

**Village of North Hudson
Regular Board of Trustees Meeting
Tuesday, May 5, 2015 @ 7:00 P.M.
Village Hall, 400 7th Street North
Hudson, WI 54016**

Minutes

Call to order; Invocation; roll call

President Stan Wekkin called the meeting to order at 7:00 p.m. Invocation read by Wekkin. Answering the call were Trustees Head, O'Brien-Berglund, Pike, Standafer and Zappa. A quorum was present and the meeting had been duly noticed. It was noted that Trustee Nelson was absent. Also in attendance were the Village Attorney, Terry Dunst; Village Engineer, Kevin Oium; Police Chief, Mark Richert; Public Works Director, Mark Ekblad; Village Administrator, Gloria Troester; and Village Clerk, Melissa Luedke.

Approval of the minutes: Regular Board Meeting of March 31, 2015 & Re-Org Meeting of April 21, 2015

Motion (O'Brien-Berglund/Pike) to approve the Regular Board minutes of March 31, 2015 and the Re-Org minutes of April 21, 2015. Motion carried.

Comments from the floor

No comments from the floor.

Presentation by Jim Thomas regarding Little Falls Dam, Willow River State Park

Jim Thomas, Vice-President of the Lake Mallalieu Property Owners Association also a member of the Lake Mallalieu Management Committee, was present to discuss the plans for Little Falls Dam at Willow River State Park. It has been deemed that the current dam is structurally impaired and a safety hazard. The water needs to be drawn down and the dam inspected. The first issue, Thomas stated, is that the Department of Natural Resources (DNR) has said there is a liability with the condition of the current dam. There were two engineer reports done in 2011 and 2013. Neither report indicates there are structural flaws in the dam. However, there are issues with the current dam. Only 2 of the 4 gates are operational, there needs to be a control panel replaced, and it also needs a back-up generator. There has been \$3 million dollars allotted by the Senate for this project. However, there has not been any cost estimates to repair, replace, modify the dam or how to deal with the silt, which will flow into Lake Mallalieu and ultimately the St. Croix River. The second issue is the spillway capacity limits that the Little Falls Dam has to meet per the DNR guidelines. Per Thomas, the spillway capacity that the Little Falls Dam has to meet for a 1000 year storm is 16,700 cubic feet a second through the gates before the spillway. Right now there is approximately 100-120 cubic feet a second flowing through the dam. Thomas stated that the numbers, per the guidelines, are flawed and unrealistic. There also has not been any impact studies completed. Thomas asked for the public to attend the public meeting at 6:00 p.m. on Wednesday, May 6th at Hudson Town Hall to give their opinion.

North Hudson Elementary Fun Run

Motion (Zappa/O'Brien-Berglund) to temporarily close roads around the school for the North Hudson Elementary Fun Run. Motion carried.

Request to Use Chief Jansen Memorial Park Outside of Park Hours

Krista Bergman with Trumi Hudson was present regarding her request to use Chief Jansen Memorial Park for her class Monday-Thursday from 5:30-6:30 am. This is the same request that was approved last year. The Village has not received any complaints from surrounding neighbors. **Motion (Zappa/Pike) to use Chief Jansen Memorial Park outside of Park Hours. Motion carried.**

Amended Class "B"/"Class B" Liquor License for extended premises: Kozy Korner-Retirement Party

Motion (Zappa/O'Brien-Berglund) to approve the amended Class "B"/"Class B" Liquor License for extended premises: Kozy Korner-for a Retirement Party taking place on Saturday, May 16, 2015 from 8:00 am to 10:00 pm with the following conditions:

- 1) **Area outside of building to be completely enclosed with fence and the extended premises accessed only from within the building.**
- 2) **Use of alcohol shall remain within building or fenced-in area per the establishment's liquor license.**
- 3) **Use of outside are only with specific permission of Village Board for requested date and times.**
- 4) **Owner to provide equal amount of adjacent substitute off-street parking while parking lot is fenced during time of event.**
- 5) **Owner to be responsible for Band/Music volume.**
- 6) **All outside music to end no later than 10:00 pm.**

Motion carried.

