

VILLAGE OF THIENSVILLE
COMMITTEE OF THE WHOLE

AGENDA

VIRTUAL ACCESS AVAILABLE

DATE: Monday, April 6, 2020

Time: 6:00 PM

The public can access the meeting by using the Zoom link and/or phone numbers.

Join Zoom Meeting

<https://zoom.us/j/987156674?pwd=enArM1RpRmZnUVdXZkQ5KzVIYk1kUT09>

Meeting ID: 987 156 674

Password: 242940

Dial by your location

+1 312 626 6799 US

+1 253 215 8782 US

+1 301 715 8592 US

Meeting ID: 987 156 674

Find your local number: <https://zoom.us/u/adCfQkZYiW>

I. CALL TO ORDER

II. ROLL CALL

President: Van Mobley

Trustees: Samuel Azinger Kristina Eckert

Ronald Heinritz

Rob Holyoke

Kenneth Kucharski David Lange

Administrator: Colleen Landisch-Hansen

Staff: Police Chief Curt Kleppin

Fire Chief Brian Reiels

Director of Community Services/Public Works Andy LaFond

Village Clerk/Deputy Treasurer Amy Langlois

III. BUSINESS

A. Review Capital Expenditures List

- B. Review And Recommendation Regarding Request From Shully Catering, Inc., Beth Shully, 146 Green Bay Road, To Extend Noise Ordinance Until 12:00 AM For A Wedding, Saturday, August 15, 2020

Documents:

[THE VILLAGE OF THIENSVILLE COMMITTEE OF THE WHOLE.PDF](#)

- C. Review And Recommendation Regarding Ordinance No. 2020-02 Amending Section 74-107 Regarding Bicycles On Village Sidewalks

Documents:

[ORDINANCE NO 2020-02-BIKES ON SIDEWALKS.PDF](#)

- D. Review And Recommendation To Waive Late Fees On Late Sewer Payments

Documents:

[SEWER UTILITY.PDF](#)

- E. Review And Recommendation Regarding Resolution No. 2020-02 Granting Appeal, Red's Novelty Ltd. Regarding Claim Of Unlawful Personal Property Tax

Documents:

[REDS NOVELTY LTD. REQUEST.PDF](#)

- F. Review And Recommendation Regarding Easement Agreement For Public Road Right-Of-Way And Utilities, Thiensville Enterprises LLC, Parcels 12-050-06-22-007 And 12-050-06-22-009

Documents:

[ELLENBECKER EASEMENT.PDF](#)
[EASEMENT FOR PUBLIC RIGHT OF WAY AND UTILITIES EX B.PDF](#)

- G. Review And Recommendation For Application For Parade Permit Or Street Closing For The Memorial Day Parade, Monday, May 25, 2020, From 10:00 AM To 1:00 PM, Green Bay Road From Grace Lutheran To Stop Lights, Main Street To Mequon City Hall

Documents:

[MEMORIAL DAY PARADE.PDF](#)

- H. Review And Recommendation Of A Proclamation In Honor Of Arbor Day, Friday, April 24, 2020

Documents:

[ARBOR DAY.PDF](#)

- I. Review And Recommendation Regarding Certificate Of Recognition For Attaining Rank Of Eagle Scout, Logan Serre, Boy Scout Troop #852

Documents:

J. Review And Recommendation Regarding License Approvals - Renew:

1. Class A Liquor
Fantasy Flowers, Inc., Nancy Witte-Dycus, Agent, 106 East Freistadt Road
2. Class A Beer And Class A Liquor
Pigeon Creek Wine & Liquor, Scott Thomas Shully, Agent, 144 Green Bay Road
Walgreen Co., Steven Jacob Jacomet, Agent, 278 North Main Street
3. Class B Beer And Class B Liquor
Remington's River Inn, Robert John Ollman, Agent, 130 South Main Street
Shully Catering, Inc., Scott Thomas Shully, Agent, 146 Green Bay Road
4. Class B Beer And Class C Wine
glaze, llc, Kristina A. Eckert, Agent, 149 Green Bay Road
Grace Lutheran Church, Richard Koch, Agent, 303 North Main Street

K. Operator's Licenses - Renewal

1. Cheel, Llc
Barkha Limbu Daily, Jesse R. Daily, Drew Philip Kassner, Cheryl Marrie
Raymond, Cindy J. Shaurette
2. Remington's River Inn
Bruce Faye Anderson, Jenna Maywin-Robin Brunnquell, Cynthia Chase Check,
Sarah Viola Lundberg, Amy Marie Ollman, Kristina Lee Specht
3. Shully Catering, Inc.
Pamela Helen Johnson, Scott Steven Jones
4. Walgreen Co.
Jennifer Kay Bandt, Vasileia Chatziandreou, David Brian Haberman, Steven Jacob
Jacomet

L. Cigarette License

1. Walgreens Co.

M. BOARD APPOINTMENTS:

Board of Review

Van A. Mobley, One-Year Term
David Lange, One-Year Term

Plan Commission

Van A. Mobley, One-Year Term
Kenneth C. Kucharski, One-Year Term

N. CITIZEN APPOINTMENTS:

Board of Review

Michael J. Dyer, 600 Bel Aire Dr., One-Year Term
Edwin Ogden, 300 Crescent Ln., One-Year Term

