

*****VILLAGE BOARD MINUTES*****
October 2, 2012

SAUKVILLE MUNICIPAL CENTER
639 E GREEN BAY AVE
SAUKVILLE, WISCONSIN

Village President Barb Dickmann called the meeting to order at 8:00 p.m.

Village Administrator Dawn Wagner gave the Statement of Public Notice.

Members: Barb Dickmann-present, Bob Hamann-present, Dan Sauer-present, David Maglio-present, Mike Krocka-present, Michael Gielow-present, and Joe Caban-present.

Others Present: Dawn Wagner, Mary K. Baumann, Roy Wilhelm, Gerald Antoine, Jack Morrison, Mark Jaeger, and Attached List.

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS AND QUESTIONS

None.

APPROVE MINUTES OF SEPTEMBER 17, 2012 MEETING

Krocka/Gielow made a motion to approve the September 17, 2012 minutes as presented. Motion carried.

COMMUNICATIONS

REPORT FROM THE VILLAGE PRESIDENT

No comment.

REPORT FROM THE VILLAGE ADMINISTRATOR

No comment.

PUBLIC HEARING - TO HEAR COMMENTS ON A PROPOSED ZONING ORDINANCE TEXT AMENDMENT REQUESTED BY 4333, LLC, TO AMEND §205-21.1.D(4) UNIQUE OR ATYPICAL PERMANENT AND TEMPORARY USE RESTRICTIONS AND DEVELOPMENT STANDARDS/MOTOR VEHICLE FUELING STATIONS (8:05 P.M.)

Wagner stated that copies of the minutes from the September 6th Plan Commission meeting were included in the packets.

Bill Taibl, Council for 4333, LLC, provided a background on the purchase and development of the parcel on the northeast corner of STH 33 and Foster Drive.

Taibl stated that a Traffic Impact Analysis (TIA) was completed for that intersection by the Wisconsin Department of Transportation (DOT) in 2007 and approved. An updated TIA was completed in 2011 and approved by the DOT in February of 2012.

Taibl stated that, at the time of the reconstruction of that intersection, the developer donated land and granted easements for the improvements at the intersection. \$20,000 was also paid to the DOT for the turn lane at that intersection.

Taibl stated that the developer had communicated with the Village regarding zoning code compliance. They knew that with fueling stations and car washes, conditional uses are considered.

The issue of the 1,000 ft. Set-back from Environmental Corridors regulation needed to be addressed. With the current regulation, a fueling station would be prohibited.

This text amendment request asks for that set-back to be modified.

Taibl stated that they reviewed the Village's 2035 Comprehensive Plan and 2010 Land Use Plan.

Taibl stated that the developer's intention is to bring business to the community and also promote green development. The end use is consistent with regional development.

Taibl reviewed the specifics of the proposed text amendment. Taibl stated that the proximity of standards and placement of a fueling station at the 1,000 foot set-back is not consistent with State standards. State standards are, in some areas, as little as 600 feet.

Taibl stated that he is comforted by the fact that staff feels that the 1,000 foot set-back needs to be reviewed.

Dickmann asked for comment from Village Atty. Gerald Antoine. Antoine stated that the proposed text amendment requested by the developer would do away with the 1,000 foot set-back requirement with the exception of municipal wells. The set-back for municipal wells would be at 600 feet.

Dickmann stated that the Plan Commission reviewed this request at their September 6, 2012 meeting and recommended denial of the text amendment.

Hamann stated that the proposed text amendment from the developer did not adequately meet the standards of the Village of Saukville.

Hearing no other comments, Dickmann requested a motion to close the Public Hearing.

Krocka/Gielow made a motion to close the Public Hearing. Roll call was taken with all in favor. Motion carried at 8:18 p.m.

PUBLIC HEARING - TO HEAR COMMENTS ON A ZONING ORDINANCE TEXT AMENDMENT PROPOSED BY VILLAGE STAFF TO AMEND §205-21.1 UNIQUE OR ATYPICAL PERMANENT AND TEMPORARY USE RESTRICTIONS AND DEVELOPMENT STANDARDS; §205-57.H BUSINESS USES; AND §205-143 SPECIFIC TERMS DEFINED (8:19 P.M.)

