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www.summitvillage.org

Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

AGENDA

Village Board - Village of Summit

Thursday, April 4, 2024 6:30 p.m.

At the Summit Village Hall, 37100 Delafield Road

1. CALL TO ORDER
2. ROLL CALL AND CONFIRM POSTING
3. PLEDGE OF ALLEGIANCE

4. SWEARING IN: Patrol Detective Justin Hennlich

5. PUBLIC COMMENT

6. CONSENT AGENDA - Items listed under the Consent Agenda are considered in one motion unless a Village Board Member requests that an item be removed from the Consent Agenda
 - A. Minutes of March 14, 2024 regular meeting
 - B. March 2023 payables
 - C. Appointment of Weed Commissioner
 - D. Authorize publication of Class II Notice for Noxious Weeds
 - E. Appointment of Gerald Goggins as election inspector for term of April 5, 2024 – December 31, 2025

7. PLANNING DEPARTMENT
 - A. Update regarding Zoning Code Text Amendment project related to Permitted and/or Conditional Uses

8. PUBLIC WORKS DEPARTMENT
 - A. Monthly Administrative Report
 - B. Discussion and action on an Ordinance Repealing and Recreating Chapter 26, Article I, Section 26-7 Relating to All-Terrain Vehicles & Utility Terrain Vehicles of the Code of Ordinances of the Village of Summit
 - C. Discussion and action on a proposed Ordinance related to the Excavation and Driveways in the Village of Summit
 - D. Discussion and action on Resolution #24-457 Arbor Day Proclamation
 - E. Discussion and action on Engineering Services Agreement with Strand Associates, Inc. for N. Dousman Road multi-use trail project

9. POLICE DEPARTMENT
 - A. Monthly Report
 - B. Discussion and action on Resolution #24-458 to change bond schedule for municipal ordinances
 - C. Discussion and action on Ordinance #127-2024 to repeal and recreate Section 1-7 © of Village of Summit Code related to General Penalty; Continuing Violations
 - D. Discussion and action on contract with Custom Service Information, LLC for revision and updating of Police policies and procedures

10. WESTERN LAKES FIRE DISTRICT

A. Monthly Report

11. VILLAGE BOARD

A. Discussion and action on appointments to the following:

- a. Plan Commission: *2 three year (regular)*
- b. Cemetery Board: *2 three year (1 regular, 1 alternate)*
- c. Police Commission: *1 five year*
- d. Zoning Board of Appeals: *3 three year (2 regular, 1 alternate)*
- e. Board of Review: *1 two year (alternate)*
- f. Residence Board: *1 three year*
- g. Western Lakes Fire District Board: *1 three year*
- h. Western Lake Fire District Commission: *1 five year*

B. Discussion and action on 2024/2025 Village Insurance renewals

C. Discussion and action to set items for May 9, 2024 regular Village Board meeting

12. ADJOURN VILLAGE BOARD MEETING

Respectfully Submitted,

Debra J. Michael, WCMC
Village Administrator-Clerk/Treasurer

Next Regular Meeting: May 9, 2024

Posted: March 29, 2024

**** Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact the Village Hall at 567-2757.

It is possible that members of and possible a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Village Board noticed above.



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MINUTES
Village Board - Village of Summit
March 14, 2024

CALL TO ORDER

Chairperson Riley called to order the Village of Summit Board meeting at 6:30 p.m. on Thursday, March 14, 2024 at Summit Village Hall, 37100 Delafield Road, Summit, WI.

ROLL CALL AND CONFIRM POSTING

Administrator Michael took roll call and confirmed that the meeting was noticed to the local media as required and requested and posted on the Village posting board and website. Trustees present were: Kraig Arenz, Sr., Jim Petronovich, Jeff Lee and Justin Phillips. Also, present were: President Jack Riley, Public Works Director Kamron Nash, Police Chief Mike Hartert and Administrator-Clerk/Treasurer Debbie Michael.

PUBLIC COMMENT

Gina and Dennis Krueger, 1920 N Oak Grove Road – here about the Certified Survey Map to combine two lots and the right of way complaint regarding some landscaping and rocks that have been there for the past 14 years and back in November they were asked to move some of them to comply with what the City asked him to do and feels there is no further reason for him to move any more rocks other than someone’s discomfort of seeing them there.

Ben Rogers, 38317 Sunset Drive – here to make public comment about White Stage 1894, he stated he has some concerns as he lives right down the road; changes to the community in general, changes to make commercial happen in their neighborhood, which they moved into to get rid of that, whatever the village decides will set a precedent for this in the future. Concerns he has are around; noise, traffic, and when you have an event venue, there’s alcohol consumption which he’s not against if it’s done responsibly but we are out in the sticks and how are people going to get to and from there when we are talking up to 225 people. Mr. Rogers stated he doesn’t think this is safe for his community and neighborhood based on the fact that there’s no guarantee that we won’t have weddings going on, people getting intoxicated and leaving there drunk. There is a liability to home owners and if someone stumbles out of there and falls into his pond and dies, that’s his problem then. This does not benefit the community as a whole, it is benefitting one particular landowner and a nuisance to the rest of the landowners around. Mr. Rogers asked that the Village Board deny the request, does not see a benefit that has been articulated to the community as a whole and is essentially a selfish request on behalf of one landowner.

Planner Amy Barrows made a comment stating that if the public makes a comment regarding the event facility or commercial vehicle parking, those are both text amendments that the Village is looking at that may or may not apply to the entire village, it depends on the conditions of the proposal. Those may get specific and narrow it down

to certain properties but there has been no specific proposal for either the event facility or commercial vehicle parking and it's important to not discuss property specific details regarding what may or may not be proposed because that information has not been submitted or considered by the Village and that does need to be part of an official public hearing.

Russ Morgan, 1921 N Oak Grove Road – stated he is here about the landscaping materials and rocks on Oak Grove Road that the owner just spoke about. The letter sent by the Village stated everything that needs to happen; safety and encroachment is illegal, what he didn't understand is if the letter was sent that it was illegal and unsafe then why didn't we do anything about it. It still is illegal and unsafe and every tree and rock is still in the right-of-way. Mr. Morgan referenced pictures #5 & #6 that he had provided showing the trees and bushes creating a hidden driveway. Lots of motorcycles, cars and it's a deadend street but people still zip up and down it. Picture #6 is across from his house and there are a lot of grandkids in this area riding bicycles, tricycles, buggies, strollers. The Kruegers are good at coming out of the driveway slowly but there are other delivery trucks and traffic too. If it's illegal and unsafe it should be taken care of and there is no statute of limitations for how long they have had things that they can stay there.

Kodie Arenz, stated he knows that the matter was moved to April but he is here trying to be proactive and keep everything going with the ATV/UTV routes. Did hear that Ottawa's passed but nothing is written down yet and hopes the Village is headed in that direction. Mr. Arenz added he does appreciate the board's time.

James Hammes, Attorney for White Stag - has been working on drafting the ordinance that will be considered tonight. Attorney Hammes stated he realizes that with public comment there is no exchange between the board members. A couple things he wanted to point out; he has drafted this type of ordinance for municipalities that he has represented over the years and he has heard same concerns many times with these types of ordinances. The first being noise; Attorney Hammes pointed out that the Village has an ordinance in place that restricts sound at the property line of residential property to 70 decibels, 70 decibels is normal conversation. If this ordinance is approved, and if a conditional use is ever issued, the decibel level permitted for that property would be the same then as it is now. Then, a lot of people like to say how are we going to enforce this and the answer was explained at Plan Commission that the police department can measure that and anyone with an Apple watch can measure decibel levels at a property line or anywhere else. If a conditional use permit is issued, there would be a lot of self-enforcement if there is any excess of that limitation. Attorney Hammes explained why this ordinance is different than a lot of ordinances that he's been involved with because this ordinance restricts activities to buildings that were used for agricultural purposes or are being used for agricultural purposes and the use has to be prior to September of last year when the process of drafting the ordinance was started. This means that, unlike many municipalities that adopt these ordinances, someone can't come in and propose new buildings or new structure, the purpose here was to allow a mechanism to preserve agricultural buildings by using a source of revenue. The idea here is to provide a mechanism for preservation and that's why the use is restricted to agricultural land with buildings that existed prior to September of last year.

Mike McCauley, 37443 Still Water Drive – resident of Still Water, not long ago, the residents of Still Water were facing a challenge of having an event venue in their backyard, that particular request, which he spoke at, was denied by the Village of Summit. Fast forward a few years and once again a request for a newer and much larger event venue, is requested again in the backyard of Still Water, is this a pattern. Understands this new event venue will have a capacity for larger crowds than the previously denied venue, also Friday, Saturday and Sunday weekends will now become 3-day weekends for the venue operation spring, summer and into fall. Every week will bring a new 3-day weekend celebration in Still Water subdivision's backyard. A typical summer weekend in Still

Water subdivision is quiet, peaceful and relaxing. Why must the request of Still Water's subdivision again have to be dealt with a second time. Would you not think that the previous venue denial would be made clear by the Village decision. If the Village feels and believes this type of use is necessary, why not seek a location in the backyard of no subdivision or residential area instead of subjecting the residents of Still Water subdivision. Take the noise and annoyance and whatever else it may be somewhere else, be sensible with their request and give us our peaceful way of life.

Mike Nevins, 849 N Pointview Road – stated he was under the impression that the ATV/UTV was going to be at this meeting, so is assuming it is still under review. He questioned who would be enforcing the ordinance after regular business hours of the Village, will it still be the Village of Summit Police Department or will it have to be farmed out to the state or to the County Sheriff for enforcement. Mr. Nevins stated that he read in the paper that another municipality has a similar ordinance that will now allow golf carts, the next will probably be farm tractors or your lawnmower or a snowmobile and he is wondering where it will stop if we allow this. In his opinion, anytime you put exceptions into an ordinance, you're opening yourself up to various interpretations of what the ordinance and exception is. The ATV/UTV's were designed and built for off road, backwoods and mud holes, and doesn't think the Village has any of that and doesn't see that there is any benefit to the residents of Summit to have this ordinance approved.

John Niegelsen, 1161 S Opengate Road – stated he is here to say he very much supports the ATV/UTV and hopes that the Village Board will continue to proceed with this as soon as we can.

Matt Wedig, 1220 S Opengate Court– stated he is in favor of ATV/UTV routes, appreciates all the time that the Board has spent to review all this and all the Village employees and really hopes it will keep moving forward.

Mike Carr, 976 S Waterville Road – stated he is here to acquaint the Board with an inquiry/proposal the he made to Director Nash asking about the possibility to construct a put in/take out area for canoes and kayaks on the north side of Genesee Lake Road at the Bark River. This is an informal inquiry and wanted to get the blessing of the Board and Mrs. Nash before proceeding with further feasibility study to see what it might cost. The proposal explains details as he envisions them at this point. Mr. Carr stated that Director Nash stated that this item is in long-range planning for the Village. Mr. Carr added that he has made inquiries with Waukesha County regarding the possible similar put in/take out for canoes and kayaks, which would be a concrete ramp at Sawyer Road. Understands the Village wants to minimize any expenses to tax payers, and along those lines, once they receive some cost estimates, his wife and he would consider making a donation towards this and possibly some crowd funding to help defray costs. Need to have engineering drawing to help determine what would be needed as far as materials and costs.

Sasha Darby, W359 N9370 Brown Street, Town of Oconomowoc – stated she is here to speak on behalf of White Stag's proposal of the ordinance for an event venue. She is the owner operator of Mapleton Barn in the Town of Oconomowoc going on their eighth year of business. Here to say that it is possible to run a successful event venue business adjacent and in close proximity to neighbors while respecting them and their boundaries. They have yet to have a noise complaint. They also do outdoor music at times on Thursday evenings for their pizza farms and that hasn't been a problem either and it's all about checking your decibel levels at property lines and keeping open lines of communication and have had great success with that. Believes that her neighbors would agree with that.

Marc Spencer, 620 S Wayfare Trail – stated that he is in favor of an access route for ATV/UTV use in and out of Summit. His family enjoys recreational opportunities that this area has to offer and thinks it would be a great addition and hopefully this can come to a vote of the Village Board sometime in the near future.

Scott Baginski, 37678 Wildwood Lane – stated he is a 13-year resident and is opposed to the ordinance for White Stag rental of the agricultural buildings and respectively disagrees that 70 decibels is normal conversation, every chart he's looked at says that is vacuum cleaner or busy street level. Very concerned about the noise, lives about two stones throw away from where this is going to go down and it is a very peaceful, tranquil neighborhood in Genesee Lake Farms which would also be affected as well as Stillwater subdivision. Also concerned about letting out a bar of 300-400 people every Friday and Saturday night who have been drinking in an agricultural area and now need to find their way back to I-94 or the hotels in Oconomowoc through these county roads and a lot of that goes by his neighborhood and doesn't want to be dodging drunk drivers on his way home on Friday, Saturday and Sunday nights. We have a problem here with drunk driving and he doesn't want it in his backyard. Mr. Baginski stated he is not against event centers but please keep them in commercial districts like near I-94, not in somebody's backyard of residential areas.

Dave Hotchkiss, 37471 Still Water – stated that he understands the vote tonight is for an ordinance change but it is well known that this was written specifically for one piece of property that we are talking about tonight. We've been here before with an ordinance request and it has been rejected twice. The residents have spoken and he doesn't see the need to bring it up again now for the third time. To make matters worse, the last attempt was in a commercial area and this is residential. Mr. Hotchkiss stated that he is from a long string of homes east of the proposed property, they all have their back decks overlooking a lake, through a thin strip of woods and then onto the farm. The narrative you hear is protecting a farm hosting seminars, baby showers, flower shows, and other quiet activities. His guess is that proponents would be supportive of all these types of things. The reality is this singular objection is the loud party venue or weddings in the night time hours. Nowhere on their website, public narrative does it talk about weddings, the ordinance request would potentially allow three events per week throughout the entire summer months, or 72 times per year, this is the issue that needs to be addressed. Mr. Hotchkiss stated that he is also here tonight to present a petition signed by 40 local residents. The signatures are from local residents that are in the surrounding area of this property. Is urging the board to vote no to this ordinance change and prefers the option of a compromise; grant the applicant the daytime farm supporting events that they speak about publicly and exclude the loud party venues or parties that happen at night.

Rebekah Carsey, 37736 Sunset Drive – stated she is the person proposing this ordinance and does so for two reasons: to help keep privately owned barns economically sustainable and by allowing farms to host events, they can diversify their income especially in the bad or tough years of farming, secondly, the purpose is to bring community together, whether it's to celebrate a life event such as a baby shower, or share our passions through educational seminars like bee keeping, gathering in a beautiful and peaceful place surrounded by nature is something special. Historic farms can be an unmatched place to experience that feeling of community. Asked for Lake Country support via local Facebook groups and the outpouring of love and excitement from the area has almost been overwhelming. Over 450 people have signed the petition and she continues to receive signatures, positive comments and emails daily. This proves to her that there is a need for these types of community-oriented venues in Summit. Mrs. Carsey highlighted some of the concerns that she has been hearing: that this is a proposal for a new, large, full-time commercial venue, however, their proposal specifically calls that the buildings should be original to the property and the character should not be altered, their historic barns are just that, "barns" and quite a bit rustic. The second concern she has heard is that there will be at least three events per week, or 72 per year, however, the language in the proposal specifically states "not more than 3 per week" so occupancy rate and our

lovely Wisconsin weather has to be considered and factored in. Any venue would need flexibility for their customers to choose dates, adverse weather events, etc. especially during an already short season. It is unlikely there will be three in one week and entirely possible that there could be weeks in the summer with no bookings at all. Farming is the priority and any farmer will be making hay when the sun shines.

Kevin Tadych, 37736 Sunset Drive – (father to Rebekah) stated that he wanted to highlight that the farm we're looking at is at least a half mile or more from other homes and is not in their backyard. Mr. Tadych stated he wants to support Section 111 and thinks we are making a major mistake in our villages, states and nation and that's all being talked about but we know that this is going to end badly. Referred to a recent article by an economist, which states that according to the recent U.S. Census, America lost 141,000 farms in the last recent years. That represents a loss of 20 million acres of food production, that's about the size of Maine. This is logarithmic decay, little by little, then all of a sudden. We are losing food production in America. Many states are reliant on outside sources for their food, almost all of these east coast, New England states produce less than 20% of what they consume. Hawaii is a worse-case scenario with only seven days of sustainable food left. The most vulnerable are small farms, this trend is financial per the economist, farms are currently experiencing the highest production costs on record, profit margins are razor thin. In the big picture, we need not fear about a rare chance you might hear wedding music from a distant farm but we do need to fear losing more farms and its ugly consequences. Mr. Tadych stated that supporting this ordinance today to provide agricultural zoning with supplemental revenue is one major step we can all take to stop this trend and save our history.