Plan Commission

Sarah Hughes, 225 Riverview Dr., Three-Year Term
Daniel Luedtke, 306 Heidel Rd., Three-Year Term

Police Disciplinary Oversight Committee

Kevin Keller, 125 Grand Ave., Five-Year Term

O. STAFF APPOINTMENT:

Board of Review

Colleen Landisch-Hansen, Administrator, Annually

P. Review And Recommendation Regarding Community Fun Events, Inc., Temporary Class B Beer And Class B Wine License For Family Fun Before The 4th, June 27, 2020

Q. Review And Recommendation Regarding Thiensville-Mequon Lions Club, Temporary Class B Beer And Class B Wine License For Lionfest, June 11, 12, 13 And 14, 2020

IV. BUSINESS FROM THE FLOOR

A. Citizens to be Heard

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

V. MISCELLANEOUS BUSINESS BY TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD.

A. Inter-Governmental Committee With Mequon

B. Use Of 101 Green Bay Road, Old Village Hall & Fire Station

C. Acceptance/Report Of Gifts Received:

D. Dialog With Mequon Regarding Water Utility Service

E. Review Meeting Date Schedule

April 20, 2020 - Board of Trustees Meeting at 6:00 PM

May 4, 2020 - Committee of the Whole Meeting at 6:00 PM

May 18, 2020 - Board of Trustees Meeting at 6:00 PM

VI. ADJOURNMENT

Amy L. Langlois, Village Clerk

April 3, 2020

Please advise the Thiensville Municipal Hall, 250 Elm Street (242-3720) at least 24 hours prior to the start of this meeting if you have disabilities and desire special accommodations.

Notice is hereby given that a quorum of the Village Board and/or Village Committees may be in attendance at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take any formal action thereto at this meeting.

The Village of Thiensville
Committee of the Whole
250 Elm Street
Thiensville, WI 53092

April 1, 2020

Beth Shully
Shully Catering Inc
146 Green Bay Road
Thiensville, WI 53092

Re: Request for outdoor entertainment Saturday, August 15, 2020

Dear Village of Thiensville, Committee of the Whole,

I am asking for permission to play music outside until 12:00 am (midnight) on Saturday, August 15, 2020 for a family members wedding reception. The reception is being held at our Watermark Event space 146 Green Bay Road, Thiensville, WI 53092. The music will begin around 7:30 or so.

Thank you for considering this. We know the noise ordinance goes until 10.but the bride and groom would love to dance under the stars and asked me to see if you could bend the rule for them.

Thank you, for your time. We hope you can allow the music to play outdoors until midnight.

All my best,

Beth Shully
Vice president
Shully Catering Inc.

**VILLAGE OF THIENSVILLE
OZAUKEE COUNTY, WISCONSIN
ORDINANCE NO. 2020-02
AN ORDINANCE AMENDING
SECTION 74-107 REGARDING BICYCLES ON VILLAGE SIDEWALKS**

WHEREAS, the Village of Thiensville Board of Trustees desires to amend the ordinance regulating the operation of Bicycles on Village of Thiensville ("Village") sidewalks; and

WHEREAS, the Village Board finds that regulating the operation of bicycles on Village sidewalks is in the best interest of the health, general welfare, and safety of Village Residents.

NOW, THEREFORE, the Village Board of the Village of Thiensville do ordain as follows:

SECTION 1. Section 74-107 (a)-(c) of the Village of Thiensville is hereby amended to read in its entirety as follows:

SECTION 74-107.

- (a) It shall be lawful for operators or riders of bicycles to use such equipment on any village sidewalk subject to Section 74-107(b)(a-e) below.
- (b) Every person operating a bicycle upon a village sidewalk shall comply with the following:
 - a. Yield the right-of-way to any pedestrian.
 - b. Maintain safe and prudent speeds.
 - c. Exercise due care in approaching pedestrians, intersections, driveways, and any other structure on or adjacent to the sidewalk.
 - d. Give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.
 - e. Refrain from rapidly moving between the sidewalk and roadway.
- (c) Any person who violates any provisions of this section shall, upon conviction, forfeit not more than \$20.00, together with the costs of prosecution, and upon default of payment, shall be imprisoned in the county jail until the costs are paid, but not to exceed 30 days.

SECTION 2. Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions of this ordinance.

SECTION 3. Effective date. This ordinance shall be effective upon publication.

PASSED AND ADOPTED this _____ day of _____, 2020.

Van A. Mobley, Village President

ATTESTED TO:

Amy L. Langlois, Village Clerk



Public Service Commission of Wisconsin

Rebecca Cameron Valcq, Chairperson
Ellen Nowak, Commissioner
Tyler Huebner, Commissioner

4822 Madison Yards Way
P.O. Box 7854
Madison, WI 53707-7854

March 20, 2020

Sent via email

Governor Tony Evers
State Capitol
Madison, Wisconsin 53701

Dear Governor Evers,

To assist in the State's ongoing response to the public health emergency declared in response to the COVID-19 Coronavirus, the Public Service Commission of Wisconsin (the Commission) has reviewed its administrative rules to identify provisions which, if strictly complied with during the emergency, would prevent, hinder, or delay necessary action by public utilities and customers to protect the public health and welfare.