Antoine stated that this proposed text amendment is an alternative approach recommended by staff.

Antoine stated that this amendment would keep the set-back footage requirement at 1,000 feet from a municipal well. It would change the distance of the other requirements to 600 feet individually (a mapped wetland or conservancy zoning district exceeding five acres in size, a navigable body of water, or a primary environmental corridor) but, it would not be permitted within 600 feet of two or more of those areas.

This ordinance would change conditional use to not allow for motor fuel-dispensing of large trucks.

Hamann thought that this amendment gave the Plan Commission more direction on how to approach these requests. Hamann stated that Commission members did not want it left to their discretion. It left too much room for questioning decisions.

Taibl agreed that the staff recommendation gave more "meat to the bone"! The developer is looking for maximum flexibility. This ordinance would still require verification of proposals which Taibl didn't feel was inappropriate. Staff recommendation still gives flexibility.

Taibl felt that if one of the two proposed text amendments is approved it would give the developer the ability to build in accordance with Village Ordinance. This would also allow the Village to be free of the 1,000 foot set-back requirement. Taibl also felt this would cure the issue as to non-conforming uses.

Taibl stated that he would encourage the Board to approve either proposed text amendment.

Hearing no further comments, Dickmann requested a motion to close the Public Hearing.

Sauer/Krocka made a motion to close the Public Hearing. Roll call vote was taken with all in favor. Motion carried at 8:26 p.m.

ORDINANCES - RESOLUTIONS - PETITIONS

Ord. #733 - Zoning Ordinance Text Amendment requested by 4333, LLC to amend §205.21.1.D (4) Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards/Motor Vehicle Fueling Stations

Krocka/Caban made a motion to waive the 1st reading of Ord. #733 - Zoning Ordinance Text Amendment requested by 4333, LLC to amend §205.21.1.D (4) Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards/Motor Vehicle Fueling Stations. Motion carried.

Krocka/Caban made a motion to waive the reading of Ord. #733 - of Zoning Ordinance Text Amendment requested by 4333, LLC to amend §205.21.1.D (4) Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards/Motor Vehicle Fueling Stations. Motion carried.

Hamann/Krocka made a motion to deny Ord. #733 - Zoning Ordinance Text Amendment requested by 4333, LLC to amend §205.21.1.D (4) Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards/Motor Vehicle Fueling Stations as presented. Roll call vote was taken with all in favor. Motion carried.

Ord. #734 - Zoning Ordinance Text Amendment proposed by Village Staff to amend §205-21.1 Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards; §205-57.H Business Uses; and §205-143 Specific Terms Defined

Sauer/Krocka made a motion to waive the 1st reading of Ord. #734 - Zoning Ordinance Text Amendment proposed by Village Staff to amend §205-21.1 Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards; §205-57.H Business Uses; and §205-143 Specific Terms Defined. Motion carried.

Caban/Krocka made a motion to waive the reading of Ord. #734 - Zoning Ordinance Text Amendment proposed by Village Staff to amend §205-21.1 Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards; §205-57.H Business Uses; and §205-143 Specific Terms Defined. Motion carried.

Hamann/Sauer made a motion to approve Ord. #734 - Zoning Ordinance Text Amendment proposed by Village Staff to amend §205-21.1 Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards; §205-57.H Business Uses; and §205-143 Specific Terms Defined.

Hamann had a question regarding the last sentence in §205.57.H regarding motor fueling-dispensing facilities. Hamann does not want to ban large trucks all together.

Gielow agreed with Hamann.

Hamann stated that he would like the last sentence of §205.57.H eliminated. Hamann does not want a motor fueling-dispensing station but would like trucks to be able to “pull in” for the occasional fill-up, cup of coffee, etc.

Concern was raised regarding several trucks “pulling in” at one time and being parked in the lot.

Antoine stated that this is an issue that could possibly be handled by the design of the property.

After further discussion, Sauer withdrew his second to the motion to approve Ord. #734.

Hamann then withdrew his original motion to approve Ord. #734.

Taibl recommended that, if the Village is trying to eliminate the possibility of a truck stop, a declarative statement could be added to the ordinance. Antoine agreed.

Tom Beck of Beck's Green Bay Ave Mart stated that, if trucks are allowed to enter, there will be huge traffic issues. Any number of semi-trucks in that intersection at one time will create a traffic nightmare.