President Riley ANNOUNCED EXECUTIVE SESSIONS, pursuant to Section 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: *Property Violation: 34339 N. Venice Beach Road*

*The Board may return to open session following this discussion

CONSENT AGENDA - Items listed under the Consent Agenda are considered in one motion unless a Village Board Member requests that an item be removed from the Consent Agenda

- A. Minutes of February 8, 2024 regular and March 7, 2024 special meetings
- B. February 2024 payables

MOTION: (Arenz, Phillips) *to approve the consent agenda.* Carried.

PLANNING DEPARTMENT

Discussion and action on request of Dennis & Gina Krueger to combine two lots by Certified Survey Map on property owned by Dennis & Gina Krueger, located at 1920 N. Oak Grove Road (SUMT0669109), and the adjacent property to the south (SUMT0669110) owned by Dennis W Krueger and Christine E Garlock Et. Al.

Planner Barrows explained that the applicant is proposing to combine two lots of record, including Lot 5 and Lot 6 in Map of Oak Grove Subdivision. It has been determined that the applicant's CSM must include a dedication of an additional 18' this makes a better situation with combining two lots. The Plan Commission has made recommendation for approval.

MOTION: (Petronovich, Arenz) *to approve a Certified Survey Map* subject to the following conditions:

- A. APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all

comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map. *This condition has been met.*

- B. SUBJECT TO REIMBURSEMENT OF EXPENSES.** As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.
- C. NO BUSINESS OR COMMERCIAL USE.** There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.
- D. ONE YEAR TO SATISFY CONDITIONS.** Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.

Carried.

Discussion and action on request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to adopt an ordinance that amends the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow commercial vehicle parking on properties zoned in the A-2 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to modify Section 111-431 Definitions, add Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District, and modify Section 111-321 Conditional uses permitted.

President Riley recused himself because his son works for Mr. Kadow and he left the meeting room. Trustee Arenz took over as acting President.

Planner Barrows explained that the applicant is proposing a text amendment to allow the commercial vehicle parking as a conditional use in the A-2 category only and this is the agricultural district that allows 10 to 35 acres per unit versus A-1 that requires a minimum of 35 acres, so it is a bit of a more transitional district. Communications with the applicant did start with a violation related to a tree service business on his personal property and the application did originally propose a text amendment to allow tree service operations, there was some concern raised at the Plan Commission meeting. Then the applicant decided to modify that and changed it to request the vehicle parking only and they did remove all tree service operations from their individual property so there is no longer a violation. Planner Barrows added that the Plan Commission did consider this matter during their public hearing which took place in January and then they tabled it until February for a clarification on the number of vehicles that would be allowed on the property and then they unanimously recommended the approval of the text that is included in part of the ordinance for consideration.

This ordinance would be adding a definition for commercial vehicle parking and adding commercial vehicle parking as a conditional use in the A-2 district, and then the conditional use section of the code adds the minimum conditions that must be met in order for the conditional use to be granted. Those conditions include that the property needs to be 15 acres in size, the vehicles must be owned or leased by the owner/occupant of the property, no more than 6 commercial vehicles can be stored, if there are 4 or more proposed than 2 of them shall not exceed two-axles, the property has to be located within 200 feet of a County or State highway, and vehicles must be parked or stored in an enclosed structure with a floor that is concrete or other impervious surfaces, no other commercial activities are allowed and they can park up to 4 employees on site and those stalls must be screened

from view from roads or adjacent properties by landscaping or architectural means and the conditional use would terminate upon sale of the property since it is so specific to the use of that particular owner.

Planner Barrows stated that there are about 21 properties within the Village that may potentially be applicable with this type of a text amendment.

Only comments during the public hearing were in favor of the request.

MOTION: (Petronovich, Phillips) *to adopt the enclosed ordinance that adds a definition to Section 111-431, repeals and recreates Section 111-321(4) Conditional uses permitted, and creates Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District of the Village of Summit Zoning and Shoreland Ordinance subject to Village Attorney review. Carried.*

President Riley returned to the meeting and proceeded with the remainder of the agenda items.

Discussion and action on request from Rebecca Carsey on behalf of White Stag 1894 to adopt an ordinance that amends the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

Planner Barrows stated the applicant is proposing a text amendment that would allow the rental of agricultural buildings for activities or events as a conditional use in the A-1 Agricultural District (35 acre density and lot size required). The amendment also provides for minimum conditions that must be met as part of a conditional use if someone were to apply. The event facility would only be allowed in agricultural buildings that exist as of September 1, 2023, so no new buildings can be constructed in order to accommodate this use. Several other conditions are included in the ordinance and she is happy to go through any of the conditions; they do relate to property minimum size, access to a State or US highway, increased setbacks, parking requirements, seasonal use, limited hours of operation, number of events, number of attendees, compliance with all codes, lighting provisions, provisions on alcohol service, use of tents, music and noise limitations (matches the Village's existing code). Planner Barrows explained the importance of putting minimum requirements on the conditional use based on the new conditional use criteria that was passed as part of Act 67 by the State Legislature in 2017. That law makes it more difficult for municipalities to use their discretion when reviewing a specific use. If an applicant meets or says they will meet the requirement of the conditions or the provisions of the application once requested, then the municipality is required to approve that conditional use. Based on the conditions the applicant is proposing: minimum of 150 acres and it abutting a State or US highway, it does happen to limit the use to 1 property in the Village. That property is directly west of Still Water and owned by the Tadych's.

Planner Barrows added that since the text amendment could result in a conditional use application, it is important that discussion related to any specific use, which has not been requested, not take place as part of the discussion here. Conditional uses are quasi-judicial matters which differs from the text amendment itself and all of that discussion needs to occur during the public hearing of that request.

It has been brought up that there have been 2 requests made in the past during 2017 and 2020, those requests are different than what is requested tonight, the first was for a formal event venue and it would've allowed event

facilities as a conditional use in the A-1 district, it didn't distinguish between new and/or existing buildings, allowed up to 500 guests and had a shorter list of other conditions. In 2020, there was a request to allow event barns in R-1 Residential District, subject to several conditions, which included: 7 acre minimum lot size, had to abut a County highway and have proper sewer and water, meet setbacks, parking and noise regulations. That request was a little unique because it was in an area planned for commercial development and the Village Comp Plan requires that properties within that district have municipal sewer and water.

During the Public Hearing process, a majority of the public comments related to objections were: protecting rural environment, noise, use of tents, isolated use on a single property, code requirements related to use, sprinkler system, proper waste disposal, parking, party nature of use, types of events in general, enforcement, number of events, hours of operation. Plan Commission had concerns: public versus private events, hours and number of people attending, consideration to be given to area and use of tents, and number of events allowed. Written comments were part of public hearing record and some of those issues were: access to site, driveway width, parking surface types, placement and number of tents.

Plan Commission recommended approval of the text amendment with a 4-3 vote. Additional comments coming in after the public hearings, and staff members have been getting information which may or may not have been passed onto the Board. After talking to the Village Attorney, he has advised that those comments and the comments provided during the Public Comment section tonight, should not be considered in their decision making because they were not available as part of that public hearing process and it is important for the applicants to have an opportunity to hear those comments, for the neighbors to hear them and for the Board and all the staff to have that which is what the public hearing process is for.

President Riley stated that the Village Attorney did talk to him about that as well and we have to be careful when we are making this decision that everybody has the same amount of information. There were 3 public hearings and what was provided and responded to during those is what we should consider and not additional information that was provided after because the other side didn't have time or opportunity to respond to that information, so base the decision on what the Plan Commission recommended and the outcome of the public hearing and the Board members individual opinion of whether this is a good idea or not.

President Riley stated in general, the Village Board doesn't get to decide who brings what to us, so when someone comes up and says, why do we keep considering the same things over and over, we respond to what is brought to us and don't have a say in what people propose.

Trustee Petronvich stated he is on the Plan Commission and voted against this and wanted to state his reason, he is not comfortable defining under what circumstances event facilities should be allowed without doing a more comprehensive study for the Village, which we are going to do in the future.

Trustee Phillips stated he thinks this is a good idea, seeing the opportunities that this has created for other communities. Trustee Phillips added that he has been to other similar events with his family and overall, he thinks this is a good proposal to showcase the Village. He remembers the issues with and the debate around the stadium and concerns about the noise, thinks he lives closer to the stadium than some of the closest houses in this proposal and he hears it on occasion and that amount of noise and the rarity that it happens doesn't constitute a concern. When the Village rejected the proposal for the stadium, we lost all of our voice and all of our say because they went right across the street. Thinks that we missed that opportunity then and doesn't want to do that again.

Trustee Lee stated he agrees with Trustee Petronovich and that further work needs to be done by the Village.

Trustee Arenz stated he doesn't have enough information here to be able to make a decision, it's not a yes, it is not a no, it's not enough for him. We did make a decision on the other 2 proposals and like the Chris Kadow item, it really is a bigger question and we are keyholing these. Should we be asking and addressing the bigger, broader question and that's the struggle he has. If we are going to move forward with this, we have to have a joint public hearing so we would hear and get the same information as the Plan Commission, which was split as well. This is the first time in 22 years that he doesn't have enough information to push him and make a decision affirmatively yes or affirmatively no. What he does know about this property request in the past and the property across the street and the bigger question about venue. Right now, he would abstain because the information he has doesn't lead him to a decision one way or another.

President Riley stated he thinks the idea is a great idea, save old barns and farms and it also kind of meets our rural character that we always talk about. President Riley asked Planner Barrows what the Master Plan shows for this property. Planner Barrows responded 2.4 acres per unit residential. He'd much rather see open fields and an old barn than 75 homes and a cul de sac and detention ponds and things like that. Thinks that this in general is a really good idea. The issue about noise, lights and drunk driving, can be handled and be dealt with and those are things that happen all over the place no matter what, we already have a lot of traffic and issues and he doesn't think those are new issues. Thinks it would be a great addition to the Village to have the open space and the maintenance of the buildings. The specifics can be worked out as part of the conditional use; waste management, lighting, parking and he would push for approval.

Trustee Arenz stated he is not countering what President Riley said, his issue is consistency across the rest of the Village, we say no to the property next store because of POWTs versus sewer, those are semantics and that comes back to a level of consistency for him and that would be a no because of the issue of consistency, not of good use or good land management, that is a disconnect. President Riley responded that just because you made a mistake one time, you don't have to keep making it over and over. Trustee Arenz responded, no, but we'd address it as a whole instead of just by one property.

Planner Barrows stated the other two properties are very different in the way that they are planned for the future. The property to the west of Village Hall is planned for business park/industrial uses so it's intended for commercial uses that are higher intensity and it's zoned differently. Sometimes those call out a new building, for example Fete in Wales is in a commercial district. What the applicant was trying to propose is to preserve existing agricultural buildings and they will not be seen in commercial districts or on sewer and water so they are a very different animal in the way they are viewed. Whether the Board does or does not approve this, the Village is undergoing a study of the code in general, so that we don't have to keep considering individual requests and that the Village is proactively looking at uses. Event facilities, because they have come for different districts, and different lot sizes will probably come up as a topic. If this text amendment did get approved and you changed the rules and provisions, it could potentially lead to this use becoming legal non-conforming or being regulated as an existing conditional use and/or the provisions don't change.

Trustee Petronovich stated the building to the west was denied because of septic and that's the reason why he voted against it. Trustee Lee stated he was in the same camp as Trustee Petronovich, it's planned for water and sewer and once there is sewer and water in this area then it seems that wouldn't necessarily be a bad spot for an event barn. Given the issues that we know we have with Battle Creek, that land to the west of us has some

environmental issues, he was adamantly against having the event barn here unless it had the water and sewer planned.

President Riley stated the argument he had at the time and he still has it is, the commercial event barn in Wales, which was built specific for weddings currently is assigned 3 DUE's by the municipality, which is the equivalent of 3 houses. That's a lot fewer than 75 homes on impact. That area in the future will not be sewerred so having 75 houses would be putting a lot more into the ground than an event facility. Trustee Lee replied that he isn't arguing septic on this particular proposal. Trustee Petronovich stated he isn't either.

MOTION: (Petronovich, Lee) *to deny the proposed text amendments provided in the enclosed ordinance and as presented by the applicant for the following reasons: not wanting to define under what circumstances event facilities should be allowed without doing a more comprehensive study for the Village.*

ROLL CALL: Lee – aye, Arenz – abstained, Petronovich – aye, Phillips – nay, Riley – nay. Motion fails.

Trustee Arenz stated the alternative he has is in order for him to make a decision, he needs more information and his suggestion to the body would be to have a joint public hearing with Plan Commission. Planner Barrow stated if that is the case, the public hearing was closed, there have been multiple open public hearings so at this point is he saying they would want the applicant to start over or have the Village initiate the request to review event facilities. The public hearing is already closed and we can't go backwards in the process.

There was discussion about timing. Planner Barrows replied the Board could table it and listen to the tapes from the Plan Commission if that's what they want to do, or they can review the minutes. Trustee Arenz asked if there is additional information that could sway him one way or another. Planner Barrows replied that the application was included in packet, the only additional information she would advise is if they want to listen to all the public comments and the discussion from the applicant then they should come in and listen to the tapes or review the minutes. Trustee Arenz stated that the information says the Plan Commission was split but it doesn't share their concerns as appointed representatives of the community.

President Riley asked if it would help to walk through the ordinance. He thinks the issues that the Plan Commission deliberated on was feedback from the community and they are articulated in this ordinance. Amy could probably tell them what the discussion was and what any of the members have a hangup with.

Planner Barrows stated that the hanging concerns that were still out there at the last meeting of the members who voted were based around the number of events that could potentially be allowed and the rural character and number and location of tents.

President Riley proposed to do this: walk through the conditions. Trustee Arenz replied they can but the hurdle he continues to go back to is this is keyhole zoning. The Plan Commission keyholed this just like Chris Kadow for one parcel and 21 other parcels to be able to limit that. Planner Barrows stated the Plan Commission didn't keyhole anything, the advice was the applicant submitted an application, the Plan Commission cannot change any of the conditions, so the applicant came to the meetings, heard the concerns and they went on their own and proposed amendments to their proposed ordinance for the next meeting. They were also advised that as the Planner, she should not be advising the applicant, it is their request. Which is the difference between applicant driven and Village driven is that they are the ones proposing what they are asking for, not the Village.

Trustee Arenz stated that if there is another building and everything fits just like this and it is on 100 acres, we will be back going through the same thing and procedurally that doesn't make sense to him. Planner Barrows stated she thinks we will be back here going through the same thing as part of the conditional use project.

President Riley responded that is part of the new law, if we write it too broadly than anybody who meets those conditions can do it as a right. So, we are kind of stuck writing it specific in the ordinance because we want to be able to control or manage where and when it happens.

Planner Barrows stated the day school ordinance for the Abundant Life Church property was doing the same thing.

Trustee Arenz stated that reading through the conditions isn't going to address his issues on the broader scale.

President Riley stated we need to think about what we are being asked to approve tonight, there are 15 items, when you break it down, that's what we are being asked to approve. He stated they could debate the numbers of days, the number of attendees, that's more of the feedback Planner Barrows would be looking for. Planner Barrows responded that Attorney Macy has advised her that the Village shouldn't be modifying conditions of the text but if you have feedback for applicants, then they would know what to come back with if they wanted change.

Planner Barrows asked if the Board is willing to accept a policy or is it in the Village's vision to allow event facilities within the Village boundaries at all under any kind of circumstance and if they do want to promote the use then they'd go down to under what circumstances what conditions should apply in order to allow that use. Then you'd have to look at conditions 1 -15 and determine if those conditions satisfy the Board's concerns that would come up if an event facility were to come in. If they absolutely don't want event facilities in the Village then you're done and if you do, then go through conditions 1 – 15 and determine what's throwing you off, if anything.

President Riley stated he's a yes and thinks we need to have event facilities and save old farms. Trustee Arenz stated he doesn't have a problem with the event. Trustee Lee stated he is not against event barns, and what he's hearing is it's a good venue but not in my backyard, if it were at this property to the west of us and it has sewer and water, even though it's in his backyard he wouldn't have an issue with it because he thinks that's the right spot for it, also thinks the Village needs to look at this and we need to determine what the factors are if we are going to allow and the Village needs to write the ordinance and that requires more research and that's what we should do. Trustee Petronovich stated he is not against event barns at all but wants to know where they'd be and we haven't determined that.

Planner Barrows stated what's being proposed with this ordinance is limited to one property. If you want to allow it on other properties in the Village, you'd have to undergo the process.

Trustee Phillips stated if the Village wants to write it themselves, he thinks what we will find is that most other ordinances look similar to this. Planner Barrows stated she believes this ordinance was taken from the Village of Waukesha.