The Commission respectfully requests that you exercise your authority under Wis. Stat. § 323.12 (4) (d) to temporarily suspend these provisions during the emergency. Suspending these provisions will protect public health and will facilitate the Commission's efforts to work with public utilities and customers, ensure the continued availability of and access to vital services, and authorize emergency action pursuant to its authority under Wis. Stat. § 196.70.

As set forth in the attachment to this letter, the Commission requests that certain provisions of Wis. Adm. Code chs. PSC 113, 134, and 185, relating to service rules for electrical, gas, and water public utilities, be suspended in order to:

- Authorize public utilities to waive late fees.
- Temporarily suspend disconnections, other than those needed for safety reasons.
- Enable customers who are unable to make a cash deposit to obtain residential service.
- Ensure that deferred payment agreements are available not only to residential customers but also commercial, farm, and industrial customers.
- Streamline the process for customers to apply for utility service.

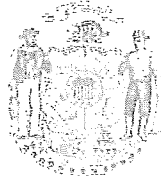
Thank you for your efforts to protect the health and economy of the State.

Sincerely,

Rebecca Cameron Valcq
Chairperson

RCV:ZR:jac

Attachment



Tony Evers

Office of the Governor | State of Wisconsin

EMERGENCY ORDER #11

PUBLIC SERVICE COMMISSION ADMINISTRATIVE RULES SUSPENSIONS

Under the authority of Wis. Stat. § 323.12(4) and the public health emergency declared in Executive Order #72, I, Governor Tony Evers, order the suspension of certain Public Service Commission (PSC) administrative rules and order companion directives as follows:

1. On March 20, 2020, Chairperson Rebecca Valcq requested the suspension of certain PSC administrative rules in order to assist with protecting public health and welfare during the public health emergency. The March 20, 2020 request is granted in its entirety and is incorporated by reference into this order.
2. PSC may use its authority under Wis. Stat. §§ 196.02(1), 196.70, Wis. Admin. § PSC 113.01(2), Wis. Admin. § PSC 134.01(2), and Wis. Admin. § PSC 185.11(4), to issue orders, give special or individual consideration to exceptional or unusual situations, or adopting requirements as to individual utilities or services necessary to respond to the public health emergency.
3. This order shall remain in effect for the duration of the public health emergency declared in Executive Order #72, or until subsequent superseding emergency orders are issued.

Tony Evers
Governor
State of Wisconsin

3/22/2020

Date

VILLAGE OF THIENSVILLE

RESOLUTION NO. 2020-02

A RESOLUTION GRANTING APPEAL FROM
RED'S NOVELTY LTD.
REGARDING CLAIM OF UNLAWFUL PERSONAL PROPERTY TAX

WHEREAS, Red's Novelty Ltd. was charged Personal Property Tax in 2019; and

WHEREAS, Red's Novelty Ltd. claims that machinery, tools and/or patterns are exempt from Personal Property Tax pursuant to Wis. Stats 70.111(27) and that their Property included real property that was not subject to personal property tax; and

WHEREAS, Red's Novelty Ltd. reported no taxable personal property within the Village as of January 1, 2019.

NOW, THEREFORE BE IT RESOLVED that the Village Board of the Village of Thiensville hereby grants the appeal from Red's Novelty Ltd. regarding their claim of unlawful personal property.

PASSED AND ADOPTED by the Village Board of the Village of Thiensville, County of Ozaukee, State of Wisconsin on this 20th day of April, 2020.

Van A. Mobley, Village President

Amy L. Langlois, Village Clerk

Village of Thiensville - Amy Langlois

From: Village of Thiensville - Colleen Landisch
Sent: Tuesday, March 24, 2020 9:32 AM
To: Village of Thiensville - Amy Langlois
Subject: FW: Personal Property Tax
Attachments: PPT AG Letter.pdf

For April's meeting.

Have a great day,

Colleen J. Landisch-Hansen
Village Administrator

Village of Thiensville
250 Elm Street
Thiensville, WI 53092
Phone: (262) 242-3720
Fax: (262) 242-4743
Email: clandisch@village.thiensville.wi.us

<http://www.village.thiensville.wi.us/>



From: Tim Schoonenberg <tim.schoonenberg@housemanlaw.com>
Sent: Tuesday, March 24, 2020 8:48 AM
To: Village of Thiensville - Colleen Landisch <clandisch@village.thiensville.wi.us>
Subject: FW: Personal Property Tax

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe.

Hi Colleen,

I agree with the Attorney General's letter analyzing the statute and disagree with our assessor (which is a rare thing). I therefore recommend that you grant the appeal at the next meeting, when possible. I also think it is the least risk adverse position and we don't want to be the test case for this which would be expensive litigation over such a small amount.

