

**VILLAGE OF WESTON
BOARD MINUTES**

MONDAY, NOVEMBER 3, 2008

I. CALL TO ORDER/PLEDGE OF ALLEGIANCE

President Schuster called the Village Board meeting to order at 6:23 p.m. Trustees present were White, Ermeling, Maloney, Jaeger and Schmutzler. Ziegler was absent and excused. Administrator Zuleger, Public Works Director Donner, Finance Director Jacobs, Building Inspector Tatro, Staff Accountant Trautman, Community Development Director Higgins, Taxpayer Relations Coordinator Hodell, Chief Meilahn, Captain Grod and Chief Vergin were also present. There were 18 audience members present.

II. VISITORS

A. Thomas Park, 6410 Hunt Street – Regarding Residential Business Permit – Window Pro, 6410 Hunt Street (Trump) (RBUS-9-08-1529) (PC Denied)

Thomas Park, 6410 Hunt Street, stated he is the owner of the property. He said the Board's decision affects the sale of his home. There have been some inconsistencies. He hopes his letter that was sent to the Board takes care of those. He is currently employed in Minnesota. The rest of his family is here. The house has been for sale four years. They have recently purchased a home in Minnesota. He also said the Hunt Street Neighborhood is a great neighborhood, but there are things in the neighborhood that are not consistent with the code. Schuster asked the Board if there were any questions. There were none.

III. UNFINISHED BUSINESS

A. Tabled – Plan Commission - Residential Business Permit – Window Pro, 6410 Hunt Street (Trump) (RBUS-9-08-1529) (PC Denied)

**M/S/P Jaeger/Ermeling: to take this item off the table.* Schuster asked the Board for comments. Maloney said this is not about selling a home it is about having business in a residential zone. He feels the Plan Commission made the right decision. White asked about a showroom. Zuleger said the showroom is located in the back of a vehicle not on site. Ermeling said her biggest concern is that the business would be in a residential area. Schmutzler agrees with Ermeling and Maloney. Amy Park, owner of 6410 Hunt Street, talked about an article in the Focus with the headlines "Green Acres offers Board Compassion and Policy Test". She is trying to figure out why windows can't be stored in a pole shed and why the potential buyer of the home can't pull out of the driveway and work his business and then come back to the home. She said we are not talking about a Menards in the area. There are many other things that are going on in the subdivision that the Board is not aware of. Now they can't move and the buyer can't move on. Schuster understands they need to sell their house, but selling the house is not the issue. Schuster said the Board has to do what is right for the Village. Zuleger read a letter from George and Jackie Tetzlaff, 7303 Feith Avenue, who oppose the residential business permit and strongly support the Plan Commission's recommendation to deny. **M/S/P Maloney/Ermeling: moved to deny by the recommendation of the Plan Commission.*

IV. NEW BUSINESS

A. Ordinance Renumbering the Existing Sec. 18.142 of the Municipal Code Adopting State Law with Respect to Pawn Brokers and Second Hand Dealers and Recreating Sec. 18.142 Entitled "Pawnbrokers"

**M/S/P White/Schmutzler: to approve an Ordinance Renumbering the Existing Sec. 18.142 of the Municipal Code Adopting State Law with Respect to Pawn Brokers and Second Hand Dealers and Recreating Sec. 18.142 Entitled "Pawnbrokers".*

B. Birch-Alderson-Jelinek Reconstruction Project: Change Order No. 4

**M/S/P White/Schmutzler: to approve Change Order No. 4 from A1 Excavating, Inc. in the amount \$5,864.38.*

C. 2008 Operating Budget Adjustments

**M/S/P Jaeger/Maloney: to approve the operating budget adjustments in the amount of \$115,500 (\$45,000 – Transfer out of the Contingency Reserve, \$2500 – Transfer from Everest Metro/Halloween Party Donations, \$68,000 – Interest from Investments).*

MONDAY, NOVEMBER 3, 2008

D. Plan Commission Items

- 1. Appointment of Plan Commissioner John Evans to Joint Town/Village Extraterritorial Zoning Committee to replace Kim Fischer.**

**M/S/P Maloney/Ermeling: to approve the Appointment of Plan Commissioner John Evans to the Joint Town/Village Extraterritorial Zoning Committee to replace Kim Fischer.*

E. Operator Licenses

- 1. Kathleen Tyskiewicz, Jamie Strohkirch, Johanna Dorfmeister, Dianne Gonnsen**

**M/S/P Jaeger/Schmutzler: to approve the operator licenses as listed above.*

F. Vouchers

**M/S/P Ermeling/White: to approve vouchers 24607 to 24707.*

V. COMMITTEE MINUTES

A. Public Works and Utility Committee Minutes

**M/S/P Jaeger/Maloney: to acknowledge the Public Works and Utility Committee Minutes of 10/20/2008 and place on file.*

B. Public Safety Committee Minutes

**M/S/P Jaeger/Maloney: to acknowledge the Public Safety Committee Minutes of 10/16/2008 and place on file.*

C. Ad hoc Smoking Committee Minutes

**M/S/P Jaeger/Maloney: to acknowledge the Ad Hoc Smoking Committee Minutes of 10/07/2008 and place on file.*

VI. DEPARTMENT REPORTS

A. Parks & Recreation Superintendent

Osterbrink reported staff is finishing up as much as they can before it snows. All the restrooms and irrigation have been winterized.

