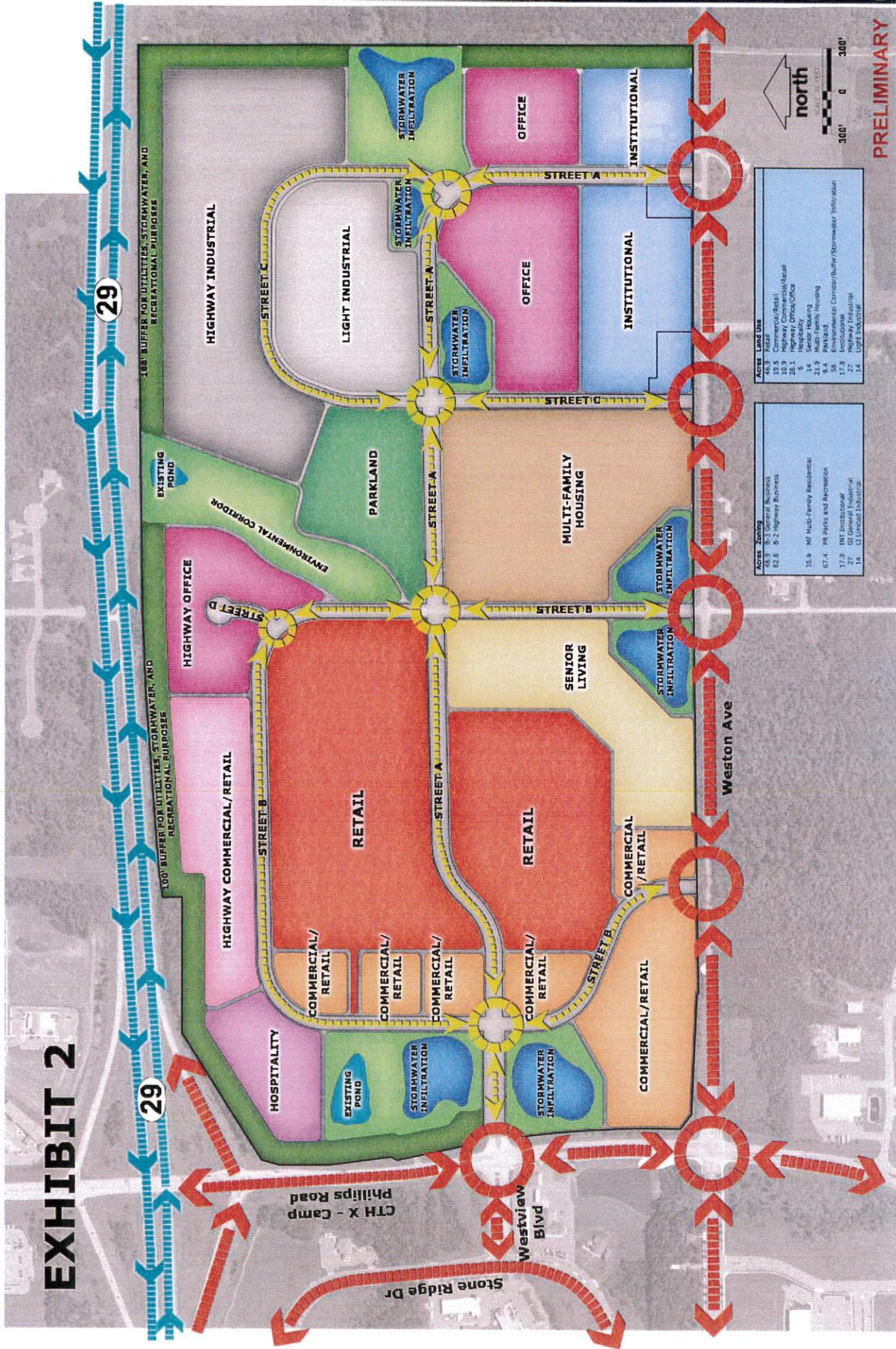
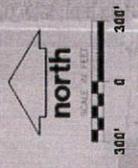


EXHIBIT 2



Area	Land Use
19.5	Commercial/Retail
10.9	Highway Commercial/Retail
2.6	Office/Service Office
2.6	Healthcare
14	Senior Housing
21.9	Multi-Family Housing
5.8	Environmental Corridor/Utility/Stormwater Infiltration
17.8	Institutional
17	Highway Industrial
14	Light Industrial

Area	Land Use
46.8	Office
62.6	8-2 Highway Business
35.9	MF Multi-Family Residential
67.4	PH Parks and Recreation
17.8	INT Institutional
17	GI General Industrial
14	LI Light Industrial



PRELIMINARY

EXHIBIT 4



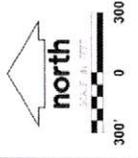
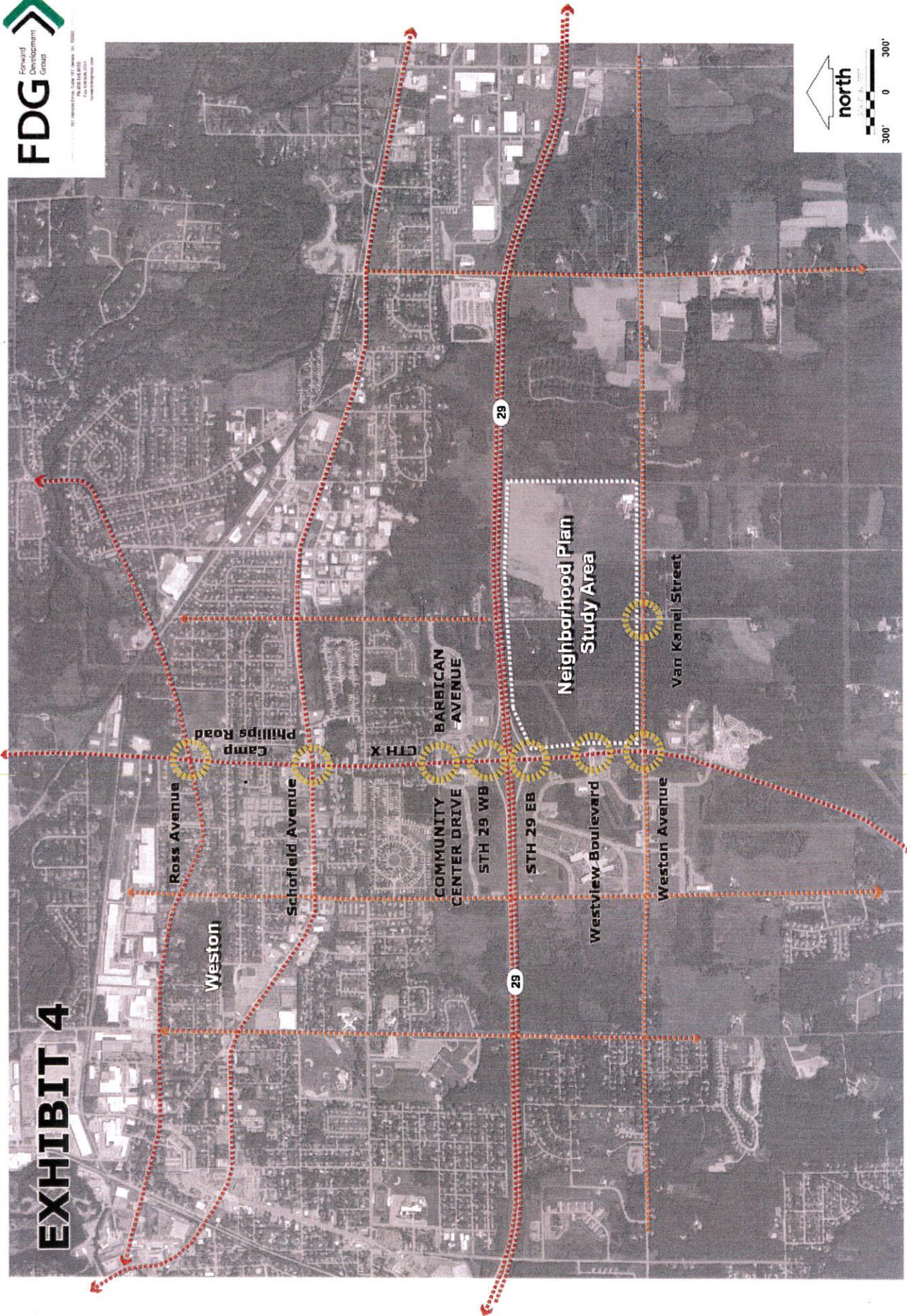
Professional Services, Inc.
Engineers • Surveyors • Planners



EXHIBIT 4 - TRAFFIC IMPACT ANALYSIS STUDY

INTERSECTIONS
VILLAGE OF WESTON, WI

FOR PLANNING PURPOSES ONLY





August 26, 2015

Mr. Bill Dunlop, PE, MCE, MS, F. SAME
Senior Project Engineer
JSD Professional Services, Inc.
Madison Regional Office
161 Horizon Drive, Suite 101
Verona, WI 53593

**Subject: Revised Proposal to Provide Wetland Services for the Camp Phillips Corridor
(SE 1/4 Sec. 21 and E 1/2 of the SW 1/4 Sec. 21, T28N, R8E, Weston, WI)**

Dear Mr. Dunlop:

Thank you for allowing CWE, Inc. the opportunity to provide this proposal to you for wetland services. This proposal constitutes our understanding of the services to be provided, and also our cost estimate for completion of those services.

SCOPE OF SERVICES

It is our understanding that JSD is providing consulting services to the Village of Weston for the Camp Phillips Corridor Master Plan. As part of this Plan, JSD, on behalf of the Village of Weston, would like to have all wetlands delineated on the 160 acres comprising the SE 1/4 of Section 21, and also the 80 acres comprising the Eastern 1/2 of the SW 1/4 of Section 21.

CWE, Inc. delineated the wetlands in the Western 1/2 of the SW 1/4 of Section 21 (80 acres) earlier this year. We are currently awaiting a concurrence letter from the Army Corps of Engineers (ACOE) on those wetland boundaries.

Task 1: Wetland Delineation

CWE will delineate all wetlands present on the 160 acres comprising the SE 1/4 of Section 21, and also the 80 acres comprising the Eastern 1/2 of the SW 1/4 of Section 21. The delineation will be completed in accordance with Army Corps of Engineers (ACOE) and Wisconsin Department of Natural Resources (WDNR) standards, and as defined in the "Corps of Engineers Wetlands Delineation Manual". The general process is as follows:

- 1) Review of regional references (e.g. wetland inventory, soils, topography).
- 2) Field investigation and delineation of wetland boundaries.
- 3) Survey and mapping of the wetland boundaries.
- 4) Preparation of a report documenting the delineation activities and a map to be approved by the Army Corps of Engineers and Wisconsin Department of Natural Resources.

The field delineation process involves traversing the property and evaluating for the presence of wetlands at appropriate locations (termed wetland determination data points). At each data point location, three environmental factors are considered: vegetation, soils, and hydrology. Areas are designated as wetlands when each of these factors is indicative of wetland conditions.

Field work will be conducted by a qualified and experienced CWE wetland delineator. CWE will collect data points and establish wetland boundaries on the entire parcel. All wetland boundaries and data point locations will be flagged and recorded with a Trimble Geo GPS unit with sub-meter accuracy.

The Wetland Delineation Report will be prepared and submitted according to the "Guidance for Submittal of Delineation Reports to the St. Paul District Army Corps of Engineers and the Wisconsin Department of Natural Resources".

Important note: wetland boundaries are considered "draft" until ACOE/WDNR concurrence has been received. The final determination of jurisdictional realm and wetland boundary locations is made by the ACOE and WDNR.

Task 2: Regulatory Agency Site Review

Since this is a new delineation, the ACOE/WDNR will likely request an on-site meeting to review the delineation. CWE will meet the regulatory agencies on-site to review the delineation.

Task 3: Wetland Permitting

If wetland impacts are deemed unavoidable, a joint WDNR/ACOE permit will be required.

CWE anticipates that a WDNR Individual Permit will be required from the WDNR/ACOE for the proposed roadway. The first step in the permitting process is to request a Waterway and Wetland Pre-Application Conference with the WDNR, ACOE, Village of Weston, JSD, and any other interested parties. The purpose of the Pre-Application Conference is to review the site with the regulatory authorities, discuss the intended use for the property, and elicit discussion of viable options for development of the property.

Following completion of the Pre-Application Conference, CWE will complete the Individual Permit Application. Application materials include:

- Completed Water Resources Application for Project Permits Form (3500-053)
- Project drawings/plans **(to be provided by JSD)**
- Narrative Description of the project
- Maps of the project site
- Photographs of the site
- Wetland boundary information
- Practicable Alternative Analysis
- Mitigation Summary Sheet
- Compensation site plan (if applicable)
- Deed or proof of ownership **(to be provided by JSD)**
- Names and addresses of adjoining property owners
- Check for application fee **(\$800 fee is to be provided by JSD)**

Upon submittal to the WDNR, the application will be reviewed within 30 days for completeness. When deemed complete, the application will go into a 30-day public notice period. If the WDNR determines that the proposed project will not have significant adverse impacts on the quality of Wisconsin's wetlands, and that the project avoids and minimizes wetland impacts to the maximum extent practicable, then the permit application will be approved.

COST ESTIMATE

Task 1: Wetland Delineation

Wetland Delineation of 160 acres (SE ¼ of Section 21):	\$ 5,588
Wetland Delineation of 80 acres (East ½ of the SW ¼ of Section 21):	\$ 3,885
	\$ 9,473

<u>Task 2: Regulatory Agency Site Review</u>	\$ 930
--	---------------

<u>Task 3: Wetland Permitting</u>	\$ 2,345
-----------------------------------	-----------------

Assumptions:

- All 240 acres of wetland delineation is reported to the ACOE/WDNR in a single report. If you desire the properties broken into individual reports, a revised cost estimate will be provided.
- All wetland impacts will be permitted in a single, individual permit.
- The work will be billed on a lump sum basis.

SCHEDULE

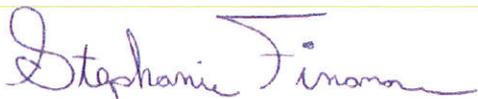
CWE is available to begin the wetland delineation as soon as we receive client approval. Scope of services can be completed within three weeks of receiving notice to proceed.

The site visit with ACOE will be scheduled at the ACOE's earliest convenience.

CLOSING REMARKS

Thank you once again for the opportunity to provide this proposal to you. Please do not hesitate to contact me at 715-575-9115/sfinamore@cwengineers.com, if you have any questions or require any more information.

Sincerely,
CWE, Inc.



Stephanie M. Finamore, M.S.
Environmental Director/ Project Scientist



**JSD Professional Services, Inc.
Standard Rate Schedule
For the Year 2015**

Madison Regional Office
161 Horizon Drive, Suite 101
Verona, WI 53593

Milwaukee Regional Office
N22 W22931 Nancys Court, Suite 3
Waukesha, WI 53186

Kenosha Regional Office
6520 67th Street
Kenosha, WI 53142

Fox Valley Regional Office
3215 W. Lawrence Street, Suite 6
Appleton, WI 54914

Personnel

Staff Category	Hourly Rate
Principal, Associate	\$183.00
Senior Structural Project Consultant	\$163.00
Senior Project Consultant	\$157.00
Structural Engineering Manager	\$157.00
Senior Project Engineer	\$134.00
Project Consultant	\$125.00
Senior Structural Engineer	\$124.00
Senior Planner	\$124.00
Senior Landscape Architect	\$122.00
Project Engineer	\$122.00
Construction Project Engineer	\$122.00
Senior Staff Engineer	\$106.00
Project Surveyor	\$106.00
Senior Landscape Designer	\$105.00
Staff Structural Engineer	\$101.00
Staff Engineer	\$101.00
Survey Crew Chief	\$101.00
Landscape Designer	\$95.00
Senior Engineering Technician	\$90.00
Engineering Technician	\$84.00
Senior Survey Technician	\$84.00
Survey Technician	\$79.00
Office Support	\$74.00

Expert witness services, including trial preparation, depositions and court appearances will be charged at 1.5 times the above rates.

Expenses

Direct expenses incurred on the client's behalf are charged at our cost plus 10%. Such items include, but are not limited to, equipment rental, subsistence, printing and reproduction, transportation and travel charges and any special equipment or fees unique to the project. Professional subconsultant fees are charged at our cost plus 15%. Automobile mileage will be charged at \$0.75.

Invoices

Progress invoices shall be issued monthly and shall be paid within thirty days of date of invoice. Balances remaining unpaid after 60 days are subject to a monthly finance charge of 1.5% (which is an annual rate of 18% per annum) until paid. JSD reserves the right to stop work on any project that has past due invoices until outstanding balances are paid.

Effective to 12-31-2015

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – D.34.



Village of Weston, Wisconsin
MEETING MINUTES OF THE BOARD OF TRUSTEES

Monday, March 21, 2016, at 6:00 p.m.

A. Opening of Session.

1. Meeting called to order by President Ermeling at 6:00 p.m.
2. Pledge of Allegiance to the Flag.
3. Clerk will take attendance and roll call.
Roll call indicated 6 Board of Trustees' members present.