Thanks,

Tim Schoonenberg
Attorney at Law
HOUSEMAN & FEIND, LLP
1650 9th Avenue
Grafton, Wisconsin 53024
(262) 377-0600
Fax - (262) 377-6080

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From: John Schulze <jschulze@abcwi.org>
Sent: Monday, March 9, 2020 5:59 PM
To: Tim Schoonenberg <tim.schoonenberg@housemanlaw.com>
Subject: FW: Personal Property Tax

Per your request
Houseman and Feind LLP
Sensible Gurus Message Security: [Check Authenticity](#)



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

BRAD D. SCHIMEL
ATTORNEY GENERAL

Paul W. Connell
Deputy Attorney General

Delanie M. Breuer
Chief of Staff

114 East, State Capitol
P.O. Box 7857
Madison, WI 53707-7857
608/266-1221
TTY 1-800-947-3529

January 3, 2019

SENT VIA INTERDEPARTMENTAL MAIL

The Honorable Robin Vos
Speaker of the Assembly
Room 211 West, State Capitol

SENT VIA EMAIL

Robin.Vos@legis.wisconsin.gov

Re: Question Concerning Personal Property Tax

Dear Speaker Vos:

On December 13, 2018, my office received your request for an opinion interpreting Wis. Stat. § 70.111(27)(a). Unfortunately, I am unable to issue a formal opinion, since a request for such an opinion must come directly from one house of the Legislature, or “the senate or assembly committee on organization, or by the head of any department of state government.” Wis. Stat. § 165.015(1).

I can offer you, however, my informal analysis of this statute, in the hopes that my analysis may guide and clarify future applications of this statute to Wisconsin manufacturers. I should note in particular that this letter is not meant in any way to bind or inhibit the role of the next Attorney General, who is obviously free to disagree with my position.

In general, you ask whether machinery, tools, and patterns are exempted from the personal property tax even if those items had been previously reported by the taxpayer on a schedule other than one labeled by the Department of Revenue (“DOR”) as “Schedule C - Machinery, Tools and Patterns.” As explained below, machinery, tools, and patterns are exempted from personal property tax even if a taxpayer reported those items on a different schedule in previous years.

The 2017–19 Wisconsin Biennial Budget Act created a new personal property tax exemption for machinery, tools and patterns “not . . . used in manufacturing” (“Machinery Exemption”). 2017 Wis. Act 59, § 997j. The relevant statute section provides that “[t]he property described in this section is exempted from general property taxes.” Wis. Stat. § 70.111. Wisconsin Statute § 70.111(27)(b) then lists “machinery, tools, and patterns, not including such items used in manufacturing.” (This final phrase, “not . . . used in manufacturing,” complements another provision that already exempts machinery used in manufacturing. Wis. Stat. § 70.11 (27).) “[M]achinery’ means a structure or assemblage of parts that transmits force, motion, or energy from one part to another in a predetermined way by electrical, mechanical, or chemical means,” but not including a building. Wis. Stat. § 70.111(27)(a).

Wisconsin businesses report personal property on a form prescribed by DOR called a Statement of Personal Property (the “Statement”). The Statement contains several schedules providing space for taxpayers to list taxable property. For example, Schedule D provides space to list furniture, fixtures, and equipment, Schedule D2 provides space to list faxes, copiers, telephones, and computerized equipment, and Schedule H provides space to list all other personal property. For assessment years before 2018, the Statement provided space in Schedule C to list machinery, tools and patterns.

Given the new law, which exempts “machinery, tools and patterns,” you inquire about “machinery, tools and patterns” that may have been previously listed on schedules other than Schedule C. For example, a copy machine is an “assemblage of parts that transmits force, motion, or energy from one part to another in a predetermined way by electrical, mechanical, or chemical means.” Wis. Stat. § 70.111(27)(a). Thus, a copy machine would be “machinery” under the statute, and therefore exempt from taxation. Yet a taxpayer, in previous years, may have listed that same copy machine under Schedule D2, which provides space to list “multifunction faxes, copiers, postage meters, telephone systems, and computerized equipment.”

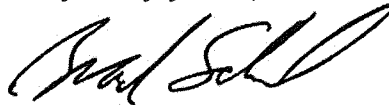
A taxpayer’s previous use of DOR schedules is not determinative or relevant. The statute is plain and unambiguous. Nothing in the statutes provides in any way, either explicitly or implicitly, that machinery is not defined as machinery merely because in previous tax years a taxpayer listed the item in a schedule other than “Schedule C – Machinery, Tools and Patterns.” When the Legislature added subsection 27 to Wis. Stat. § 70.111, it changed what is exempt from taxation, and in doing so it provided no language limiting the definition of machinery (except that

The Honorable Robin Vos
January 3, 2019
Page 3

“machinery” cannot be a “building”). If a piece of property fits the definition of “machinery,” then it is exempt from taxation, regardless of a taxpayer’s previous use of a DOR form.

I understand that my opinion may have policy and fiscal consequences. My analysis is purely based on the text of the statute, and not my policy preferences or whether I think the Legislature intended one way or another. Whatever the effect of this opinion, it is the Legislature’s choice to alter this language if it is not satisfied with the current text of the statute and its potential implications.

Very truly yours,

A handwritten signature in black ink, appearing to read "Brad Schimel", written in a cursive style.

Brad D. Schimel
Wisconsin Attorney General

BDS:DPL:alm



Coin Operated Amusement Equipment

RED'S
NOVELTY LTD.

www.redsnovelty.com

Red's Novelty

January 31, 2020

VIA PERSONAL SERVICE

Clerk
Village of Thiensville
250 Elm St

Re: Red's Novelty ltd
1921 S 74th St
Acct #120000124000 Bill#382054



To Whom It May Concern:

On behalf of Red's Novelty ltd ("Claimant"), we hereby serve this claim of unlawful tax ("Claim") on the Village of Thiensville ("City"). You are directed to serve a copy of any notice of disallowance on the undersigned and Douglas A. Pessefall, Esq. Reinhart Boerner Van Deuren s.c., 1000 N. Water Street, Suite 1700, Milwaukee, WI 53202.