MOTION: (Riley, Phillips) *to adopt the enclosed ordinance regarding the rental of agricultural buildings for activities or events that creates Section 111-321(7) Conditional uses permitted, and creates Section 111-357(d)(3) Conditional uses in the A-1 Agricultural District of the Village of Summit Zoning and Shoreland Ordinance subject to attorney review.*

ROLL CALL: Lee - nay, Arenz - abstain, Petronovich - nay, Phillips - aye, Riley - aye. Motion fails.

Trustee Arenz stated he thinks this would need to be done with the Plan Commission if the Village wants to initiate this.

President Riley suggested that this be tabled to see if Trustee Arenz's concerns are addressed by reading the minutes and to review the rest of the information. Trustee Arenz stated if he would've had specific questions, he would have reached out for that. All we are looking at is one individual conditional use, the 150 acres, so we set that yet we have a facility next door that nobody would have a problem with that's zoned commercial but doesn't fall into the same category and doesn't align with this.

Planner Barrows stated in the City of Delafield they recently approved event facilities only in agricultural districts and it was meant for existing buildings also. They also have event facilities downtown in their business district but are looked at differently in the code. Commercial property versus Agricultural property uses will look different and you'd want different conditions to apply to those.

President Riley stated that way the law is written is that we want to make it as specific as possible.

MOTION: (Riley, Phillips) *to table.* Petronovich and Lee opposed. Carried.

Notification of Public Hearings before the City of Delafield Plan Commission to consider text amendments to Chapter 52 of Municipal Code related to nonconforming uses, structures, lots and permits and boathouses

This was correspondence only for the board.

PUBLIC WORKS DEPARTMENT

Monthly Administrative Report

Director Nash stated she had nothing to add to the written report.

Discussion and action on proposal to vacate a portion of N. Venice Beach Road

Director Nash summarized the feedback from Open House: concerns with what happens during flooding, emergency access, impacts to drainage, could it be a full cul de sac, unauthorized parking, support was conditional and the residents wanted a guarantee that they could get their boats in and out and still have pedestrian traffic access. After internal discussions, staff feels this section of road should continue to be maintained as a public road, other alternatives to address additional parking can be future conversations with the owner of Hogg Alley.

Planner Barrows stated Hogg Alley will need to do a certified survey map and text amendment to address the additional parking on the residential lot to the west of Hogg Alley.

MOTION: (Petronovich, Lee) *to deny the proposal to vacate a portion of N Venice Beach Road and to direct staff to work with the applicant to determine alternate options to provide additional parking for business customers in this area.*

Trustee Petronovich stated that he supported this originally and thought it was a good idea.
Carried.

Discussion and action on 2024 Road Paving program bid documents and advertisement for proposals

MOTION: (Phillips, Riley) *to approve the bidding documents for the 2024 Road Paving Program as prepared by SEH and to authorize SEH to proceed with advertisement for proposals.*

Trustee Petronovich asked what about the driveway cutouts. Director Nash stated those are included in the costs.
Carried. Petronovich opposed.

Discussion and action on request from Village resident to require removal of landscaping encroaching public right-of-way adjacent to 1920 N Oak Grove Road

Director Nash stated a violation letter was sent to 1920 N Oak Grove Road regarding the large rocks placed within the public right-of-way. Police Chief and she went out after the property owner completed the work. Main complaint was that it was hard to get in and out of the driveway. The Highway department did add some shouldering material. The Village doesn't make it a policy to never put anything in the entire area of the right-of-way. Original complainant coming in and wants everything in the right-of-way removed. Chief and she feel the original safety complaint has been addressed and not seeing anything uncharacteristic from the rest of the road.

Chief Hartert concurs with all of Director Nash's statements.

President Riley stated if we force this property owner, we'd have to address all the other violations on this particular road. Director Nash responded that past practice has only been to address complaints.

MOTION: (Lee, Petronovich) *to close this issue and consider it resolved.* Carried.

Discussion and action on negotiation for Village Hall Cleaning services

Director Nash stated during the budgeting process we talked about cleaning services and have been having ongoing issues with the quality of the work. Three responses have been received. Would like to have a board member participate in reviewing the proposals and moving forward.

MOTION: (Arenz, Petronovich) *to authorize staff and Trustee Petronovich to identify a preferred cleaning service based on proposals received in response to the 2024 Village Hall Facilities Cleaning Services RFP and enter into negotiations for an agreement to bring to the Village Board for consideration.* Carried.

Discussion and action on 2024-2025 WisDOT salt contract

MOTION: (Lee, Petronovich) *to authorize the Public Works Director to participate in the statewide sodium chloride bid and to enter into a municipal agreement with WisDOT for the 2024 – 2025 winter season.* Carried.

Discussion and action on address number and street naming policy

MOTION: (Petronovich, Lee) *to adopt the revised Street Naming and Address Numbering Policy, as presented.*

Carried.

Discussion and action on request for a canoe/kayak launch on Bark River at Genesee Lake Road

Director Nash stated that Mr. Carr spoke during public comment about this improvement request. Trustee Arenz stated that the DNR needs to be involved and we need to address parking and the Sawyer Road access should be looked at as well. A phased system seems to be the best approach.

MOTION: (Lee, Arenz) *to give direction to Village staff to reach out to DNR to see if this is a potential project that they would participate in and include a proposal for the project in the CIP for 2025.* Carried.

POLICE DEPARTMENT

Monthly Report

Chief Hartert reviewed his report.

WESTERN LAKES FIRE DISTRICT

Monthly Report - There was no report or representative present at the meeting.

VILLAGE BOARD

Discussion and action on proposed update of building permit fees

Building Inspector Mike Sindorf stated the Village hasn't done a fee increase since 2015 and he did a survey of surrounding communities and what their current permit fees are. He added that the quadruple fees are applied on discretion when work is started without permits.

MOTION: (Lee, Petronovich) *to approve Resolution #24-456 to establish a schedule of fees related to Chapter 103: Buildings and Building Regulations as authorized by the Summit Municipal Code.* Carried.

Discussion and action on minor revisions to the Construction Code Ordinance

Building Inspector Mike Sindorf stated Wisconsin is going through changes to the state codes so we occasionally have to submit our code to the State to make sure our ordinances are up to date.

Trustee Arenz questioned adding back in the re-roofing, siding and windows. Mr. Sindorf stated there were lots of issues when we had hail damage and insurance companies did not want to cover the replacement costs to the homeowner because a permit was not required by the municipality. Could do something to not mandate it but some people wanted them.

MOTION: (Arenz, Riley) *to approve the ordinance that was presented with the exception of moving 10, 11, 12 on page 5 and reversing it back to b paragraph to what's not required.*

Trustee Lee asked for explanation about the windows. Mr. Sindorf stated if the wall is opened up and replaced with a larger window then headers need to be changed. There are several areas that have to have tempered glass and finding lots of contractors are not using them, it's a safety issue.

Carried. Lee and Petronovich opposed.

Discussion and action to set items for April 11, 2024 regular Village Board meeting

Trustee Phillips stated he will not be able to attend the April meeting. Appointments to committees, commissions and boards.

MOTION: (Phillips, Lee) *TO GO INTO EXECUTIVE SESSION*, pursuant to Section 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved: *Property Violation: 34339 N. Venice Beach Road*

ROLL CALL VOTE: Lee – aye, Arenz – aye, Petronovich – aye, Phillips -aye, Riley – aye. Carried.

*The Board may return to open session following this discussion

The Board did not return to open session.

Discussion and action on property violation at 34339 N. Venice Beach Road

There was no discussion on this item.

ADJOURN VILLAGE BOARD MEETING

MOTION: (Lee, Phillips) *to adjourn at 9:14 p.m.* Carried.

Respectfully Submitted,

Debra J. Michael, WCMC
Village Administrator-Clerk/Treasurer

Next Regular Meeting: April 11, 2024

VILLAGE OF SUMMIT
 Payables Report for
 April 4, 2024 Meeting
 Prepared by Debbie Michael

Summary of March, 2024 Payables

Paid Check Batches:

	\$ Amount	Description
Total \$	----- -	

Batches For Payment:

	\$ Amount	Description
	33,145.93	March Payables
	-	Credit Card
Total \$	----- 33,145.93	

Total March Payables for Approval: \$ 33,145.93

Approved by the Summit Village Board on this the 4th day of April, 2024

Engineering/Planning		\$		9,598.00
			Village	7,155.00
			Planner	-
			Shoreland	-
			Billed	2,443.00
Legal		\$		-
			Village	-
			Billed	-

3/28/2024 9:25 AM

In Progress Checks - Full Report - Regular
ALL Checks by Payee
WSB CHECKING

Page: 1
ACCT

Dated From: 4/05/2024 From Account:
Thru: 4/05/2024 Thru Account:

Voucher Nbr	Check Date	Payee	Amount
4/05/2024 ALL-WAYS CONTRACTORS INC			
BRIDLEWOOD LN CULVERT REPL			
100-00-53300-345-000		PUBLIC WORKS MS4 BRIDLEWOOD LN CULVERT REPL	9,950.00
		58524	
Total			9,950.00
4/05/2024 ARC DOCUMENT SOLUTIONS LL			
DECICCO PRINTS			
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE DECICCO PRINTS	6.00
		55WII9049269	
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE DARWIN HOUSE PRINTS	37.90
		55WII9049269	
Total			43.90
4/05/2024 CINTAS FIRE 636525			
FIRE PROT SYS INSPECTION			
100-00-51600-240-000		VILLAGE HALL REPAIRS & MAINT FIRE PROT SYS INSPECTION	585.51
		0F36683323	
100-00-51600-240-000		VILLAGE HALL REPAIRS & MAINT FIRE ALARM SYS INSPECTION	760.51
		0F36683324	
Total			1,346.02
4/05/2024 CITY OF DELAFIELD POLICE DEPARTMENT			
SEATBELT GRANT			
100-00-52104-000-000		POLICE GRANT POOL PYMNT SEATBELT GRANT	1,224.56
		JAN 2024	
Total			1,224.56
4/05/2024 CITY OF OCONOMOWOC POLICE DEPARTMENT			
GRANT POOL SEATBELTS			
100-00-52104-000-000		POLICE GRANT POOL PYMNT GRANT POOL SEATBELTS	915.85
		JAN 2024	
100-00-52104-000-000		POLICE GRANT POOL PYMNT SEATBELT GRANT	888.90
		OCT 2023	
Total			1,804.75
4/05/2024 DIVERSIFIED BENEFIT SERVICES INC			
MAR FSA ADMIN			
100-00-51600-210-000		VILLAGE HALL 3RD PARTY ADMIN MAR FSA ADMIN	95.00
		405688	

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ACCT

Dated From: 4/05/2024 From Account:
Thru: 4/05/2024 Thru Account:

Voucher Nbr	Check Date	Payee	Amount
Total			95.00
4/05/2024 EH WOLF & SONS INC			
287.5 GAL GAS			
100-00-52100-250-000		POLICE FUEL	802.75
		287.5 GAL GAS 743626	
Total			802.75
4/05/2024 G-BROCKS AUTO REPAIR			
2022 FORD EXP BRAKES			
100-00-52100-260-000		POLICE SQUAD REP & MAINT	1,119.44
		2022 FORD EXP BRAKES 151362	
Total			1,119.44
4/05/2024 GRAINGER			
LIGHT FIXTURE PARTS			
100-00-51600-240-000		VILLAGE HALL REPAIRS & MAINT	156.19
		LIGHT FIXTURE PARTS 9048456066	
Total			156.19
4/05/2024 ITU ABSORB TECH INC			
UNIFORMS			
100-00-53300-390-000		PUBLIC WORKS EXPENSE	14.28
		UNIFORMS 8297348	
100-00-51600-240-000		VILLAGE HALL REPAIRS & MAINT	116.29
		MATS/TOWELS 8297348	
100-00-53300-390-000		PUBLIC WORKS EXPENSE	14.28
		UNIFORMS 8285144	
Total			144.85
4/05/2024 KETTLE MORAINÉ CONTRACTING			
TREE REMOVAL			
100-00-53300-370-000		PUBLIC WORKS ROAD MAINTENANCE	2,700.00
		TREE REMOVAL 3237	
Total			2,700.00
4/05/2024 KLEANLINE LLC			
APRIL 2024			
100-00-51600-280-000		VILLAGE HALL CLEANING	600.00
		APRIL 2024 757554927	

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ACCT

Dated From: 4/05/2024 From Account:
Thru: 4/05/2024 Thru Account:

Voucher Nbr	Check Date	Payee	Amount
100-00-51600-240-000		VILLAGE HALL REPAIRS & MAINT	52.00
		KITCHEN TOWELS - 2 CASES	757554944
100-00-51600-240-000		VILLAGE HALL REPAIRS & MAINT	216.00
		TOWELS & CLEANING SUPPLIES	757554961
Total			868.00

4/05/2024 ROBB BRINKMANN CONSTRUCTION INC
3 YDS TOPSOIL

100-00-54910-390-000		CEMETERY EXPENSE	60.00
		3 YDS TOPSOIL	25673
Total			60.00

4/05/2024 SECURIAN LIFE INSURANCE COMPANY
SUPP ACCIDENT INS

100-00-13101-000-000		ACCOUNTS RECEIVABLE OTHER	18.08
		SUPP ACCIDENT INS	APR 2024
Total			18.08

4/05/2024 SHORT ELLIOTT HENDRICKSON INC
ROAD PAVING PROG

100-00-57400-000-000		CAPITAL PURCHASE	1,352.00
		ROAD PAVING PROG	463319
100-00-57400-000-000		CAPITAL PURCHASE	5,326.50
		ROAD PAVING PROG	463321
100-00-53101-000-000		ENGINEERING O/S SERVICES	476.50
		FEB 2024	463375
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	464.00
		HOGG ALLEY	463302
100-00-13101-000-000		ACCOUNTS RECEIVABLE OTHER	42.50
		DEMIEN DREDGING	463302
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	85.00
		PIALA	463302
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	150.00
		ESCHWEILER	463302
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	574.00
		KRUEGER CSM	463302
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	74.50
		EWALD	463302

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ALL Checks by Payee
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ACCT

Dated From: 4/05/2024 From Account:
Thru: 4/05/2024 Thru Account:

Voucher Nbr	Check Date	Payee	Amount
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	276.50
		LAKEVIEW EAST LOT 3 GRADING 463302	
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	574.50
		DAVIS CSM SUGAR ISLAND 463302	
100-00-13100-000-000		CUSTOMER ACCOUNTS RECEIVABLE	202.00
		RAVINIA PARK LOT 19 GRADING 463302	
Total			9,598.00

4/05/2024 STANDARD INSURANCE COMPANY RC

LTD STD INS

100-00-52100-132-000		POLICE INSURANCE	760.53
		LTD STD INS APR 2024 144067	
100-00-53300-132-000		PUBLIC WORKS INSURANCE	232.04
		LTD STD INS APR 2024 144067	
100-00-51422-132-000		VILLAGE OFFICE INSURANCE	31.93
		LTD STD INS APR 2024 144067	
100-00-51420-132-000		ADMIN C/T INSURANCE	83.49
		LTD STD INS APR 2024 144067	
Total			1,107.99

4/05/2024 STREICHER'S

LIPOVSEK CLOTHING ALLOW

100-00-52100-313-000		POLICE CLOTHING ALLOW	31.98
		LIPOVSEK CLOTHING ALLOW I1687229	
Total			31.98

4/05/2024 TACTICAL SOLUTIONS

CERTIFICATION OF RADAR UNITS

100-00-52100-390-000		POLICE EXPENSE	132.00
		CERTIFICATION OF RADAR UNITS 9996	
Total			132.00

4/05/2024 VILLAGE OF HARTLAND POLICE DEPARTMENT

GRANT POOL SEATBELT

100-00-52104-000-000		POLICE GRANT POOL PYMNT	882.33
		GRANT POOL SEATBELT OCT 2023	
100-00-52104-000-000		POLICE GRANT POOL PYMNT	940.09
		SEATBELT GRANT JAN 2024	
Total			1,822.42

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ACCT

Dated From: 4/05/2024 From Account:
Thru: 4/05/2024 Thru Account:

Voucher Nbr	Check Date	Payee	Amount
	4/05/2024	WISCONSIN LAND & WATER	
	K NASH APR 3 - 4		
100-00-53300-345-000		PUBLIC WORKS MS4	120.00
	K NASH APR 3 - 4	SW WORKSHOP	
		Total	120.00
		Grand Total	33,145.93

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ACCT

Dated From: 4/05/2024 From Account:
Thru: 4/05/2024 Thru Account:

Amount

Total Expenditure from Fund # 100 - GENERAL FUND 33,145.93

Total Expenditure from all Funds 33,145.93



Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141
www.summitvillage.org

Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

MEMORANDUM

To: Village Board

From: Kamron Nash, P.E., Village Public Works Director

Date: April 3, 2024

Re: Discussion and Action on Appointment of Weed Commissioner and Publication of Class II Notice for Noxious Weeds

PURPOSE:

To request that the Village Board appoint a Weed Commissioner, effective May 15, 2024 through May 14, 2025, and to authorize the Village Clerk to public a Class II notice for noxious weeds.