Trustee	Present
Ermeling, Barb	YES
Berger, Scott	YES
Ostrowski, Kevin	YES
Schuster, Fred	YES
Ziegler, Jon	YES
White, Loren	YES
Karen Schmutzler	NO

Village Staff in attendance: Guild, Jacobs, Higgins, Donner, Weinkauff, Hodell, Wodalski, Osterbrink and Crowe. Everest Metro Chief Sparks, Committee Member Penza and staff members Yonker, Lenhard and Skrzypchak were also in attendance. There were 3 other audience members present.

4. **Request for silencing of cellphones and other electronic devices.**
Ermeling requested the silencing of cellphones.
5. **Acknowledgement of Visitors**
No comments.

B. Correspondence and comments from the public.
Ermeling asked for comments. There were none.

C. Presentations

6. **Craig McEwen – Marathon County Addressing Project.**
Craig McEwen, with Marathon County, gave an update on a county wide addressing project. An implementation meeting has been scheduled for April 16th.

D. Consent Business Items

7. **Approve Board of Trustee Minutes from Monday, March 7, 2016.**
8. **Approve Operator Licenses.**
9. **Approve payment of expenditures – Voucher #43025-43121.**
10. **Approve appointment of Craig Hoffman to the Community Development Authority (CDA).**
11. **Approve request to proceed with a Software as a Service (SAAS) Agreement with Infovision Software and implement their Evolve software solutions for the Planning, Zoning, Licensing, Permitting and Code compliance functions of the Village.**
12. **Approve purchasing the LED American Electric Lighting Autobahn Series ATB2 Roadway Lighting Fixtures from Werner Electric Supply.**
13. **Approve Ordinance #16-017 to rezone land from BP Business Park to LI Limited Industrial, on Lot 1, CSM #16895, Volume 79, Page 96, Document #16764538, 3.119 acres at 8902 Progress Way.**
14. **Approve Ordinance #16-020 to amend the Preface, Code Index, State Law Reference Table, and Table of Contents of the Municipal Code.**
15. **Approve Resolution No. 2016-001 endorsing a WISDOT grant application for a southwest neighborhood multi-use path.**

16. Approve Resolution No. 2016-002 endorsing a WDNR grant application for a multi-use path on Volkman Street to connect to DCE Junior High.
17. Approve Resolution No. 2016-003 to designate Weston Avenue as an arterial street.
18. Approve Resolution No. 2016-004 to limit access to Weston Avenue to improve public safety and promote efficient traffic flow.
19. Terminate temporary construction easement for Coca-Cola property at 7707 Schofield Avenue.

Motion by Schuster, second by Ostrowski to approve Consent Items D7 to D19, contingent on making corrections to items D16 and F36 on the March 7th Board of Trustee minutes.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

Trustee	Voting
Ermeling, Barb	YES
Berger, Scott	YES
Ostrowski, Kevin	YES
Schuster, Fred	YES
Ziegler, Jon	YES
White, Loren	YES
Karen Schmutzler	–

20. Items Removed from Consent (if any).

E. Reports from Committees, including draft meeting minutes (if any).

21. Community Life, and Public Safety (per Schuster/Hodell).
22. Community Development Authority (per Berger/Guild).
23. Finance (Per Berger/Jacobs).
24. Parks and Recreation (per Ostrowski/Osterbrink).
25. Personnel (Per Ziegler/Weinkauf).
26. Plan Commission (Per White/Higgins).
27. Property & Infrastructure (Per Ziegler/Donner).
28. Zoning Board of Appeals (Per Higgins).

Motion by White, second by Berger to acknowledge items E21 to E28.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

Trustee	Voting
Ermeling, Barb	YES
Berger, Scott	YES
Ostrowski, Kevin	YES
Schuster, Fred	YES
Ziegler, Jon	YES
White, Loren	YES
Karen Schmutzler	–

F. Reports from Departments

29. Clerk.

Weinkauf reported the licensing renewal applications were sent out in the mail. She also indicated that in-person absentee voting began today.

30. Fire & EMS.

No comments.

31. Finance.

Jacobs reported the Finance Department is currently working on year-end projects.

32. Parks & Recreation.

Osterbrink said Mroczenski held a water skills testing class for lifeguards and everything went well. He also reported the interview process for lifeguards has begun. Staff has also received some pre-season rentals for the aquatic center.

33. Planning & Development.

Higgins said the Board will take action on several ordinances at their next meeting.

34. Police.

Sparks asked for questions. There were none.

35. Public Works & Utilities.

Donner reported staff is accepting proposals for LED lighting. The Services Department is coordinating work between the Streets and Parks Department so they can assist the park department. He gave an update on the high water levels in Weston especially in the area of Shorey Ave.

36. Technology Services.

There was a short discussion on the purchase of new software for code enforcement, licensing, planning and permitting.

37. Village Relations.

Hodell reported she has received a lot of calls regarding garbage, as well as vehicles parked on lawns. She is also working on getting the Farmers Market set up.

38. Department Directors may be dismissed following reports.

G. Regular New Business

No comments.

H. Report from the Administrator.

Guild reported the remodel of the front office has been completed. He also gave an update on economic development projects.

I. Remarks from Trustees (No Board action will be taken for this agenda item).

Berger said he would be absent from the next regular meeting. Schuster requested the Administrator to provide a report to the Board of Trustees. Ermeling recognized staff for the nice job on the 20th Anniversary celebration.

J. Remarks from the President (No Board actions will be taken for this agenda item).

K. Discuss items to be included for next agenda (No Board actions will be taken for this agenda item).

White requested staff to put an item on the next agenda relating to SAFER capital equipment purchases.

L. Set next regular meeting date for Mon, April 4, 2016.

- SE Quadrant Open House on Monday, May 9th, 2016.

M. Adjourn.

Ziegler/Ostrowski to adjourn the meeting at 6:33 p.m.

Sherry Weinkauff, Clerk

Village of Weston, Wisconsin
MEETING MINUTES OF THE BOARD OF TRUSTEES

Monday, April 4, 2016, at 6:00 p.m.

A. Opening of Session.

1. Meeting called to order by President Ermeling at 6:00 p.m.
2. Pledge of Allegiance to the Flag.
3. Clerk will take attendance and roll call.
Roll call indicated 6 Board of Trustees' members present.

Trustee	Present
Ermeling, Barb	YES
Berger, Scott	NO
Ostrowski, Kevin	YES
Schuster, Fred	YES
Ziegler, Jon	YES
White, Loren	YES
Karen Schmutzler	YES

Village Staff in attendance: Guild, Jacobs, Higgins, Donner, Weinkauf, Wodalski, Osterbrink and Crowe. Everest Metro Chief Sparks, Deputy Fire Chief Finke, Committee members Penza and Porlier, and staff members Lenhard and Vlietstra were also in attendance. There were 2 other audience members present.

4. **Request for silencing of cellphones and other electronic devices.**
Ermeling requested for the silencing of cellphones.
5. **Acknowledgement of Visitors**
No comments.

B. Correspondence and comments from the public.
Ermeling asked for comments. There were none.

C. Presentations
There were no presentations.

D. Consent Business Items

6. **Approve Resolution No. 2016-005 to amend the Village of Weston Comprehensive Outdoor Recreation Plan to include a multi-use path on Volkman St. to connect to the D.C. Everest Junior High**
7. **Approve purchase of a replacement Sewer Televising Camera from Envirotech Equipment.**
8. **Acknowledge submission of 2015 Municipal Separate Storm Sewer System (MS4) Report.**
9. **Approve 2016 Arbor Day Proclamation**
10. **Approve 2016 Bike and Walk to Work Proclamation**
11. **Approval of \$1,700,000 Bank Note Financing for Park and Recreation Land Acquisitions located on the South Side of STH 29 in the Village of Weston.**
12. **Approve payment of expenditures – Voucher #43122 – 43227.**
13. **Approve Class A Beer and Class A Liquor license for Kwik Trip #140, 7605 Schofield Avenue, Weston.**
14. **Approve Cigarette license for Kwik Trip #140, 7605 Schofield Avenue, Weston.**

Motion by Schuster, second by White to approve Consent Items D6 to D14.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

Trustee	Voting
Ermeling, Barb	YES
Berger, Scott	-
Ostrowski, Kevin	YES
Schuster, Fred	YES
Ziegler, Jon	YES
White, Loren	YES
Karen Schmutzler	YES

15. Items Removed from Consent (if any).

None.

E. Reports from Committees, including draft meeting minutes (if any).

16. Community Life, and Public Safety (per Schuster/Hodell).

17. Community Development Authority (per Berger/Guild).

18. Finance (Per Berger/Jacobs).

19. Parks and Recreation (per Ostrowski/Osterbrink).

20. Personnel (Per Ziegler/Weinkauf).

21. Plan Commission (Per White/Higgins).

22. Property & Infrastructure (Per Ziegler/Donner).

23. Zoning Board of Appeals (Per Higgins).

Motion by White, second by Ziegler to acknowledge items E18 and E22.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

Trustee	Voting
Ermeling, Barb	YES
Berger, Scott	-
Ostrowski, Kevin	YES
Schuster, Fred	YES
Ziegler, Jon	YES
White, Loren	YES
Karen Schmutzler	YES

F. Reports from Departments

24. Clerk.

Weinkauf reported staff issued approximately 600 absentee ballots. She also reported set-up is complete for all polling locations, except the Municipal Center, which will be done after the meeting.

25. Fire & EMS.

Savage reported the new rescue pumper has been ordered. He also said SAFER's annual report is now complete.

26. Finance.

Jacobs reported the Village assessor visited 264 properties to date.

27. Parks & Recreation.

Osterbrink reported the new mower arrived last Tuesday. He gave an update on the hiring of aquatic center staff. He said it is not going well and talked about several options for bringing on new staff members.

28. Planning & Development.

Higgins reported the new Property Inspector started today. Staff gave him a tour of the village on his first day.

29. Police.

Sparks said he would have a report available at the next meeting.

30. Public Works & Utilities.

Donner said staff is working on a traffic impact analysis contract for the STH 29/CTH X interchange and the CTH X/Camp Phillips Road corridor. A contract award recommendation will be made at the next meeting. He

also said bids have been received for the pump stations. The Street and Utility employees recently attended some training.

31. Technology Services.

Crowe asked for questions. There were none.

32. Village Relations.

No comments.

33. Department Directors may be dismissed following reports.

G. Regular New Business

34. Capital Equipment Purchases for SAFER.

There was a lengthy discussion between the Board members, Administrator Guild and Deputy Chief Finke regarding borrowing for equipment purchases for SAFER. Finke will look into leasing options. Staff will also meet to discuss this further.

H. Report from the Administrator.

Guild said the remodel in the front office is complete and the Clerk's old office has been converted to a conference room. Lumin training will be held for staff on Tuesday, Wednesday and Thursday of this week. On April 20th Guild will be attending the International Council of Shopping Centers (ICSC). The Wausau Region Chamber of Commerce Business Expo will be held on April 21st. Young Professionals Week is April 23-30th. Staff is working on the next issue of the newsletter.

I. Remarks from Trustees (No Board action will be taken for this agenda item).

Schuster wished the Trustee candidates good luck in the election.

J. Remarks from the President (No Board actions will be taken for this agenda item).

Ermeling also wished the Trustee candidates good luck.

K. Discuss items to be included for next agenda (No Board actions will be taken for this agenda item).

No comments.

L. Set next regular meeting date for Mon, April 18, 2016.

- SE Quadrant Open House on Monday, May 9th, 2016.

M. Adjourn.

The meeting was adjourned at 6:55 p.m.

Sherry Weinkauff, Clerk

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – E.37.



Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE COMMUNITY DEVELOPMENT AUTHORITY
held on Monday, April 11, 2016 at 4:45 p.m., in the Board Room, at the Municipal Center
Chairman Berger Presiding.

A. OPENING OF SESSION AT 4:45 P.M.

1. **Community Development Authority meeting called to order by Berger.**
2. **Clerk will take attendance and roll call.**

Roll call indicated 6 Community Development Authority members present.

<u>Member</u>	<u>Present</u>
Berger, Scott	YES
Hagedorn, Todd	NO
Hoffman, Craig	YES
Jelmeland, Dave	YES
Knopf, Michelle	YES
Winkels, Steve	YES
Ziegler, Jon	YES

Village Staff in attendance: Guild, Higgins, Donner, Tatro, and Parker. There were no audience members present.

3. **Requests for Silencing of cellphones and other electronic devices.**
4. **Acknowledgement of visitors if any.**

Craig Hoffman introduced himself to the CDA and Village Staff.

B. COMMENTS FROM THE PUBLIC ON MATTERS PERTAINING TO COMMITTEE BUSINESS AND OVERSIGHT.

None.

C. CONSENT ITEMS.

5. **Approve previous Community Development Authority Meeting Minutes: December 21,2015.**

Motion by Ziegler, second by Jelmeland, to approve previous CDA meeting(s) minutes from October 12, 2015.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Present</u>
Berger, Scott	YES
Hagedorn, Todd	NO
Hoffman, Craig	YES
Jelmeland, Dave	YES
Knopf, Michelle	YES
Winkels, Steve	YES
Ziegler, Jon	YES

D. PRESENTATIONS.

None.

E. BUSINESS ITEMS FOR CONSIDERATION, DISCUSSION, AND ACTION

6. **Review with Administrator progress on Q1 2016 projects and timeline for economic development projects and tasks through the remainder of 2016, including comprehensive planning, business retention and expansion, economic development projects, southeast quadrant master planning, sports cluster project planning, as well as discussions about budgets and financing projects moving forward.**

Guild gave a presentation to the CDA, which reflected back on the economic development work that had taken place for the past few years up until this point, along with the plans and goals of 2016.

Guild announced the next public hearing for the next set of revisions of the plans for the southeast quadrant will be during the CDA Meeting, on May 9th, at 4:30 p.m., where we will hear updates. The goal is to then adopt the plan a month later in June by the Board of Trustees.

F. REPORTS

7. Planning and Development Director

Higgins referred to her submitted written report. There were no questions from the CDA members.

8. Chief Financial Officer

Jacobs stated he is working with two new staff members in his department, getting through the year-end financial audit, which is critical in updating the two TIF project plans, and waiting for the new valuations to come once the Assessor is done with his valuations for the January 1, 2016 period of time, along with the submission of the numbers to the State so that we know where our TIF valuation numbers are that will be coming in August. Will be working with Ehlers for the refinancing of our CDA borrowing, and understanding what our additional funds are that we may want to add that for our borrowing.

9. Administrator

G. REMARKS FROM THE COMMISSIONERS; DISCUSS ITEMS TO BE INCLUDED FOR THE NEXT CDA AGENDA.

None.

H. SET NEXT MEETING DATE FOR MONDAY, MAY 9, 2016, AT 4:30 P.M.

I. ANNOUNCEMENTS

- * SE Quadrant Open House on Monday, May 9, 2016
- * Formal Presentation by JSD to CDA & PC from 4:30 – 5 pm
- * Public Engagement Session and Open House from 5 – 6 pm

J. ADJOURN.

Berger adjourned the meeting at 5:55 p.m.

Valerie Parker, Recording Secretary

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – E.41.



Village of Weston, Wisconsin
OFFICIAL PROCEEDINGS OF THE PLAN COMMISSION AND
JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE
held on Monday, April 11, 2016 at 6:00 p.m., in the Board Room, at the Municipal Center
Chairman White Presiding.

A. OPENING OF SESSION AT 6:00 P.M.

1. **Joint Town & Village of Weston Extraterritorial Zoning Committee meeting called to order by Diesen.**
2. **Plan Commission meeting called to order PC Chairman White.**
3. **Clerk will take attendance and roll call.**

Roll call indicated 4 Joint Town & Village of Extraterritorial Zoning Committee members present.

<u>Member</u>	<u>Present</u>
Christiansen, Randy	NO
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	YES

Roll call indicated 6 Plan Commission members present.

<u>Member</u>	<u>Present</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

Village Staff in attendance: Higgins, Donner, Guild, Tatro, Maguire, Wehner, and Parker. There were 7 audience members present.

4. **Requests for Silencing of cellphones and other electronic devices.**

B. PUBLIC HEARINGS BEFORE VILLAGE PLAN COMMISSION AND JOINT TOWN & VILLAGE EXTRATERRITORIAL ZONING COMMITTEE

Diesen and White opened the public hearings at 6:09 p.m.

