

Exhibit M to Cooperative Plan

**Village Board Meeting
March 6, 2007**

President Delagrave called the Village Board Meeting to order at 7:00 p.m. at the East Side Community Center, 6156 Douglas Avenue, Racine, Wisconsin. Present at the meeting were Trustee Stacey, Trustee McCalvy, and Trustee Bradley. Trustee Wanggaard, Trustee Coutts and Trustee Wishau were excused. Also present were Village Administrator Tom Lebak, Village Engineer Michael Hayek, and Attorney Elaine Ekes.

5 – Communications & Announcements

President Delagrave referred a letter to the Village Administrator to take to Public Works Committee.

6A - General comments from the audience No comments were made.

4 – Approval of minutes

Trustee McCalvy moved to approve the minutes of the 2/19/07 Village Board, as printed. Seconded by Trustee Bradley. **Motion carried unanimously.**

7A(1) – Approval of A/P checks

Trustee Stacey moved to approve the A/P check batch, dated 2/1/07 through 3/3/07, check #'s 43912-44062 in the amount of \$6,587,862.22. Seconded by Trustee McCalvy. **Motion carried unanimously.**

7A(2) – Large document printer/scanner for Village Hall/Engineer & Building Department use

Trustee Bradley moved to approve the purchase of a large document copier/ scanner/ network printer for the Engineering Department, with the Village's share of the cost not to exceed \$2,500.00. Seconded by Trustee McCalvy. **Motion carried unanimously.**

7A(3) – Mt. Pleasant request for funding related to handicapped accessible ramp at Caledonia/Mt. Pleasant Memorial Park

President Delagrave explained that Mt. Pleasant was using the joint park as a polling place. They wanted to build a ramp and the total cost was about \$2,500. Caledonia's portion was about \$1,200. Mr. Lebak said this could come from health insurance savings.

Trustee Stacey moved to approve the funding for the handicapped accessible ramp to be built at the Caledonia/Mt. Pleasant Memorial Park. Seconded by Trustee Bradley.

Motion carried unanimously.

7A(4) – Request to declare Yazoo mower as surplus and authorize disposal

Trustee McCalvy moved to declare the Yazoo mower as surplus and authorized its disposal. Seconded by Trustee Stacey. **Motion carried unanimously.**

7A(5) – 2007 – Capital Projects Fund – TASER/EDC system

Trustee Bradley moved to approve the purchase of 14 Taser X26E models with XDFM, including the 4-year additional warranty, software, training cartridges, duty cartridges and maintenance kit. Seconded by Trustee Stacey. **Motion carried unanimously.**

7A(6) – Adding 5th Sergeant position to the police force

President Delagrave said he had questions and they were answered to his satisfaction at the Finance Committee meeting. He explained we were not adding more personnel; this just creates a supervisory position.

Trustee McCalvy moved to approve the addition of a 5th Sergeant position to the Caledonia Police Department. Seconded by Trustee Stacey. **Motion carried unanimously.**

7B(1) – Request for horse signs on 7 ½ Mile Road

Trustee Stacey moved to approve the installation of horse crossing signs on 7 ½ Mile Road for safety reasons. Seconded by Trustee McCalvy. **Motion carried unanimously.**

7C(1) – Authorization to send letter to legislators opposing Senate Bill 21

Trustee Bradley moved to send the letter to our legislators opposing Senate Bill 21.

Trustee Bradley explained this was discussed at Legislative/License Committee meeting. This Bill was not beneficial to the village. Attorney Ekes said explained that if they appeal a decision of the Police & Fire Commission, this Bill would allow them to appeal to an arbitrator, hold a new hearing and incur all the expense that was just incurred with the hearing before the Police & Fire Commission. It was important to oppose this Bill.

Motion seconded by Trustee McCalvy. **Motion carried unanimously.**

7F(1) – Request to rezone from R-4 Urban Residential District to B-1 Neighborhood Business District/for a proposed tax service/10210 Northwestern Avenue/FCE Holdings, LLC/Russ Eichner

Russ Eichner, said he lived in Raymond and the place of business was on Northwestern Avenue. Mr. Lebak said the Plan Commission recommended the rezoning.