Request to Change Open and Closing Times for Pepper Fest

Tim Zais, Pepper Fest President, was present regarding their proposal to extend the hours for Pepper Fest. Ryan Copeland, Pepper Fest Vice-President, was also present. Zais stated that there would be no change to the hours for the entertainment. **Motion (O'Brien-Berglund/Zappa) to extend the hours for Pepper Fest as proposed.** Head asked if there has been any contact with the surrounding residents. Zais stated that neighbors have been contacted and compensated in previous years but they have not talked to them about extending the hours. Food times may also be extended. Zappa asked if the Police Chief had any concerns regarding the extended hours. Chief Richert stated he is unsure what affect staying open an extra hour may have at this time. Richert stated he is in favor of trying it for this year and reporting back any issues the next year. Standafer requested information for the need of the request. Zais stated that the extended hours it is a way to get more revenue. Zappa asked if Pepper Fest was open to extending the hours to 12:30 am for the first year and possibly working up to the 1:00 am original request time. Zais stated Pepper Fest would be willing to do this if the Board wishes. **Motion carried.**

New Business from the Board or staff

President's Remarks: Wekkin stated that May 4-8, 2015 is National Small Business Week and encouraged the public to support small businesses. National Prayer Day is Thursday, May 7, 2015 and Bethel Highlands Church will be holding an event at 7:00 pm. Wekkin also wished all Mothers a Happy Mother's Day. Memorial Day will be observed on May 25, 2015. Please

remember fallen heroes and veterans. Services will be held at St. Pat's Cemetery, Willow River Cemetery, Lakeland and Afton. Check the Hudson Star Observer for times of area events.

Administrator's Remarks: Troester asked the Department Heads and Committee Chairs to put 2016 budget discussion on the committee agendas. There will be a presenter coming in next month to discuss health insurance.

Village Clerk's Remarks: Nothing.

Plan Commission

Chair update: Mike Miser was present and stated that there was one item recommended for denial to the Village Board.

Conditional Use Permit for Guy Hawkinson: Miser stated that the applicant wishes to reside in the commercially zoned property at 303 5th Street N where they also operate a Thrift Store. The ordinance allows a residential use in a C-1 District but only with the approval of a Conditional Use Permit. The item was tabled twice at the Plan Commission level for conditions to be met, which still have not been done. The Plan Commission ultimately recommended denial of the CUP to the Village Board. The biggest concerns are safety issues with the building and the lack of off-street parking on the lot. Miser felt that the applicants could re-apply if the building was brought up to code. Dunst stated that the applicants are present tonight. He stated that a permit for the applicants to operate a second hand store at 303 5th Street North was approved in January. It was then discovered that the applicants were living in the property, which requires a CUP. Dunst stated that the Plan Commission is a recommending body to the Village Board. The action item for the Village Board is to approve or deny the Conditional Use Permit (CUP). Dunst stated that there are two (2) separate codes in the Village that interact with each other. One is the building code which deals with the building itself and if it is structurally sound. The Building Inspector and Fire Chief determined that the building was not safe to reside in the property. The second piece of code is the Zoning Code. The zoning code deals with different zones in the Village such as Residential, Commercial and Industrial and if the location is suitable for that use. Dunst suggested the options would be to approve or deny based on if the location is suitable, not if the building is up to code. **Motion (Head/Standifer) to deny the Conditional Use Permit (CUP) for Guy Hawkinson to reside in the property at 303 5th Street N.**