BACKGROUND:

Per Village code, the Village Clerk is required to publish a Class II notice, under Wis. Stats. ch. 958, to notify Village property owners that they are required to destroy all noxious weeds on properties within the Village. A copy of a draft notice is attached for reference.

In addition, Village code states that the Village President shall appoint a Weed Commissioner prior to May 15th for a term of one year. For the previous term, the responsibility was assigned to the Public Works Director.

RECOMMENDATION:

Village staff recommends that the Village Board appoint Kamron Nash, Public Works Director, as the Weed Commissioner, effective May 15, 2024 through May 14, 2025, and to authorize the Village Clerk to publish proper notice of destruction of noxious weeds.

ATTACHMENTS:

Class II Notice – Village of Summit Notice to Destroy Noxious Weeds
(DRAFT)
Village of Summit Code of Ordinances – Sec. 18-93 Notice to destroy;
Sec. 18-94 Appointment of Weed Commissioner

FISCAL IMPACT:

Fee to post Class II notice as required in local newspaper.

RECOMMENDED MOTION:

Motion to appoint Kamron Nash, Public Works Director, as Weed Commissioner for a 1-year term beginning on May 15, 2024 and to direct the Village Clerk to publish proper notice of destruction of noxious weeds.

**STATE OF WISCONSIN
Village of Summit
Waukesha County**

**VILLAGE OF SUMMIT
NOTICE TO DESTROY NOXIOUS WEEDS**

Notice is hereby given to each and every person who owns, occupies, or controls land in the Village of Summit, County of Waukesha, State of Wisconsin, to cut or destroy all noxious weeds, including, but not limited to, Canada thistle, leafy spurge, field bindweed (creeping Jenny), nodding thistle, burdock, purple loosestrife, and bull thistle. This must be done at such time and in such manner as shall effectively prevent them from bearing seed or spreading to adjoining properties, as required by Wisconsin Statute §66.0407 and the Village of Summit Code of Ordinances §18-91.

Failure to comply could result in the Village removing noxious weeds and the expense of the removal charged to the real estate taxes applicable to the property where removed. If you have any further questions, please contact Weed Commissioner Kamron Nash at (262) 567-2757 or refer to the Village's website at www.summitvillage.org.

ARTICLE IV. WEEDS¹

Sec. 18-93. Notice to destroy.

The village clerk shall each year on or before May 15, publish a Class 2 notice, under Wis. Stats. ch. 985, to the effect that all persons are required by law to destroy all noxious weeds on all lands in the village that they own, occupy or control.

(Code 2006, § 184-7; Ord. No. 204, 5-5-1994)

Sec. 18-94. Appointment of weed commissioner.

The village president shall, on or before May 15 in each year, appoint one or more commissioners of noxious weeds. Upon appointment, said weed commissioner shall take and file in the office of the village clerk the official oath. The weed commissioner shall serve a term of one year and until a successor has qualified. The weed commissioner shall receive such salary as may from time to time be set by the village board. If the village president determines that more than one weed commissioner shall be appointed, the village shall be divided into districts by the village president and each commissioner shall be assigned a different district. The commissioners need not be residents of the district they are assigned.

(Code 2006, § 184-8; Ord. No. 204, 5-5-1994)

¹State law reference(s)—Noxious weeds, Wis. Stats. § 66.0407.



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Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

MEMORANDUM

To: Village Board

From: Debbie Michael, Village Administrator-Clerk/Treasurer

Date: March 27, 2024

Re: CONSENT AGENDA - Appointment of election inspector for 2024-2025

BACKGROUND: The Board needs to appoint election inspectors each December for a two-year term. We recently had someone that is interested in working elections in Summit. I would like him to be appointed for the current term.

ATTACHMENTS: None

FISCAL IMPACT: \$10.00 per hour for both election day and additional help during absentee voting

MOTION AS PART OF CONSENT AGENDA: to appoint Gerald Goggins as recommended by the Village Clerk as an election inspector for the Village of Summit for a two-year beginning April 5, 2024 and ending December 31, 2025.



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MEMORANDUM

To: Village Board

From: Kamron Nash, P.E., Village Public Works Director

Date: March 27, 2024

Re: Department of Public Works Administrative Report

DPW Crew Activities

Cemetery Activity Summary

- No funerals occurred in March.
- No cemetery sales occurred in March.
- A Cemetery Board meeting is scheduled for May 17th at 9:00 a.m. at Summit Cemetery.
- A member of the Daughters of the American Revolution Oconomowoc Chapter reached out to the Village to offer cleaning services for veterans' headstones. This topic will be discussed at the upcoming Cemetery Board meeting.

Equipment Maintenance & Repair

- The Morbark Chipper's electrical/controls issues have not yet been repaired. The motor manufacturer believes that they have identified the issue, and parts have been ordered.
- The DPW crew continues to use the loaner unit for downed tree debris, trimming, and removals.

Winter Season Activities

- A summary of the 2023 – 2024 winter weather response activities by the DPW crew is attached for reference.
- Village staff returned the Municipal Salt Agreement to WisDOT on March 27th (due date of April 1st). The Village has capacity for an additional 100 – 140 tons of salt in 2024. The amount requested for the 2024 – 2025 winter season is 0 tons of early fill, 200 tons of seasonal fill (committed to purchase), and 40 tons of reserve fill (not committed to purchase). Bid results and unit costs generally are forwarded to participating communities in early summer, and the 2025 budget will reflect these costs.

Park Activities

- Village staff will be performing startup of the water system at Genesee Lake Road Park and will open the bathrooms for use by the public.

Genesee Lake Road Park Master Plan Update

A draft master plan was reviewed by the Village Board at the Special Village Board meeting on March 7th. Staff will work on markups of the draft map to provide to SEH for a final version based off comments from the meeting. **No further updates at this time.*

Official Road Right-of-Way Map Update

Staff continue to work on the Official Road ROW Map updates with SEH and the Village Planner. Text amendments have been completed to Village Municipal Code, and efforts are focused on updating the map. **No further updates at this time.*

Delafield Road Bridge Replacement Project

Village staff continues to participate in weekly progress meetings with WisDOT, the project engineer, and the contractors. The contractor is currently waiting on hot mix asphalt production to begin to complete the approaches to the bridge.

N Dousman Road Multi-Use Trail Extension Project

A draft contract for engineering services between the consultant, the Village, and WisDOT will be considered as a separate agenda item at the April 4th Village Board meeting.

MS4 Compliance

TMDL Reporting (WPDES Permit)

In response to the DNR's request for additional clarificatory information, SEH provided a memorandum and supplemental documentation to satisfy the Village's requirement under our WPDES permit on January 31st. The DNR provided an email summary of their review, indicating that they are still not concurring with the modeling results provided because some of the BMPs (filter strip areas) that were included lie on private property that the Village does not have maintenance authority over (e.g., the Village does not have a stormwater maintenance agreement or any other easement with specific language requiring maintenance and inspections). In the past, we were allowed to utilize these areas as part of our modeling. However, the DNR is now taking a stronger stance on maintenance authority for private BMPs. SEH will be required to remove these areas, remodel the watersheds, and analyze the effects of their removal to determine if the Village is meeting pollutant removal requirements. There are a handful of these areas that need to be remodeled, and SEH believes that this should take a few hours of their time to complete. **SEH has informed staff that the modeling and report updates have been completed, and they are working on updating the storm sewer map. The deadline for submittal is April 1st.*

MS4 Annual Report

The Village's MS4 Annual Report for calendar year 2023 is due on March 31, 2024. This report was completed by staff and submitted to the DNR prior to the due date.

Upper Nemahbin Lake/Bark River Dredging Project

The engineer for the Upper Nemahbin Lake Management District's dredging project informed the Village that the contractor was getting close to 90% removal of dredged material by March 22nd. Hauling operations should be completed within the next couple of weeks, weather pending.

National Fitness Campaign Status

The Village has fundraised a total of \$10,500 toward this campaign. No additional funds have been received since the last Village Board update.

Village Hall Cleaning RFP Review

A preferred vendor has been selected by Village staff and Trustee Petronovich. Various changes in frequency of cleaning were identified, and an amended quote will be requested from the vendor. Staff anticipates that a proposal will be brought to the Village Board at the May regular meeting.

Village Safety Program Development & Implementation

Safety Committee Meeting

The next committee meeting is scheduled for Monday, June 3rd at 9:00 a.m.

Safety Report – Lost Time Incident

There was a lost time incident in which a DPW employee was injured on the job. This employee missed a few hours of work on the day of the incident and returned to work the following day with restrictions. An open worker's compensation claim is pending.

ATTACHMENTS: None.

2023 – 2024 Winter Weather Response Summary

Event Date(s)	Response Type	Snow (in)	Staff Hours						Est. Salt Use (Tons)	Estimated Costs (Labor, Salt)
			Full Time		Part Time					
			Reg	OT	DT	Reg	OT			
11/26 – 11/27/2023	Spot Salt (11/27)	1.50	8.00	-	-	-	4.00	-	7.00	\$838.91
12/1/2023	Spot Salt/Plow	1.10	-	6.50	-	-	-	2.00	7.50	\$905.88
12/31/2023	Spot Salt (icy conditions)	0.20	-	-	8.00	-	-	2.75	16.00	\$1,730.98
1/6/2024	Spot Salt/Plow	1.00	-	9.00	-	-	-	2.50	13.50	\$1,570.64
1/9 – 1/10/2024	Full Plow/Salt (1/9, 1/10); Spot Salt/Plow	6.70	41.50	28.00	-	-	26.50	-	19.50	\$4,790.22
1/11/2024	Full Plow/Salt	1.90	19.25	9.00	-	-	9.25	-	18.50	\$2,694.25
1/12 – 1/13/2024	Various cycles of full plow due to heavy snowfall; Cleanup of roadways after event	15.50	39.00	72.25	-	-	22.25	17.25	21.50	\$7,500.06
1/18 – 1/19/2024	Full Plow/Salt; Cleanup of drifting and hardpack on roadways	0.50	29.25	6.50	-	-	4.50	-	13.00	\$2,344.69
1/22 – 1/24/2024	Full Plow/Salt; Significant cleanup of hardpack on roadways (mild temps)	0.20	48.00	5.42	-	-	12.00	-	43.50	\$5,449.19
2/15/2024	Spot Plow/Salt (slushy snow/rain event)	0.20	8.00	-	-	-	-	-	2.50	\$442.78
2/23/2024	Spot Salt (icy conditions)	0.70	-	4.50	-	-	-	-	5.00	\$596.39
2/28/2024	Spot Salt (icy conditions)	0.20	4.50	-	-	-	2.25	-	3.00	\$435.98
3/22/2024	Full Plow/Salt	7.80	12.00	6.25	-	-	12.00	-	14.00	\$2,054.90
Totals	Responses: 13	37.50	209.50	147.42	8.00	8.00	92.75	24.50	184.50	\$31,355

Note: Fuel costs, pre-event preparations, and post-event equipment maintenance not included.



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MEMORANDUM

To: Village Board

From: Kamron Nash, P.E., Village Public Works Director

Date: March 26, 2024

Re: Discussion and Action on Proposed Ordinance 128-2024 Excavations and Driveways in the Village of Summit

PURPOSE:

To receive direction from the Village Board with regard to an update to Chapter 24, Article II of the Village Municipal Code that deals with excavations, private driveways, and culverts in the public right-of-way.

BACKGROUND:

As discussed at the July 13, 2023 Village Board meeting, staff has completed a comprehensive update of the code language related to driveways and excavations. The primary objectives of the update are to clarify the requirements related to work in the public right-of-way, to address how existing driveways that do not meet requirements are handled by Village staff, and to define a clear process for variances and/or special permissions for non-conforming driveways. An ordinance has been drafted to repeal and recreate Chapter 24, Article II in its entirety, as a significant number of changes and additions were completed. The major changes/updates are summarized below:

- Definitions established.
- Permitting process formalized and described in detail, including inspections, applicable fees, and appeals process.
- Driveway and culvert location, design, and construction specifications updated with more detail and direction.
 - Access Points:
 - Number of access points for residential properties increased from one to two, provided certain conditions are met.
 - Information related to business driveway access points added.
 - Driveway Approaches:
 - Non-conforming driveway surfaces defined with policy for corrective action (when road improvements are made, when hazardous conditions are present, when improvements are made to driveway).

- Drainage in right-of-way addressed with more detail.
- Relocation of utilities in right-of-way addressed.
- Definition of legal and illegal non-conforming driveways established with mechanism for correction.
- Liability for damage or injury addressed in more detail.
- Variances addressed with language clarifying when appropriate.
- Special requirements for various types of driveways added with detailed information (e.g., field road access; agricultural, commercial, and industrial driveways; single-, two-, and multifamily residential driveways).
- Accessibility and availability of public services addressed, including requirements for Western Lakes Fire Department.
- Culvert construction standards added with more detail.
 - Maintenance responsibility, removal requirements, and protocol to address maintenance failure established.
- Prohibited driveways and activities in the public right-of-way described.
- Language describing response to violations added.

RECOMMENDATION:

Village staff believes that the draft ordinance language achieves the objectives discussed between staff and the Village Board to clarify and solidify the Village’s municipal code regarding driveways and other work in the Village right-of-way. The Western Lakes Fire District were consulted during this process, and the Building Inspector has reviewed the proposed language. Staff is recommending that the ordinance be approved as proposed, contingent upon review and approval by the Village Attorney.

ATTACHMENTS: Ordinance 128-2024 Excavations and Driveways (DRAFT)

FISCAL IMPACT: Legal fees for review of Ordinance by Village Attorney.

RECOMMENDED MOTION: **Motion to adopt Ordinance 128-2024 Repealing and Recreating Chapter 24, Article II Relating to Excavations and Driveways of the Code of Ordinances of the Village of Summit, contingent upon review and approval by the Village Attorney.**

ORDINANCE NO. 128-2024**An Ordinance Repealing and Recreating Chapter 24, Article II Relating to Excavations and Driveways of the Code of Ordinances of the Village of Summit**

WHEREAS, the Village Board finds that it is necessary and in the public interest to regulate the design, location and construction of private vehicular access points onto public highways in order to ensure that proposed and constructed improvements are consistent with the public safety and welfare and will not cause undue expense to the Village in connection with future maintenance of the adjacent highways and rights-of-way; and

WHEREAS, the Village Board finds that it is reasonable, appropriate and in the public interest to require that property owners constructing new or replacement driveways reimburse the Village for all of the costs that it incurs in reviewing plans, inspecting construction and in otherwise regulating the driveway construction; and

WHEREAS, the Village Board finds that previously enacted Ordinances lack sufficient information regarding the application requirements and procedures for driveway construction, as well as design and construction requirements.

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin do ordain as follows:

Chapter 24 – Streets, Sidewalks and other Public Places, Article II of the Village Municipal Code is hereby repealed and recreated to read as follows:

Excavations and Driveways**Section I – Authority and Purpose**

The Village Board of the Village of Summit adopts the provisions of this Ordinance pursuant to the authority of § 61.34, § 66.0425, and § 86.07 Wis. Stats. to promote the public safety, health and general welfare of the community and to ensure the safe and orderly layout of driveways that enter onto roads within the Village.

Section II – Definitions

In this Ordinance, the following words and phrases have the designated meaning unless a different meaning is expressly provided or the context clearly indicates a different meaning:

- (a) **Driveway.** A private driveway, road, field road or other avenue of vehicular travel that runs through any part of a private parcel of land and that connects or will connect to a public roadway or highway.
- (b) **Field Road.** An avenue of travel used for agricultural or forestry purposes or to access agricultural or forest land. Field road entrances may not be used to access land for residential purposes.

- (c) ***Agricultural Driveway.*** A driveway that provides primary access to agricultural properties for business or private purposes.
- (d) ***Residential Driveway.*** A driveway providing access used for single or multi-family purposes only.
- (e) ***Commercial or Industrial Driveway.*** A driveway providing access for commercial or industrial use of a property.
- (f) ***Temporary Driveway/Culvert.*** A driveway/culvert of no more than one (1) year duration with the sole purpose of allowing vehicular access over any public right-of-way at a point other than where a driveway has been constructed or maintained.
- (g) ***Relocate.*** To change the location of any access point or a driveway onto a Village road or highway, or to change the general design, length or drainage of a driveway.
- (h) ***Improvement.*** Any upgrade to, or reconstruction of an existing driveway, including but not limited to the addition or replacement of a permanent surface, i.e. concrete or asphalt, changes in the grade or drainage of an existing driveway, or the addition, removal, relocation or replacement of a culvert.
- (i) ***Road, Roadway, Highway, Street.*** The aforementioned terms shall have the same meaning and reference within this Ordinance.
- (j) ***Village.*** The Village of Summit, its Village Board (as a whole), the Village President or designated Supervisor(s), Employee(s) or other authorized designees.