5. **Ordinance No. 16-003 An Ordinance Amending Section 94.3.02 of the Zoning Ordinance Entitled *Treatment of Allowable Uses by Zoning District*.**
6. **Ordinance No. 16-004 An Ordinance Amending Section 94.4.02(4)7. of the Zoning Ordinance Entitled *Residential Land Use Types – Manufactured Home Community – Performance Standards*.**
7. **Ordinance No. 16-005 An Ordinance Amending Section 94.6.03(4), Figure 6.03 of the Zoning Ordinance Entitled *Conditional (C), Prohibited (R), And Permitted (P) Uses in WHP Overlay Districts*.**
8. **Ordinance No. 16-007 An Ordinance Amending Section 94.16.02(4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.02(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, Section 94.16.03 (4) of the Zoning Ordinance Entitled *Zoning Administrator Review and Recommendation*, Section 94.16.03(5) of the Zoning Ordinance Entitled *Notice of Public Hearing*, and Section 94.16.03(7) of the Zoning Ordinance Entitled *Review Criteria for Amendments to the Official Zoning Map*.**
9. **Ordinance No. 16-008 An Ordinance Amending Section 94.16.06(2), (3) and (4) of the Zoning Ordinance Relating to the Conditional Use Permit Approval Process.**
10. **Ordinance No. 16-009 An Ordinance Amending Section 94.16.11(4) and (5) of the Zoning Ordinance Relating to Variance Procedures.**

11. Ordinance No. 16-010 An Ordinance Amending Section 94.16.13(4) of the Zoning Ordinance Relating to Concurring Vote and Decision of an Appeal of a Zoning Interpretation.
12. Ordinance No. 16-011 An Ordinance Amending Section 94.16.15(2) of the Zoning Ordinance Relating to Zoning Administrator Duties.
13. Ordinance No. 16-012 An Ordinance Amending Section 94.3.03(13) of the Zoning Ordinance Entitled *Utility Connections to Principal Building for Human Habitation*.
14. Ordinance No. 16-013 An Ordinance Amending Section 94.16.19(1) of the Zoning Ordinance Entitled *Violations*, and Section 94.16.19(3) of the Zoning Ordinance Entitled *Penalties*.
15. Ordinance No. 16-014 An Ordinance Amending Figure 5.01 (1) of the Village Zoning Ordinance Entitled *Rural, Open Space and Residential District Lot Dimension and Intensity Standards*.
16. Ordinance No. 16-015 An Ordinance Amending Section 94.5.08(1)(b) and (d) of the Zoning Ordinance Relating to Calculating Maximum Permitted Density in the AR District.
17. Ordinance No. 16-016 An Ordinance Amending Section 94.16.09(4) of the Zoning Ordinance Relating to Site Plan Procedures Application Contents.
18. Ordinance No. 16-006 An Ordinance Amending Section 94.13.08 of the Zoning Ordinance Entitled *One-Time Event Signs*.
19. Ordinance No. 16-021 An Ordinance Creating Section 94.4.10(13) of the Zoning Ordinance Entitled *Temporary Sales by Mobile Food Vendors and Adding This New Temporary Land Use to the Temporary Land Use Category Within the Charts Displayed in Figures 3.04 and 3.05 of the Village Zoning Ordinance and Amending Section 94.17.04 Definitions of the Zoning Code to Create Definitions Related to This New Use*.
20. Ordinance No. 16-022 An Ordinance Adopting the 2016 Official Zoning Map and Official Extraterritorial Zoning Map for the Village of Weston.

There were no comments from anyone in the audience.

Stenstrom confirmed these all include the Town too.

Diesen confirmed Ordinance 16-021 was similar to that of Wausau. Wehner stated it is, though we did not include the 32 square foot maximum requirement.

Stenstrom pointed out within Ordinance 16-005, in the table Figure 6.03, Asphalt products manufacturing plants are considered Conditional Uses within the WHP-A and WHP-B. Then within that same table, Petroleum products processing is considered Prohibited in WHP-A, and Conditional in WHP-B. Stenstrom feels these two land uses are basically the same, and would recommend that Asphalt products manufacturing plans be Prohibited (R) within the WHP-A Overlay District.

Higgins pointed out Ordinance 16-022 is to re-adopt the zoning map for the 2016 Official Zoning Map. This takes into consideration updated parcels, shoreland zoning, and Marathon County zoning.

21. Discussion and Action by Joint Town & Village of Weston Extraterritorial Zoning Committee on Director's recommendation to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021 and 16-022, per the specifications, conditions, and limitations of the submitted staff reports, and forward to the Board of Trustees for their consideration and final approval.

Diesen closed the hearing for the ETZ at 6:20 p.m.

Motion by Stenstrom, second by Hull to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021, and 16-022, as discussed along with the recommended changes to the table Figure 6.03, within Ordinance 16-005, and forward on to the Board of Trustees for their consideration and final approval.

Yes Vote: 4 No Votes: 0 Abstain: 0 Not Voting: 2 Result: PASS

<u>Member</u>	<u>Present</u>
Christiansen, Randy	NO
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	YES

22. Discussion and Action by Village Plan Commission on Director's recommendation to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021 and 16-022, per the specifications, conditions, and limitations of the submitted staff reports, and forward to the Board of Trustees for their consideration and final approval.

White received no comments from the audience, and closed the hearing at 6:21 p.m.

Motion by Schuster, second by Diesen to approve the Zoning Ordinance Amendments Ordinance No. 16-003 through 16-016, 16-021, and 16-022, as discussed along with the recommended changes to the table Figure 6.03, within Ordinance 16-005, and forward to the Board of Trustees for their consideration and final approval.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

C. PUBLIC COMMENT – ETZ.

23. Comments from the public on issues, which the ETZ has oversight, or on business items that might be recommended to the Board of Trustees.

None.

D. CONSENT ITEMS – ETZ.

24. Approve previous meeting(s) minutes from the ETZ, March 14, 2016.

Motion by Hull, second by Stenstrom, to approve previous meeting(s) minutes from the ETZ, March 14, 2016.

Yes Vote: 4 No Votes: 0 Abstain: 0 Not Voting: 2 Result: PASS

<u>Member</u>	<u>Present</u>
Christiansen, Randy	NO
Diesen, Dave	YES
Hull, Mark	YES
Kollmansberger, Tina	YES
Olson, Milt	NO
Stenstrom, Mike	YES

E. ADJOURN ETZ

25. Adjourn ETZ Committee.

Motion by Hull, second by Stenstrom to adjourn at 6:23 p.m.

F. PUBLIC COMMENT – PC

26. Comments from the public on issues, which the PC has oversight, or on business items that might be recommended to the Board of Trustees.

None.

G. CONSENT ITEMS – PC

27. Approve previous meeting(s) minutes from the Plan Commission March 14, 2016, regular meeting.

Motion by Diesen, second by Johnson, to approve the Plan Commission March 14, 2016 regular meeting minutes.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

H. NEW BUSINESS - PC

28. Discussion and Action by Plan Commission on Director’s Recommendation to approve the Site Plan for Building and Parking Lot Additions at Briqs Soft Serve, 3907 Schofield Avenue (CSIT-3-16-1570), per the specifications, conditions, and limitations of the submitted staff report.

Wehner explained the project. He stated due to a couple of things that do not meet code, this site plan is being brought before Plan Commission for their recommendation. With the landscaping, their point values do not match up to what the minimum points should be. Wehner did not see any information on what kind of materials are being used on the enclosure. In the new code, parking requirements are based on the size of the building. The number of proposed parking stalls exceeds the quantity they can have; however, when considering the nature of this business, they require more parking stalls to accommodate the number of customers who come here (which staff agrees with). The lighting plan does not show any lighting on the northeast corner of the property. This plan shows a painted pedestrian walkway from the right-of-way sidewalk partway up the driveway, but does not take you all the way up to the building, and with the amount of pedestrian traffic they receive, staff would like to see this pedestrian walkway continue all the way up to the building.

Tom Radenz, REI Engineering, introduced people in attendance who were part of this project (Kevin Briquelet Miller, Josh Osswald, Tom Ellenbecker). Radenz explained this is similar to the reconstruction of Briq’s in Wausau. They want to try to keep the business open while they perform the construction. He pointed out that due to the elevations, this site does not meet ADA requirements from the road up to the building, which is why there is the break in the pedestrian walkway. He explained the building additions and new features for open seating areas and dog walk area. He explained to Wehner that the details sheet of the site plan does explain the materials for the refuse/recycling enclosure, which will be cedar fence, stained to match the building.

Diesen questioned the metal shed on the property. Briquelet Miller indicated that the shed is planned to remain to be used for yard equipment, but that it will be painted to match the rest of the property.

There was lengthy discussion on the pedestrian walkway. Radenz explained that the ADA requirements are that a walkway needs to be provided from the building to the nearest parking stall, and that due to the elevations of this site, they would be violating ADA standards by placing the walkway from the building all the way to the right-of-way. There will be a pedestrian walkway from the right-of-way up to the parking lot.

There was lengthy discussion on the landscaping point requirements, and how their accommodating the parking needs for their customers is what is creating a hardship for them in meeting the general yard landscaping requirements. Higgins reminded that Plan Commission has the authority to allow modifications in the requirements. There was discussion of allowing the applicant to work with staff to meet at minimum 2,162 points.

Motion by Johnson, second by Kollmansberger, to approve CSIT-3-16-1570 per staff recommendations (which includes the lighting issue and to allow the parking to exceed the 150%) and the owners working with staff on the landscaping points to achieve 2,162 points, and the condition that there be a pedestrian concrete sidewalk and then a striped crosswalk across the drive thru lane to the center island.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

29. Discussion and Action by Plan Commission on Director’s Recommendation to approve the Zoning Permit for IMR BP, 4101 Schofield Avenue (ZONE-3-16-6594), per the specifications, conditions, and limitations of the submitted staff report.

Owners, Irv and Keith Rybacki were present via international phone conference.

Wehner explained this project, where the owners would like to convert a large office area into a small bar and tasting area. Initially concerns with parking, which the owners have been able to show they meet the minimum parking spaces required, showing they have 19 parking spaces, though they only need 16 per code. The other concern staff has is with the que for the car wash, which if not properly maintained, could cause problems for egress and ingress. The owners have shown that there is adequate room; however, car wash customers would need to drive partially on the neighboring property to the south, which Rybacki’s do have permission from the neighbor (Sanders) allowing this to occur. Staff would like to see a cross access agreement between the two owners indicating this. Staff also would like to see striping for the parking stalls and for the car wash que. There was also discussion of pedestrian crosswalk striping to be added at the time they upgrade their parking lot.

Higgins explained that normally a Zoning permit would not come before Plan Commission, as they normally are approved by staff; however, Trustee Ziegler requested when this proposed use came back for review that it come before Plan Commission for their consideration, because the building plans did not meet State code. She explained there will not be any exterior remodeling occurring, and there will be no access through the building from the convenience store to the tasting room (customers will have to enter through other exterior doors). She stated both will have their own restrooms, which are ADA compliant.

Schuster asked Rybacki if it is their intent to install gambling machines. Rybacki answered “no” to Schuster’s question.

Higgins stated upon this approval by Plan Commission, the next step will be Rybacki’s liquor license going before the CLPS committee for consideration (which will be held Monday, April 25th).

Motion by Kollmansberger, second by Johnson, to approve ZONE-3-16-6597, per staff recommendation.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

I. DISCUSSION AND REVIEW OF COMPREHENSIVE PLAN DRAFT CHAPTERS

30. Chapter 2 Community Vision

Higgins pointed out the changes to the chapter, based on everyone’s comments. This will now go back to Mark Roffers, who will be taking all of the chapters and renumbering and reorganizing their placements. These will then come back to PC for final review and recommendation to the Board for approval in August. She stated the Economic Development Chapter is the only one yet hanging out there.

Motion by Schuster, second by Johnson, to approve Chapter 2 Community Vision, to approve and move this on to the final approval process.

Yes Vote: 6 No Votes: 0 Abstain: 0 Not Voting: 1 Result: PASS

<u>Member</u>	<u>Voting</u>
Diesen, Dave	YES
Johnson, Marty	YES
Kollmansberger, Tina	YES
Schuster, Fred	YES
Stenstrom, Mike	YES
White, Loren	YES
Zeyghami, Hooshang	NO

J. REPORTS FROM STAFF

31. Report from Planning and Development Director.

Higgins pointed out her monthly report. Higgins requested, if possible, on May 9th, for the Plan Commissioners to arrive early (at 4:30 p.m.) to be present for the JSD presentation of the SE Quadrant Neighborhood Plan. This will consist of a half hour presentation, followed by an hour-long open house. Plan Commission will then hold their regular meeting that night at 6:00 p.m. This presentation will take the place of the CDA meeting. She brought up upcoming meetings with staff, JSD, DOT, and DNR, on the SE Quadrant project.

32. Staff Report on staff-approved CSM’s, Site Plans, Sign Permits, Commercial Zoning Permits, and Certificate of Occupancies issued since last reported of 03/14/2016.

K. REMARKS FROM COMMISSIONERS.

Diesen stated he will not be present at the May 9th meeting.

White announced to the Plan Commission the resignation letter submitted to him by Stenstrom, and thanked Stenstrom for his years of service on the Plan Commission and ETZ.

L. DISCUSS ITEMS TO BE INCLUDED FOR NEXT AGENDA.

M. Set next regular meeting date for Monday, May 9, 2016, at 6:00 P.M.

- * **SE Quadrant Open House on Monday, May 9, 2016.**
 - * **Formal Presentation by JSD to CDA & PC from 4:30 – 5:00 p.m.**
 - * **Public Engagement Session and Open House from 5:00 p.m. – 6:00 p.m.**

N. ADJOURN.

13. Adjourn Plan Commission.

Stenstrom motioned, Kollmansberger seconded to adjourn at 7:40 p.m.

Loren White, Chairman
Jennifer Higgins, Director of Planning & Development
Valerie Parker, Recording Secretary

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – E.42.



**Village of Weston, Wisconsin
OFFICIAL MEETING AGENDA OF THE PROPERTY & INFRASTRUCTURE COMMITTEE**

Monday, April 4, 2016, at 4:30 p.m.

A. Opening of Session.

1. Meeting called to order by Chairman Ziegler at 4:30 p.m.
2. Clerk will take attendance and roll call.

Roll call indicated 4 Property & Infrastructure Members present.

<u>Member</u>	<u>Present</u>
Ziegler, Jon	Yes
Jensen, John	Yes
Ostrowski, Kevin	Yes
Porlier, Mark	Yes
Vacant	No

Village staff present were DPW Keith Donner, Michael Wodalski, Ken Ligman and Steve Opatik from Becher-Hoppe, Don Penza, and Donna Van Swol. Trustee Loren White was present.

3. Request for silencing of cellphones and other electronic devices.
4. Acknowledgment of visitors if any.

B. Comments from the Public on Matters Pertaining to Committee Business. None.

C. Presentation. None

D. Consent Items for Discussion/Action.

5. Approval of previous meeting minutes from 3/07/2016.

****M/S/P Porlier/Jensen: to approve the minutes from the meeting of March 7, 2016 as presented.***

Yes Vote: 4 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	Yes
Jensen, John	Yes
Ostrowski, Kevin	Yes
Porlier, Mark	Yes
Vacant	-

E. Business Items for consideration, discussion, and action.

6. **2015 MS4 Report.** Wodalski reported the MS4 (Municipal Separate Storm Sewer System) report is due at the end of March every year. The report was included as submitted with the meeting materials.
7. **LED Street Lighting Award.** Wodalski reported we received the submittals but they did not match the requirements of the RFP. The four respondents were allowed two additional weeks to meet the requirements of the RFP.

Supplier	Fixture (wattage)	Total Price
Werner Electric Supply	Am. Elec. Autobahn ATB2 (91W)	\$117,654.46
Etco Electric	Am. Elec. Autobahn ATB2 (91W)	\$118,752.00
Crescent Electric	Leotek Green Cobra (105W)	\$114,434.00
Solid Flux Lighting	Philips Street View (105W)	\$131,259.00

Staff recommends Werner Electric Supply using the 91-watt fixture at a cost of \$117,654.46. The Village received a grant from the State Energy Office for \$75,000 leaving an expenditure of \$42,654.46 for the Village. We anticipate an annual energy savings of \pm \$14,000 with the new fixtures. That will be about a 3-year payback on our expenditure. The Village Board already awarded the street lighting contract at their March 21, 2016 meeting.

****M/S/P Porlier/Ostrowski: to acknowledge the award of the street lighting contract with Werner Electric Supply in the amount of \$117,654.46.***

Yes Vote: 4 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	Yes
Jensen, John	Yes
Ostrowski, Kevin	Yes
Porlier, Mark	Yes
Vacant	-

- 8. 2016 CORP Amendment.** Wodalski asked the committee if the Village Board should amend the Village's Comprehensive Outdoor Recreation Plan (CORP) to include the Volkman Street multi-use path project. The DNR requirements for the grant is to have the location specifically identified in the CORP. Staff recommends approval of the resolution amending our CORP to include a multi-use path project along Volkman Street to connect the DC Everest Junior High School to existing and planned paths located in the Village of Rothschild along Volkman Street.