B. Police Chief

Vergin reported he has started the Detective promotional process. Halloween was busy for the Department.

C. Fire Chief

1. Significant Fire and EMS incidents since last Board Meeting

Meilahn reported there were no significant events since the last Board meeting.

D. Director of Public Works

1. Project Update

2. Utility and Street Operations Report

Donner reported the Street Department is still working on the fall yard waste pick up.

E. Community Development Director / Zoning Administrator

1. Building Permit Issuance - October 1-30, 2008

Higgins reported she will be working on the Plan Commission packet and it should be done on Friday.

She also reported there were 22 single family home permits issued to date.

F. Taxpayer Relations Coordinator

Hodell reported the Street Department finished one round of the leaf pickup and will begin a second round.

There is a meeting scheduled Attorney Frieburg on implementing a summons and complaint process for Village staff.

G. Finance Director

1. 2008 Budget Status Update

Jacobs reported the expenditures are at 85.65 percent to date.

2. 2009 Budget Summary

Jacobs reported he received the final assessment ratio of 98.09 from the Department of Revenue. This is still a significant drop.

H. Administrator's Report

1. St. Clares Paramedic Intercept Agreement

Zuleger said the signature line on the agreement needs to be corrected. He reviewed the agreement with the Board. Staff recommends adoption of the agreement. **M/S/P Ermeling/Jaeger: to adopt the St. Clares Paramedic Intercept agreement.*

2. Green Acres Memorandum of Understanding (To Be Distributed At Meeting)

Zuleger said he is taking the agreement that was previously drafted and putting it into a memorandum of understanding form. There will be a clause that states the Board has the right to review their performance. He will have a copy available for the Board by Tuesday or Wednesday.

3. 2009 Capital Improvement Projects Update

This item will be discussed at the Budget Workshop.

4. Future Weston Committee Assignments

**M/S/P Ermeling/Schmutzler: to approve the Future Weston Committee assignments.* The residents on this roster will be ex-officio members.

5. Everest Men Respect Update / Hmong New Year

Zuleger said the Everest Men Respect Organization is looking at becoming a United Way fund receiver. He also reported he will make a presentation at Hmong New Year.

6. Village Staff Summons & Complaint Process (w/ Dan Vergin)

Vergin said his suggestion to staff as it relates to enforcing the code is once staff has written a couple of letters to the residents and no action is taken then staff could serve a summons and complaint. This would be a mandatory appearance in court. The goal is compliance not necessarily fining the person. In certain situations staff could also serve citations. The Police Department can serve either the summons and complaint or the citation. The Board does not have any problem with staff doing this.

**M/S/P White/Maloney: to allow Village staff to issue summons and complaints*

7. McDevco Update

Zuleger said he serves on the McDevco Board. There is an effort to make McDevco much more of an economic recruiting arm to serve all the communities. He will be involved in the advanced manufacturing initiative.

8. Ad Hoc Smoking Committee Update

Zuleger spoke with several people from Madison today. There is a sense that if the election goes in favor of Obama that there may be a place in his Administration for Governor Doyle. A lot of people want to wait to see what happens with that prior to making any commitment to a statewide smoking ban. Governor Doyle is in favor of a statewide ban. The Ad Hoc committee meetings have been very productive.

I. Clerk's Report

1. Election Update

Weinkauf reported staff has issued approximately 2100 absentee ballots, which is about 20 percent of the registered voters. Three of the four polling places are set up for tomorrow. Weinkauf expressed her appreciation to all of the employees that have been putting in time for this election.

VII. TRUSTEE BUSINESS

A. Maloney

No comments.

B. Schmutzler

No comments.

C. White

No comments.

MONDAY, NOVEMBER 3, 2008

- D. Ziegler**
No comments.
- E Jaeger**
No comments.
- F. Ermeling**
No comments.

VIII. PRESIDENT'S BUSINESS
No comments.

IX. ADJOURN
**M/S/P Maloney/Jaeger: to adjourn the meeting at 7:11 p.m.*

Respectfully,

Sherry Weinkauff
Village Clerk