Section III – Application Requirements and Procedures

- (a) ***Permit Required.*** No person or entity shall establish, construct, improve, modify, relocate or rework a driveway from a private property line to a public roadway or within a public right-of-way without first obtaining a Right-of-Way Permit from the Village. For purposes of this Section, any change in use of a driveway which results in that driveway meeting a new definition in Section II hereof, shall be considered a modification of the driveway. Obtaining a Right-of-Way Permit from the Village does not release the property owner from complying with any current or future Village of Summit Zoning and Land Use provisions.
- (b) ***Application Form.*** Applications for Right-of-Way Permits shall be made on a form approved by the Village Public Works Director and available from the Village Clerk's office. An application shall be deemed completed only if it is accompanied by the application fee and a scale drawing and/or plat map indicating the location and dimensions of the desired driveway, as well as the parcels immediately adjacent to the property. The Village Public Works Director may require other documents to be attached to the application. A completed Right-of-Way Permit shall be filed with the Village Clerk's office.
- (c) ***Application Review.*** The Village Clerk shall forward the completed application to the Village Public Works Director for his/her review and recommendation. Upon completion of his/her review and recommendation, the Village Public Works Director shall either approve or deny the permit, stating all reasons for approval or denial.
- (d) ***Permit Period.*** A Right-of-Way Permit is effective for twelve (12) months from the date of approval. If the driveway has not been completed within that period, the permit is deemed expired and a new application must be submitted and approved. Within 60 days

after the expiration of a permit without completion of construction, the applicant shall cause the property to be restored to the condition it was in immediately prior to commencement of the work authorized by the expired permit, unless a new permit is obtained during the 60-day period.

- (e) ***Driveway Inspection.*** The applicant shall notify the Village Public Works Director within five (5) working days after completion of construction or improvement of the driveway. The Village shall conduct an inspection of the driveway to ensure full compliance with all provisions of this Ordinance and any permit issued hereunder, and shall require the applicant to make such modifications as are necessary for full compliance. A date for completion of modifications shall be specified.
- (f) ***Fee Requirements.*** The fees required in connection with each Right-of-Way Permit application shall be determined as follows:
 - (1) ***Application Fee.*** The standard fee for Right-of-Way Permit applications shall be set by the Village Board and may be amended from time to time by resolution. The Village Board may, at its discretion, set an individual application fee higher than the standard fee amount if extraordinary circumstances so dictate. Fee shall be non-refundable unless the application is withdrawn prior to commencement of processing of the application.
 - (2) ***Inspection Fees.*** No additional fee shall be imposed for the initial inspection or final inspection of any act or installation performed pursuant to this Ordinance. All inspections will be performed by the Village Public Works Director or designee. For each other inspection beyond the initial inspection and final inspection necessary to determine compliance by the applicant with the conditions of the permit and with the provisions of this Ordinance, the actual cost of the same shall be charged to the person or entity obtaining the permit. The permit holder shall pay the actual inspection fees within thirty (30) days of the date of billing of these fees by the Village.
 - (3) ***Legal Fees.*** The applicant shall pay a fee equal to the cost to the Village of any legal work that may be determined necessary by the Village in connection with the application, including any enforcement of this Ordinance or any permit issued pursuant hereto.
 - (4) ***Double Fees.*** In the event that a person or entity shall make a driveway approach and entrance within the Village without obtaining a permit as required in this Ordinance, the fee for such a permit shall be doubled, in addition to other penalties provided.
- (g) ***Village Authority Preserved.*** The Village of Summit, notwithstanding the issuance of any permit under this Ordinance or construction of any driveway pursuant to such permit, reserves all of its rights and authority to make or cause any changes, additions, repairs, reconstruction or relocation of any part of a driveway located within dedicated right-of-way at any time, including but not limited to, modifications that may be necessary or convenient in connection with the relocation, reconstruction, widening and/or maintaining the road or right-of-way, without compensating the owner of such private driveway for damage to, or the destruction of, such private roadway.
- (h) ***Appeal from Permit Refusal.*** Any person or entity feeling himself/herself aggrieved by the refusal of the Village Public Works Director to issue a permit for a private driveway

may appeal such refusal to the Village Board within 20 days after such refusal to issue such permit is made.

Section IV – Driveway and Culvert Location, Design and Construction Requirements

- (a) **General Requirements.** The location, design and construction of driveways shall be in accordance with the following standards:
- (1) **General Design.** No driveway shall provide direct ingress or egress to or from any road intersection, nor encroach upon or occupy areas of the street right-of-way for effective traffic control or movements. A driveway shall be located a minimum of either 35 feet of the extended street line at intersections, or a maximum distance from the intersecting centerlines of intersection roadways to the driveway that can be practicably achieved to provide access to an existing lot. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the road. Driveways shall, whenever possible, be located and constructed so as not to interfere with utilities in place. Driveways shall not be located within any easement areas.
 - (2) **Setback Requirement.** Setbacks from property lines shall be followed as required by the applicable zoning district requirements.
 - (3) **Length.** If the driveway length, from the Village road to any principal structure or any residential structure on the parcel is more than 1,000 feet, the Right-of-Way Permit shall be reviewed by an appropriate member of the Western Lakes Fire District for an assessment of proper ingress and egress to the structure(s) prior to review by the Village Public Works Director. The Village may deny any application for a driveway which the Western Lakes Fire District determines will not provide adequate access for fire and other emergency services.
 - (4) **Number of Approaches Limited.** The maximum number of access points from a property to a Village public road shall be limited as provided hereunder:
 - (i) **Residential Driveway Approaches.** No more than one (1) driveway approach and entrance shall be constructed for a residential lot with less than 150 feet of frontage along a single public road. A second driveway entrance and approach may be approved if the property has at least 150 feet of frontage along a single public street or is a corner lot and complies with the standards of this Ordinance. For corner lots, when two driveway entrances and approaches are present, each entrance and approach must be to a separate street unless the site has at least 150 feet of frontage along a single public street. More than two (2) driveway entrances and approaches are prohibited for single- or two-family residential sites. In the event a second driveway is installed to serve a second garage, the second driveway must meet all driveway standards. In the event that a second driveway is installed to serve as a circular driveway, the secondary driveway is limited to 12 feet in width and must meet all other driveway standards. A minimum of 20 feet must separate each driveway approach.
 - (ii) **Business Driveway Approaches.** Business driveway approaches shall be limited to the maximum width necessary to safely and efficiently accommodate the expected traffic demand and vehicle type, consistent with the intended use. The number of driveway entrances and approaches shall

be limited to those necessary to provide adequate access, as supported by the expected traffic demand for the site. The number, width and location of all business driveway approaches shall be approved by the Village Engineer or designee.

(5) *Driveway Approach.*

- (i) General. The property owner is responsible to have the grade at the driveway surface match the finished Village road elevation and shall not cause an obstruction to the maintenance and clearing of such public roadway. The property owner has one (1) year from the date of occupancy to install the hard surface in the driveway approach.
- (ii) Approach Surface. A hard surface shall be installed by the property owner for a minimum of five (5) feet from the edge of the Village road pavement as provided hereunder:
 - a. *Curb and Gutter Not Installed.* In those areas where curb and gutter are not installed in the street, no concrete surfacing or decorative pavers shall be installed on a private driveway closer than five (5) feet to the paved surface of the street. Bituminous asphalt or gravel shall be acceptable materials for the driveway approach hard surface on streets that do not have installed curb and gutter.
 - b. *Curb and Gutter Installed.* In those areas where curb and gutter are installed in the street, concrete surfacing shall be installed from the curb and gutter to the private property line, including any sidewalk cross-section, based on specifications of Section IV of this Ordinance and exhibits on file in the Village Public Works Department.
 - c. *Non-Conforming Driveway Surfaces.* If, prior to the enactment of the Ordinance from which this article is derived, a property owner installed a driveway approach using concrete or any other material not permitted pursuant to this article and said driveway approach is ever damaged or becomes or creates a hazard, the property owner shall be required to replace said driveway approach using bituminous asphalt at the property owner's expense. If at any time the Village performs any work within the right-of-way, including, but not limited to, road resurfacing or reconstruction, and as part of performing said work, it becomes necessary to remove, in whole or in part, a concrete driveway approach, said concrete driveway approach shall be replaced with bituminous asphalt surface in accordance with this section. If the work being performed by the Village within the right-of-way is being performed at the request of the property owner, the property owner shall be responsible for any and all costs and expenses related to the installation of the asphalt surface. The owner of the property where a driveway apron installed with concrete or other decorative pavers in violation of this Ordinance shall be fully responsible for any accidents or injuries that arise as a result of the concrete driveway being located within the right-of-way.

- (6) *Drainage.* The surface of the driveway connecting with the road cross sections shall be sloped to preclude ordinary surface water drainage from flowing onto the roadbed. No driveway apron shall extend into the road further than the roadway or pavement edge. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of the road, side ditches or roadside areas or with any existing structure in the right-of-way. All driveways and parking areas shall be graded in such a manner so that no storm water is discharged into the roadway.
- (7) *Relocation of Utilities.* Any costs of relocating utility structures or facilities shall be the responsibility of the property owner. Approval of the Village shall be required prior to the relocation or alteration of any utility structure or structure located within the right-of-way.
- (8) *Legal Non-Conforming Driveways.* Driveways that do not conform to the provisions of this Ordinance, and were constructed before the effective date of this Ordinance and existing driveways granted a temporary access permit, shall be considered legal non-conforming driveways. Loss of legal non-conforming status results when a change to the site or use requires a new site plan. Any reuse of the driveway may only take place after the driveway conforms to all aspects of this Ordinance. When the owner of a property with an existing non-conforming driveway or driveways applies for a permit to upgrade the property, the Village Public Works Director will determine whether it is necessary and appropriate to retrofit the existing driveway or driveways. If the developer is proposing a change in use of the driveway, the non-conforming status is no longer valid and a Right-of-Way Permit for the driveway is required from the Village as applicable according to the standards of this Ordinance. Nothing in this Ordinance shall prohibit the repair, improvement or modernization of lawful non-conforming driveways; provided, it is performed consistently with the requirements of this Ordinance. The Village shall not be responsible for repair or replacement of concrete or decorative pavement or decorative end walls/head walls located within the right-of-way of new or existing driveways.
- (9) *Illegal Non-Conforming Driveways.* Driveways that do not conform to the regulations in this Ordinance and have been constructed after adoption of this Ordinance, shall be considered illegal non-conforming driveways. Illegal non-conforming driveways are a violation of this Ordinance, and the property owner shall have thirty (30) days in which to correct the violation. The property owner shall be issued a violation notice which may include closing off the driveway until any non-conforming aspects of the driveway are corrected. Driveways constructed in illegal locations shall be immediately closed upon detection and all evidence of the driveway removed from the right-of-way and site on which it is located. The costs of the removal shall be borne by the property owner.
- (10) *Permittee Liable for Damage or Injury.* The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during and after construction or repair of driveway approaches or entrances. When curb and gutter is removed, the new construction and connection shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Any sidewalk areas which are damaged shall be replaced.

- (11) *Variances.* The Village Board may vary any of the above requirements where the peculiar nature of the property or the design of the road makes the rigid adherence to the above standards impossible or impracticable, provided that any such variances do not create undue impairment of safety and utility of the street and/or do not adversely affect the rights of adjacent property owners or tenants.

(b) ***Special Requirements for:***

(1) *Field Roads, Agricultural, Commercial and Industrial Driveways.*

- (i) Angular Placement. The angle between the centerline of any field road, agricultural, commercial or industrial driveway and the edge of the surface of the public roadway shall not be less than 70 degrees.
- (ii) Field Roads. Field accesses shall not be restricted regarding the number of driveways or width requirements, but shall be subject to the approval of the Village Public Works Director, Village Board, or designee.
- (iii) Commercial and Industrial Driveways.

- a. *General Specifications.* Commercial and industrial driveways that are not paved with asphalt or concrete shall be surfaced with four (4) to six (6) inches of gravel over a suitable sub-surface of two (2) inch blast rock or matting. If paved, the minimum thickness of asphalt driveways shall be three and a half (3.5) inches over a nine (9) inch crushed aggregate base course. Concrete paved driveways shall consist of a minimum of six (6) inches of concrete over a four (4) inch base course of crushed aggregate.
- b. *Width.* A commercial or industrial driveway shall not be less than thirty (30) feet or exceed thirty-six (36) feet in width at the outer or street edge unless special permission is obtained by the Village Board. The minimum width of the driving surface of the commercial or industrial driveway shall be no less than twenty (24) feet and shall have an unobstructed turnaround capability sufficient to accommodate emergency services vehicles. In instances where the nature of the commercial or industrial activity or the physical characteristics of the land would require a driveway of greater width than herein specified, the Village Board may in its discretion permit a driveway of additional width.

(2) *Residential Driveways.*

(i) Width of Driveway.

- a. *Single- and Two-Family Residential.* A single- or two-family residential driveway shall not be less than eighteen (18) feet or exceed twenty-four (24) feet in width at the outer or street edge unless special permission is obtained by the Village Board. The minimum width of the driving surface of the driveway shall be no less than twelve (12) feet.
- b. *Multifamily Residential.* A multifamily residential driveway shall not be less than thirty (30) feet or exceed thirty-six (36) feet in width at the outer or street edge unless special permission is obtained by the Village Board. The minimum width of the driving surface of the

driveway shall be no less than twenty-four (24) feet and shall have an unobstructed turnaround capability sufficient to accommodate emergency services vehicles.

- (ii) Accessibility and Availability of Services. A residential driveway shall have a minimum height clearance of fourteen (14) feet as measured from the road surface or pavement. Establishment and maintenance of minimum standards as set forth in this Ordinance and the specifications of any issued permit shall be the responsibility of the property owner. The Village of Summit maintains the right of refusal of services where substandard entries or driveways exist.
- (iii) Angular Placement. The angle between the centerline of residential driveways and the edge of the surface of the public roadway shall not be less than 70 degrees.

(3) *Culvert Construction Standards.*

- (i) General. When required by the Village Public Works Director to provide adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his/her expense. No building permit shall be issued until access culverts are installed according to specifications of this Ordinance and direction of the Village Public Works Director and which are certified to the Building Inspector by the Village Public Works Director as being in the correct location and properly installed. All culverts shall be galvanized steel or high-density polyethylene (HDPE) dual wall ("plastic"), and shall be of sufficient gauge to provide adequate bearing capacity for all vehicles expected to use the driveway.
- (ii) Minimum Size. Culverts shall be a minimum of fifteen (15) inches in diameter and of sufficient length to adequately convey surface water drainage under the entire expanse of the driveway. Specification for each Right-of-Way Permit application shall be determined by the Village Public Works Director. If disputed, the Village Board shall determine the final specifications.
- (iii) Placement. Culverts shall be in the ditch line at elevations approved by the Village so as to adequately convey water and assure proper drainage. The exact location of the culvert shall be determined according to best practices as determine and marked by the Village prior to commencement of driveway construction.
- (iv) End Walls. Structures or flared end sections are required at all inlets and outlets of all culverts up to 48 inches in diameter. If end walls or abutments are installed, construction using timber, rock or similar material is prohibited.
- (v) Backfill and Cover Material. Culverts shall be covered with granular material compacted in place, or other material approved by the Village. The minimum cover, measured from the top of the culvert to the top of the sub grade material, shall be a minimum of six inches.

(4) *Maintenance Responsibility and Removal.*

- (i) Duty to Maintain. Any property owner who does not have direct access to a public right-of-way shall maintain a private driveway from the nearest public right-of-way so that the Village may provide emergency services, to all occupants of the property. Specifically, but not by way of limitation, the property owner shall:
- a. Cause the private driveway to be constructed, surfaced and maintained in a manner sufficient to provide access to all structures on the property for all emergency vehicles, including police and fire vehicles; and
 - b. Remove all brush and trees on the driveway, or adjacent to the driveway area, and remove all accumulations of snow or ice so as to permit access to the property, as necessary to respond to fire or emergency situations which may occur on the property. All brush and tree branches shall be cleared to provide a minimum fourteen (14) foot vertical clearance and a fifteen (15) foot horizontal clearance as measured from the centerline of the road surface or pavement. The Village does not, but may at its discretion, assume responsibility for removal or clearance of snow and ice or the opening of windrows of such material upon any portion of the driveway within the right-of-way.
 - c. Maintain the driveway approaches, culvert and ditch in such a manner necessary to permit free and unobstructed flow of water.
- (ii) Removal of Driveway Approach. Whenever any driveway approach constructed under the provisions of this Ordinance no longer provides access for vehicles to something definite on private property, such as a parking area, a driveway, or a door intended and used for the entrance of vehicles, such driveway approach shall be removed forthwith, and that portion of the street occupied by the driveway approach shall be restored as nearly as practicable to its former condition and all curbing shall be replaced, all by and at the expense of the owner of the abutting property.
- (iii) Failure to Maintain. When any conditions created by an existing driveway that does not meet the specification established by this Ordinance or by failure of the responsible property owner to maintain as provided herein, obstruct or become a potential hazard to a public road, the Village shall notify the property owner of the conditions. Any property owner failing to correct such conditions within thirty (30) days after receipt of notice from the Village shall be subject to the penalties provided herein.