****M/S/P Ziegler/Ostrowski: to recommend to the Board of Trustees to approve the resolution to amend the Village's Comprehensive Outdoor Recreation Plan to include the Volkman Street Multi-Use Path.***

Yes Vote: 4 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	Yes
Jensen, John	Yes
Ostrowski, Kevin	Yes
Porlier, Mark	Yes
Vacant	-

- 9. Sewer Televising Camera Purchase.** Wodalski reported in the 2016 capital equipment plan we had a sewer televising camera included with the purchases. The existing camera is more than 20 years old, obsolete, and no longer works properly. The cost to upgrade and replace the camera was about \$50,000. After talking with the dealers it was determined the hose reel and other electronics should be replaced and upgraded. The weight of a new camera is about 25 pounds compared to the existing camera of 50 pounds. Wodalski added this was discussed with the Finance Committee and they recommended the additional amount (\$21,586.00) over budget to be taken from the Sewer Utility hook-up fees. Ostrowski questioned the warranty on the product wondering if it was more than the usual one-year warranty. He thought it might be a good idea to get an extended warranty depending on the cost. Wodalski will check into the warranty.

Dealer / Brand	Total Price
Envirotech Equipment (Aries)	\$71,586.00
MacQueen Equipment (Envirosight)	\$90,200.00

****M/S/P Ostrowski/Portier: to recommend to the Board of Trustees to approve the purchase of a sewer televising camera from Envirotech Equipment in the amount of \$71,586.00.***

Yes Vote: 3 No Vote: 0 Abstain: 1 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	Abstain
Jensen, John	Yes
Ostrowski, Kevin	Yes
Portier, Mark	Yes
Vacant	-

10. Bid Results for Mesker/Colleen and Ross Avenue Lift Station Replacements and Recommendation for Award of Contract(s). Donner reported with the limited information available on Friday he did not make a recommendation. At the time of bidding the preferred equipment was Barnes/Crane through Energenecs. Hydromatic pump equipment and ABS Sulzer pump equipment were also approved for bidding. We received more information since Friday about the Hydromatic pump equipment which is a more robust, heavier built, pump than required in the specification. It also appears the differential cost between the different pump equipment is not solely due to pump equipment price.

Donner stated LW Allen (out of Madison) the distributor for Hydromatic pump equipment is a reputable company. LW Allen does pump stations, water treatment equipment, etc. all over the state. They have not had as good of relationship with the village utility operation's staff over the years but this can be improved on going forward. Donner recommended awarding the contracts to the low bidder utilizing the Hydromatic pump equipment, Haas Sons, Inc. on both contracts.

Ken Ligman from Becher-Hoppe reported Central Wisconsin Airport has had a positive experience with Hydromatic pumps. Also the City of Wausau has several lift stations utilizing Hydromatic pumps. Ligman checked with three references that are utilizing the proposed pump and has been in operation for a minimum of five years, without problems.

Utilizing Barnes/Crane Pump Equipment

Lift Station	Low Bidder	Low Bid
Ross Avenue	Kruczek Construction	\$285,000
Mesker/Colleen	Haas Sons, Inc.	\$233,930
	Total Cost	\$518,930

Utilizing Hydromatic Pump Equipment

Lift Station	Low Bidder	Low Bid
Ross Avenue	Haas Sons, Inc.	\$281,177
Mesker/Colleen	Haas Sons, Inc.	\$205,955
	Total Cost	\$487,132

Utilizing ABS Sulzer Pump Equipment

Lift Station	Low Bidder	Low Bid
Ross Avenue	Haas Sons, Inc.	\$273,177
Mesker/Colleen	Haas Sons, Inc.	\$197,955
	Total Cost	\$471,132

****M/S/P Porlier/Jensen: to recommend to the Board of Trustee to approve Haas Sons, Inc utilizing Hydromatic pump equipment at a cost of \$281,177 for the Ross Avenue lift station and \$205,955 for the Mesker/Colleen lift station totaling \$487,132.***

Yes Vote: 4 No Vote: 0 Abstain: 0 Not Voting: 0 Result: Pass

<u>Member</u>	<u>Present</u>
Ziegler, Jon	Yes
Jensen, John	Yes
Ostrowski, Kevin	Yes
Porlier, Mark	Yes
Vacant	-

- 11. Condition of Jones Street.** Donner reported last week he was contacted by Trustee Ostrowski regarding the condition of Jones Street. Jones Street is a gravel road about 1-mile long south of Weston Avenue and about 1 mile west of Hwy J. The southern half of the road was reconstructed by the street operations crew. There is heavier soil and shallow bedrock in this area and the drainage is not as good causing rutting and breaking up of the road. The recommendation is to reconstruct about 2,000 feet of Jones Street. This project could be done with our own staff and is estimated to take about three weeks. We could use our own recycled base course and we have a large quantity of sand at Ryan Street. The committee would like to have a revised street maintenance plan brought back for review.
- 12. Snow & Ice Policy.** Donner reported that Administrator Guild would like staff to update the snow and ice policy. We need to add our new equipment, indicate we can add brine, etc. Wodalski added staff is evaluating the existing snow plow routes. With the addition of our seventh snow plow truck the routes will be modified. We have one loader with a wing that works well in a cul-de-sac. Wodalski added he has been tracking our complaints since 2012 – 2013 and the quantity of complaints have gone down fairly significantly. This year we tried to get the snowplow drivers out by 3:00 a.m. versus 4:00 a.m. or 5:00 a.m. in the past. This allows the snow to be plowed in the residential areas before people typically leave for work in the morning. We need to simplify our message to the residents.
- 13. Brush & Leaf Policy.** Donner reported we seem to always to have timing issues where residents have expectations once the weather is favorable to start putting material on the side of the road. In the policy we have tried to address that we don't want material out too soon or after we are done. We need to communicate better to the residents as to when we are picking up certain areas of the village. If we are more structured with the dates and areas where we will be picking up and include maps with the newsletter it should help reduce the confusion. In the past we have catered more to the residents by revisiting areas that were supposed to be completed. More recently we are trying to get more disciplined to stick to the schedule otherwise it makes completing other activities more difficult. Donner asked the committee if this is the direction they would like to see us move forward with.

Wodalski reviewed the proposed yard waste pick up schedule/map. This could be a good application for a swap loader. A swap loader would give us the ability to have a multi-faceted piece of equipment that can be used as a plow truck in winter, leaf truck in spring/fall, and a dump truck in summer.

F. Reports.

14. Deputy Director, Public Works.

- Wodalski reported he is working with Nate to get mobile access (Beehive software) for the operations staff so we can keep better work tracking records.

- Staff has been out patching roads, street sweeping, repairing equipment, updating street signs, etc.
- Last week street staff attended an asphalt pavement maintenance class through the UW Transportation Information Center.

15. Director, Public Works and Utilities.

- Donner reported there was discussion at the March 7 Village Board meeting of a sewer back-up on Camp Phillips Road that was the result of resurfacing of the Camp Phillips Road / Schofield Avenue completed by the County. It took almost a year before the back-up occurred after asphalt material dropped in the manhole during reconstruction. With the utility having a routine maintenance schedule we are rarely considered to be negligent and responsible for damages.

We could potentially have two residents on Highland Avenue file a claim against the village for the sewer back-up that occurred Saturday, February 27. The adjuster has already sent his letter to the village to disallow the claim. Staff is following up with our insurance agent on getting a quote for no-fault sewer back-up insurance. We had gotten an estimate of about \$70,000-\$80,000/year in additional cost for this insurance in the past.

- Working with JSD Professional Service and the planning and development staff on the SE quadrant of STH 29 and County Road X. In March we were reviewing data on household and employment projections and traffic generation for the Wisconsin DOT. We are expecting to get traffic modeling results back from the DOT later this week.
- Working on finalizing the easement with Old Castle Glass for the lift station.
- Working on the RFP for automated meter reading.
- Fehr Graham will be coming in to follow-up on our safety training. Training was postponed waiting to get new employees on board.
- Included with the meeting materials was a thank you letter from the Wisconsin Dental Hygienists' Association for fluoridating our water.

16. Report from Administrator. None.

G. Communications and Recommendations from Committee Members. None.

H. Set next meeting date and discuss items for next agenda - Monday, May 2, 2016 @ 4:30 p.m.

I. Adjourn.

Ziegler adjourned the meeting at 5:45 p.m.

Donna Van Swol, Utility Clerk

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – F.44.



Village of Weston, Wisconsin
Report for the month of March 2016
MONTHLY DEPARTMENT REPORT FROM CLERK

Monthly Department Briefer #2016-03
Sherry Weinkauf, Clerk
Monday, April 18th, 2016

1. FOR YOUR IMMEDIATE ATTENTION -- TRUSTEES.

- **60% Voter turnout. 4,994 residents casted a ballot during the April 5th election. Staff issued 601 absentee ballots.**
- **Will be working with both the Board and Lumin to get something scheduled for the Board members to participate in the TKI, MBTI and Strengths Finder surveys. Stay Tuned!**

2. STRATEGIC PLAN PROJECT STATUS.

- Continue to work with Trustee White and Higgins on the ordinance amendments.
- Continue to work with the Technology Directors on the licensing conversion.
- Elections – After further review we are not going to Implement a different numbering system to be used at the polling place. I am, however, looing to create a central count location for processing absentee ballots. Stay tuned..... more information to come.
- Website Update – No progress to date on getting the licensing forms online (except for pet licensing).

3. BUDGET AND FINANCIAL PLAN STATUS.

- Nothing at this time.

4. EMPLOYEE DEVELOPMENT & ENGAGEMENT.

- Continue to work with the Front Office staff on Election administration items to include entering voter registration and voter participation.
- Continue to work with the Front Office Staff on the renewal licensing procedures. We did add weights and measure licensing this year.
- Met with our new Property Inspector to review benefit paperwork. Entered new hire paperwork for paid on call employee into the payroll system (ADP). Will be meeting with the new fulltime employee with SAFER to review his benefit paperwork the week of April 18th.
- Staff is currently participating in a wellness challenge called “33 miles in 33 days. We have 15 employees participating.
- Working on 2015 Total Compensation statements for employees.
- Posted a job ad on the Village’s website for Committee/Commission member vacancies. Also sent notice out in “This Week in Weston”. The Committee member appointment and terms will come before the Board the first meeting in May.
- Lumin met with all Staff last week to review the results of the MBTI surveys.

5. PERFORMANCE AND METRICS.

- Nothing at this time.

6. COMMUNITY FEEDBACK

- Nothing at this time.

7. IDENTIFIED NEEDS.

- Nothing at this time.

8. NEW IDEAS & OPPORTUNITIES.

- International Public Management Association for Human Resources (IPMA-HR) Certificate Program– Will be registering both Daniel and myself for this program. This program is public sector focused and competency based. I'm very much looking forward to this program.

9. MISCELLANEOUS COMMENTS / ISSUES.

Village of Weston, Wisconsin
Report for the month of March 2016
MONTHLY DEPARTMENT REPORT FROM VILLAGE TREASURER

Monthly Department Briefer #2016-03

John Jacobs, Village Treasurer

Friday, April 15th, 2016

1. FOR YOUR IMMEDIATE ATTENTION -- TRUSTEES.

- No items need immediate attention for the month of March to report.

2. STRATEGIC PLAN PROJECT STATUS.

- Upgrade Civics System Accounting Software to Clarity Version – The problems of Village staff accessing the special assessment module from the new Clarity version have been resolved with Civics (since the problems that were incurred in February 2016).
- 2016 Operating Budget & CIP Budget document was used in data-entry of all 2016 budget line items during Jan/Feb 2016. A few new account numbers in the general ledger of the Village were added during March 2016, and the remaining new CIP Budget projects will be assigned account numbers during April 2016, before the entire 2016 budget has been fully setup for 2016 budget status reporting to the individual departments.
- 2016-2020 CIP Budget Document – Wodalski and Jacobs have begun discussing minor adjustments to the 2016-2017 capital equipment replacement program during March/April 2016. Some re-prioritization of the fleet schedule replacement timeline is presently being conducted.
- Continue to discuss with AccuMed about their proposed Customer Portal, to allow Village Staff access into their EMS billing software to generate reports by ourselves for SAFER District, without the week-long wait from their staff in generating these reports.
- Finance staff will begin RFP process for Assessment Services for 2017-2019 during 3rd quarter 2016.
- Redefine TIF District Refinancing Strategy – Jacobs is working with Greg Johnson (our financial advisor from Ehlers) on a timetable for the CDA/TIF debt to be refinanced during the 3rd quarter of 2016, after the 2015 financial audit has been completed and published in June 2016. The amount of CDA debt which is eligible to be refinanced is approximately about \$20 million.
- Update General Fund Balance Policy and Create a Fund Balance Policy for the Enterprise Funds (Water, Sewer, and Stormwater Utility Funds) – After the 2015 Village's financial audit has been completed in June 2016, the Finance Department team will revisit these fund balance policies in mid-2016, prior to the 2017 budget is adopted.
- Online Payment Service Provider – Other Village staff members are investigating technology options for the Village for providing alternative payment choices for our taxpayers/customers. After the investigative team has compiled a list of vendors that provide these services, Jacobs will then discuss these options with the investigative team and forward any recommendation onto the Finance Committee at that time in the coming months. The goal is to have this service available for customers by the end of 2016.

3. BUDGET AND FINANCIAL PLAN STATUS.

- Generated February 2016 budget status reports (for General Fund only) for March 2016 Finance Committee meeting. Donna has setup and updated the 2016 template for each individual fund's report, which will hopefully be ready for the April or May 2016 Finance Committee meeting.
- Donna has setup all individual department budget status reports in Clarity, in hopes that these linked reports can be brought over to the new "Dashboard" for all departments, including Police, Court, and Fire, in the coming months, when Civics has activated the Dashboard program for us.....with Nate's assistance, too. The Finance team has already seen a demo of the Dashboard program, and will setup maintenance for each departments' reports during the next 60 days, with the ultimate goal for each department manager to be able to access financial summary and detailed reports at their convenience, with the use of a computer laptop or phone. They would be able to access this data 24/7, without waiting for the Finance Department to run them a report.
- Budget amendment items in the General Fund (coming from the Contingency Reserve) and for the \$1.7 million loan/land acquisition for parkland purposes in the CIP Budget will be presented to the Finance Committee and Village Board in several months, after the total cost estimate for the JSD neighborhood planned development corridor and wage/fringe benefit adjustments have been identified by the third quarter of 2016.

4. EMPLOYEE DEVELOPMENT & ENGAGEMENT.

- Jacobs spends about 1-2 hours – Each week reviewing a task priority list with Stroik and Trittin.
- Jacobs spent 3 hours reviewing the workpaper expectations of the Finance Team for the (3) upcoming individual financial audits of the Village, Everest Metro, and SAFER District.
- Jacobs reviewed the CliftonLarsonAllen (CLA) website client portal for downloading Village workpapers to CLA over the next few weeks, leading up to the financial audit fieldwork that will occur the week of May 9th.
- Jacobs spends about 1 hour each day mentoring Stroik and Trittin on tasks that they have been assigned, and answering any questions which they might have.
- The Finance Team began going to lunch one day per month to review other useful pieces of information which would be helpful for Stroik/Trittin to be informed about. The first lunch meeting included a review of what the WGFOA and MTAW conferences would be like for them, which they would be attending on 4/14-15 and 4/20-22. Jacobs informed them both of this information.

5. PERFORMANCE AND METRICS.

- Daily expectations and highest priority duties are getting completed regularly and quickly.
- The Finance Department Team is aware of all deadlines looming ahead on all tasks over the next few weeks up through the end of the 2nd quarter.

6. COMMUNITY FEEDBACK

- No community feedback comments were received during the month of March.

7. IDENTIFIED NEEDS.

- Jacobs has requested assistance from Guild/Savage/Finke to obtaining all “signed” copies of the 2014, 2015, and 2016 SAFER intergovernmental service contracts with all municipalities.....in preparation of final 12/31/2015 reconciliation of the EMS services billed and payments received for each municipality, per the signed intergovernmental agreements. The Finance Department does not presently have a copy of the “signed” contracts, and will need them for the 12/31/2015 year-end auditors for the SAFER District. The Fire Department has provided the documents to the Finance Department during the week of 4/11-15.

8. NEW IDEAS & OPPORTUNITIES.

- Nothing noted at this time.

9. MISCELLANEOUS COMMENTS / ISSUES.

- Stroik and Trittin continue to be a pleasure to work with in the re-evolving Finance Department in the few short weeks that we have all been together. We have about 3 weeks before the Village’s financial audit onsite fieldwork will be conducted (week of May 9th), and it will be fun to see how the new team handles the responsibility of getting all (3) trial balances and workpapers completed for the Everest Metro, SAFER, and the Village audits during the months of April and May.
- Stroik and Trittin began the 2016 Lumin training program during the first week of April.

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – F.48.



Village of Weston, Wisconsin
Report for the month of March 2016
MONTHLY DEPARTMENT REPORT FROM PLANNING AND DEVELOPMENT DIRECTOR

Monthly Department Briefer #2016-03

Jennifer Higgins, Planning and Development Director/Zoning Administrator

Friday, April 8, 2016, 10:56 AM

1. FOR YOUR IMMEDIATE ATTENTION -- TRUSTEES.

- Home Composting Workshop, Saturday, April 30th from 10:30 to Noon at Municipal Center (Hosted by the Village of Weston, Presented by Marathon County Solid Waste & Recycling Connections Corporation).
- 2015 Responsible Unit Recycling Program Accomplishments and Actual Costs Annual Report – Due to State by April 30, 2016
- Southeast Quadrant Presentation 4:30-5pm, Monday, May 9th.
- Southeast Quadrant Public Engagement Session and Open House 5-6pm, Monday, May 9th.
- Marathon County Uniform Addressing System – Municipal Advisory Group will meet May 12th and June 9th from 7-9pm in Room 5, 212 River Drive, Wausau.