Trustee Bradley moved to approve the request to rezone from R-4 Residential District to B-1 Neighborhood Business District for the proposed tax serve at 10210 Northwestern Avenue for FCE Holdings, LLC, Russ Eichner. Seconded by Trustee Stacey. **Motion carried unanimously.**

7F(2) – Conditional use request (parking of a dump truck loader/trailer)/Randy Vassh/5844 Hwy V

Randy Vassh, 5844 Hwy V, was in attendance at the meeting. Attorney Ekes recommended that the conditional use permit be approved with conditions. Those conditions were faxed to Mr. Vassh. Mr. Vassh said he saw the conditions and asked about sanitary disposal, #11. He understood that he didn't have to change anything. Attorney Ekes asked if he currently had an on-site septic system. Mr. Vassh said yes. Attorney Ekes said they may want to have the system inspected, but unless it was failing they would not have to do anything with the system. Mr. Vassh asked about the paved area from the road into his property. Attorney Ekes explained the underlined conditions were added by Plan Commission to the County conditions. Mr. Vassh asked to look over conditions again. Attorney Ekes said the motion should include reasons in the checklist provided. Mr. Vassh didn't have any objections except to the asphalt. It would cost him a considerable amount of money to install for a truck that may only come in and out about 20 times per year. He had no problems with the other conditions.

Trustee McCalvy thought there was a fair amount of traffic in the area and thought it would be a problem with the truck. Mr. Vassh said his personal cars do not track the road up and the truck doesn't leave the gravel.

Trustee Stacey asked about the requirement for pavement. He asked if this was because of the type of traffic and what was the basis of this condition being added. Attorney Ekes said it was a fairly standard condition that the county places on a more substantive use. The intent was to make sure that the larger trucks were not kicking up materials and dragging it onto the roadway. Trustee Stacey asked if this was a consistent condition. Attorney Ekes said it was not an unusual condition.

Linda Mielke, Plan Commission member, said she believed it was a standard condition from the county. It had been their understanding that it was a conditional use for one truck, a trailer and one other piece of equipment. They had been under the understanding

that the truck would be going in and out more continuously. Mr. Vassh said he sometimes brings the truck home, but it was often on the job site. He talked about various places he works and when he brings the truck home. President Delagrave said he doesn't believe Mr. Vassh needs the asphalt as a condition. Mr. Vassh said he would idle through the driveway so there was no dust and that he understood that problem. Trustee McCalvy had concerns about the traffic.

Trustee Bradley moved to approve the conditional use request for the parking of a dump truck, loader and trailer for Randy Vassh at 5844 Hwy V, because of the reasons #1 and #2 on the conditional use checklist, and without the condition requiring the asphalt/concrete driveway.

Trustee Bradley said he believes Mr. Vassh had answered all our questions and has agreed to our conditions and would abide by what he told us.

Seconded by Trustee Stacey.

Trustee Stacey asked about if in the future we have a problem, could we require that it be paved. President Delagrave said that could be monitored regarding the situation of asphalt. Trustee McCalvy wanted it stated in the conditional use permit. Attorney Ekes said that could be viewed as a violation of the dust-free conditions that were already required if it became a problem.

Motion carried unanimously.

7F(3) – Request to rezone from R-7/B-1 to R-3A PUD & R-7 PUD/5945 Erie Street/Legacy Development Co./Shaw Development Group, Agent

Attorney Ekes said this was for the development of the Western Publishing site. This was recommended for approval, with the conditions. Two issues that the Plan Commission spent a lot of time on was the access for the school. The northerly access was on the property to be developed. The other issue was the re-design of Erie Street. That concept would change the road configuration to have a future extension of 5 Mile Road. They were recommending approval of the PUD, with the conditions in the Village Board packet, plus the conditions of the redesign of Erie Street. The parties had a meeting at her office last Friday morning. At that meeting, the property owner, John Holding, indicated that an agreement would be worked out with Unified for the access to that site. Mr. Shaw had agreed that it could be included as a condition of approval and was here to state that on the record.