(c) ***Prohibited Driveways and/or Filling.***

- (1) No person or entity shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway or street in the Village except as permitted by this section. As used herein, the term "structure" includes retaining walls above the grade of the driveway, fences, decorative or ornamental structures and private driveways, a portion of which extends into any public road, highway or street, and which is in nonconformance with this Ordinance.

- (2) Filling or altering grade of ditches and/or culverts located within a public right-of-way is prohibited without approval from the Village.
- (3) The placement of lawn sprinkler pipes in a public right-of-way is prohibited.

Section V – Enforcement and Penalties

- (a) **Enforcement.** The Village may post a stop work order if a driveway, culvert or other permitted construction, or any part thereof, is installed contrary to the terms of this Ordinance or without a permit. Every property owner shall comply with the terms of any stop work order so issued. If any culvert or driveway approach or entrance is installed or any excavation, fill or any other alteration is made in violation of the provisions of this Ordinance, the highway and right-of-way may be restored to its former condition by the Village. Compliance with the provisions of this Ordinance may also be enforced by injunction order at the suit of the Village or it shall not be necessary to prosecute for fine or imprisonment before resorting to injunction proceedings.
- (b) **Penalties.** In addition to, and not to the exclusion or prejudice of such other remedies as are described herein and as may be allowed by law, any person or entity violating the provisions of this Ordinance shall be punished as provided in Section 1-1 through 1-7, Chapter 1 – General Provisions of the Summit Village Code.

Section VI – Village Clerk to Provide Required Notices

Pursuant to § 61.50 Wis. Stats, following adoption, the Village Clerk shall properly post or publish this Ordinance as required under § 61.50 Wis. Stats., within 30 days of the below noted adoption date.

Section VII - Severability

The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other ordinances whose terms conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

Section VII – Effective Date

This ordinance shall become effective upon its passage and publication/posting.

Passed this ____ day of _____, 2024

VILLAGE OF SUMMIT

Jack Riley, Village President

Attest:

Debra J. Michael,
Village Administrator-Clerk/Treasurer

Published and/or posted this ____ day of _____, 2024.

DRAFT



Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141
www.summitvillage.org

Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

MEMORANDUM

To: Village Board

From: Kamron Nash, P.E., Village Public Works Director

Date: April 4, 2024

Re: Consideration and Action on a Proposed Resolution Proclaiming April 26, 2024 as Arbor Day in the Village of Summit

PURPOSE:

Arbor Day is a secular day of observance in which individuals and groups are encouraged to plant trees. Arbor Day is celebrated throughout the US, as well as in many countries across the world.

BACKGROUND:

In August 2022, the Village Board directed Village staff complete the protocol and steps that would allow the Village to pursue Tree City USA designation. One of the requirements of this recognition is to observe the holiday, as well as to pass and recite an official Arbor Day proclamation.

RECOMMENDATION:

Village staff recommends that the Village Board adopt Resolution 24-457 proclaiming April 26, 2024 as Arbor Day in the Village of Summit.

ATTACHMENTS: Resolution 24-457 Arbor Day Proclamation

FISCAL IMPACT: None.

RECOMMENDED MOTION: **Motion to adopt Resolution 24-457 Proclaiming April 26, 2024 as Arbor Day in the Village of Summit.**

STATE OF WISCONSIN

VILLAGE OF SUMMIT

WAUKESHA COUNTY

RESOLUTION NO. 24-457

ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting 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 on the last Friday of April each year; and,

WHEREAS, trees 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 are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and,

WHEREAS, trees in our village increase property values, enhance the economic vitality of business areas, and beautify our community.

NOW, THEREFORE, I, Jack Riley, President of the Village of Summit, do hereby proclaim April 26, 2024 as **ARBOR DAY** in the Village of Summit, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

Adopted this 11th day of April, 2024.

Jack Riley, Village President

ATTEST:

Debra J. Michael, Village Administrator-Clerk/Treasurer

Proposed by: Village Administration

Prepared by: Public Works



Village Hall, 262-567-2757
 Fax, 262-567-4115
 Highway Dept., 262-567-2422
 Police Dept., 262-567-1134
 Building Inspector, 262-490-4141
www.summitvillage.org

Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

MEMORANDUM

To: Village Board

From: Kamron Nash, P.E., Village Public Works Director

Date: March 22, 2024

Re: Approval of Strand Associates, Inc. Engineering Services Agreement for N Dousman Road Multi-Use Trail Project

PURPOSE:

Village staff would like to receive contingent approval of the proposed engineering services agreement for the N Dousman Road Multi-Use Trail project.

BACKGROUND:

Strand Associates, Inc. has provided a draft agreement for the above-reference project. This agreement will be a three-party agreement between the Village, the consultant (Strand), and WisDOT, as required by the WisDOT Transportation Alternatives Program. The design of the project will begin in April 2024 and extend through approximately August of 2025 when the project is let. Construction of the project will likely occur in 2026. A thorough review was completed by Village staff of the proposed agreement. The scope of services were consistent with the discussion that occurred during the Scoping Meeting on January 24th of this year.

The total funding for engineering services approved by WisDOT as part of the award for the project through the Transportation Alternatives Program is \$152,100, or approximately 30% of the estimated construction costs. The total proposed cost designated in this agreement are \$190,000. Both WisDOT and the consultant are in agreement that recreational trail costs for WisDOT projects tend to be higher than those associated with road improvements, which is the reason for the higher cost. A summary of the total awarded TAP and Stewardship grant funds for this project and anticipated costs is below:

Project Phase	TAP Funding			Stewardship Funds
	Federal Funds	Anticipated Village Contribution	Total Estimated Cost	
Design & Design Review	\$137,680	\$72,328	\$210,008	\$149,439
Construction & Construction Review	\$476,185	\$119,046	\$595,231	
<i>Total</i>	<i>\$613,865</i>	<i>\$191,374</i>	<i>\$805,239</i>	<i>\$149,439</i>
Less Stewardship Grant Adjustment		\$41,395		

The five-year Capital Improvement Plan includes the allocation of impact fees for this project:

\$35,000 (2024 FY)

\$120,000 (2025 FY)

Total Budgeted Impact Fees: \$155,000

There is still a sufficient amount of excess impact fees (approx. \$113,600) available to cover the Village's portion of this project, which allows a buffer for an increase in construction costs as the project design is finalized.

RECOMMENDATION:

The WisDOT is currently reviewing the contract (scope, fixed fee, correct tables, etc.), and any changes that will impact the contract amount will be brought back to the Village Board for reapproval. At this time, Village staff is looking for contingent approval of this agreement to keep the project moving forward.

ATTACHMENTS: Draft Engineering Services Contract (DOT Project ID 3853-05-00)

FISCAL IMPACT: As described above.

RECOMMENDED MOTION: Motion to approve the proposed Engineering Services Agreement between WisDOT, the Village, and Strand Associates, Inc. for engineering services related to the N Dousman Road Multi-Use Trail project, contingent upon review and approval by WisDOT.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES
ENGINEERING SERVICES CONTRACT
BETWEEN THE WISCONSIN DEPARTMENT OF TRANSPORTATION,
VILLAGE OF SUMMIT (MUNICIPALITY)
AND STRAND ASSOCIATES, INC. (CONSULTANT) FOR

Project ID: 3853-05-00
Project Description: V Summit; N Dousman Road Multi-Use Trail
Project Limits: Genessee Lake Road and Genessee Lake Park
County: Waukesha County

This CONTRACT made and entered into by and between the DEPARTMENT, MUNICIPALITY, and the CONSULTANT provides for those SERVICES described in the Scope of Services and Special Provisions and is generally for the purpose of providing the SERVICES solicited by the MUNICIPALITY in Request for Letters of Interest and Statements of Qualifications dated October 13, 2023, for multi-use trail construction along North Dousman Road and Genessee Lake Road from one-third mile south of Delafield Road to Genessee Lake Park. This Qualification Based Selection was made based on the CONSULTANT’s Notice of Interest response and any interviews conducted.

The DEPARTMENT and MUNICIPALITY deem it advisable to engage the CONSULTANT to provide certain engineering SERVICES and has authority to contract for these SERVICES under sec. 84.01(13), Wis. Stats.

The DEPARTMENT REPRESENTATIVE is: Joseph Jelacic, P.E., Local Program Project Manager; 141 NW Barstow Street, Waukesha, Wisconsin 53187; joseph.jelacic@dot.wi.gov; (262) 548-6762.

The MUNICIPALITY REPRESENTATIVE is: Kamron Nash, P.E., Director of Public Works; 37100 Delafield Road, Summit, Wisconsin 53066; pwdirector@summitvillage.org; (262) 567-2757 .

The CONSULTANT REPRESENTATIVE is: Eric P. Anderson, P.E., Project Manager; 126 N Jefferson Street, Suite 350, Milwaukee, Wisconsin 53202; eric.anderson@strand.com; (414) 271-0771.

The CONSULTANT SERVICES will be performed for the DEPARTMENT’s Southeast Region office located in Waukesha, Wisconsin and will be completed by September 30, 2025. Deliver PROJECT DOCUMENTS to 141 NW Barstow Street, Waukesha, WI 53187, unless other directions are given by the DEPARTMENT.

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT will be from the:

DEPARTMENT MUNICIPALITY

1. For PROJECT administration, agency coordination, utility coordination, public involvement, environmental document, hazardous materials investigation, survey, reports, meetings, and preliminary and final road design and drafting services, actual costs to the CONSULTANT up to \$178,426.40, plus a fixed fee of \$11,581.50, not to exceed \$190,007.90.
2. For archaeological investigation service subcontracted to Commonwealth Heritage Group, Inc. (Commonwealth), the CONSULTANT’s actual cost to Commonwealth based on Commonwealth’s actual cost up to \$2,800.04, plus a fixed fee of \$187.78, not to exceed \$2,987.82.

Compensation for all SERVICES provided by the CONSULTANT under the terms of the CONTRACT shall be for an amount not to exceed \$192,995.72.

THREE PARTY DESIGN ENGINEERING SERVICES CONTRACT
SIGNATURE PAGES

The CONSULTANT does and will comply with the laws and regulations relating to the profession of engineering and will provide the desired engineering SERVICES.

This CONTRACT incorporates and the parties agree to all of the standard provisions of the Three-Party Design Engineering Services Contract, dated October 18, 2023, and referenced in Procedure 8-15-1 of the State of Wisconsin Department of Transportation Facilities Development Manual. CONSULTANT acknowledges receipt of a copy of these standard provisions.

This CONTRACT incorporates all of the MANUALS defined in the CONTRACT.

The parties also agree to all of the Special Provisions which are annexed and made a part of this CONTRACT, consisting of six pages.

Nothing in this CONTRACT accords any third part beneficiary rights whatsoever on any non-party that may be enforced by any non-party to this CONTRACT.

For the CONSULTANT

For the DEPARTMENT

DRAFT

DRAFT

By: _____

By: _____

Joseph M. Bunker

Title: _____

Title: _____

Corporate Secretary

Contract Manager, WisDOT

Date: _____

Date: _____

For the MUNICIPALITY

DRAFT

By: _____

Jack Riley

Title: _____

Date: _____

VI. SPECIAL PROVISIONS

SCOPE OF SERVICES

A. GENERAL

The Scope of Services anticipates the PROJECT will include design services for approximately 1.1 miles of shared-use path within the existing right of way (R/W) along North Dousman Road and Genessee Lake Road in the Village of Summit, Waukesha County.

B. DESIGN REPORTS

Section II.C.2. of the Standard Provisions is deleted and replaced with the following:

2. Encroachment Report

Prepare an Encroachment Report, as directed by the MUNICIPALITY, and submit to the MUNICIPALITY for approval. The MUNICIPALITY shall be responsible for resolving any encroachments identified. Summarize Encroachment Report findings in the Design Study Report.

3. Transportation Management Plan (TMP)

- a. Prepare a Type 2 TMP in accordance with the MANUAL for 60 percent approval by the DEPARTMENT.
- b. Update the Type 2 TMP for 90 percent approval by the DEPARTMENT.

4. Design Study Report (DSR)

Prepare a Modernization and Rehabilitation DSR in accordance with the MANUAL. Provide a digital copy of the report to the MUNICIPALITY and the DEPARTMENT for review and approval.

5. Stormwater Report

Prepare a Stormwater Drainage Water Quality Report in accordance with the MANUAL. The report will consist only of the drainage summary and water quality summary worksheets and applicable attachments.

6. Prepare an Americans with Disabilities Act Technical Infeasibility document for curb ramps that require documentation of non-standard design.

C. ENVIRONMENTAL DOCUMENTATION

Section II.C.3.a of the Standard Provisions is deleted and replaced with the following:

1. Prepare a Categorical Exclusions Checklist (CEC) environmental document for the PROJECT as specified in the MANUAL and Chapter TRANS 400 of the Wisconsin Administrative Code. Furnish the CEC to the DEPARTMENT for approval.
2. Prepare Section 4(f) Evaluation for the PROJECT.
3. Preparation of the following documents are not included for this PROJECT:
 - a. Section 6(f) Evaluation
 - b. Noise Analysis
 - c. Air Quality
 - d. Environmental Justice Plan
 - e. Agricultural Impact Notice

4. Historical and Archaeological Surveys and Studies
 - a. Identify the Area of Potential Effect (APE) along North Dousman Road and Genesee Lake Road in the Village of Summit, Waukesha County, for the PROJECT.
 - b. Complete a Phase I archaeological survey of the APE in accordance with Guidelines for Public Archaeology in Wisconsin (2012), DEPARTMENT's Guide to Transportation Archaeology (2012), and the MANUAL.
 - c. Prepare an Archaeological Survey Field Report and Archaeological Records and Literature Review form in lieu of a formal report, if no archaeological sites are found. If archaeological sites are found within the APE, preparation of a formal Phase I survey report and Determination of Eligibility for identified archaeological sites are not included in this CONTRACT.
 - d. Prepare the Section 106 Archaeological/Historical Information Review Form (DT1635) for the PROJECT.
5. Hazardous Materials/Contamination Assessments
 - a. Prepare a Phase 1 Hazardous Materials Assessment for the PROJECT in accordance with the MANUAL.
 - b. When Phase 1 Hazardous Materials Assessment indicates further study is needed, consult with the MUNICIPALITY and the DEPARTMENT prior to conducting further evaluation studies. Conducting further evaluation studies is not included.
 - c. The MUNICIPALITY acknowledges that the CONSULTANT is not, by virtue of this CONTRACT, the owner or generator of any waste materials generated as a result of the Hazardous Materials/Contamination Assessments services performed by the CONSULTANT under this CONTRACT.
6. Wetland Investigations
 - a. Wetland delineation for the PROJECT shall be completed by the MUNICIPALITY.
 - b. Review wetland impacts in conjunction with the Wisconsin Department of Natural Resources (WDNR) and compensation for wetland loss, if applicable, in accordance with the MANUAL and the DEPARTMENT's Wetland Mitigation Banking Technical Guidelines dated March 2002. Prepare and submit the Wetland Impact Tracking Form.

D. RAILROAD AND UTILITY COORDINATION

Section II.C.4. of the Standard Provisions is deleted and replaced with the following:

- a. Railroad Coordination

No impacts to railroad facilities are anticipated for this PROJECT. Coordination with railroad is not included.
- b. Utility Coordination
 - (1) Chapter Trans 220 of the Wisconsin Administrative Code (Trans 220) does not apply to this PROJECT.
 - (2) Perform utility coordination in accordance with the following:
 - (a) The MANUAL
 - (b) Non-TRANS 220 Projects
 - (c) The DEPARTMENT "Guide to Utility Coordination" dated April 2022

- (d) The “Local Project Utility Coordination Task List” for the PROJECT
- (3) Prepare for and attend one utility meeting with the utility company representatives, the MUNICIPALITY, and the DEPARTMENT.
- (4) The MUNICIPALITY shall provide the CONSULTANT with a list of known utilities and a list of contact personnel for utility coordination. These lists are not warranted to be complete, but are furnished to assist the CONSULTANT. Review and update the provided lists.
- (5) Communicate on an ongoing basis with utility facility owners in the PROJECT vicinity to establish mutual understanding regarding design features of the PROJECT affecting utility facilities and inform the MUNICIPALITY of such coordination activities. Provide the MUNICIPALITY with drawings and utility information as needed.
- (6) Review up to one iteration of utility work plans and provide comments to the MUNICIPALITY. The MUNICIPALITY shall approve all utility work plans and issue utility work permits. Additional iterations of utility work plans requiring review shall be considered additional services.