2. STRATEGIC PLAN PROJECT STATUS.

As reported to you previously, myself, Donner, Wodalski and Osterbrink have been meeting under the umbrella of the Services Division to coordinate projects in the 3 Departments, such as the SE Quad, Comp Plan Update, Subdivision Ordinance, Business Park signage and site plan review procedures. This team meets every other week to focus on key areas and projects that integrate the 3 departments and our staff.

Department Development

- **Project 1 - Comprehensive Plan Update – In progress.**
 - **Volume 1 – Conditions and Issues** (adopted 3/4/15) – Amend in 2016 to correct any incorrect information from 2015 adopted version. Also consider relocating “Broadband Technology” background information to Volume 3.
 - **Volume 2 – Visions and Directions** (Statutory Plan Elements) – Scheduled for adoption Spring 2016
 - **Chapter 1 – introduction** – draft #1 received from MDROffers on March 23, 2016
 - **Chapter 2 – Community Vision** – draft #1 forwarded to the PC and Board for comments in Fall 2015; Draft #2 received March 30, 2016 and has been placed on 4/11/16 Plan Commission Agenda for final review.
 - **Chapter 3 – Land Use** (adopted 4/8/15) plan to be amended as necessary as part of complete Volume 2
 - **Chapter 4 – Economic Development** – revised draft received from MDROffers on 3/23/16.
 - **Chapter 5 – Housing and Neighborhoods** – (revised draft delivered by MDROffers on 1/28/16)- Provided to PC and Board in 2/8/16 PC Packet. Comments/changes were sent back to MDROffers in Feb 2016. Next version in full Volume 2, to be delivered in April.

- **Chapter 6 – Natural, Agricultural, and Cultural Resources** - (revised draft delivered by MDROffers on 1/28/16) -Provided to PC and Board in 2/8/16 PC Packet. Comments/changes were sent back to MDROffers in Feb 2016. Next version in full Volume 2.
 - **Chapter 7 – Parks and Recreation** - (adopted 1/10/15 as CORP for Village) plan to be amended as necessary as part of complete volume
 - **Chapter 8 – Transportation (Official Map)** (revised draft delivered by MDROffers on 1/28/16) - Provided to PC and Board in 2/8/16 PC Packet. Official map was approved in Feb 2016 by ordinance. Comments and changes to the Plan document and the new official map were sent to MDROffers in Feb 2016. Next version in full Volume 2.
 - **Chapter 9 –Community Facilities and Utilities** (revised draft delivered by MDROffers on 2/11/16) -Provided to PC and Board in 3/14/16 PC Packet. Comments and changes to the Plan document were sent to MDROffers in March 2016. Next version in full Volume 2.
 - **Chapter 10 – Intergovernmental Cooperation** – (revised draft delivered by MDROffers on 2/11/16) -Provided to PC and Board in 3/14/16 PC Packet. Comments and changes to the Plan document were sent to MDROffers in March 2016. Next version in full Volume 2.
 - **Chapter 11 – Implementation** – draft #1 received from MDROffers on March 23, 2016
- **Volume 3 – Vision and Directions** (Supplemental Plan Elements)
 - **Chapter 1 – Introduction** (to be prepared in 2016 when Camp Phillips Corridor Plan adopted)
 - **Chapter 2 – Bike and Pedestrian System Plan** (future, post 2016)
 - **Chapter 3 – Broadband Technology Plan** (adopted 3/4/15, considering bringing in background info from Vol. 1)
 - **Chapter 4 – Camp Phillips Corridor Plan** (schedule for adoption in July 2016, shortly after Vol. 2 adoption)
 - **Chapter 5 – Park and Public Facilities Master Plans** (include recent plans when Camp Phillips Plan adopted)
 - **Chapter 6 – Retail Recruitment Strategy** (adopt at same time Camp Phillips Plan Adopted)
 - **Chapter 7 – Schofield Avenue Corridor Plan** (future, post 2016)
 - **Chapter 8 – TID 1 Amended Project and Redevelopment Plans** (scheduled adoption in August 2016)
 - **Chapter 9 – TID 2 Amended Project Plan** (future, post 2016)
 - **Chapter 10 – Tourism Plan** (scheduled for adoption by early fall 2016)
- **Project 2 – Chapter 50 Nuisance Ordinance Update** – In progress. I have made updates to this ordinance in regards to zoning code consistency, statute reference updates and to include standards from the International Code Compliance especially for rental property. Hodell has reviewed the ordinance to make sure it adequately addresses the nuisance issues she deals with and Tatro has updated the areas he would like updated. This is one of the projects I would like Maguire to work on to bring forward through CLPS and to the Board for final approvals.
 - **Project 5 - Beehive Software System implementation** – Staff is still using Energov. Beehive has been ruled out for working for the department. New software solution from Infovision Software called Evolve was approved by the Board on 3/21/16 as a replacement for Beehive. Evolve is cloud based, allows applicants to apply, pay and upload plans right to the system. We would no longer have to do

this data entry ourselves by hand. The software also can keep track of staff review performance by tracking the amount of time it takes to review each permit. This would assist us in the Pay for Performance direction the Village is headed for personnel. A signed contract was received on 3/29/16. A project kickoff meeting was held on 4/4/16. Wehner and myself are now working on the first module which will be the site plan review process. Sounds like we could be training on the module as early as April 27th.

- **Project 6 - Update Subdivision Ordinance** – In progress. As of 4/7/16, the ordinance has been reviewed by staff and a 2nd updated draft has been received from MDROffers. Services Division staff will be meeting for a conference call with MDROffers on 4/8/16 to discuss his remaining questions. The plan is to begin moving the draft through approvals in May.
- **Project 8 – Audit of Multi-family and commercial properties for Refuse and Recycling Compliance** – Ongoing. Audit was completed for multi-family properties in the summer of 2014 by our Refuse and Recycling Intern. Parker continues to work with these multi-family properties when time allows. We have not started on the commercial audit yet to date. Staff continues to address this at change of use, new construction, or change of owner for both multi-family and commercial at time of approvals and/or permitting. Parker and I have recently completed our interviews of intern applicants and our top candidate, Heidi Miller, a UWSP student, has been hired to fill the position this summer. She will begin her internship on May 23rd.

Staff Development

- **Project 1 – American Planning Association (APA) membership** – This item is complete and will be removed during the next update to the Strategic Plan. Jared and I are both members of APA and WAPA.
- **Project 2 – Planning Technician Position** – This item is complete and will be removed during the next update to the Strategic Plan.
- **Project 4 – Assistant Building Inspector Position (Code Enforcement/Property Inspector)** – Maguire started employment with the Village in this position on 4/4/16. This item is complete and will be removed during the next update to the Strategic Plan.
- **Project 5 – Plan Commission bylaws, policies and procedures** – Ongoing. Plan Commission Code of Conduct and Rules of Procedures were adopted by the Plan Commission in June. All commissioners have signed the Code of Conduct. We continue to work on policies for the Commission. I am offering Commissioners the ability to attend the 3/15/16 Plan Commissioners workshop offered at the Portage County Annex building in Stevens Point. Commissioners White and Zeyghami along with Assistant Planner Wehner will be attending.

3. BUDGET AND FINANCIAL PLAN STATUS.

- The Department has received the Budget Status Report for February.

4. EMPLOYEE DEVELOPMENT & ENGAGEMENT.

- Staff continued to spend time preparing for the addition of Maguire (Property Inspector) to our Team during the month of March. Maguire began his employment with the Village on 4/4/16.

- Higgins attendance at Weekly C Team Meetings.
- Higgins attendance at Weekly ED Team Meetings
- Higgins attendance at Weekly One-on-One Meetings with Guild.
- Higgins attendance at Bi-weekly Service Division Team Meetings
- Higgins and Parker attend monthly Wellness Committee Meetings.
- Parker and Wehner attend monthly Staff Social Committee Meetings.
- Parker, Wehner, Tatro and Maguire have begun the 2016 Lumin Training.
- Tatro is the current Vice-President of the WI- IAEI. He will be taking over as President later this year.
- Higgins continues to attend the Alumni 2015 Lumin Training Sessions monthly (Feb, March, April, Sept.).
- Department participation at the March All-Staff meeting.
- Each Staff member has completed a meeting with Crowe to discuss our individual tech learning plans. We are also getting acquainted with Lynda.com and have begun watching some of the training videos.
- Attendance at Village 20th Anniversary Dinner on 3/11/16

5. PERFORMANCE AND METRICS.

- No further training has been provided to Directors or staff on this since the 1/20/16 meeting with Carlson Dettman staff.
- Infovision Software's Evolve Software will be able to be used for project management and will also have a performance management component to the software. Once an application is deemed complete, a timer will be running in the background and will be able to monitor and track how long it takes staff to complete our review and get approvals out the door.

6. COMMUNITY FEEDBACK

- County Board Supervisor Craig McEwen phoned to compliment me on the article I wrote on the Village's involvement in the upcoming County Addressing project.

7. IDENTIFIED NEEDS.

- Project Management Software, which is being addressed through the deployment of the Evolve software project.

8. NEW IDEAS & OPPORTUNITIES.

- None at this time.

9. MISCELLANEOUS COMMENTS / ISSUES.

- SE Quad Neighborhood Plan – proposed adoption June 2016:
 - Donner, Wodalski and I spent a considerable amount of time working with JSD and WIDOT on updating the WIDOT traffic model and the Village's Traffic Analysis Zones (TAZs) for updating the model. We expect an updated model to be received by 4/8/16.
 - Staff has been working with MiTech on the Wetland Exemption Applications to the DNR.

- Donner and myself are working on the extension of Transport Way out to Weston Avenue. Resolutions 2016-003 and 2016-004 were adopted by the Board to designate Weston Avenue as an arterial street and limit access on Weston Avenue.
- JSD has completed 2 land use alternatives analyses and Staff is currently in the process of reviewing them prior to them going to the WDNR.
- Presentation and Open House for SE Quad is scheduled for May 9th from 4:30 to 6pm.
- Economic Development/Plan Commission Update
 - Sign Permits Issued:
 - Platinum Grafix, LLC, 5503 Schofield Avenue, Suite A – SIGN-3-16-6573
 - All Green Corporation, 4803 Ross Avenue, Suite #300 – SIGN-3-16-6577
 - Stine Eye and First Impressions 4009 Community Center Drive – SIGN-3-16-6578
 - Zoning Permits have been issued for the following new businesses:
 - All Green Corporation, 4803 Ross Avenue, STE 3 – ZONE-3-16-6563
 - John Jokela Law Firm, 3409 Schofield Avenue, Unit D – ZONE-3-16-6561
 - Ringle Medical Supply, 5906 Hilgemann Street – ZONE-3-16-6562
 - ANR Pipeline, Weston Avenue– ZONE-2-16-6558
 - Kwik Trip, 7605 Schofield Avenue – ZONE-12-15-6482
 - Platinum Grafix, LLC, 5503 Schofield Avenue, Suite A – ZONE-3-16-6573
 - Redbull, 5302 Schofield Avenue-ZONE-12-15-6467
 - Cricket Wireless (Weston Marketplace)
 - Occupancy Permits Issued:
 - Foundation Finance, 7802 Meadow Rock Drive (CO-1138) (ZONE-8-15-6220) – 3/2/16
 - Redbull, 5302 Schofield Avenue (CO-1144)
 - CSM Approvals:
 - RCSM-2-16-1568 – 4707 & 4709 Holly Avenue - Zero lot line structure (3/8/16)
 - 8902 Progress Way, Lot 5 BP South (From the Forest Project) – 3/24/16
 - Home Occupation Permit Issued for Blake Worniak, 9905 Sandhill Dr – Mail order business is Badger State Ordnance (HOCC-2-16-6559) – 3/8/16
 - Zoning Compliance Letter for Coca Cola, 7707 Schofield Avenue (ZC-16-001) – 3/8/16
 - Zoning Compliance Letter for WOW, 3605 Concord Avenue (ZC-16-002)
 - MHP License Renewal, letter and inspection report sent to Alpine on 3/11/16.
 - On 3/10/16, Donner, Parker, Wehner and myself attended the Chambers Environmental Regulations Update at MiTech.
 - Completed the 2016 Government Units Survey from the US Census Bureau on 3/11/16
 - Parker completed the Green Tier 2015 annual report and emailed it to the DNR on 4/1/16. It will be placed on the 3/18/16 Board Meeting Agenda as a consent item
 - Guild and I met with Bill Scholfield to discuss his needs for a marketing piece to take to the April ICSC Milwaukee. He is doing a roundtable discussion on retail opportunities in Central WI at the conference and will be highlighting our current and available retail spaces to the attending retail retailers and site selectors for the big boxes and other retail franchises.
 - Staff completed the following site plan reviews in February:
 - ANR Pipeline, accessory building, Weston Avenue (CSIT-2-16-1569)

- Kwik Trip, Façade Upgrades at 7605 Schofield Avenue (CSIT-1-16-1565)
- Boy Scouts, 3501 Camp Phillips Rd – Accessory Building – (CSIT-3-16-1572)- 3/24/16
- Coca Cola, 7707 Schofield Ave – Architectural Review – (CSIT-3-16-1571)-3/24/16
- Staff is working on the following site plan reviews:
 - We have been working with a local banking institution on a site plan for a new location in the Village.
 - I have been talking with Lokre Development on a revised Weston Marketplace layout. They have acquired the home to the north of their property and would like to add it to their Marketplace Development.
 - Site Plan Review for parking lot addition at Mount Olive.

2016 Building Permits Issued to Date

Date:	Single Family	Duplex	Multi-Family				Commercial	Total All Permits Issued
			4	6	8	12		
January	1	-	-	-	-	-	23	29
February	2	-	-	-	-	-	25	35
March	-	-	-	-	-	-	23	41
Total	3	-	-	-	-	-	71	105
Totals from March of each year								
2015	6	1	-	-	-	-	35	71
2014	6	-	-	1	1	-	51	88
2013	2	-	-	-	-	-	42	73
2012	1	-	-	-	-	-	59	90
2011	3	-	-	-	-	-	20	62
2010	4	-	-	-	-	-	17	101
2009	1	2	-	-	1	-	4	46
2008	1	2	-	-	-	1	11	35

Permits Issued (By Work Class)

Permits Issued From Tuesday, March 1, 2016 through Thursday, March 31, 2016

Permit	Location Address	Issued	Valuation	Square Feet
Additional Building Garage				
ADDB-3-16-6566	3020 NICK Avenue	03/04/2016	25,000.00	1,564
ADDB-3-16-6593	3511 CAMP PHILLIPS RD	03/24/2016	55,000.00	1,976
Totals For Additional Building Garage : 2 Permit(s)			80,000.00	3,540
Additional Building Yard Shed				
ADDB-3-16-6580	6300 BIRCH Street	03/14/2016	300.00	80
Totals For Additional Building Yard Shed : 3 Permit(s)			300.00	80
Commercial Building Exterior Remodel				
CBLD-3-16-6597	5507 SCHOFIELD Avenue	03/29/2016	21,300.00	0
Totals For Commercial Building Exterior Remodel : 1 Perm			21,300.00	0
Commercial Building Local Business, Institutional & Office				
CBLD-3-16-6570	3301 CRANBERRY Boulevard	03/09/2016	10,000.00	0
Totals For Commercial Building Local Business, Institutio			10,000.00	0
Commercial Building Manufacturing and Industrial				
CBLD-3-16-6595	7707 SCHOFIELD AVE	03/29/2016	0.00	60
Totals For Commercial Building Manufacturing and Industr			0.00	60
Electrical Commercial				
ELEC-2-16-6557	3600 Weston Avenue	03/03/2016	0.00	0
Totals For Electrical Commercial : 1 Permit(s)			0.00	0
Electrical Local Business, Institutional & Office				
ELEC-3-16-6588	4020 SCHOFIELD Avenue	03/22/2016	0.00	1,300
Totals For Electrical Local Business, Institutional & Office			0.00	1,300
Electrical Multi Family (3+Units)				
ELEC-3-16-6576	6903 RIVER TRAIL DR	03/15/2016	0.00	9,500
Totals For Electrical Multi Family (3+Units) : 3 Permit(s)			0.00	9,500
Excavation Permit Public Utility				
EXCA-3-16-6600	6510 Ryan Street	03/31/2016	0.00	0
Totals For Excavation Permit Public Utility : 1 Permit(s)			0.00	0
Fence Residential				
FENC-3-16-6582	6404 CONNIE Lane	03/14/2016	4,000.00	0
FENC-3-16-6583	5006 VON KANEL ST	03/14/2016	2,300.00	0
FENC-3-16-6590	5511 SCOTT Street	03/23/2016	1,899.00	0
FENC-3-16-6591	6214 QUENTIN Street	03/23/2016	1,949.00	0
Totals For Fence Residential : 4 Permit(s)			10,148.00	0
Home Occupation Residential				
HOCC-2-16-6559	9905 Sandhill Drive	03/08/2016	0.00	0
Totals For Home Occupation Residential : 1 Permit(s)			0.00	0

