VILLAGE OF THIENSVILLE
COMMITTEE OF THE WHOLE
MINUTES

DATE: Monday, March 4, 2013 **LOCATION: 250 Elm Street**
Thiensville, WI

TIME: 6:00PM

I. CALL TO ORDER

President Mobley called the meeting to order at 6:00PM.

II. ROLL CALL

President:	Van Mobley	
Trustees:	Kim Beck	Kenneth Kucharski
	Ronald Heinritz	David Lange
	Rob Holyoke	John Treffert
Administrator:	Dianne Robertson	
Staff:	Director of Public Works Andy LaFond, Police Chief Scott Nicholson	

III. BUSINESS

A. Review Capital Expenditures List

B. Review and recommendation regarding Thiensville Business Association request to move the farmer's market to Village Park

Mr. Jesse Daily (CORE Consulting) from the Thiensville Business Renaissance Committee (TRBC) and the Thiensville Business Association (TBA) was in attendance regarding the request to move the farmer's market to Village Park. He is also attempting to increase the farmer's market hours from 10:00AM to 7:0PM and to increase the branding/marketing efforts. Parking is potentially going to be a problem at the Village Park. Mr. Daily wants to increase the signage for the Farmers Market showing where the market will be located. He also wants to make Thiensville a destination. The TBA is also looking to get bands in to play and maybe have a beer garden in the park. There are approximately 47 farmers that are involved in the Farmer's Market and the main reason for the move is the farmers have complained about the heat being located on a parking lot, the lack of electricity, and the dangers of people driving through the market because it is in a parking lot. One disadvantage is that the market would not be on the main traffic route through Thiensville which is Main Street.

Trustee Lange asked if the TBA has talked to the farmers about this change and that has not happened yet. The Farmer's Market will only be held on Tuesdays not on Saturdays when the park is popular for rentals. Director of Public Works Andy LaFond has concerns regarding the grass and when it rains tires can easily create ruts in the grass and the park can become somewhat swampy. June 4 is when the Farmer's Market begins and it ends the last Tuesday in October.

President Mobley commented that there is stability for the farmers on concrete which is a plus but the downside is the parking situation is an issue. Boat launching takes place in the Village Park also. Ms. Jennifer Abraham was in attendance and she feels that people will discover the park if they don't already know it is. Trustee Beck asked if there could be a secondary location if there was a flooding event. The current parking lot on Main Street would probably be able to be a backup location and maybe even the old bowling alley location on N. Main Street would be available. Trustee Heinritz stated that the farmer's market used to be across the street in the shopping plaza on the west side of Main Street. Trustee Kucharski feels that having the market in the park is going to be a lot of extra work for the DPW. Trustee Holyoke asked if Mr. Jennings would be willing to have the farmers move back to the grassy area on the current Walgreens property to avoid the heat issues. He also asked why the farmers are leaving at 2PM. He gets off of work at 3PM and the farmers are gone.

Trustee Treffert felt that all the concerns were discussed and wants to get a feel from the farmers to see if this is a good venue. He does have concerns as to how this will work. Trustee Heinritz feels the market is better off where it is in the Walgreens parking lot on Main Street. Trustee Beck feels that by moving the market to the park, this will draw people to our community. This will be discussed at the next Board meeting on March 18, 2013 but will not be voted on until the April COW with final vote at April Board.

C. Review and recommendation regarding Main Street Parking Lot and Green Bay Road Bridge Improvements

Engineer Mike Campbell was in attendance. Director of Public Works Andy LaFond told the Board that he and the Administrator have met with a local landscape architect who has done some work pro bono for the Village and offered some fantastic ideas for this project. Mr. Campbell completed the technical drawings, Mr. LaFond and others have completed some renderings. Administrator Robertson reported that this portion of the Pigeon Creek wall was not finished with the Pigeon Creek Project because a repair to the wall would have damaged the building since it was located very close to the wall. Mr. Campbell came up with a parking plan and a grading plan which he presented with pictures for the Board.