1. This Claim is brought pursuant to Wis. Stat. § 74.35 for a refund of unlawful taxes collected from the Claimant by the Village for the 2019 tax year, plus interest as provided by law, with respect to certain property located in the Village and known by the personal property tax Account 120000124000 ("Property").
2. At all times relevant to this Claim, the Claimant was the owner of the Property, was responsible for the payment of taxes imposed with respect to the Property and the prosecution of tax disputes involving the Property, and is authorized to bring this Claim in its own name.
3. The Village is a body corporate and politic, duly organized as a municipal corporation under Wisconsin law, with its principal office located at 250 Elm St.
4. The basis for this Claim is that one or more palpable errors specified in Wis. Stat. § 74.33(1) were made. Specifically, the Property included machinery, tools and/or patterns exempt from taxation pursuant to Wis. Stat. § 70.111(27); the Property included assets no longer used in a trade or business as of the assessment date; the Property included real property that was not subject to personal property tax and was, therefore, subject to double taxation; and/or the assessment of the Property violated the Uniformity, Due Process and Equal Protection clauses of the Wisconsin Constitution.
5. Red's Novelty reported Zero taxable personal property within the Village as of Jan. 1 2019
6. Notwithstanding the Reported Value, the Property was assessed by the Village at \$1923. as of January 1, 2019 ("Assessed Value").

Acade Equipment
CD & Internet
Juke Boxes
Pinball
Redemption
Pool Tables
Darts
Plush Cranes
Home Sales

1921 S. 74th St.
West Allis, WI
53219

414-321-3000

Fax
414-321-3076

On Line
Sanctioned
Leagues
Pool & Dart

WAMO

NDA

League Phone
414-321-3345



Coin Operated Amusement Equipment

RED'S

NOVELTY LTD.

www.redsnovelty.com

Acade Equipment
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Pool & Dart

WAMO

NDA

League Phone
414-321-3345

7. Based on the Assessed Value, the village issued the Claimant a 2019 tax bill in the amount of \$44.47.

8. However, the Assessed Value exceeded the Reported Value by \$1923.. and the 2019 tax bill should have been no more than zero.

9. The Claimant timely paid the 2019 tax bill issued by the Village, and is aggrieved by the levy and collection of an unlawful tax against the Property.

10. The amount of this Claim is \$44.47 plus interest.

By this letter, the Claimant stated a valid claim to recover the unlawful tax paid with respect to its Property. The Claimant respectfully requests the Village to grant this Claim within 90 days from the date of service hereof.

Please date-stamp a copy of this claim and return to our waiting messenger. Please contact the undersigned with any questions.

Very truly yours,

Red's Novelty Ltd

Rosalie Jacomet
Rosalie Jacomet

cc: Douglas A. Pessefall, Esq.

Thiensville

Document Number	EASEMENT FOR PUBLIC RIGHT OF WAY AND UTILITIES Title of Document
	Recording Area
	Name and Return Address
	Timothy S. Schoonenberg Houseman & Feind, LLP P. O. Box 104 Grafton, WI 53024
	12-050-06-22-007; 12-050-06-22-009
	Parcel Identification Number (PIN)

EASEMENT AGREEMENT FOR PUBLIC ROAD RIGHT OF WAY AND UTILITIES

RECITALS

WHEREAS, that the undersigned, Thiensville Enterprises LLC (hereinafter "Grantor") is the Grantor of certain real property (the "Servient Estate") located in the Village of Thiensville, Ozaukee County, Wisconsin, commonly identified by parcel numbers 12-050-06-22-007 and 12-050-06-22-009, both parcels in the Village of Thiensville, Wisconsin, and as legally described on the attached **Exhibit A**; and

WHEREAS, Grantor desires to grant to the Village of Thiensville ("Grantee"), a Wisconsin municipal corporation, an easement in gross for public right-of-way and utility purposes;

NOW, THEREFORE, IN CONSIDERATION OF THE PREMISES, in consideration of the terms and conditions herein, and for other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor agrees as follows:

1. **Creation of Easement.** Grantor hereby grants to Grantee an easement in gross, in the area described in **Exhibit B**.
2. **Use and Purpose.** The Easement described herein shall be granted to Grantee for the purposes of construction, building, operating or repairing and maintaining a public roadway and public utilities across, through and under the easement area described in paragraph 1 above. It is understood and agreed that said rights shall be granted to Grantee, and its agents, employees, or assigns.
3. **Buildings, Other Structures, or Vegetation.** Grantor agrees that no structures will be erected within the easement area. Trees, bushes, branches and roots may be trimmed or removed by Grantee so as not to interfere with Grantee's use of the easement area.
4. **Maintenance.** Grantee may improve the Easement Area and according to such plans and specifications, as will, in its opinion, best serve the public purpose. The usual duties and liabilities, for the maintenance and repair of improvements within a road right-of-way, shall attach to the parties. Except as expressly limited in this instrument, Grantor conveys to Grantee the right to use the Easement Area for all of the uses customarily attendant to a public right-of-way, including, but not limited to, motor vehicle travel, pedestrian travel, drainage and utilities.
5. **Perpetual Easement.** The permanent easement created herein shall attach to and run with the land in perpetuity, and it shall bind and run to the benefit of the heirs, successors and assigns of the parties hereto.
6. **Modification, Waiver and Termination.** This easement may be modified, waived or terminated only in a writing signed and acknowledged by the Grantee and by all Grantors