Trustee McCalvy moved to approve the request to rezone from R-7/B-1 to R-3A PUD and R-7 PUD for the property at 5945 Erie Street per the reasons and conditions cited by the Plan Commission, and with the additional condition that an agreement be worked out

with Racine Unified for access to that site. Seconded by Trustee Stacey.

John Shaw, 3632 Fellowship Road, Middleton, Wisconsin, asked if the March 2nd letter was corrected as part of the conditions. Attorney Ekes explained that the developer was Shaw Development group and the owner of the property was John Holding. Mr. Shaw said he just wanted to make sure the distinction between the owner and developer was clear. Attorney Ekes said Mr. Holding, the owner, was splitting the cost of the engineer with Unified to look at that access. They have retained R.A. Smith to do that study.

Mr. Shaw said he didn't have a problem with the 5 Mile Road extension. In part, it had not been well received at the Plan Commission because they had such short notice to review it. They were confident they can redesign this and make it even better. President Delagrave said we wanted them on the record as to the 5 Mile Road access point. Mr. Shaw said the condition reads that it requires this specific plan. President Delagrave said Mr. Shaw was committed to doing the 5 Mile Road extension, but wanted to take another look at the plan. Trustee McCalvy asked if they could change the layout. President Delagrave answered yes.

Jerry Oltzenberger, asked about the building and the motion. He clarified what kind of access we were looking at for in and out of the school area and gave an explanation of the layout. President Delagrave explained that was a problem now, and we were working to get that sorted out. Attorney Ekes said the motion included the recommended conditions of approval, the revised west side concept plan, an agreement to working with Unified and access for the 5 Mile Road.

Motion carried unanimously.

7F(4) – Discuss possible ordinance change for Home Occupation zoning restrictions

Mr. Lebak said the Commission recommended no changes to the ordinance. Attorney Ekes said that Julie Anderson from Racine County had recommended not making any changes. President Delagrave referred this to the Legislative/License to take another look at this.

7F(5) – Site plan review/for temporary sales of firework (June 20-July 9) including a sales tent/6419 Hwy 41/Vince & Heather Siegel

Heather Siegel, Everett Street in Bristol, Wisconsin, attended the meeting and asked for approval.

Trustee Stacey moved to approve the site plan review for the temporary sales of fireworks, from 6/20/07 to 7/09/07, including at sales tent at 6419 Hwy 41 for Vince & Heather Siegel. Seconded by Trustee Bradley. **Motion carried unanimously.**

7F(6) – Waiver from 5-acre requirement for certified survey map land split/7300 Seven Mile Road/Gary Prochaska

Trustee McCalvy said they have over 15 acres. Gary Prochaska said they have 3 lots and the reason they made the one smaller was the power line. They wanted it to be the boundary of a lot instead of in the middle of a lot. Bob Prochaska said there was plenty of frontage on the road. They tried to make a nicer lot for the home to be away from the tower.

Attorney Ekes said the applicant has come in for waiver because of the power line issues. This was not a lot averaging proposal under our ordinance and gave an explanation of lot averaging. This proposal was to have one of the lots be smaller and shift them over because of power lines. The Plan Commission recommended denial of the waiver because they felt there was enough land for them to meet the 5-acre requirement. Bob Prochaska said the small lot was 3.4 acres. There were other lots in the area that were similar and smaller to the one that was 3.4 acres.

Ms. Mielke said what the Plan Commission was shown did not put the easement all on one lot. They felt the entire easement should be on one lot.

Gary Prochaska said they could move the lot line over about 27 feet. They realized that lot averaging does not apply. They thought it makes sense not to put that power line on that one property.

Trustee McCalvy moved to deny the waiver based on the five-acre density for the certified survey map land split at 7300 Seven Mile Road for Gary Prochaska. Seconded by Trustee Stacey.

Bob Prochaska said by making the other two lots five acres each that will cut down the size on the 7-acre parcel. President Delagrave said he believed they should get the waiver.

Motion carried 3 in favor, 1 opposed (Delagrave).