Permit	Location Address	Issued	Valuation	Square Feet
HVAC HVAC Commercial New				
HVAC-3-16-6589	4020 SCHOFIELD Avenue	03/22/2016	0.00	1,300
Totals For HVAC HVAC Commercial New : 1 Permit(s)			0.00	1,300
Plumbing Commercial				
PLUM-3-16-6564	4020 SCHOFIELD Avenue	03/02/2016	0.00	0
Totals For Plumbing Commercial : 1 Permit(s)			0.00	0
Residential Building Addition				
RBLD-3-16-6586	3706 MICHAEL Drive	03/18/2016	50,000.00	432
Totals For Residential Building Addition : 1 Permit(s)			50,000.00	432
Residential Building Exterior Remodel				
RBLD-3-16-6581	4807 STERNBERG Avenue	03/14/2016	35,000.00	200
RBLD-3-16-6596	2909 CROSSTRAIL Lane	03/29/2016	14,200.00	0
RBLD-3-16-6598	5105 KELLYLAND Street	03/30/2016	10,800.00	0
Totals For Residential Building Exterior Remodel : 4 Perm			60,000.00	200
Residential Building Interior Remodel				
PLUR-3-16-6572	5303/5305 BIRCH Street	03/10/2016	0.00	0
RBLD-3-16-6565	2701 COUNTRY CREEK Lane	03/02/2016	8,500.00	412
RBLD-3-16-6571	6107 THOMAS Avenue	03/09/2016	0.00	0
RBLD-3-16-6584	5505 RAE JAMES Street	03/18/2016	12,000.00	50
RBLD-3-16-6585	5202 ISAIAH Street	03/18/2016	3,000.00	100
Totals For Residential Building Interior Remodel : 9 Permi			23,500.00	562
Sign Face Replacement New Business				
SIGN-3-16-6577	4803 Ross Avenue	03/11/2016	120.00	32
Totals For Sign Face Replacement New Business : 1 Perm			120.00	32
Sign New				
SIGN-3-16-6574	5503 Schofield Avenue	03/10/2016	300.00	15
SIGN-3-16-6578	4009 Community Center Drive	03/11/2016	5,370.00	48
SIGN-3-16-6579	4009 Community Center Drive	03/11/2016	5,390.00	58
SIGN-4-16-6607	5906 HILGEMANN ST	03/21/2016	350.00	10
Totals For Sign New : 5 Permit(s)			11,410.00	131
Sign Special Event				
SIGN-3-16-6569	4020 SCHOFIELD Avenue	03/07/2016	0.00	48
Totals For Sign Special Event : 6 Permit(s)			0.00	48
Zoning Commercial				
ZONE-12-15-6467	5304 Schofield Avenue	03/11/2016	0.00	9,800
ZONE-2-16-6558	3600 Weston Avenue	03/03/2016	0.00	0
ZONE-3-16-6561	3409 Schofield Avenue	03/03/2016	0.00	8,000
ZONE-3-16-6562	5906 Hilgemann Street	03/04/2016	0.00	3,000
ZONE-3-16-6563	4803 Ross Avenue	03/03/2016	0.00	805
ZONE-3-16-6573	5503 SCHOFIELD AVE	03/10/2016	0.00	1,600
ZONE-3-16-6575	4020 Schofield Avenue	03/10/2016	0.00	1,200
ZONE-3-16-6587	4613 Camp Phillips Road	03/21/2016	0.00	2,400
ZONE-3-16-6592	7707 SCHOFIELD AVE	03/24/2016	0.00	12

Permit	Location Address	Issued	Valuation	Square Feet
Totals For Zoning Commercial : 9 Permit(s)			0.00	26,817

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – F.49.



EVEREST METRO POLICE DEPARTMENT

VILLAGE OF WESTON – BOARD MEETING APRIL 18, 2016

MARCH 2016 STATS – Village of Weston

Accidents:	30
Property Damage only	24
Injury Accidents	0
Hit & Run Accidents	6
Total Calls for Service:	1,041

Stillwater Landing Trailer Park

March 2016 calls for service – 24* March 2015 – 28 calls

(*See attached Type of Incident Summary Report for detailed call types)

Award Recognition

Officer Leah Long has been selected by The Women’s Community as the recipient of the 2016 Outstanding Achievement for Supporting Survivors of Sexual Assault Award. She will be honored with this award at a ceremony on April 21, 2016 at 6:00pm at the City Square Center, 500 N. 3rd Street in Wausau. Leah does an outstanding job on sexual assault and juvenile cases for the department. She works closely with the Women’s Community and Social Services on these cases and I am glad to see the outside recognition for the exemplary and compassionate work she has provided on these cases.

Sexual Assault Investigation / Arrest

On 6-5-11 it was reported to the Everest Metro Police Dept. that three juvenile females ages 17, 15, 14 were the victims of forced sexual assault by suspect reported to be an African American male alias “J Coon”. The initial contact with the victims was made at the Weston Aquatic Center. Investigation was conducted into the incident and DNA evidence was located and submitted to the Wisconsin State Crime Lab for analysis however no leads were developed. It was later determined that through follow up investigation conducted by the EMPD Detective Bureau revealed that “J Coon” was believed to be a suspect being investigated by the Wausau Police Department for an armed robbery incident which occurred in their jurisdiction. Wausau Police Department Investigators developed information that the identity of their suspect was Jacob M. Cummings, 26 years of age. Cummings was later taken into custody for charges relating to their armed robbery incident. Once Cummings was in custody, detectives from Everest Metro PD conducted an in custody interview with Cummings at the Marathon County Sheriff’s Department. Cummings admitted to having sexual contact with all of the victims in this incident and sexual intercourse with one of the victims. Cummings is currently in custody at the Marathon County Jail on \$50,000 cash bond unrelated to this case. Cummings has been referred to the Marathon County District Attorney’s Office for the following charges:

- **1st Degree Sexual Assault of a Child, 2 counts, Wisconsin State Statute 948.02(1)(c),** pertaining to the sexual contact with LMH (age 14) and LBM (age 15)

- **2nd Degree Sexual Assault, Wisconsin State Statute 940.225(2)(a)**, pertaining to the sexual contact with TRE (age 17)
- **False Imprisonment, 3 counts, Wisconsin State Statute 940.30**
- **Child Enticement, 3 counts, Wisconsin State Statute 948.07**
- **Trafficking of a Child, 3 counts, Wisconsin State Statute 948.051**
- **Delivery of THC, 3 counts, Wisconsin State Statute 961.41(1m)(h)**, pertaining to the marijuana provided to LMH, LBM, and TRE
- **Delivery of Cocaine, Wisconsin State Statute 961.41(1m)(cm)**, pertaining to the cocaine provided to the victims in exchange for sexual contact
- **Offenses on or Near Certain Places, Wisconsin State Statute 961.49**, pertaining to the illegal drug activity that occurred within 1,000 feet of the KinderCare Learning Center.

Traffic Grants

EMPD received two traffic grants from the Wisconsin Bureau of Transportation. The first is a Seat Belt Enforcement grant which provides \$5,000 for overtime expenses and the second is a Speed Enforcement grant, which includes \$5,000 for overtime and an additional \$5,000 for equipment. The Seat Belt Grant runs from March to September and the Speed Enforcement Grant runs May through September. The speed grant is a multijurisdictional grant targeting the Business 51 corridor and Rothschild PD and Wausau PD also obtained grant funds to target their respective sections of Business 51. We will be utilizing the equipment grant funds to purchase three cradle points and antennas to replace the remaining air cards in several of the marked squad cars. These cradle points are what connects our mobile data computers and GPS to the CAD system in dispatch as well as to the TIME system for DOT records. They are also used to download squad video to our server and have a much greater bandwidth to allow squads to connect to outside devices, such as IP based camera systems utilized by the schools and parks. We will also be purchasing two new light bars with the remainder of the equipment funds.

Everest Metro Police Department stats From 03/01/2016 to 03/31/2016

Case Number Stats

	City	Other	Town	Village	Total
Accident Hit and Run	1	0	0	6	7
Accident Iniurv	0	0	2	0	2
Accident Property Damaae	7	0	1	24	32
Agency Assist	0	0	0	2	2
ALCOH COM	0	0	0	1	1
ANI VICIOUS	0	0	0	2	2
Bail Jumping	0	0	0	5	5
BATTERY	0	0	0	1	1
Burglary	0	0	0	3	3
CHILD NEGL	0	0	0	1	1
CITES MUN	0	0	0	3	3
CITES PRKG	1	0	0	8	9
CITES UTC	35	0	3	142	180
Criminal Damage	2	0	0	2	4
DC	1	0	0	5	6
Death Investigation	0	0	0	3	3
Domestic	3	0	0	6	9
Drugs	1	0	0	4	5
Fraud	0	0	0	5	5
ILLEG DUMP	0	0	0	1	1
Lost and Found	4	0	0	3	7
MENTAL COM	2	1	0	0	3
Misc Investigation	1	0	0	5	6
OBSTRUCT	0	0	0	2	2
OWI	0	1	0	2	3
PHY ABU	1	0	0	2	3
Prob/Parole Viol	2	0	0	4	6
PURSUIT	0	0	0	1	1
Restrain Ord Viol	1	0	0	1	2
Runaway	1	0	0	4	5
SEARCH WAR	0	0	0	1	1
Sex Crime	0	0	0	3	3
Stolen Vehicle	0	0	0	1	1

Noteworthy Cases:

Possible Child Abuse E2
 Threats to Disclose Child Porn E2
 Fred Mueller Stereo Theft E3
 Vehicle Chase E2

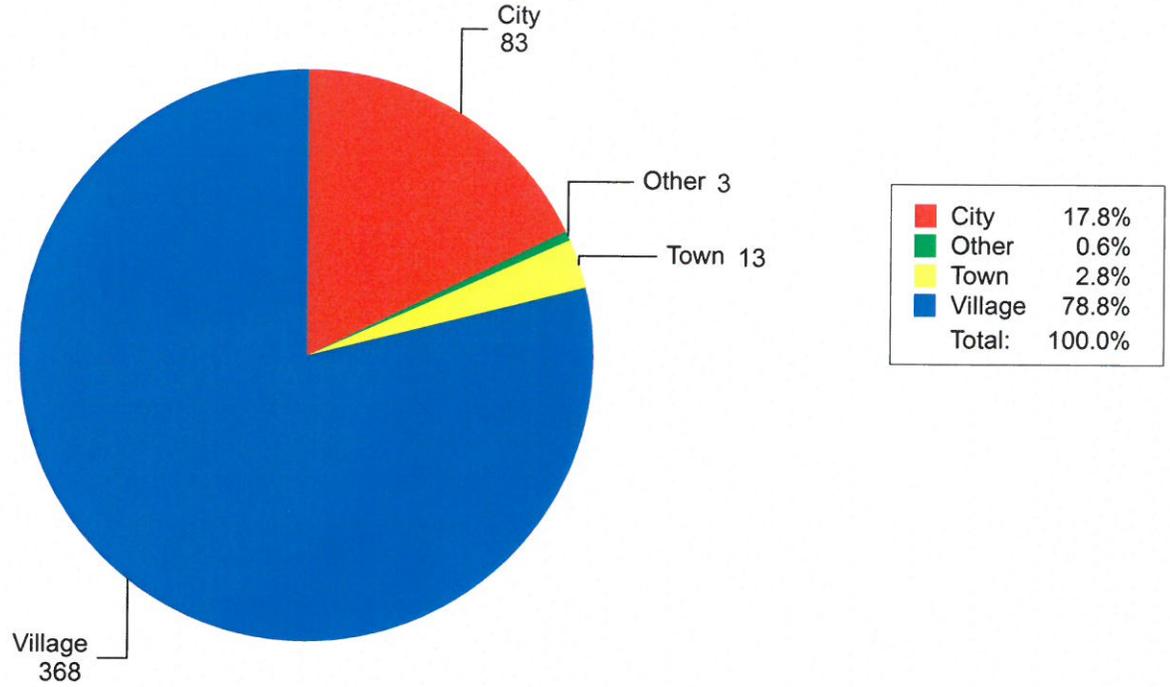
	Total
	23
City	321
Other	38
Town	39
Village	1,041
Total	1,462

Everest Metro Police Department stats From 03/01/2016 to 03/31/2016

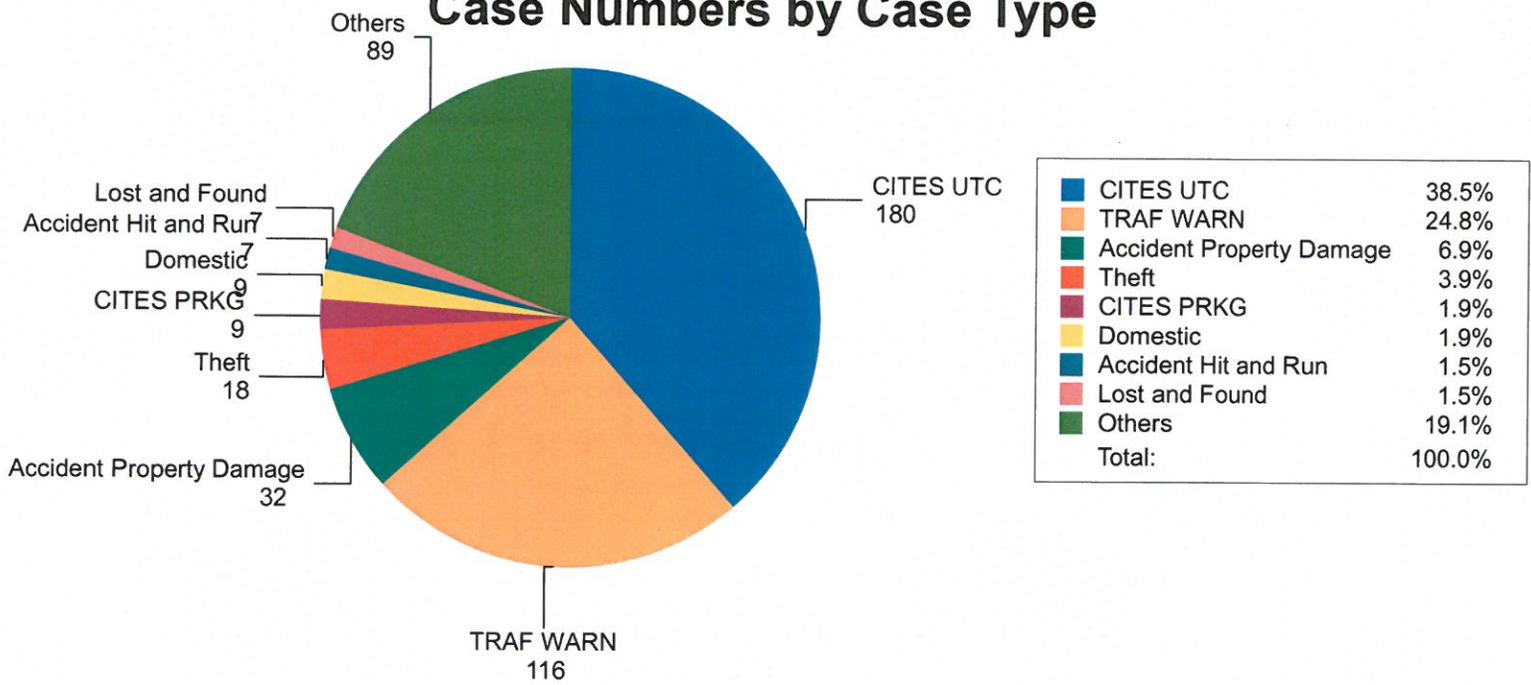
	City	Other	Town	Village	Total
Theft	4	0	0	14	18
TRAF WARN	13	1	7	95	116
TRUANCY	0	0	0	1	1
UNL TELEPH	0	0	0	1	1
Warrant Arrest	3	0	0	4	7
Total	83	3	13	368	467

Everest Metro Police Department stats From 03/01/2016 to 03/31/2016

Case Numbers by Area



Case Numbers by Case Type



4311 SCHOFIELD AVENUE

TLR #	DATE OF INCIDENT	TYPE OF INCIDENT	EVENT #
No #	03/11/16	Noise complaint	160029700
1			
2			
3	03/07/16	Investigation	160028301
3	03/22/16	Service Misc - custody concerns	160035005
3	03/22/16	Criminal Misc - follow up	160035065
4			
5			
6			
7			
8	03/08/16	Dog complaint	160028536
9			
10			
11			
12			
13			
14			
15			
16	03/02/16	Process Service	160025611
16	03/09/16	Loud music	160029199
16	03/10/16	Deliver papers	160029576
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29	03/29/16	Criminal - harassment	160038078
30			
31			
32			
33			
34			
35			
36			
37			
38			
39			

4311 SCHOFIELD AVENUE

40			
41			
42			
43			
44			
45			
46			
47			
48			
49	03/02/16	Criminal misc-welfare check	160025683
50			
51			
52			
53			
53			
54			
55			
56			
57			
58			
59			
60	03/23/16	Civil questions	160035445
60	03/26/16	Civil questions	160036822
61			
62			
63			
64			
64B			
64C			
65	03/02/16	Mental subject	160025861
65	03/02/16	Criminal misc-possible domestic	160025913
66			
67			
68	03/02/16	Process service	160025613
69			
70			
71			
72			
73	03/20/16	Family disturbance - verbal	160034072
74			
75			
76			
77			
78			
79			
80			

4311 SCHOFIELD AVENUE

81			
82			
83			
84			
85			
86			
87			
88			
89			
90			
91			
92			
93			
94			
95			
96			
97			
98			
99			
100			
101			
102			
103			
104			
105			
106			
107			
108			
109			
110			
111			
112			
113			
114			
115			
116			
117			
118	03/18/16	Medical emergency - 3 calls	160033104 160033105 160033106
119			
120			
121			
122	03/18/16	Extra patrol	160033310
122	03/19/16	Warrant attempt	160033668
123			

4311 SCHOFIELD AVENUE

124			
125			
126			
127	03/20/16	Medical emergency - 3 calls	160034061 160034062 160034063
128			
129			
130			
131			
132			
133			
134			
135			
136			
137			
138			
139			
140			
141			
142			
143			
144			
145			
146			
147			
148			
149			
150			
151			

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – G.54.