7. Grantor, having been fully informed and having received full disclosure of Grantor's rights of appeal, waives the rights of appeal detailed in Chapter 32, Wisconsin Statutes, as part of the consideration for this agreement.
8. Grantor, having been fully informed of Grantor's right to have the above-described easement appraised, and to receive just compensation for the easement based on an appraisal, waives the right to an appraisal and does hereby release the Grantee from and waive any and all rights or obligations imposed under Section 32.06 (2)(b), Wisconsin Statutes. This waiver and release is binding upon the heirs, successors and assigns of the undersigned Grantors.

GRANTOR:
Thiensville Enterprises LLC

[illegible]

Notary Public, State of Wisconsin.
My commission _____

by: _____

 Village President

[illegible]

Personally came before me this ____ day of _____, 2020, the above-named _____, to me known to be the Village President of the Village of Thiensville, and the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin.
My commission _____

VILLAGE OF THIENSVILLE

by: _____

Village Clerk

STATE OF WISCONSIN)
) ss.
COUNTY OF OZAUKEE)

Personally came before me this ____ day of _____, 2020, the above-named _____, to me known to be the Clerk of the Village of Thiensville, and the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin.
My commission _____

This instrument was drafted by:
Timothy S. Schoonenberg
Assistant Village Attorney
Houseman & Feind, LLP
1650 - 9th Avenue
P.O. Box 104
Grafton, WI 53024
(262) 377-0600
Tim.Schoonenberg@housemanlaw.com

EXHIBIT A LEGAL DESCRIPTION

Tax Key # 12-050-06-22-007 being included in the following description:

PARCEL 1:

LOT ONE (1) OF CERTIFIED SURVEY MAP NO. 3941, RECORDED ON JULY 22, 2015 IN THE OFFICE OF THE REGISTER OF DEEDS FOR OZAUKEE COUNTY, WISCONSIN, AS DOCUMENT NO. 1021127, BEING PART OF LOTS 18 AND 20 AND PART OF LOT 22, BLOCK 6 OF THE ASSESSOR'S PLAT OF THE VILLAGE OF THIENSVILLE, ALL BEING A PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 21 EAST, VILLAGE OF THIENSVILLE, OZAUKEE COUNTY, WISCONSIN.

PARCEL 2:

THAT PART OF LOT TWENTY-TWO (22) IN BLOCK SIX (6) IN ASSESSOR'S PLAT OF THE VILLAGE OF THIENSVILLE, IN THE EAST ONE-HALF (1/2) OF THE NORTHEAST ONE-QUARTER (1/4) OF SECTION TWENTY-TWO (22) IN TOWNSHIP NINE (9) NORTH, RANGE TWENTY-ONE (21) EAST, BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT 599.12 FEET EAST OF THE WEST LINE OF THE EAST 1/2 OF, AND 1208.50 FEET NORTH OF THE SOUTH LINE OF SAID 1/4 SECTION THENCE EAST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 110.00 FEET TO A POINT; THENCE NORTH 0 DEGREES 05 MINUTES WEST ON A LINE 90.00 FEET TO A POINT; THENCE WEST ON A LINE PARALLEL TO THE SOUTH LINE OF SAID 1/4 SECTION 110.00 FEET TO A POINT; THENCE SOUTH 0 DEGREES 05 MINUTES EAST ON A LINE 90.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THE SOUTH SIXTY-EIGHT (68) FEET OF LOT 15 AND ALL OF LOTS 16 AND 17 IN BLOCK 2 IN VILLAGE HEIGHTS, BEING A SUBDIVISION OF LOT TWENTY-TWO (22) BLOCK 6, ASSESSOR'S PLAT OF THE VILLAGE OF THIENSVILLE, IN THE NORTHEAST ONE-QUARTER (1/4) OF SECTION 22 IN TOWNSHIP 9 NORTH, RANGE 21 EAST.

Tax Key # 12-050-06-22-009:

PARCEL 1:

That part of Lot 22, in Block 6, in Assessors Plat of the Village of Thiensville, in the East 1/2 of the Northeast 1/4 of Section 22, in Township 9 North, Range 21 East, in Ozaukee County, Wisconsin, bounded and described as follows: Commencing at a point 598.63 feet East of the West line on the East 1/2 of and 1118.50 feet North of the South line of said 1/4 Section; thence East on a line parallel to the South line of said 1/4 Section, 110.00 feet to a point; thence North 0 degrees 05 minutes West on a line 90.00 feet to a point; thence West on a line parallel to the South line of said 1/4 Section, 110.00 feet to a point; thence South 0 degrees 05 minutes East on a line, 90.00 feet to the place of beginning.

PARCEL 2:

Also a right to a 10 foot non exclusive easement for ingress and egress over the present private road from Wisconsin Avenue to the above described property as provided in Warranty Deed recorded December 18, 1946 as Document No. 133789.