Dickmann recommended sending the ordinance back to Plan Commission for further discussion.

Hamann/Maglio made a motion to refer Ord. #734 - Zoning Ordinance Text Amendment proposed by Village Staff to amend §205-21.1 Unique or Atypical Permanent and Temporary Use Restrictions and Development Standards; §205-57.H Business Uses; and §205-143 Specific Terms Defined - for further discussion at Plan Commission, specifically §205-57.H Business Uses. Roll call vote was taken with all in favor. Motion carried.

Ord. #735 - Creating §192-5.1 - Turning-Regulated and Amending §192-6 - One-way Streets

Wagner stated that this proposed ordinance was reviewed by Village Atty. Antoine and Lt. Goetz.

Antoine stated that there is no left turn from Plaza Drive on to STH 33. The Police Department and the Department of Public Works want to put in a sign stating "No Left Turn".

Wilhelm stated enforcement concerns as he never received a definitive answer from the State regarding who has the authority over STH 33 when it comes to traffic issues.

Antoine stated that, when reviewing the ordinance to add the "no left turn" he noticed that although Ulaos was made a one-way street, an ordinance was never passed regarding that one-way street.

Sauer/Gielow made a motion to waive the 1st reading of Ord. #735 - Creating §192-5.1 - Turning-Regulated and Amending §192-6 - One-way Streets. Motion carried.

Hamann/Sauer made a motion to waive the reading of Ord. #735 - Creating §192-5.1 - Turning-Regulated and Amending §192-6 - One-way Streets. Motion carried.

Sauer/Maglio made a motion to approve Ord. #735 - Creating §192-5.1 - Turning-Regulated and Amending §192-6 - One-way Streets as presented. Motion carried.

Res. #1160 - 2013 Water Utility Budget

Dickmann read Res. #1160 - 2013 Water Utility Budget.

Hamann/Sauer made a motion to approve Res. #1160 - 2013 Water Utility Budget. Motion carried.

Res. #1161 - 2013 Wastewater Utility Budget

Dickmann read Res. #1161 - 2013 Wastewater Utility Budget.

Krocka/Sauer made a motion to approve Res. #1161 - 2013 Wastewater Utility Budget. Motion carried.

REPORTS OF VILLAGE BOARD COMMITTEES

Utility Committee

The minutes were in the packets.

Public Works Committee

The next Public Works Committee meeting is scheduled for Tuesday, October 23, 2012.

Public Safety Committee

There is no meeting scheduled for October.

Finance Committee

Dickmann reported on the meeting of October 2, 2012.

Committee went into Closed Executive Session with no action being taken.

A recommendation was made to the Village Board to approve the YMCA Saukville Youth Baseball Partnership Agreement - 2013 as presented.

Gielow/Maglio made a motion to approve the YMCA Saukville Youth Baseball Partnership Agreement for 2013 as presented. Motion carried.

Other Matters:

Discussion will be held at the next Finance Committee meeting regarding moving to all e-packets for meetings.

Committee was reminded of the Mid-Moraine Municipal Dinner being hosted by the Village of Saukville on Wednesday, October 24th at the Firehouse Restaurant. Contact Mary Kay if you wish to attend.

REPORTS OF SPECIAL COMMITTEES

Plan Commission

The next meeting is scheduled for Thursday, October 4, 2012.

Community Development Authority/Industrial Review Committee

Dickmann reported on the meeting of September 27, 2012.

The minutes of the June 21, 2012 meeting were reviewed and approved.

A request for a 3,200 sq. ft. addition at Carrier Maintenance was reviewed and approved.

A sign modification request from Charter Steel was reviewed and approved.

Library Board

The next meeting is scheduled for Tuesday, October 9, 2012.

Mid-Moraine Municipal Association

The next meeting is scheduled for Wednesday, October 10, 2012.

OPERATOR'S LICENSE APPROVALS

None.

LIQUOR LICENSE APPROVALS

None.

CITIZEN MATTERS AS NOTICED

None.

ADJOURNMENT

Gielow/Krocka made a motion to adjourn. Motion carried at 8:59 p.m.

Mary K. Baumann, Deputy Clerk