When Fiddleheads was developed (north of Reuters) dry land access was created so that they could get their land out of the floodplain. At the intersection of Main Street and Green Bay Road this land is out of the floodplain. If the parking lot could be connected to higher ground and keep the ground high behind these buildings and over to Fiddleheads and continuing north of there, this would be considered dry land access. The land behind this area needed to be filled and by doing this the DNR needed proof that this would not increase the flood stage which the Village achieved by completing the Pigeon Creek improvements. Some of the parking spaces within this proposed dry land access and parking lot are on Reuter's property. The wall will be 4 feet higher than the existing wall and will connect to the existing wall near the old firehouse. The wall will be the same modular type wall that is on the other side of Pigeon Creek. A fence will also be installed along this area.

Mr. LaFond talked about dedication plaques that will be near the old firehouse and creating a walkway behind the building to highlight the creek as part of the bridge project. In the future there may be a foot bridge created over Pigeon Creek. There could be the potential for having a contest for naming this area incorporating a park or memorial.

Mr. Campbell reported that in regards to the new bridge, the wall that is roughly 4 feet high would have 2 feet cut off, a limestone cap would be placed over this and then on top of that would be an ornamental fence which would match the fence that is along the municipal parking lot. This would open up the view to the creek. All Board members were in favor or the parking lot improvements and the bridge enhancements.

D. Review and recommendation regarding moving WE Energies electric poles with the Main Street Parking Lot Project

Director LaFond reported that there was a desire to clean up the look of the electric poles that currently run over Pigeon Creek. Unfortunately, this whole area is somewhat of an island that is fed from across the creek on the east side and serves a couple properties south of Green Bay Road. The Village staff asked We Energies to draw up a plan as to how the Village could have no creek wire crossings and the solution was not easy or cheap. The idea was to ask Schmit Ford and Suburban Harley for easements to bring the power through underground boring across the street and into the back of those properties. The cost estimate is $84,000 and whatever the Village loses in overhead wires we would gain in the big green transformer boxes on the ground. Another $10,000 estimate was proved to move two of the poles to a more appropriate location. The overhead wires would remain.

President Mobley is not sure he wants to spend the money on burying of the wires but feels that the important items are the wall and the dry land access. He does feel that spending $10,000 to get rid of a few of the dangling wires would be beneficial. The Trustees agreed that they needed to go out and take a look at the wires and current transformers before they can decide on what they want to do. Trustee Treffert is a believer in burying wires but is surprised that the price is only $84,000. Trustee Treffert stated that the beauty of Main Street and Green Bay Road is that there are no overhead electrical lines and poles. Administrator Robertson stated that there is $455,000 budgeted for the Main Street water project which will not be done this year so the money could be borrowed from that project fund. The Village Board wants to have a decision on this by the next COW meeting in April.

E. Review and recommendation regarding appointing Fire Department members
Matthew J. Heiss, Jacob D. Exline, Anna C. McGee, James R. Schumacher, Kristen Timm

MOTION by Trustee Holyoke, **SECONDED** by Trustee Kucharski to recommend to the Board the appointment of Matthew J. Heiss, Jacob D. Exline, Anna C. McGee, James R. Schumacher and Kristen Timm to the Fire Department. **MOTION CARRIED UNANIMOUSLY.**

F. Review and recommendation regarding new Beverage Operator's License to
Amy L. Gleisner, Walgreens

MOTION by Trustee Holyoke, **SECONDED** by Trustee Kucharski to recommend to the Board approval of a new Beverage Operator's License to Amy L. Gleisner. **MOTION CARRIED UANIMOUSLY.**

G. Review and recommendation regarding Village Ordinance 10-32 No Dogs
Allowed in Village Parks

This ordinance is proposing to allow dogs in the park with special exceptions. Police Chief Nicholson feels that having a very structured ordinance as we do now makes it easier for his department to enforce because they do get many calls regarding dogs in the park. To have exceptions to the rule will make things more complicated. Trustee Treffert stated that more than just Thiensville residents use this park and on the interurban trail there is dog feces right on the trail and he was concerned that all the fishermen would bring their dogs along while fishing. Dogs can be intimidating and the park right now is user friendly and may diminish the charisma of the park. Trustee Kucharski commented that when dog owners take their dog for a walk in their own neighborhood they are for the most part very respectful of their own neighborhood but in a park setting, it is different. This request came from several residents and some comments were that there are geese feces in the park. Trustee Beck stated that the Riverwalk would be used more if people could bring their dogs. There were many new proposed regulations included in the new ordinance such as: dogs must be on a leash and held by a person of sufficient strength, dogs are restricted to grassy areas, no dogs allowed in park during special events, dogs are not to chase wildlife nor show any aggression to any other dogs or people.