E. SURVEYS

Sections II.C.5.a. and II.C.5.b. of the Standard Provisions are deleted and replaced with the following:

- a. Provide surveys referenced to NAD 83 (2011), NAVD 88 (2012), Geoid 18, Wisconsin State Plane, South Zone, United States Survey Feet.
- b. Perform a topographical survey of the proposed trail location, including the horizontal location of existing marked utilities, within the following areas:
 - (1) The westerly side of North Dousman Road from 1,800 feet south of Delafield Road to Genesee Lake Road, for a length of approximately 3,800 feet.
 - (2) The southerly side of Genesee Lake Road from North Dousman Road to the Genesee Lake Road Park entrance, for a length of approximately 2,000 feet.
- c. Survey the location of Public Land Survey System (PLSS) corners and property corners to establish existing property lines and R/W. It is anticipated that up to four existing PLSS corners and up to 20 property corners will be located. Any additional corners requiring location shall be considered additional services.

F. PUBLIC INVOLVEMENT

Add the following to Section II.C.7 of the Standard Provisions:

- d. Public Involvement Meetings (PIM)
 - (1) Assist the MUNICIPALITY in holding one PIM and communicate the concepts and probable impacts of the PROJECT to the public.
 - (2) Prepare exhibits and handout materials for the PIM.
 - (3) Provide the equipment to conduct the PIM.
 - (4) Prepare meeting summary after the PIM.
 - (5) Make arrangements for scheduling the PIM and provide notices and press releases. Prepare a mailing list and mail notices. MUNICIPALITY shall issue press releases. Approximately 150 mailing for the PIM are anticipated.

- (6) Provide the MUNICIPALITY with copies of public involvement correspondence and file notes.
- (7) Communicate meeting schedules with the MUNICIPALITY's designated representative.

G. MEETINGS

Add the following to the Section II.C.8 of the Standard Provisions:

- a. Attend one Operational Planning Meeting
- b. Attend up to two virtual meetings with the WDNR, the MUNICIPALITY, and the DEPARTMENT.
- c. Prepare for and attend 30 percent and 60 percent plan review meetings as scheduled by the DEPARTMENT and MUNICIPALITY.
- d. Prepare for and attend a final plan review (90 percent) meeting as scheduled by the DEPARTMENT and MUNICIPALITY approximately 45 to 60 days prior to the plan, specification, and estimate (PS&E) submittal date.
- e. Visit the PROJECT site up to two times to gather data to perform design services.
- f. Attend one preconstruction meeting as scheduled by the DEPARTMENT and MUNICIPALITY.

H. PLANS

Add the following to Section II.C.9 of the Standard Provisions:

1. Prepare drawings on 11-inch by 17-inch sheets. Drawings for the PROJECT are anticipated to include the following:
 - a. Title sheet
 - b. General notes
 - c. Project overview
 - d. Typical sections
 - e. Construction detail drawings
 - f. Plan detail drawings
 - g. Curb ramp detail drawings (for up to 6 curb ramps)
 - h. Erosion control drawings
 - i. Permanent signing and pavement marking drawings
 - j. Traffic control drawings
 - k. Alignment detail drawings
 - l. Control point data drawing
 - m. Plan and profile drawings
 - n. Earthwork summary table
 - o. Miscellaneous quantities
 - p. Cross sections
2. Prepare cross sections at 50-foot intervals.

I. PS&E

Add the following to Section II.C.9. of the Standard Provisions:

- a. Provide project data in a digital format to the DEPARTMENT in accordance with the DEPARTMENT's Sponsor's Guide to Non-Traditional Transportation Project Implementation.
- b. Preparation of addenda that are not the fault of the CONSULTANT shall be considered additional services.
- c. Email one portable document format file of the final plan to the MUNICIPALITY and the WDNR. Submit the PS&E to the DEPARTMENT. Submittal of hard copies of the plan to the MUNICIPALITY, WDNR, or DEPARTMENT is not anticipated.
- d. Distribute Bidding Documents electronically through QuestCDN, available at www.strand.com and www.questcdn.com. Submit Advertisement to Bid to OWNER for publishing.
- e. Prepare addenda and answer questions during bidding.
- f. Attend electronic bid opening, tabulate and analyze bid results, and assist OWNER in the award of the Construction Contract.
- g. Prepare up to three sets of the Contract Documents for signature.

L. AGENCY COORDINATION

Section II.D.2. of the Standard Provisions is deleted and replaced with the following:

2. Sections 401 and 402 Certifications

Evaluate the effects of the PROJECT on water quality in accordance with the provisions of the Clean Water Act, Chapter TRANS 400 of the Wisconsin State Administrative Code, and the MANUAL. Prepare and submit the application.

3. Section 404 Permits

Evaluate the potential for discharge of fill materials into the waters of the United States in accordance with the provisions of the Clean Water Act, Chapter TRANS 400 of the Wisconsin State Administrative Code, and the MANUAL. Prepare and submit the permit application.

4. The DEPARTMENT shall submit a Tribal notification letter for the PROJECT. CONSULTANT will provide the letter template with general project information.

5. WDNR

- a. Prepare and submit Transportation Construction General Permit, Notice of Intent online application.
- b. Prepare an electronic stormwater notice of intent using the WDNR ePermitting website.

6. Correspond with the following agencies:

- a. State Historical Preservation Office
- b. United States Fish and Wildlife Service
- c. United States Army Corps of Engineers

- d. MUNICIPALITY
- e. Bureau of Aeronautics
- f. Federal Aviation Authority

M. SERVICES PROVIDED BY THE MUNICIPALITY

The MUNICIPALITY shall provide to the CONSULTANT the following services for the PROJECT:

- 1. As-built record drawings and available existing R/W plat drawings.
- 2. Utility contact list.
- 3. Utility work plan approvals, issue utility work permits, and provide utility reimbursements.
- 4. Utility disbursements for relocations.
- 5. Preferred encroachment actions.
- 6. Proposed path pavement structure.

N. SERVICES PROVIDED BY THE DEPARTMENT

- 1. Tribal communication documentation.
- 2. Wetland delineations/field delineations.
- 3. Schedule the preconstruction meeting.
- 4. Concept Definition Report.

PROSECUTION AND PROGRESS

Add the following to Section III of the Standard Provisions:

O. The CONSULTANT proposes to sublet the following services as indicated:

- 1. Historical and archaeological surveys and studies to Commonwealth Heritage Group, LLC; 8669 North Deerwood Drive, Milwaukee, Wisconsin 53209.

P. The following services will be submitted to the MUNICIPALITY and/or the DEPARTMENT by the indicated dates if the CONSULTANT has received the Notice to Proceed by March 25, 2024.

Deliverable	Date
Operational Planning Meeting	April 2024
Thirty Percent Drawings	July 2024
Environmental Document	October 2024
Sixty Percent Drawings	December, 2025
Design Study Report	January, 2025
Plan Submittal to Utilities	February, 2025
Draft PS&E to MUNICIPALITY	May 1, 2025
Final PS&E submittal to the DEPARTMENT	June 25, 2025
Project Let (MUNICIPALITY)	August, 2025

Q. The CONSULTANT services will be completed by September 30, 2025.

STRAND ASSOCIATES, INC.

Consultant Weighted Average Direct Labor Rates
ID 3853-05-00

V Summit; N Dousman Road Multi-Use Trail
Genessee Lake Rd & Genessee Lake Park
Waukesha County

Classification: Design Project Manager - High

Employee Name(a)	Current Rate(b)	Percent Contribution(c)	(b*c)
Employee #1443	\$82.28	70.00%	\$57.60
Employee #1489	\$77.94	30.00%	\$23.38
TOTAL		100.00%	\$80.98

Classification: Design Technician - Mid

Employee Name(a)	Current Rate(b)	Percent Contribution(c)	(b*c)
Employee #1352	\$55.40	50.00%	\$27.70
Employee #7504	\$29.28	50.00%	\$14.64
TOTAL		100.00%	\$42.34

Classification: Design Engineer - High

Employee Name(a)	Current Rate(b)	Percent Contribution(c)	(b*c)
Employee #1259	\$63.23	30.00%	\$18.97
Employee #7161	\$48.66	40.00%	\$19.46
Employee #7234	\$49.47	30.00%	\$14.84
TOTAL		100.00%	\$53.27

Classification: Clerical/Administration - Mid

Employee Name(a)	Current Rate(b)	Percent Contribution(c)	(b*c)
Employee #1131	\$57.06	5.00%	\$2.85
Employee #1343	\$40.66	25.00%	\$10.17
Employee #7463	\$25.37	70.00%	\$17.76
TOTAL		100.00%	\$30.78

Classification: Design Engineer - Mid

Employee Name(a)	Current Rate(b)	Percent Contribution(c)	(b*c)
Employee #7256	\$47.13	75.00%	\$35.35
Employee #7149	\$48.87	15.00%	\$7.33
Employee #7153	\$48.72	10.00%	\$4.87
TOTAL		100.00%	\$47.55



STRAND ASSOCIATES, INC.

ID 3853-05-00

V Summit; N Dousman Road Multi-Use Trail
 Genessee Lake Rd & Genessee Lake Park
 Local Street
 Waukesha County

CONSULTANT DIRECT LABOR RATES (April 2024 - September 2025)

Employee Name(a)	Classification(b)	Current Rate(c)	% Pay Increase (d1)	New Pay Rate (e1)	Date of Increase (f1)	% Pay Increase (d2)	New Pay Rate (e2)	Date of Increase (f2)
Average - Selected Individuals	Design Project Manager - High	\$80.98	3.50%	\$83.81	July, 24	3.50%	\$86.74	July, 25
Average - Selected Individuals	Design Engineer - High	\$53.27	3.50%	\$55.13	July, 24	3.50%	\$57.06	July, 25
Average - Selected Individuals	Design Engineer - Mid	\$47.55	3.50%	\$49.21	July, 24	3.50%	\$50.93	July, 25
Average - Selected Individuals	Design Technician - Mid	\$42.34	3.50%	\$43.82	July, 24	3.50%	\$45.35	July, 25
Average - Selected Individuals	Clerical/Administration - Mid	\$30.78	3.50%	\$31.86	July, 24	3.50%	\$32.98	July, 25

Employee Name(a)	Classification(b)	% Work at Current Rate(g)	% Work at Increased Rate(h1)	% Work at Increased Rate(h2)	Weighted Average Hourly Rate(i)
Average - Selected Individuals	Design Project Manager - High	20.00%	70.00%	10.00%	\$83.54
Average - Selected Individuals	Design Engineer - High	20.00%	70.00%	10.00%	\$54.95
Average - Selected Individuals	Design Engineer - Mid	20.00%	70.00%	10.00%	\$49.05
Average - Selected Individuals	Design Technician - Mid	20.00%	70.00%	10.00%	\$43.68
Average - Selected Individuals	Clerical/Administration - Mid	20.00%	70.00%	10.00%	\$31.76

Contract Completion: 9/30/2025

*Percent pay increase as shown above was used to negotiate total cost. According to our company policy we will provide equitable changes in the compensation to staff annually on July 1, as required.



STRAND ASSOCIATES, INC.

DESIGN ENGINEERING
 CONTRACT SUMMARY OF STAFF HOURS AND DIRECT LABOR COSTS

ID 3853-05-00
 V Summit; N Dousman Road Multi-Use Trail
 Genessee Lake Rd & Genessee Lake Park
 Local Street
 Waukesha County

CLASS	TASK	ACT. CODE	Design Project Manager - High		Design Engineer - High		Design Engineer - Mid		Design Technician - Mid		Clerical/Administration - Mid		Total Direct Labor	
			Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars
			50	\$83,54	0	\$0.00	10	\$490.50	118	\$5,154.24	0	\$0.00	129	\$5,726.28
	Conduct and Process Existing Field Survey	723	1	\$83.54	0	\$0.00	10	\$490.50	118	\$5,154.24	0	\$0.00	129	\$5,726.28
	Manage Project Stakeholders	743	8	\$668.32	23	\$1,263.85	18	\$882.90	0	\$0.00	7	\$222.32	56	\$3,037.39
	Coordinate Utilities	746	2	\$167.08	22	\$1,208.90	28	\$1,373.40	0	\$0.00	6	\$190.56	58	\$2,939.94
	Analyze Hazardous Materials Site Impact	765	2	\$167.08	44	\$2,417.80	40	\$1,962.00	4	\$174.72	8	\$254.08	98	\$4,975.68
	Design Erosion Control and Landscaping	768	0	\$0.00	9	\$494.55	18	\$882.90	6	\$262.08	0	\$0.00	33	\$1,639.53
	Environmental Documentation and Agency Coordination	769	4	\$334.16	53	\$2,912.35	49	\$2,403.45	2	\$87.36	10	\$317.60	118	\$6,054.92
	Design Geometrics and Details	776	17	\$1,420.18	129	\$7,088.55	206	\$10,104.30	58	\$2,533.44	10	\$317.60	420	\$21,464.07
	Develop Quantities and Estimates	786	0	\$0.00	16	\$879.20	32	\$1,569.60	4	\$174.72	0	\$0.00	52	\$2,623.52
	Develop Traffic Control and Staging	788	0	\$0.00	4	\$219.80	12	\$588.60	4	\$174.72	0	\$0.00	20	\$983.12
	Manage Post-PSE Though Let.	790	2	\$167.08	12	\$659.40	8	\$392.40	4	\$174.72	0	\$0.00	26	\$1,393.60
	Design Signing and Pavement Marking	819	0	\$0.00	9	\$494.55	14	\$686.70	3	\$131.04	0	\$0.00	26	\$1,312.29
	Develop PSE Documents	856	8	\$668.32	40	\$2,198.00	22	\$1,079.10	0	\$0.00	8	\$254.08	78	\$4,199.50
	Manage Project Scope and Schedule	887	6	\$501.24	35	\$1,923.25	12	\$588.60	0	\$0.00	16	\$508.16	69	\$3,521.25
	Manage Project Delivery	888	0	\$0.00	26	\$1,428.70	33	\$1,618.65	0	\$0.00	6	\$190.56	65	\$3,237.91
	TOTALS		50	\$4,177.00	426	\$23,408.70	510	\$25,015.50	207	\$9,041.76	71	\$2,254.96	1264	\$63,897.92



STRAND ASSOCIATES, INC.

DESIGN ENGINEERING
 CONTRACT FEE COMPUTATION SUMMARY BY ENGINEERING TASK
 ID 3853-05-00

V Summit; N Dousman Road Multi-Use Trail
 Genesee Lake Rd & Genesee Lake Park
 Local Street
 Waukesha County

TASK	ACTIVITY CODE	Direct labor Costs	Overhead Costs	Direct Expenses	Fixed Fee	TOTAL
Conduct and Process Existing Field Survey	723	\$5,728.28	\$8,713.29	\$2,959.20	\$1,038.25	\$18,439.02
Manage Project Stakeholders	743	\$3,037.39	\$4,620.17	\$663.00	\$550.53	\$8,871.09
Coordinate Utilities	746	\$2,939.94	\$4,471.94	\$686.00	\$532.86	\$8,630.74
Analyze Hazardous Materials Site Impact	765	\$4,975.68	\$7,568.51	\$1,478.00	\$901.84	\$14,924.03
Design Erosion Control and Landscaping	768	\$1,639.53	\$2,493.89	\$420.00	\$297.17	\$4,850.59
Environmental Documentation and Agency Coordination	769	\$6,054.92	\$9,210.14	\$1,404.75	\$1,097.45	\$17,767.26
Design Geometrics and Details	776	\$21,464.07	\$32,649.00	\$5,368.10	\$3,890.36	\$63,371.53
Develop Quantities and Estimates	786	\$2,623.52	\$3,990.64	\$658.00	\$475.51	\$7,747.67
Develop Traffic Control and Staging	788	\$983.12	\$1,495.42	\$252.00	\$178.19	\$2,908.73
Manage Post-PSE Though Let	790	\$1,393.60	\$2,119.80	\$308.00	\$252.59	\$4,073.99
Design Signing and Pavement Marking	819	\$1,312.29	\$1,996.12	\$322.00	\$237.85	\$3,868.26
Develop PSE Documents	856	\$4,199.50	\$6,387.86	\$953.00	\$761.16	\$12,301.52
Manage Project Scope and Schedule	887	\$3,521.25	\$5,356.17	\$861.00	\$638.23	\$10,376.65
Manage Project Delivery	888	\$3,237.91	\$4,925.18	\$804.30	\$586.87	\$9,554.26
Rounding Correction	---	\$0.00	\$0.02	\$0.00	\$0.01	\$0.03
TOTALS		\$63,897.92	\$97,195.13	\$17,333.35	\$11,581.50	\$190,007.90

Home Office Indirect Cost Rate = 1.5211
 Fixed Fee Indirect Cost Rate = 1.5000
 Fixed Fee = 7.25%



STRAND ASSOCIATES, INC.