7F(7) – Concept Plan for certified survey map land split/7300 Seven Mile Road/Gary Prochaska

Attorney Ekes said they have the concept plan. The Plan Commission had recommended approval, subject to all of the lots meeting the 5-acre requirement.

Trustee Stacey moved to approve a concept plan for the certified survey map land split at 7300 Seven Mile Road, subject to the lots meeting the 5-acre requirement. Seconded by Trustee Bradley. **Motion carried unanimously.**

7F(8) – Waiver from 5-acre requirement for certified survey map land split/Nicholson Road north of STH 38/Gary Prochaska

Attorney Ekes said the proposed CSM was to make 2 parcels that were less than 5 acres. The proposed future road connection on the north side of the parcel would be to serve land behind these parcels. The Plan Commission recommended denial of the waiver. Attorney Ekes said there had been discussion to extend the countryside area of the land use plan to capture this. At discussions later in the week, it was determined that that didn't help the situation because the density was still .2 units per acre, even if you extend the country crossroads area. The Attorney and PDI recommendation was to treat this as a straight waiver request. We allow them 2 units, at less than 5 acres each, for the road connection, in the form of a road dedication or road reservation, to be determined by the Village Engineer.

Mr. Hayek said the CSM includes a 66-foot road reservation. In looking at the overall map, it was a good location from engineering and a planning standpoint to have a crossroad. The proposal was in the village's best interests to accept the road reservation. It was a good location if we extend the road east of that parcel as well.

Trustee Stacey moved to approve the waiver from the 5-acre requirement for this property on Nicholson Road north of STH 38, placing it with 2 lots, and with the road reservation as stated by the Village Attorney and Village engineer that it was an important thing to do for the village. Seconded by Trustee Bradley. **Motion carried unanimously.**

7F(9) – Concept Plan for certified survey map land split/Nicholson Road north of STH 38/Gary Prochaska

Trustee McCalvy moved to approve the concept plan for the certified survey map land split for the property on Nicholson Road north of STH 38 for Gary Prochaska. Seconded by Trustee Stacey. **Motion carried unanimously.**

7F(10) – Certified Survey Map/Parkview Gardens/east side of Douglas Avenue between 4 Mile Road and 4 ½ Mile Road/Alf McConnell

Trustee McCalvy moved to approve the certified survey map for Parkview Gardens on the east side of Douglas Avenue between 4 Mile Road and 4 ½ Mile Road for Alf McConnell, subject to conditions in Village Engineer's report dated 2/21/07. Seconded by Trustee Stacey. **Motion carried unanimously.**

7F(11) – Concept plan for major subdivision/Carol Bush property/5438 Erie Street/Agent-Newport Development

John Schattner showed a map of the location of the property.

Trustee Bradley moved to approve the concept plan for a major subdivision on the Carol Bush property at 5438 Erie Street, Newport Development-Agent for a maximum of 25 lots. Seconded by Trustee McCalvy. **Motion carried unanimously.**

8A – Resolution 2007-07 – A budget modification related to and reprogramming 2006 telephone line item funds to purchase oversized copier for Village Hall

President Delagrave pointed out this was a budget modification related to the purchase of the large document printer/scanner that had been approved earlier in the meeting.

Trustee Stacey moved to approve Resolution 2007-07, A budget modification related and reprogramming 2006 line item funds to purchase the oversized copier for Village Hall. Seconded by Trustee McCalvy.

President Delagrave called for a Roll Call vote and the vote was recorded as follows:

Trustee Stacey – aye Trustee Bradley – aye
Trustee McCalvy – aye President Delagrave – aye

Motion carried unanimously.

8B – Resolution 2007-08 – A Resolution Establishing Extraterritorial Zoning Authority Along the I-94 Corridor in the Town of Raymond

President Delagrave said representatives from Caledonia met with representative from the Town of Raymond this morning. They had a fruitful discussion and the recommendation was to lay this item over. The Board members had no objections to laying this resolution over indefinitely.