Standifer stated he is concerned with the zoning and is not in favor of the CUP. Zappa stated he does not see the building was ever designed to be used for residential. Zappa suggested that it should be determined if that location would ever be approved for residential use. Zappa stated that it is his opinion that this building should not be used for residential and should remain a commercial location. **Motion passed on a roll call vote of 6-0. Head-yes, Standifer-yes, Weekin-yes, Zappa-yes, O'Brien-Berglund-yes, Pike-yes.** Konrad Koosmann, father of Guy Hawkinson, was present. Koosmann stated that they spoke with the Building Inspector, Brian Wert, and hired an Architect to see what was needed to bring the building up to code. Koosmann stated that he felt they could bring the building up to code. Weekin stated the second hand dealer permit was granted for use of the building for a store and that was the original request. The residential use was not considered by the Board previously and it was unknown that people were living there. Weekin stated they could bring the building up to code and reapply for a CUP, however, the Village Board voted unanimously and felt that the location is not suitable for residential use. Weekin stated that the property is not set up for residential use and he is not in favor of it.

Personnel and Finance Committee recommendations

Claims - Review and recommendation: **Motion (Zappa/O'Brien-Berglund) to approve the May 2015 non-recurring claims of \$50,012.54. Motion passed on a roll call vote of 6-0. Pike-yes, O'Brien-Berglund-yes, Zappa-yes, Wekkin-yes, Standafer-yes, Head-yes.**

Electronic Usage Policy: **Motion (Zappa/O'Brien-Berglund) to approve the Electronic Media-Device Use Policy as presented with the amendment to include Village staff members in addition to Village Trustees.** Dunst questioned the wording under item G. Security, which states the Village Board member will be responsible for replacement or repairs and if they want to have that wording in the policy. Wekkin stated that it was the intent that the iPads would be used for Village business during meetings and then kept at home. This language in the policy puts in some personal responsibility for the iPads. **Motion passed on a roll call vote of 6-0. Head-yes, Standafer-yes, Wekkin-yes, Zappa-yes, O'Brien-Berglund-yes, Pike-yes.**

Public Works Committee

Chair update: Head stated that there were 2 motions forwarded to the Village Board for approval.

2015 Capital Project-Lakeview Drive/Pine Street N/Eastbank Ct/Mallalieu Apt:

- (1) *Consideration of Alternate 1-Lemon Street N Resurfacing:* **Motion (Head/Standafer) to approve the Public Works Capital Project which includes Total Excavating's bid not to exceed the current budgeted amount of \$630,240.00 for the Lakeview Drive/Pine Street N/Eastbank Ct/Lemon St N and catch basin repairs.** Head added that there is still contingency available. **Motion passed on a roll call vote of 6-0. Head-yes, Standafer-yes, Wekkin-yes, Zappa-yes, O'Brien-Berglund-yes, Pike-yes.**
- (2) *Consideration of Alternate 2-Lake Mallalieu Apartments Watermain:* This item was not forwarded for approval.
- (3) *Consideration of Bids:* This item was covered in the previous motion for the Capital Project.
- (4) *Authorization for Cedar Corp to perform fieldwork and provide necessary documentation for obtaining utility easements with Eastbank Condo Association:* This item was approved in the previous motion for the Capital Project.

Repair of Sanitary Sewer Manholes: **Motion (Head/Standafer) to approve having Zappa Brothers, Inc. repair the five (5) Sanitary Sewer Manholes as listed not to exceed \$17,000.00. Motion passed on a roll call vote of 6-0. Pike-yes, O'Brien-Berglund-yes, Zappa-yes, Wekkin-yes, Standafer-yes, Head-yes.**

Storm Sewer Catch Basin Repairs: This item was approved in the Capital Project motion.

Public Safety Committee

Chair update: Public Safety did not meet.

Public Welfare

Chair update: Public Welfare did not meet.

Park Board

Chair update: O'Brien-Berglund stated that Park Board did meet but there were no actionable items forwarded to the Board. Public Works is taking care of playground equipment repairs.

Adjournment

Motion (Zappa/Wekkin) to adjourn. Wekkin declared the meeting adjourned at 8:11 p.m.

Respectfully submitted by,

Melissa Luedke
Village Clerk