**VILLAGE OF WESTON
REQUEST FOR CONSIDERATION**

AGENDA ITEM DSCRPTN: RECOMMENDATION FROM CLERK WEINKAUF TO DENY OPERATOR
LICENSE

FOR CONSIDERATION AT: BOARD OF TRUSTEE MEETING; MONDAY, APRIL 18, 2016

LEGISLATION TYPE: ACKNOWLEDGE | **MOTION** | ORDINANCE | POLICY |
RESOLUTION

RECOMMENDATION TO: Recommend the Board of Trustees deny the Operator Licenses for Jesse
Bartnik and Gail Racino

REPORT PREPARED BY: SHERRY WEINKAUF; CLERK

BACKGROUND: The Police Department completed a background check for Jesse Bartnik. After reviewing this information Chief Sparks recommends denial of his license due to the fact that he has two offenses within 5 years. The Police Department completed a background check for Gail Racino. After reviewing this information Chief Sparks recommends denial of her license due to the fact that she did not disclose that she was a convicted felon. Based on this information, I recommend the Board of Trustees deny the Operator Licenses for Jesse Bartnik and Gail Racino.

FISCAL IMPACTS:

Budget Line Item: _____
Budget Line Item: _____
Budgeted Expenditure: _____
Budgeted Revenue: _____

STATUTORY REFERENCES:

Wisconsin Statue: _____
Administrative Code: _____
Municipal Code: Section 6.104
Judicial Ruling: _____

FURTHER REVIEW: No further review.

Village of Weston, Wisconsin
REGULAR MEETING OF THE BOARD OF TRUSTEES
April 18th, 2016

MEETING PACKET COVER SHEET
AGENDA ITEM – G.55.



**FIRST AMENDMENT TO
CHARTER OF
SOUTH AREA FIRE & EMERGENCY RESPONSE DISTRICT**

THIS AGREEMENT is made, this ____ day of March, 2016, by and between the Town of Rib Mountain (“Rib Mountain”), a political subdivision of the State of Wisconsin, Marathon County, the Town of Weston (“Town of Weston”), a political subdivision of the State of Wisconsin, Marathon County, and the Village of Weston (“Village of Weston”), a political subdivision of the State of Wisconsin, Marathon County, (collectively referred to herein as “the Municipalities” or singularly “the Municipality”), is entered into pursuant to the authority of Wis. Stats. §§66.0301, 60.55, and 61.65; and

WHEREAS, the Village of Weston and the Town of Rib Mountain provide fire protection, emergency medical services and certain other approved and related emergency services within and for the geographical area in each political jurisdiction, and beyond, as described in the SAFER Charter entered into between them on June 11, 2013 (the “SAFER Charter”); and

WHEREAS, the Village of Weston and Town of Rib Mountain wish to expand SAFER through the joining of the Town of Weston and each of the Municipalities have determined that is it in their best interest to continue a fire department and ambulance service to be called the South Area Fire & Emergency Response District (hereinafter "the District") pursuant to Wis. Stats. §§60.55, 61.65 and 66.0301; and

WHEREAS, it is the common understanding of the Municipalities that creating and continuing the District will provide greater protection against fire losses within the Municipalities, a more effective and efficient firefighting and emergency medical service agency, and financial savings and benefits to the Municipalities' taxpayers; and

WHEREAS, the Municipalities have agreed that the District shall continue to be a hybrid model, combining full-time and paid-on-call professionals; and

WHEREAS, the Municipalities shall continue to retain ownership of their buildings where SAFER is housed; and

WHEREAS, the Town of Weston seeks membership in the SAFER District under certain terms and conditions set forth herein; and

WHEREAS, by this First Amendment, the Municipalities wish to amend, update and supersede the SAFER Charter dated June 11, 2013; and

NOW, THEREFORE, the Municipalities jointly agree that the SAFER Charter is hereby amended and superseded as set forth herein. However, the purpose and establishment set forth in the SAFER Charter shall continue. Specifically, for the furnishing of firefighting services and medical ambulance services to the territory included within that area defined herein to be maintained and operated in accordance with the following, terms, conditions and plan:

I. PURPOSE

The purpose of the District is to provide fire protection, emergency medical service and certain other approved and related emergency services to the Municipalities and to such other areas with whom the District may contract.

The initial "primary service area" shall include only those municipalities or portions of municipalities set out below:

1. Village of Weston. All of the area within the present and future corporate limits of the Village of Weston.
2. Town of Rib Mountain. All of the area within the political boundaries of the Town of Rib Mountain.
3. Town of Weston. All of the area within the political boundaries of the Town of Weston.
4. The service area of the District also may include contracted Fire/EMS response services.

II. GOVERNANCE

The District shall be governed by the South Area Fire & Emergency Response District Board of Directors (hereinafter "the Board").

1. Board Members and Terms of Office. The Board shall consist of seven (7) members. The Rib Mountain Town Board Chairperson or his/her designee, the Village of Weston President or his/her designee, and the Town of Weston Chairperson or his/her designee, shall serve as members. The Village of Weston and Town of Rib Mountain shall each designate one additional member. Members shall serve at the pleasure of the municipality that appointed him/her. The above designated Board members shall agree upon two (2) additional Board members appointed at-large who shall be representatives from the municipalities receiving services from the District under contract. Nominations for the two representative Board members shall be submitted to the District's Secretary-Treasurer and shall be approved by a majority of the five Municipalities' representatives set forth herein immediately above. Initially, the two (2) at-large/representative members shall have one (1) member serve for a one-year term and the other member for a two-year term. Thereafter the at-large/representative Board members shall serve for two-year terms.

2. Future Board Expansion. If a new member Municipality joins SAFER, then the chief elected official of the new municipality shall replace one of the at-large member/representative members as approved by a majority of the member Municipalities Board representatives.

3. Quorum. A majority of the members of the Board shall constitute a quorum.
4. Official Action. Except as expressly provided in this Amended Charter, an act of a majority of the members of the Board present at a meeting in which a quorum is present shall be the act of the Board.
5. Meetings. Meetings of the Board shall be held at least once each calendar quarter and otherwise at the call of the Chair or upon the written request of at least two (2) members of the Board. Notice of a meeting of the Board shall be given to the members in writing not less than 24 hours prior to the time of the meeting.
6. Voting Requirements Exception. The affirmative vote of all seven (7) Board members shall be required for:
 - a. The purchase or sale of any asset having a value in excess of \$50,000.00;
 - b. The abandonment or relocation of any fire station; and
 - c. Any amendments to this Amended Charter.
7. Officers. The Board shall elect a Chair and a Vice Chair. The officers shall be elected at the first meeting of the Board occurring after May 1 of each year, and officers elected shall hold office until their successors are duly elected and qualified.
8. Compensation. No compensation shall be paid to the members of the Board for their services, but they may be reimbursed for actual necessary expenses incurred if so authorized by the Board, and if funds are contained within the approved budget.
9. Powers. Except as limited by this Amended Charter or amendments hereto, the Board shall have all the power and duties authorized under the Wisconsin Statutes relating to the operation of the District. Such powers shall include, but not be limited to, the following:
 - a. In case of the death, disability, resignation, discipline or termination of the Fire Chief for cause, to designate an interim Fire Chief until a new Fire Chief is accepted by the Commission.
 - b. To negotiate, and approve or reject mutual aid agreements with other fire departments and to authorize execution of such agreements.
 - c. To own, purchase, encumber, sell, or lease real property in the name of the Department, for the purposes of the Department, upon such terms and conditions as it deems appropriate.
 - d. To own, hire, rent, lease, purchase, encumber and sell vehicles, equipment, services or other personal property or supplies for Department purposes, upon such terms and conditions as it deems appropriate.

- e. To adopt procedures, personnel rules, and operating policies and rules.
- f. To contract to provide fire protection services or ambulance services or both to or for other Municipalities or portions of other Municipalities upon such terms and conditions as it deems appropriate.
- g. To establish rates of pay and fringe benefits for the Fire Chief and other employees and members of the Department.
- h. No more often than annually to establish a uniform fee for fire inspections within the Municipalities and primary service area of the Department to be paid by the property owner. In addition to the uniform fee, a mileage rate may be charged for inspections.
- i. To establish annually a base fee to be paid by each municipality in the District.
- j. To establish annually a uniform rate per call to be charged for fire services provided outside the primary service area.
- k. To establish a uniform rate per call to be charged to each individual for ambulance services provided within the primary service area; a uniform rate per call to be charged to each individual for ambulance services provided outside the primary service area; mileage rates to be charged for use of department vehicles; and rates to be charged for supplies expended.
- l. To designate a depository for Department funds.
- m. To secure insurance for the Department including, without limitation, fire and casualty, liability, workers' compensation, and errors and omissions coverage.
- n. To sue and be sued in accord with state law.
- o. To designate an official newspaper for required publications by the District.
- p. To exercise such additional powers as are authorized by law and as are reasonably necessary to effectuate the purposes of the District and to the exercise of the authorities granted by this Amended Charter.

10. To the extent necessary, the competitive bidding requirements of the state statutes shall be complied with. However, at a minimum, all purchases which exceed \$50,000.00 shall require an attempt to obtain a minimum of three (3) bids from vendors. Purchases exceeding

\$150,000.00 shall require a sealed bid process to be opened by the Board of Directors at a board meeting.

III. FIRE COMMISSION

The Municipalities hereby wish to continue a Fire Commission ("the Commission") as provided by Wis. Stat. §§ 61.65 and 62.13.

1. **Selection of Commissioners.** The Commission shall continue to have five (5) members. One (1) commissioner shall be selected by the Village of Weston President, one (1) commissioner shall be selected by the Town of Rib Mountain Chairman and one (1) commissioner shall be selected by the Town of Weston Chairman. The Village of Weston commissioner appointment shall serve for four (4) years. The Commissioner appointment by Rib Mountain shall serve for three (3) years. The Town of Weston Commissioner appointment selection by Weston shall serve for two (2) years. A fourth and fifth commissioner shall be jointly selected by the Village President of Weston, the Town Chairman of the Town of Weston, and the Town Chairman of the Town of Rib Mountain who shall each serve one (1) year terms and may be reappointed for unlimited additional terms. After their initial terms, the terms of all other Commissioners will be for a five (5) year period. Vacancies shall be filled by appointment for any unexpired term by the appointing municipality in the same manner as original appointments are made.

2. **Quorum.** A majority of the members of the Commission shall constitute a quorum.

3. **Official Action.** The act of a majority of the members of the Commission present at a meeting in which a quorum is present shall be the act of the Commission.

4. **Meetings.** Meetings of the Commission shall be held as required, but at least once during each calendar year. Meetings of the Commission shall be held upon the call of the Chair or upon the written request of at least two (2) members of the Commission. Notice of a meeting of the Commission shall be given to the members in writing not less than 24 hours prior to the time of the meeting.

5. **Officers.** As soon as practicable after the initial appointments, the Commission shall elect a Chair, Vice Chair and Secretary. The Secretary need not be a member of the Commission. Officers shall thereafter be elected at the first meeting of the Commission occurring after January 1 of each year. An officer so elected shall hold office until the replacements are duly elected and qualified.

6. **Compensation.** As compensation for their service, the Commissioners shall receive a per diem dollar amount which shall be set by the Board of Directors. In addition, the Commissioners may be reimbursed for actual necessary expenses incurred if so authorized by the Board of Directors and if funds are contained within the approved budget.

7. Powers. The Commission is to be subject to the provisions of Wis. Stats. §62.13 (2) to (12), exclusive of (6), pertaining to a board of police or fire commissioners or to appointments, promotions, suspensions, removals, dismissals, reemployment, compensation, rest days, exemptions, organization and supervision of departments, contracts and audits to the extent that the provisions apply to 2nd and 3rd class cities.

IV. ADMINISTRATION

Day-to-day administration of the District personnel and equipment shall be conducted by the Fire Chief, subject to the approval of the Board. The District may employ the following positions, who shall have those duties and responsibilities as set forth below and as described and set forth in each positions Job Description:

1. Fire Chief. The Fire Chief shall be generally responsible for the supervision, scheduling, education, organization and administration of the firefighting personnel and equipment.

- a. The Fire Chief shall be selected by the Commission. Qualified candidates will be subject to the interview process and a final selection will be made by a majority vote by the Commission.
- b. The Fire Chief shall have authority, subject to approval by the Commission, to designate the Deputy Fire Chief.
- c. The Fire Chief shall evaluate firefighting personnel, vehicles, supplies, equipment, and services available to the District and shall make recommendations for their purchase or hiring to the Board and/or Commission.
- d. Upon notification to the Chair of the Board or the Vice Chair of the Board, the Fire Chief may purchase any unbudgeted items he/she deems necessary without prior approval of the Board not to exceed \$5,000.00 per item.
- e. The Fire Chief shall perform such other and additional related duties are as authorized by law and/or as accorded to him by the Board to achieve the purposes of the District.

2. Deputy Fire Chief. The Deputy Fire Chief shall act as Fire Chief during the absence of the Fire Chief, and shall perform such district duties as are assigned to him by the Fire Chief.

3. EMS Division Chief. The EMS Division chief shall plan, direct, manage and evaluate the Emergency Medical Services of the district while maintaining department records and assisting in the day to day administrative duties, and all tasks assigned by the Board of Directors.

4. Battalion Chief. The Battalion Chiefs (Shift Commanders) shall be generally responsible for the supervision of personnel during their shift for both nonemergency and emergency activities in accordance with the Board of Directors approved current S.A.F.E.R. Job Descriptions. The Fire Chief shall appoint, subject to the approval of the Commission, all Battalion Chiefs.

5. Fire Inspector. The Captain of the Inspection Bureau (Fire Inspector) shall be responsible for; completing fire inspections in all S.A.F.E.R. responsible municipalities, approve or deny occupancy variances pertaining to fire protection, work with building inspection departments for the betterment of fire protection, and when needed, participate in fire cause and origin investigations. In addition, he / she shall perform all tasks assigned by the Board of Directors.

6. Paid-on-Call Professionals. The balance of personnel shall consist of paid-on-call professionals with various rank from probationary Firefighter, Firefighter, First Responders, Transfer Paramedic, Transfer Nurse, Firefighter/EMT, Firefighter/Paramedic, Motor Pump Operator (MPO), Safety Officers, Lieutenants, Captains and any additional positions created by the by the Board of Directors. In addition, tasks assigned by the Board of Directors.

V. OWNERSHIP OF ASSETS

1. The Village of Weston and Town of Rib Mountain have transferred to the District's custody, use and control, but not ownership, of the buildings used by the District.

2. Rib Mountain Public Safety Building. The first station, and primary operating place of business, shall continue to be the Rib Mountain Public Safety Building, which is located at 5901 Hummingbird Road, Wausau, WI 54401. The Municipalities acknowledge and understand the Public Safety Building shall remain fee titled in the name of the Town of Rib Mountain.

3. Weston Public Safety Building. The secondary station and additional operating place of business shall be portions of the Weston Public Safety Building, located at 5303 Mesker Street, Weston, WI 54476. The Municipalities acknowledge and understand the Public Safety Building shall remain fee titled in the name of the Village of Weston.

4. General maintenance costs, capital improvements and other matters related to the upkeep of both of the Public Safety Buildings, shall be as set forth in the SAFER Department Occupancy Cost-Sharing Agreement to be executed and approved by the Board and the Municipalities and when so executed and approved a copy of which will be attached hereto and incorporated herein as Exhibit B.

5. The District currently maintains and owns extensive equipment necessary for the operation of its respective fire/ems department. It is agreed that this equipment shall continue to remain the exclusive property of the District. All future equipment acquisitions and/or capital

expenditure acquisitions for or on behalf of the District will be determined by the operating budget of the District and which shall have ownership vested in it.