8C – Resolution 2007-09 – Authorizing a Public Hearing on the Proposed Parks and Open Space Plan for the Village of Caledonia 2007

Trustee McCalvy moved to approve Resolution 2007-09, Authorizing a Public Hearing on the Proposed Parks and Open Space Plan for the Village of Caledonia 2007. Seconded by Trustee Bradley. **Motion carried unanimously.**

8D – Ordinance 2007-01 – 1st Reading – An Ordinance to Create Chapter 18 of Title 7 of the Code of Ordinances for the Village of Caledonia, Racine County, Wisconsin Pertaining to the Regulation of Pawnbrokers and Secondhand Dealers

President Delagrave introduced the 1st Reading of Ordinance 2007-01, An Ordinance to Create Chapter 18 of Title 7 of the Code of Ordinances for the Village of Caledonia, Racine County, Wisconsin Pertaining to the Regulation of Pawnbrokers and Secondhand Dealers. The 2nd Reading and adoption of the ordinance would be on the next Village Board meeting agenda.

8E – Ordinance 2007-02 – 1st & 2nd Reading and possible adoption – An Ordinance to Preserve Existing Zoning and Land Uses Along the I-94 Corridor in the Town of Raymond Pursuant to the Extraterritorial Zoning Powers of the Village of Caledonia Under Section 62.23 (7a) of the Wisconsin Statutes

President Delagrave said this was related to the resolution that had been laid over. The Board members had no objections to laying this ordinance over indefinitely.

9A – Adoption of flow chart for development process

President Delagrave said this item should be laid over until the discussions regarding the ecologist were done. The Board members had no objections.

10A – Release of site restoration bonds

Trustee McCalvy moved to approve the release of the site restoration bonds in the amount of \$3,000.00. Seconded by Trustee Stacey. **Motion carried unanimously.**

10B – Predevelopment Agreement/Gloede CSM

10C – Predevelopment Agreement/Christian Faith Fellowship Church

10D – Predevelopment Agreement/Bush property

10E – Predevelopment Agreement/Prochaska Farms CSM/Nicholson Road

10F – Predevelopment Agreement/Prochaska Farms CSM/7 – Mile Road

10G – Predevelopment Agreement/Griswold

10H – Predevelopment Agreement/Beth CSM

10I – Predevelopment Agreement/Parkview Gardens CSM

President Delagrave asked if the Village Board could take the pre-development agreements up as one item. Mr. Hayek explained the pre-development agreements places money in an account with the village so that we can bill them for the work that the village does related to their developments. He asked that the Village Board add a condition to the Parkview Gardens agreement that it would be subject to any conditions or changes made by the attorney because they had not reviewed the document yet.

Trustee Stacey moved to approve the Predevelopment Agreements for the Gloede CSM, Christian Faith Fellowship Church, the Bush property, the Prochaska Farms CSM on Nicholson Road, the Prochaska Farms CSM on 7 Mile Road, Griswold, Beth CSM and Parkview Gardens CSM, with the condition that the Parkview Gardens CSM Predevelopment Agreement would be subject to any conditions or changes made by the Village Attorney. Seconded by Trustee Bradley. **Motion carried unanimously.**

10J – Erosion Control Enforcement Procedures & Policy Contract Authorization of signatures

Trustee McCalvy moved to approve the agreement for engineering consulting services between Lake Michigan Storm Sewer Utility District and Root River Storm Sewer Utility District, the Village of Caledonia and Bonestroo, Rosene, Anderlik & Associates, Inc. for the creation of erosion control enforcement procedures and policies and authorized the execution of the contract documents. Seconded by Trustee Stacey. **Motion carried unanimously.**

10K – Approval of sewer televising and I & I investigation agreement

Trustee Stacey moved to approve the agreement for professional consulting services for the 2007 sanitary sewer televising investigation for the North Park Utility District at a total project cost of \$64,250.00. Seconded by Trustee Bradley. **Motion carried unanimously.**

10L – Sale of village-owned lot at 7149 Lakeshore Drive

Trustee McCalvy asked the acreage of lot. Mr. Lebak said it was .7 acres.