EXHIBIT "B"

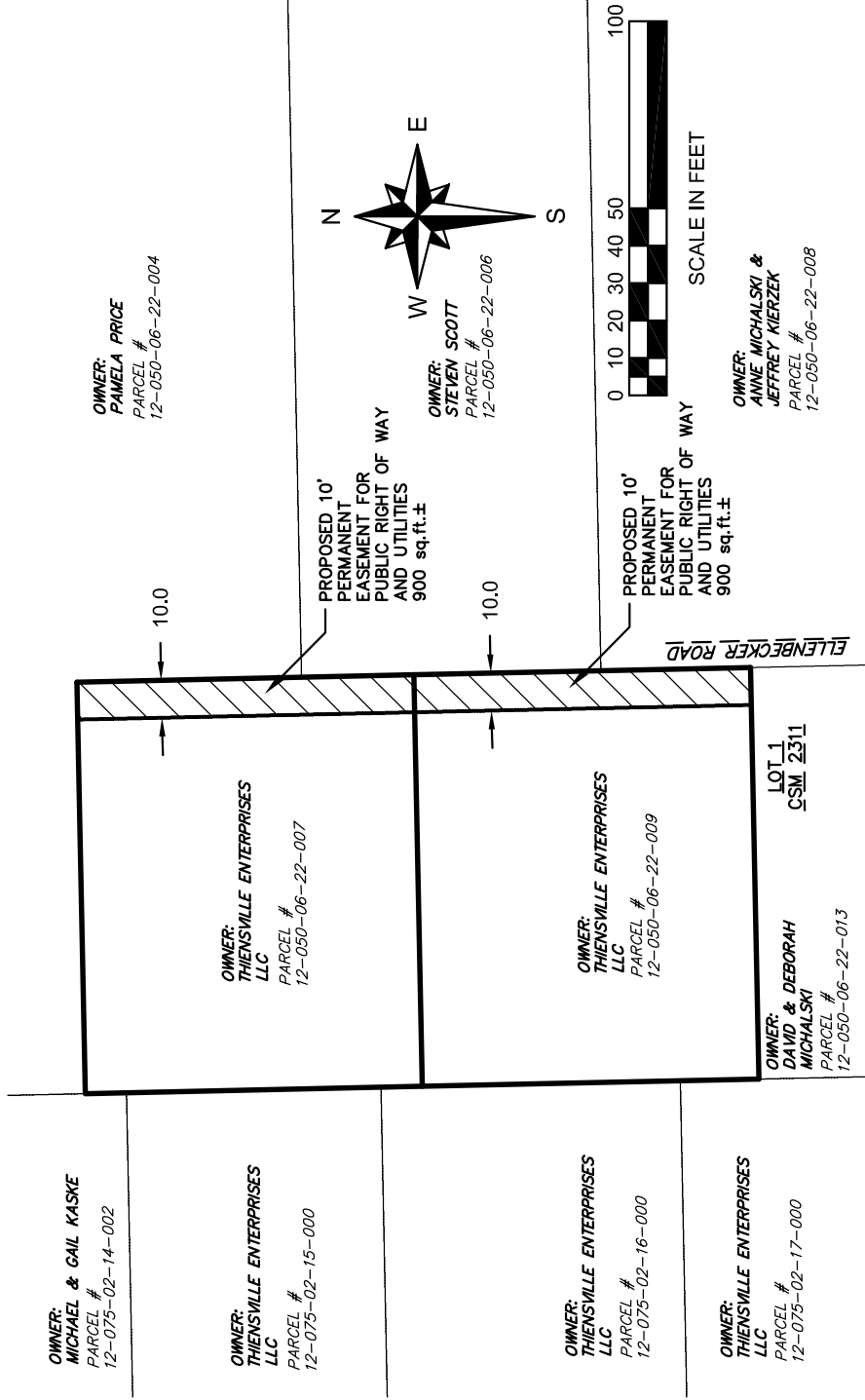
EASEMENT FOR PUBLIC RIGHT OF WAY AND UTILITIES

Being part of the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 9 North, Range 21 East, Village of Thiensville, Ozaukee County, Wisconsin.

Being part of the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 9 North, Range 21 East, Village of Thiensville, Ozaukee County, Wisconsin. bounded and described as follows:

The Easterly 10' of a parcel described by Parcel Number 12-050-06-22-007, located in the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 9 North, Range 21 East, Village of Thiensville, Ozaukee County, Wisconsin, containing 900 square feet more or less of land. Subject to, but not limited to, covenants, conditions, restrictions and easements of record.

The Easterly 10' of a parcel described by Parcel Number 12-050-06-22-009, located in the Southeast 1/4 of the Northeast 1/4 of Section 22, Township 9 North, Range 21 East, Village of Thiensville, Ozaukee County, Wisconsin, containing 900 square feet more or less of land. Subject to, but not limited to, covenants, conditions, restrictions and easements of record.



PROPERTY LINES SHOWN ON THIS EXHIBIT ARE DRAWN FROM DATA DERIVED FROM MAPS AND DOCUMENTS OF PUBLIC RECORD AND/OR OCCUPATION LINES. THIS EXHIBIT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING LINES OF THE PUBLIC LAND SURVEY SYSTEM AND RIGHT-OF-WAY LINES, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE PROPERTY SURVEY AS DEFINED AND PURSUANT TO THE WISCONSIN ADMINISTRATIVE CODE A-E 7.