MOTION by Trustee Holyoke, **SECONDED** by Trustee Lange to recommend to the Board to change Ordinance 10 -32 to allow dogs in the park.

Ayes: Trustees Holyoke, Lange and President Mobley
Naes: Trustees Beck, Heinritz, Kucharski and Treffert
MOTION FAILED.

H. Review of Reserved Capital Project Fund Report and 2013 Capital Projects Fund
Report

Administrator Robertson reported that she provides this analysis on an annual basis to give the Board an idea where the Village is financially. There are a few funds that have a deficit fund balance, one is the Laurel Acres Water Trust until the funds are collected through special assessments, and the other is the Detention Basin Project regarding the infrastructure improvements that were added to the outlet structure that were not covered by the grant. These will take care of themselves with the next capital projects budget. Administrator Robertson briefly explained the Capital Projects Replacement Fund designations and where the remaining funds are now. Director LaFond commented that the Village will apply for funds to be used towards upgrading the Village Park bathrooms, the boat launch and possibly a pier at the river. Mr. LaFond will be applying for a grant to possibly help with funding of these items.

I. Review and recommendation regarding a Highland Road Interchange on I-43

Trustee Beck feels that this is a good idea and Trustee Holyoke and Trustee Lange both agree. Trustee Heinritz feels that this would be nice but does not see it as a priority as does President Mobley. President Mobley asked if the Board would want to help pay for the Interchange. Trustee Holyoke feels that this would be a convenience to the Village residents as does Trustee Kucharski. Trustee Treffert thinks it would change the character of the entire section of Highland Road and would become a high traffic corridor but is in favor of it. President Mobley commented that he does not feel this is the time for the Village officials to take a decision on this and is not sure that it is good for Thiensville. Concordia University does not want this. Trustee Holyoke feels it would reduce traffic in the downtown area. Trustee Beck stated that Mequon's project at Mequon Road/Cedarburg Road will affect traffic in Thiensville.

No recommendation at this time.

J. Review and recommendation regarding Ordinance No. 2013-01 Maintenance of Sewer Services for Redeveloped Facilities

Administrator Robertson stated that this was discussed at a previous meeting and the Board conceptually agreed that the laterals be looked at and repaired if there is redevelopment.

MOTION by Trustee Holyoke, **SECONDED** by Trustee Lange to recommend to the Board approval of Ordinance No. 2013-01 Maintenance of Sewer Services for Redeveloped Facilities. **MOTION CARRIED UNANIMOUSLY.**

K. Review and recommendation regarding Resolution No. 2013-04 granting a temporary easement to WE Energies at the Village owned property at 5616 Cairdel Lane

Administrator Robertson stated that this is the property that the Village purchased to send storm water from MATC detention ponds to the Crescent Lane detention pond. WE Energies is requesting a temporary easement to upgrade their electrical facilities. WE Energies is phasing out the substation that is at the entrance to Cairdel Lane and changing out the wires to bring in different voltage. The overhead wires will be changed out from Green Bay Road to Freistadt Road and to also move or remove a few poles during the Green Bay Road reconstruction project. The underground wires will also be replaced east on Freistadt Road with boring underground.

MOTION by Trustee Treffert, **SECONDED** by Trustee Heinritz to recommend to the Board approval of Resolution No. 2013-04 granting a temporary easement to WE Energies at the Village owned property at 5616 Cairdel Lane. **MOTION CARRIED UNANIMOUSLY.**