Trustee Bradley moved to approve the sale of the village-owned lot at 7149 Lakeshore Drive to the abutting neighbor, Philip V. Hughes, in the amount of \$60,000.00. Seconded by Trustee Stacey. **Motion carried unanimously.**

10M – Recommendation from CDA to authorize a Request for Proposals (RFP) for a feasibility study

President Delagrave explained the Community Development Authority (CDA) met and forwarded a recommendation to the Village Board to do a Request for Proposals (RFP) on a feasibility study. We had gotten some new information a few days ago. Mr. Lebak said he received an email from the Wisconsin Taypayers' Alliance. They have done similar studies and he referred to other areas. They have indicated that they would be able to do a study for us, but they did not have dollar figures on this. It was certainly a good proposal and he would get an amount form them.

Kathy Bergman, Leawood Lane, said she had called them and asked about the cost to do a study. They had told her between \$10,000-\$30,000.

Trustee McCalvy asked if we wanted to set up a committee to address what we want covered. President Delagrave said we already had the CDA in place to do that. He asked Mr. Lebak to get the conditions of study and bring that information back to the CDA.

Mr. Lebak said CDA meets the third Wednesday and that could be added to their agenda. President Delagrave asked if there were objections from any of the Village Board members to talk to them before we go forth with anything further. No Board members had an objection.

Ms. Bergman said there were people who stated that only 5 people were interested in this issue. They had spent 6 hours going door-to-door over the weekend and they have over 100 signatures of people supporting this. They would continue to gather those signatures and wanted to point out there is an interest in this issue.

Trustee McCalvy said she had gotten a call from citizen who thought some communities had gotten grants to do this type of study. President Delagrave answered yes, and that they would be looking at that as well.

Trustee Stacey moved to authorize Mr. Lebak to talk with the gentleman from the Wisconsin Taxpayers' Alliance and bring the information to the CDA . Seconded by Trustee Bradley. **Motion carried unanimously.**

10N – 2007 Agreement for Public Health Nursing and Sanitarian Services between the Village of Caledonia and Mt. Pleasant and the Village of Sturtevant

President Delagrave said this was a renewal of the contract and had the same language as last year.

Trustee Bradley moved to approve the 2007 Agreement for Public Health Nursing and Sanitarian Services between the Village of Caledonia and Mt. Pleasant and the Village of Sturtevant. Seconded by Trustee Stacey. **Motion carried unanimously.**

10O – Approve Tentative Agreement with the Firefighters

10P – Approve Tentative Agreement with AFSCME/General Unit

10Q – Approve Tentative Agreement with AFSCME/Professional Unit

10R – Approve Tentative Agreement with Highway

10S – Approve Tentative Agreement with the Telecommunicators

President Delagrave asked if the Village Board wanted to take up items 10O-10S as one motion.

Trustee Bradley moved to approve the Tentative Agreements with the Firefighters, AFSCME/General Unit, AFSCME/Professional Unit, Highway employees and the Telecommunicators as indicated in the summary of the tentative agreements dated 2/23/07. Seconded by Trustee Stacey. **Motion carried unanimously.**

11 - Report from Village Administrator

Mr. Lebak said he had two items to report. A Public Informational meeting on the STH 38 project had been scheduled for 3/14/07 at 6:00 p.m. to be held at the Joint Park. He then stated that the Planning & Development office had submitted our land use plan for an award to the statewide group for planning. We were given the award for best plan of the year. This was an impressive award among planners and municipalities. It would be on display at the Village Hall. He then gave his congratulations to the volunteers, Board members and staff that had been involved in this project. President Delagrave said we had three people attending from the private entities that worked with us and that left us with one person attending on behalf of the village. He recommended Trustee Stacey to attend the presentation.

Trustee Bradley asked regarding the STH 38 meeting, did we notify people that had submitted the petition. Mr. Lebak said yes, they had been mailed information about the meeting.

Trustee McCalvy asked about the report on the village hall air quality. Mr. Lebak said we don't have the report yet, but the testing had been done.

Trustee Stacey moved that there be no further business the meeting be adjourned. Seconded by Trustee Bradley. **Motion carried unanimously.**

Meeting adjourned at 8:07 p.m.

Respectfully submitted,

Wendy M. Christensen, CMC,
Caledonia Village Clerk