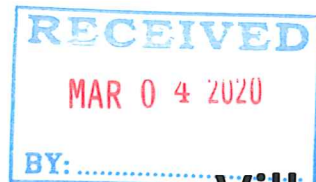
PREPARED FOR:

Thiensville Enterprises LLC
11518 N Port Washington Rd.
Suite 103
Mequon, WI 53192

PREPARED BY:

Ruekert & Mielke, Inc.
W233 N2080 Ridgeview Pkwy.
Waukesha, WI 53188





Fee Waived
per Colleen

Village of Thiensville

Parade/Street Closing Application

Village Ordinance: No candy or candy-throwing

Event (Purpose for street closing): MEMORIAL DAY PARADE

Date of event: MAY 25 2020 Time: 10:00 AM to 1:00

Route of parade (Streets to be closed): GREEN BAY RD FROM GRACE LUTHERAN
TO STOP LIGHTS - CED RD. FROM STOP LIGHTS TO
MEQUON CITY HALL

The undersigned agrees to be personally liable to the Village of Thiensville and to indemnify the Village of Thiensville for property damage and for any expense incurred by, at, or in consequence of such use of the Village streets.

The undersigned further agrees to hold the Village of Thiensville, its servants, agents and employees harmless from any and all causes of action, claims or damages arising out of the use of the streets and highways by the undersigned and any and all persons permitted upon those streets by the undersigned.

The Village of Thiensville reserves the right to require property damage and public liability insurance in an amount sufficient to protect the Village of Thiensville.

The undersigned further agrees to abide by ordinances and other regulations of the Village of Thiensville and all direction from Village staff and law enforcement officers.

The person and/or entity seeking to close a Village street for the purpose of a party, parade or similar activity shall, not less than 30 days prior to the event, apply for a permit from the Village.

Am. LEGION POST 457
Organization

____ APPROVED _____ DENIED

DAVID ROBEL
PRINT: Name of Applicant

Village Administrator

David Robel
Applicant's signature

Date

1935 RIVERVIEW TRAIL FREDONIA
Address

\$100 Permit Fee received Waived 3/4/2020
Date

262-391-6567
Phone number

Receipt # _____



PROCLAMATION
IN HONOR OF ARBOR DAY

- WHEREAS, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planning of trees, and
- WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- WHEREAS, Arbor Day is now observed throughout the nation and the world, and
- WHEREAS, the Village of Thiensville was named a 2016 Tree City USA by the Arbor Day Foundation in honor of its commitment to effective urban forest management,
- WHEREAS, Thiensville achieved Tree City USA recognition by meeting the program's four requirements: a tree board or department, a tree-care ordinance, an annual community forestry budget of at least \$2 per capita and an Arbor Day observance and proclamation,
- WHEREAS, Tree City USA communities see the impact an urban forest has in a community first hand and recognition brings residents together and creates a sense of community pride, whether it is through volunteer engagement or public education,
- WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- WHEREAS, trees in our Village increase property values, enhance the economic vitality of business areas and beautify our community, and trees, wherever they are planted, are a source of joy and spiritual renewal;

NOW, THEREFORE BE IT PROCLAIMED *that the Thiensville Village Board, hereby proclaims April 24, 2020 as "ARBOR DAY" in the Village of Thiensville, and urge all citizens to support efforts to care for our trees and woodlands and to support our Village's community forestry program; and, further, urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.*

Van Mobley, President

Amy L. Langlois, Village Clerk

April 20, 2020
Date



Boy Scout Troop 852
Sponsored by The
Thiensville-Mequon Rotary Club



Thiensville Village President
Van Mobley
250 Elm street
Thiensville, Wi. 53092



March 3, 2020

Dear Mr. Mobley;

Boy Scout Troop 852 of Thiensville, Wisconsin is very proud to announce their 89TH and newest Eagle Scout, Logan Serre, who received this great honor on February 11, 2020.

The Eagle Scout Badge is the highest award bestowed upon a Scout. In order to earn this award, each scout needs to earn at least 21 Merit Badges. He also had to plan and carry out a project that would benefit the community. Only about 5% of all Boys in Scouting in the United States go on to earn the Eagle Award.

Logan worked very hard to achieve this rank. He earned 43 Merit Badges, developed strong leadership qualities, and showed scout spirit. For his project, Logan decided to collect personal items to be put into hygiene kits for the men at the Guest House in Milwaukee, which is a shelter for helping the men get back in the work force.

After getting approval from The Guest House and his Troop, he was then able to plan his project. After preparing a letter to request donations, he set out boxes to collect the donations. If he received monetary donations, he was able to purchase t-shirts and toiletries. Then at a troop meeting Logan and fellow scouts were able to organize all the items. They boxed them up to deliver to the Guest House. He was able to collect 161 packs of t-shirts with 5 in a pack, replenish their supply of toiletries. After he delivered the boxes, he then sent out Thank You cards to the donators. The project involved eight fellow scouts and eight adults. It took a total of 64.25 hours to do.

Logan will be receiving his Eagle Award at a formal ceremony in the near future. If you could send all letters of congratulations, certificates, or plaques, to me, as soon as possible, I would appreciate it very much. Thank You very much for your time and co-operation.

W168 N11328 Western Ave.
Germantown, Wi. 53022

Sincerely Yours,
Agnes Knapp
Eagle Scout Committee
1-262-735-4234