L. Review and recommendation regarding the MMSD I/I Program funding option
Trustee Treffert

Trustee Treffert put together an example of cost sharing formula and because of what the Village has done in the past and what may be done in the future the MMSD money needs to be spread further. President Mobley stated that MMSD has their priorities in which projects they fund and he was always concerned that we not alter the relationship with them. Trustee Treffert stated that the funds used are what the Village has paid to MMSD. Trustee Heinritz feels that Trustee Treffert is trying to come up with a more conservative way of funding or spreading out the MMSD money. Trustee Heinritz was concerned about using all of this money and is in agreement with what Trustee Treffert proposed. Trustee Beck commented that by taking this approach which is sort of an aggressive approach that will address the issue but not at a cost to the residents. Trustee Holyoke is all about fairness and if someone receives a free lateral and then 5 years down the road someone else has to pay 100% for a lateral where is the fairness. Trustee Kucharski feels that this has been a targeted area that has bad laterals and that this is a unique situation. MMSD funding is only available when there is an approved project in place. The proposed Village policy reads that there will be funding of private laterals for the MMSD I/I Program of 100% for cooperative property owners and with non-cooperative property owners the property owner will pay 100% with 0% funding. Trustee Treffert felt that the policy was good but the funding policy was not ideal. President Mobley preferred the proposed option which was tabled at the Committee of the Whole.

MOTION by Trustee Treffert, **SECONDED** by Trustee Holyoke to recommend to the Board approval of the MMSD I/I Program funding option that the cooperative homeowners be required to participate in the program with a minimum of $1,000 to the repair/replacement of their laterals as presented and if homeowners are uncooperative there will be zero funding.

Ayes: Trustees Heinritz, Holyoke and Treffert
Naes: Trustees Beck, Lange, Kucharski and President Mobley
MOTION FAILED.

At the Board of Trustees meeting on February 18, 2013 there was a motion to table the review and approval of the policy regarding Private Property Inflow and Infiltration Program Policy No. 2013-01 which is 100% funding if property owners are cooperative and 0% funding for uncooperative property owners until this Committee of the Whole meeting.

MOTION by Trustee Beck, **SECONDED** by Trustee Lange to recommend to the Board approval of Private Property Inflow and Infiltration Program Policy No. 2013-01 which is 100% funding of cooperative and 0% funding if uncooperative and if the funding does not cover all the costs then that deficit would be shared by all properties.

Ayes: Trustees Beck, Heinritz, Kucharski, Lange and President Mobley.
Naes: Trustees Holyoke and Treffert.
MOTION CARRIED.

M. Review and recommendation regarding a sign code revision regarding B-1 Projecting Sign size Trustee Heinritz

Trustee Heinritz felt that there was some confusion after the last COW regarding projecting signs in the B-1 Historic District and the B-1 Business District. Trustee Heinritz discussed this with Planner Jon Censky who came up with the revision that would establish two sections in 16.17 which pertains strictly to the B-1 Historic District and not the B-1 Business District. The Historic Preservation Commission reviewed the proposed changes and responded in a memo that was presented at the last COW. The HPC was in agreement with all the provisions except the provision in section 16.17 (d)(3a) the size of a projecting sign. The proposed size of a projecting sign in the Historic District was 9 square feet and had been 12 square feet in the past.

The proposed change came through from the Plan Commission with a recommendation to change the size of a projecting sign in the historic district from 9 square feet to 16 square feet. There are no signs on South Main Street in the historic district that are bigger than 12 square feet. Trustee Heinritz brought visuals to show the difference between 12 square feet versus 16 square foot signs and stated that 16 square feet would be way out of proportion. Quality signage is important but bigger is not better. Fiddleheads Coffee Roasters on North Main Street is 12 square feet and the only difference is they have a trailer for the bakery that hangs below the sign and does not project over the sidewalk which is also important in regards to size.

President Mobley feels that the 12 square foot sign that Fiddleheads has is sufficient. Trustee Kucharski commented that with the trailer the size is at 16 square feet. Trustee Heinritz stated that the physical sign is 4' x 3'. The Plan Commission does have the ability to allow a variance in individual circumstances to allow a larger sign and there may be cases like this. President Mobley asked Trustee Heinritz if he would come to the next Plan Commission meeting to present his visuals on the sign sizes and he agreed.

This will be tabled until the April COW so that Plan Commission can review again.

NEXT RESOLUTION NUMBER:	2013-05
NEXT ORDINANCE NUMBER:	2013-02

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 next month's meeting date schedule
F. Update on Village owned Main Street properties

VI. ADJOURNMENT

MOTION by Trustee Beck, **SECONDED** by Trustee Holyoke to adjourn the meeting at 8:56PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by, Approved by,

Susan R. Conway
Administrative Assistant

Dianne S. Robertson
Village Clerk