6. The Municipalities hereby agree that the District has purchased title to and possesses all of the firefighting, rescue, and ambulance vehicles, equipment and supplies in possession of the District and that such vehicles, equipment, and supplies then are the sole and exclusive property of the District.

VI. BUDGET AND FINANCE

1. Commencing October 1, 2016 and each October 1 thereafter, the District shall submit a proposed budget to cover the District's income, operating expenses, capital expenditures and capital improvement projects for the succeeding year to the Municipalities. No expenditure shall be made by the District until the budget has been approved by all of the Municipalities' governing bodies as approved for herein. Budget amendments shall be approved by the Board of Directors and all of the Municipalities' governing bodies.

2. Costs for the District shall be shared by the Municipalities based upon the funding formula herein.

3. If it is determined by the Board of Directors that non-budgeted expenditures requiring additional funds from the Municipalities are required during any time throughout a year, the Municipalities shall have the right to approve any proposed non-budgeted expenditures. Notice of such proposed and non-budgeted expenditures shall be given in writing to each of the Municipalities. The Municipalities shall then place the expenditure request on each of their respective agenda's at their next regularly scheduled board/council meeting for discussion and approval in accordance with Wis. Stats. §§65.06(6), 60.40(5) and 65.90.

4. Depository. The Board shall designate a public depository or depositories for its accounts. All funds of the District shall be considered public deposits.

5. Disasters/State of Emergencies. Should a disaster/state of emergency be declared by the appropriate State and/or Federal officials/entities, the Municipalities agree that if funds/grants become available to defray the cost and expense related to the services of the District for responding and providing service in said Municipalities' territory, said Municipality shall pay to the District the funds or grant money received. Payment for said services by the District shall be made by the Municipality to the District within thirty (30) days of receipt of the funds/grant monies being received by the Municipality.

VII. FISCAL AGENT

1. The Village of Weston agrees to be the District's Fiscal Agent for the calendar year 2016 without charging a fee for such services. Proposals for the appointment of the District's Fiscal Agent for future years shall be submitted by the Municipalities, contracted municipalities or third parties for the calendar year 2017 and beyond. Proposals shall include the term and annual fee for such services. The Board shall select the Fiscal Agent.

2. Duties of the Fiscal Agent shall include:

- a. Maintaining financial records;
- b. Receiving and disbursing funds;
- c. Providing payroll administration;
- d. Administering insurance program(s);
- e. Any other duties as directed by the Board of Directors.

VIII. PAYMENT OF EXPENSES

The Municipalities shall bear and pay the net operating expenses and capital expenditures of the District as established according to the following procedures and proportions.

1. **Financing Formula.** Each participating municipality's annual financial contribution to the District's operating, maintenance and capital budget shall be calculated based on the following formula:

- a. **Population.** Thirty-three and 33/100 percent (33.33%) of the total budget contribution shall be shared among the Municipalities in proportion to each municipality's percentage share of the total population of the Municipalities, as determined by the State of Wisconsin for the prior year.
- b. **Equalized valuation.** Thirty-three and 33/100 percent (33.33%) of the total budget contribution shall be shared among the Municipalities in proportion to each municipality's percentage share of the total equalized valuation, excluding land, of all the Municipalities, as determined by the State of Wisconsin for the prior year and as adjusted as hereafter provided.

Total equalized valuation, excluding land, shall be divided into residential, commercial and industrial classifications and shall include valuation from TIF Districts. A multiplier of one for total residential valuation (including value of "other" under the equalized valuation formula), two for total commercial valuation and three for total industrial valuation shall be applied. The total of the multiplied valuations for each municipality

shall be divided by the total of the multiplied valuations for all the municipalities and multiplied by 100 to determine each municipality's proportionate percentage share.

- c. Inspectable Structures. Thirty-three and 34/100 percent (33.34%) of the total budget contribution shall be shared among the Municipalities in proportion to each municipality's percentage of inspectable structures. There shall be attributed to each Municipality a minimum of ten (10) structures.

2. Municipality Payments. The Fiscal Agent will submit to each municipality a statement requiring payment of that municipality's share of the estimated net operating expenses and capital expenditures for the fiscal year which must be paid to the Fiscal Agent in quarterly payments. This notice shall be given not later than fifteen days following approval of the District's budget. Payment shall be due by the Municipalities on the 1st, 4th, 7th and 10th month of the year. If any ~~M~~municipality fails to pay in full each payment to be made by it as provided by this Amended Charter on the due date, such defaulting ~~m~~Municipality shall be indebted to the other Municipalities for the payment due plus interest at the prevailing prime rate in Wausau, Wisconsin from the due date until payment. Legal action to enforce such payment due by the defaulting ~~m~~M Municipality may be taken by the Board.

3. If the Board of Directors recommends adopting a modification of the contribution ratio or contribution formula, then this shall be amended as recommended by the Board of Directors upon the approval of a three-quarter majority vote of each Municipalities' respective boards.

IX. EXPANSION OF DISTRICT MEMBERSHIP

1. Additional municipalities may join the District upon the following conditions:

- a. The proposed additional territory is contiguous to the then-existing boundaries of the District or geographically advantageous for the operation of the District;
- b. The addition of either members or proposed territory and the terms and conditions pertaining to such additions are approved by the Board and ratified by each of the Municipalities participating in the District; and
- c. That each municipal applicant agrees with the vision, mission, and operating principles of this District, which is a hybrid model of using a combination of full-time and paid-on-call professionals.

2. Buy-In. Buy-in for a municipality will be upon mutual agreement of the Board of Directors and the municipality entering SAFER and based on how the joining municipality is identified in each category of the four (4) following categories.

- ~~a.~~ a. Municipality without any current services (contracted out for fire/ems protection). The buy-in shall be calculated to meet the increased need for staffing, maintenance and supplies needed to adequately protect the municipality (as determined by the Fire Chief). The buy-in funds shall be paid to the District amortized over the first three (3) years of membership and then incorporated into the annual funding calculations. In addition, ~~During~~ during the initial three (3) year buy-in period, the joining municipality shall be responsible and assessed its share of the ~~have no further~~ budgetary obligations ~~except~~ as provided in Article VI, ~~¶ 3 (non-budgeted expenditures).~~
- b. Municipality with EMS services without a firehouse. The buy-in shall be calculated to meet the increased need for staffing, maintenance and supplies needed to adequately protect the municipality (as determined by the Fire Chief). Additional funds could include but not limited to apparatus and erecting a firehouse if the municipality wanted 24/7 staffing in their municipality. Existing staff would be required to apply to the District and could be granted a grace period of 24 months to obtain certifications to meet existing District job descriptions. The buy-in funds shall be paid to the District amortized over the first three (3) years of membership and then incorporated into the annual funding calculations. In addition, during the initial three (3) year buy-in period, the joining municipality shall be responsible and assessed its share of the budgetary obligations as provided in Article VI.
~~During the initial three (3) year buy-in period, the joining municipality shall have no further budgetary obligations except as provided in Article VI, ¶ 3 (non-budgeted expenditures).~~
- c. Municipality with volunteer Fire/EMS services with a firehouse without quarters. The buy-in shall be calculated to meet the increased need for staffing, maintenance and supplies needed to adequately protect the municipality (as determined by the Fire Chief). Existing staff would be required to apply to the District and could be granted a grace period not to exceed 24 months to obtain certifications to meet existing District job descriptions. The buy-in amount would be offset by the transferred ownership of all equipment and apparatus to SAFER District. Additional funds could include but not be limited to additional apparatus or retrofitting the existing firehouse for living quarters to include, offices, bunk rooms, kitchen, locker rooms and a day room (as deemed appropriate by the Fire Chief). The buy-in funds shall be paid to the District amortized over the first three (3) years of membership and then incorporated into the annual funding calculations. In addition, during the initial three (3) year buy-in period, the joining municipality shall be responsible and assessed its share of the budgetary obligations as provided in Article VI.

~~During the initial three (3) year buy-in period, the joining municipality shall have no further budgetary obligations except as provided in Article VI, ¶ 3 (non-budgeted expenditures).~~

- d. Municipality with full time Fire/EMS services with a full functional firehouse. The buy-in shall be calculated to meet the increased need for staffing, maintenance and supplies needed to adequately protect the municipality (as determined by the Fire Chief). The buy-in amount would be offset by the transferred ownership of all equipment and apparatus to SAFER District. Existing POC (Paid On Call) staff, if any, would be required to apply to the District and may be granted a grace period not to exceed 24 months to obtain certifications to meet existing District job descriptions. Existing career staff would be required to apply to the District and be offered full time employment only after passing the written and practical assessment center, interview with the District Deputy Chief and Chief, and approval of District Fire Commission. The buy-in funds shall be paid to the District amortized over the first three (3) years of membership and then incorporated into the annual funding calculations. In addition, during the initial three (3) year buy-in period, the joining municipality shall be responsible and assessed its share of the budgetary obligations as provided in Article VI. During the initial three (3) year buy-in period, the joining municipality shall have no further budgetary obligations except as provided in Article VI, ¶ 3 (non-budgeted expenditures).

3. The Town of Weston's buy-in is as set forth on Exhibit A attached hereto and incorporated herein.

X. WITHDRAWAL FROM DISTRICT

The Municipalities pledge to participate in the District for a minimum of five (5) years from their joining of the District. The procedure for withdrawal and distribution of assets shall be accomplished as follows:

1. Withdrawal from the District is permitted at the end of any calendar year (after five (5) years) providing that such withdrawing Mmunicipality gives at least nine (9) months written notice to the other participating Mmunicipalities and to the Board.

2. The withdrawing Municipality shall receive the amount of its financial contribution set forth on Exhibit B. Exhibit B represents fifty percent (50%) of the withdrawing Municipalities buy-in determined in Article IX.2. No withdrawing Municipality may claim any portion of the assets of the District or be entitled to any other compensation for past contributions for vehicles, equipment or supplies purchased whatsoever. Any such withdrawal shall not affect the obligations of the remaining Municipalities under the terms of this First Amendment to Charter.

~~2. The withdrawing Municipality's interest in the District shall be its percentage of the formula as set forth in Article VIII, paragraph 1 above. The fair market value of this interest shall be determined by an appraiser mutually agreed upon between the withdrawing Municipality and the Board of Directors (exclusive of the vote of the representative(s) of the withdrawing Municipality). The appraiser so chosen shall be a professional appraiser who shall be a member in good standing of a recognized statewide appraisal or business valuation association and properly licensed as such, if applicable, in the State of Wisconsin. The appraisal shall be conducted in accordance with the guidelines of such association, or absent the same, in accordance with the guidelines of the most current valuation standards for the licensure of said appraiser. The fair market value of the withdrawing Municipalities' interest shall take into account all assets and liabilities of the District, including by way of enumeration without limitation, debts, mortgages, liens, accrued taxes, insurance premiums, personnel of the District, and such other risks and liabilities of the District deemed appropriate by said appraiser. Payment of the withdrawing Municipalities' interest in the District shall be made by the District within one (1) calendar year of the withdrawal. The withdrawing Municipality shall be solely responsible for all costs/expenses of the appraiser.~~

~~3. Except to determine the withdrawing Municipality's interest set forth in Article X, paragraph 2 above, no withdrawing Municipality may claim any portion of the assets of the District or be entitled to any other compensation for past contributions for vehicles, equipment or supplies purchased whatsoever. Any such withdrawal shall not affect the obligations of the remaining Municipalities under the terms of this First Amendment to Charter.~~

~~4. Except as the parties may otherwise agree, the withdrawing Municipality shall be responsible for its proportionate share of all liabilities incurred by the District prior to the effective date of its withdrawal, including, but not limited to, attorney fees, settlements, damages, or any form of debt or bonded indebtedness or notes, any retirement incentives or any other liabilities incurred by the District pursuant to its approved budget. For any liabilities due after the effective date of the withdrawal, the withdrawing Municipality shall be responsible for its share of liabilities as that share is determined under the financing formula in Article VIII herein in the year immediately preceding the effective date of the withdrawal.~~ 3. __ -The District shall name the withdrawing Mmunicipality as an additional insured on any and all insurance policies providing liability coverage for occurrences or claims made prior to the effective date of withdrawal. Any additional charges incurred by the District for such coverage will be paid by the withdrawing Mmunicipality.

XI. DISSOLUTION OF DISTRICT

The District may be dissolved by a unanimous vote of the Board. Notice of Intent to Request Dissolution shall be given at least nine months before the end of any calendar year. A dissolution resolution shall be effective at the end of the calendar year. All equipment purchased by the District shall be sold and the net proceeds shall be distributed to each Municipality based on each Municipality's percentage as determined under the formula in Article VIII, paragraph 1 above.

XII. DISPUTE RESOLUTION

If a dispute arises between the parties concerning any terms or conditions of this Charter, the following procedures shall be utilized to resolve the dispute:

- Step One: Meeting between Administrator/Chief Elected Official and Fire Chief of each participating municipality.
- Step Two: Mediation
- Step Three: Arbitration

In the event that mediation occurs, the parties shall mutually agree upon a Mediator. In the event that arbitration occurs, the arbitration shall result in a hearing before a panel of three individuals, which shall include one arbitrator or independent hearing officer selected by each party and one individual selected by mutual agreement of the parties. Any decision by the arbitration panel shall be legally binding and final. The parties shall split equally the total cost of the arbitrators and each party shall bear their own costs incurred during the dispute resolution process.

XIII. INDEMNIFICATION

Each hereby agrees to indemnify and hold harmless the other participating Municipalities, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, attorney's fees, costs and expenses of whatsoever kind or nature in any manner directly or indirectly caused, occasioned, or contributed to in whole or in part or claimed to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault or negligence, whether active or passive, of the municipality or of anyone acting under its direction or control or on its behalf, even if liability is also sought to be imposed on other participating Municipalities, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, shall be applicable unless liability results from the sole negligence of the other participating Municipalities, its elected and appointed officials, officers, employees, agents, representatives and volunteers.

Each shall reimburse the other participating Municipalities, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

XIV. INSURANCE

The Board of Directors shall obtain liability insurance sufficient to cover the District for claims of loss or damages, which may be occasioned by acts of the District. The costs for the insurance will be included in the operating budget of the District. In the event that liability is

incurred for any claim for damages, injury or loss arising out of the operations of the District, either through policy exclusions, under insurance, policy lapse or any other reason, the Town of Rib Mountain, the Town of Weston and the Village of Weston agree to indemnify each other for said uninsured costs and/or damages in accordance with the annual formula contributions established herein.

XV. AMENDMENTS

The Board may, from time to time, propose amendments to this Amended Charter. Any amendment must be unanimously approved by the Board and by each of the participating Municipalities. It is understood and agreed that this Amended Charter shall be regularly reviewed after the date of ratification and amended as necessary.

XVI. EFFECTIVE DATE

This Amended Charter shall be effective upon its ratification by the governing bodies of each Municipality.

VILLAGE OF WESTON

Dated: _____

By: _____
Barbara Erme#ling, Village President

Attest: _____
Sherry Weinkauf, Village Clerk

TOWN OF RIB MOUNTAIN

Dated: _____

By: _____
Allen Opall, Chairman

Attest: _____
Jessica Trautman, Town Clerk

TOWN OF WESTON

Dated: _____

By: _____
Milton Olson, Chairman

Attest: _____
Sara Stevens, Town Clerk

EXHIBIT A

TOWN OF RIB MOUNTAIN, VILLAGE AND TOWN OF WESTON INTERGOVERNMENT CONSOLIDATION AGREEMENT

FIRST AMENDMENT OF THE CHARTER OF THE SOUTH AREA FIRE AND EMERGENC RESPONSE (S.A.F.E.R.) DISTRICT

1. **Town of Weston services and buy-in-**The Town of Weston recognizes that, prior to the execution of this Agreement, the current S.A.F.E.R District had been established. The Town of Weston further recognizes that the Town of Rib Mountain, and the Village of Weston have accumulated financial equity in the current S.A.F.E.R. District in the form of equipment, supplies, and existing fund balances. In order to contribute its share of the fund balances into S.A.F.E.R., the Town of Weston agrees to contribute no more than thirty thousand and no/100 Dollars (\$30,000.00) per year in fiscal years 2016, 2017, and 2018 for ownership rights/buy-in and annual funding set forth in Article VIII ~~in S.A.F.E.R.~~ regardless of the calculations of the annual participation formula set forth in this document. The totality of the payment will be made to the S.A.F.E.R. District, through its fiscal agent no later than February 15th of each year.
2. In consideration that the Town of Weston did not bring in any equipment or assets into the District, the Town agrees that it shall not participate in any financial benefit resulting from their withdrawal from the S.A.F.E.R. District until its initial membership commitment period of five years has passed.
3. In consideration that the Town of Weston did not bring in any equipment or assets into the District, the Town of Weston agrees that it shall not participate in any financial proceeds resulting from the dissolution of the District until its initial membership commitment period of five years has passed.

EXHIBIT B

50% CONTRIBUTIONS OF MUNICIPALITIES

Village of Weston	\$
Town of Rib Mountain	\$
Town of Weston	\$45,000.00