**DESIGN ENGINEERING
DIRECT EXPENSES BY ITEM**

ID 3853-05-00

**V Summit; N Dousman Road Multi-Use Trail
Genessee Lake Rd & Genessee Lake Park**

Local Street

Waukesha County

DESCRIPTION	UNIT	NO. OF UNITS	UNIT COST	TOTAL COST
Copies (Black & White)	1 Each	340	\$0.15	\$51.00
Employee Vehicle Mileage	1 Mile	1130	\$0.670	\$757.10
Meals (Lunch)	1 Each	9	\$10.00	\$90.00
Total Station	1 Day	3	\$220.00	\$660.00
GPS Equipment	1 Day	4	\$290.00	\$1,160.00
Survey Supplies - Stakes & Lath	1 Bundle	2	\$60.00	\$120.00
Survey Supplies - Paint	1 Can	4	\$7.00	\$28.00
Survey Supplies - Ribbon	1 Roll	1	\$4.00	\$4.00
Color Copies	1 Each	135	\$0.75	\$101.25
Data Research/Services/Material	At Cost	1	\$250.00	\$250.00
Computer Usage	1 Hour	1008	\$14.00	\$14,112.00

TOTAL

\$17,333.35



STRAND ASSOCIATES, INC.

DESIGN ENGINEERING

CONSULTANT CONTRACT TOTAL FEE COMPUTATION

ID 3853-05-00

V Summit; N Dousman Road Multi-Use Trail

Genesee Lake Rd & Genesee Lake Park

Local Street

Waukesha County

Project ID	ID 3853-05-00 (N Dousman Road Multi-Use Trail)	Total for Contract
Number of Staff Hours	1,264	1,264
Total Direct Labor	\$63,897.92	\$63,897.92
Total Overhead Costs	\$97,195.13	\$97,195.13
Fixed Fee	\$11,581.50	\$11,581.50
Direct Expenses	\$17,333.35	\$17,333.35
Subtotal	\$190,007.90	\$190,007.90
Commonwealth	\$2,987.82	\$2,987.82
Subcontract Total	\$2,987.82	\$2,987.82
Total Cost	\$192,995.72	\$192,995.72

Home Office Indirect Cost Rate:	1.5211
Fixed Fee Indirect Cost Rate:	1.5000
Fixed Fee:	7.25%





This proposal contains pricing and other information confidential and proprietary to Commonwealth Heritage Group, LLC. Disclosure of this proposal's contents to persons or organizations outside Strand Associates, Inc. and the project proponent(s) is not authorized without specific written permission of Commonwealth Heritage Group, LLC. All technical specifications in this proposal are valid for 90 days unless an agreement is reached and executed.

Date: February 23, 2024 W-2770

To: Eric Anderson, PE
Strand Associates, Inc.

From: Greg Rainka 

Subject: Proposal – Archaeological Investigations
WisDOT Project ID 3853-05-00
N Dousman Road Multi-Use Trail
Genesee Lake Rd & Genesee Lake Park
Waukesha County

Commonwealth Heritage Group, LLC (Commonwealth) is pleased to present the following proposal to Strand Associates, Inc. (Strand) for cultural resources services for the subject trail project in the village of Summit, Waukesha County. It is our understanding that archaeological investigations are needed pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations. The project will construct an approximately one-mile shared-use trail along the west side of N. Dousman Road and south side of Genesee Lake Road.

ARCHAEOLOGICAL INVESTIGATIONS

Area of Potential Effects

Commonwealth assumes the Area of Potential Effects (APE) for archaeology will include the existing and proposed right-of-way and easements within the project limits, encompassing all areas of potential ground disturbance associated with the project.

Archaeological Survey

Commonwealth will complete a Phase I archaeological survey of the APE. The survey will include a records review using the Wisconsin Historic Preservation Database (WHPD) to identify previously documented cultural resources located within the project area, to identify any cultural resource investigations that have previously taken place, and to provide information on the expected types and location parameters of cultural resources within the APE and a surrounding one-mile radius. To



supplement the site file data, Commonwealth will conduct a review of readily available online historic mapping (both plat maps and USGS maps) and modern aerial, NWI, and county soils mapping of the APE. The survey will satisfy the requirements of the Wisconsin State Historic Preservation Office (SHPO) and Section 106 and also will adhere to the *Guidelines for Public Archeology in Wisconsin* (2012) and WisDOT's *Guide to Transportation Archeology* (2012).

Survey will be conducted employing standard archaeological techniques and may include both shovel testing and pedestrian (walkover) survey. Pedestrian survey will involve walking in 15-meter intervals in areas with ground surface visibility greater than 10 percent. In areas which are not visibly disturbed and do not have good surface visibility, systematic shovel testing will be required and consist minimally of 25-centimeter diameter holes excavated until sterile soil is encountered. Where needed, shovel tests will be excavated at 15-meter intervals. Excavated soils will be screened through ¼-inch wire mesh and examined for evidence of cultural materials.

Profiles will be described for each shovel test. Notes will be recorded concerning the soil stratigraphy (including Munsell color designations and texture) and any artifacts encountered. All shovel tests will be assigned a unique designation that will be mapped within the APE prior to the field survey, and then documented during the field survey with sub-meter accurate geographic positioning system (GPS) equipment. If cultural material is encountered, additional radial shovel tests will be placed at 5-meter intervals as needed to define the horizontal extent of the cultural material. During fieldwork, standard forms will be completed by the field crew. Archaeological sites and positive finds within shovel tests will be noted on the forms. Artifacts will be bagged and assigned numbers by their locations. Photographs will be taken of the general project area.

It is assumed Strand will be responsible for notifying landowners of the project where archaeological survey may need to be conducted outside of the existing right-of-way. Fieldwork will commence a minimum of seven days after landowner notification letters have been mailed. It is also assumed Strand will provide preliminary design plans and/or files prior to commencement of the survey to facilitate Commonwealth's delineation of the APE and use of GPS equipment during fieldwork.

Report Preparation

Commonwealth assumes no new archaeological sites will be found. The results of the survey will therefore be documented in an Archaeological Survey Field Report (ASFR) and Archaeological Records and Literature Review form in lieu of a formal report. Should a new site be found, a formal Phase I survey report will be required to fully document the site and provide sufficient information to make a preliminary evaluation regarding National Register of Historic Places (National Register) eligibility. The preparation of a formal Phase I survey report and Determination of Eligibility (DOE) for any identified archaeological sites are not included in this proposal.

OTHER SERVICES INCLUDED

In addition to the archaeological investigations, Commonwealth may assist Strand with completing the Section 106 review form and will notify local historical societies and other local interested parties to solicit comments about the project and its potential to affect historic properties.

SCHEDULE

Commonwealth assumes the archaeological survey and associated reporting will be completed in 2024.



COST

Based on our assumptions, Commonwealth proposes to complete archaeological investigations and associated reporting (ASFR) for the N. Dousman Road trail project in Waukesha County for actual costs up to \$2,800.04 plus a fixed fee of \$187.78 for a total cost not to exceed \$2,987.82. See the attached spreadsheets for a breakdown of costs.

Commonwealth Heritage Group
 ID 3853-05-00
 N Dousman Road Multi-Use Trail
 Genesee Lake Rd & Genesee Lake Park
 Waukesha County

Summary of Staff Hours and Direct Labor Costs

Classification	Project Manager		Archaeologist		Administrative Support		GIS/Graphics		Total Direct Labor	
	Rate	Activity Code	Hours	Dollars	Hours	Dollars	Hours	Dollars	Hours	Dollars
Analyze Archaeological and Historical Impact		763	4	\$184.00	24	\$684.00	2	\$46.00	4	\$122.00
TOTAL:			4	\$184.00	24	\$684.00	2	\$46.00	4	\$122.00

Commonwealth Heritage Group
 ID 3853-05-00
 N Dousman Road Multi-Use Trail
 Genesee Lake Rd & Genesee Lake Park
 Waukesha County

Consultant Direct Labor Rates

Employee Name	Classification	Current Rate	% Pay Increase	New Pay Rate	Date of Increase	% Work at Current Rate	% Work at Increased Rate	Weighted Average Hourly Rate
G. Rainka	Project Manager	\$46.00	0.00%	\$46.00	1/1/2025	100.00%	0.00%	\$46.00
R. Jones	Archaeologist	\$28.50	0.00%	\$28.50	1/1/2025	100.00%	0.00%	\$28.50
P. Moriarity	Administrative Support	\$23.00	0.00%	\$23.00	1/1/2025	100.00%	0.00%	\$23.00
E. Hulit	GIS/Graphics	\$30.50	0.00%	\$30.50	1/1/2025	100.00%	0.00%	\$30.50

Contract Completion Date: December 31, 2024

Commonwealth Heritage Group
 ID 3853-05-00
 N Dousman Road Multi-Use Trail
 Genesee Lake Rd & Genesee Lake Park
 Waukesha County

Fee Computation Summary by Engineering Task

Task	Activity Code	Direct Labor Costs	Indirect Costs	Fixed Fee	Direct Expenses	Total
Analyze Archaeological and Historical Impact	763	\$1,036.00	\$1,394.04	\$187.78	\$370.00	\$2,987.82
TOTAL:		\$1,036.00	\$1,394.04	\$187.78	\$370.00	\$2,987.82

CONSULTANT Home Office Overhead Rate (%): 134.56
 CONSULTANT Fixed Fee Indirect Cost Rate (%): 150.00
 Fixed Fee (%): 7.25

Commonwealth Heritage Group
 ID 3853-05-00
 N Dousman Road Multi-Use Trail
 Genesee Lake Rd & Genesee Lake Park
 Waukesha County

Direct Expenses by Item

Item	Unit Amount	Unit Type	Rate	Total Expenses
Vehicle Rental and Fuel	2 day		\$150.00	\$300.00
Survey Equipment (GPS Unit)	2 day		\$35.00	\$70.00
TOTAL				\$370.00

Commonwealth Heritage Group
 ID 3853-05-00
 N Dousman Road Multi-Use Trail
 Genesee Lake Rd & Genesee Lake Park
 Waukesha County

Consultant Contract Total Fee Computation

Project IDs	3853-05-00	Total for Contract
Number of Staff Hours	34	34
Total Direct Labor	\$1,036.00	\$1,036.00
Total Indirect Costs	\$1,394.04	\$1,394.04
Fixed Fee	\$187.78	\$187.78
Direct Expenses	\$370.00	\$370.00
Subtotal	\$2,987.82	\$2,987.82
TOTAL COST	\$2,987.82	\$2,987.82

CONSULTANT Home Office Overhead Rate (%): 134.56
 CONSULTANT Fixed Fee Indirect Cost Rate (%): 150.00
 Fixed Fee (%): 7.25



Village Hall, 262-567-2757
Fax, 262-567-4115
Highway Dept., 262-567-2422
Police Dept., 262-567-1134
Building Inspector, 262-490-4141
www.summitvillage.org

Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

MEMORANDUM

To: Village Board

From: Chief Michael Hartert

Date: March 20, 2024

Re: Change in Bond Schedule for Municipal Ordinance Violations

BACKGROUND: Our current bond schedule is not closely aligned with our neighboring jurisdictions. Additionally, low bond amounts limit the options available to our Village Attorney when resolving cases. The attached schedule addresses these concerns.

ATTACHMENTS: Proposed Resolution; Proposed Bond Schedule; List of Changes

FISCAL IMPACT: No cost to Village.

RECOMMENDED: Motion to approve Resolution 24-458 - Revised Municipal Bond Schedule.

RESOLUTION NO. 24-458

A RESOLUTION TO UPDATE THE BOND SCHEDULE FOR MUNICIPAL OFFENSES
AS AUTHORIZED BY THE SUMMIT MUNICIPAL CODE

WHEREAS, The Village Board of the Village of Summit is responsible for the establishment of fees in certain sections of the Municipal Code; and

WHEREAS, Certain Sections of the Summit Municipal Code states that the amount of the fees shall be as set forth in resolution adopted by the Village Board; and

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin, DO ORDAIN AS FOLLOWS:

SECTION 1: The attached Bond Schedule is established for use and referred to as Exhibit A is hereby adopted.

SECTION 2: SEVERABILITY.

The several sections of this resolution are declared as severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof the resolution. The remainder of the resolution shall remain in full force and effect. Any other resolutions whose terms are in conflict with the provisions of this resolution are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This resolution shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 4th day of April, 2024.

Jack Riley, President

Kraig Arenz, Sr., Trustee

Jim Petronovich, Trustee

Justin Phillips, Trustee

Jeff Lee, Trustee

ATTEST:

Debra J Michael
Village of Summit Administrator/Clerk/Treasurer

Revision of Certain Municipal Fines

(Proposed 04/04/2024)

The following changes are proposed for the Municipal Bond Schedule:

Current

Proposed

Trespassing - \$161.80

Trespass to Land - \$161.80
Trespass to Dwelling - \$376

Disorderly Conduct - \$376

Disorderly Conduct - \$565

Battery - \$187

Battery - \$565

Heavy Motor Vehicles - \$313

Heavy Motor Vehicles - \$376

All Juveniles - \$98.80

*Juveniles 15 and older – Regular Fine
Juveniles Under 15 - \$124

*Juvenile violators over age 15 will incur the same fines as adults unless otherwise specified by Wisconsin State Statutes. This change was requested by our Village Attorney due to the lack of options available with the current \$98.80 deposit amount. The fine for those under 15 will raise slightly.

I've removed the following from the Bond Schedule since we have never written them:

False Alarms - \$187

Alarm Registration - \$124

Trespassing on Fire Lane - \$250

Note that these violations can still be written, but the fine would be the default of \$187.

Village of Summit Bond Schedule- Municipal Offenses

Ordinance	Description	Deposit Amount	Total Bond
4-19	Restraint of Vicious Dogs	\$200.00	\$313.00
4-20	Dogs Running at Large	\$50.00	\$124.00
4-21	Open Gates	\$50.00	\$124.00
4-22	Howling Dogs	\$50.00	\$124.00
4-25	Licensing of Dogs	\$50.00	\$124.00
6-52	Adult Establishments	\$200.00	\$313.00
6-77	UAD & Furnishing to Minors	\$100.00	\$187.00
6-136	Direct Sellers & Solicitors	\$100.00	\$187.00
8-21	Cemetery Closing Hours	\$50.00	\$124.00
8-26	Cemetery Property Damage	\$200.00	\$313.00
12-20	Open Burning Prohibited	\$100.00	\$187.00
12-22	Burning on Public Roadways Prohibited	\$100.00	\$187.00
18-58	Storage of Junk Vehicles	\$50/day + costs	\$50/day + costs
20-1	Possession of Drug Paraphernalia	\$400.00	\$565.00
20-1	Possession of Marijuana	\$400.00	\$565.00
20-1	Damage to Property	\$300.00	\$439.00
20-1	Trespassing (Land)	\$60.00	\$161.80
20-1	Trespassing (Dwelling)	\$250.00	\$376.00
20-1	Issuance of Worthless Check	\$300.00	\$439.00
20-1	Disorderly Conduct	\$400.00	\$565.00
20-1	Battery	\$400.00	\$565.00
20-1	Theft	\$250.00	\$376.00
20-1	Resisting/Obstructing	\$400.00	\$565.00
20-1	DC w/ Motor Vehicle	\$100.00	\$187.00
20-1	Other Offenses Not Listed	\$100.00	\$187.00
20-29	Children in Street at Night	\$50.00	\$124.00
20-30	Parental Violation	\$50.00	\$124.00
20-55	Prohibited Use of Firearms	\$100.00	\$187.00
20-56	Rifle Prohibition	\$100.00	\$187.00
20-78	Restricted Use of Fireworks	\$100.00	\$187.00
20-104	Loitering or Prowling	\$100.00	\$187.00
20-105	Obstruction of Highway by Loitering	\$100.00	\$187.00
20-106	Obstruction of Traffic by Loitering	\$100.00	\$187.00
20-107	Loitering After Requested to Move	\$100.00	\$187.00
20-108	Loitering in School/Playground Areas	\$100.00	\$187.00
22-1	DNR Parking Violation	\$60.00	\$60.00
22-3	Park Hours	\$50.00	\$124.00
22-4	Motorized Vehicles in Park Prohibited	\$50.00	\$124.00
22-5	Misc. Park Rules	\$50.00	\$124.00
24-6	Placing Snow in Roadways	\$50.00	\$124.00
26-1	Traffic Code	Use Bond Book	Use Bond Book
26-3	Parking Restrictions	\$30.00	\$30.00
26-6	Snowmobile Rules	\$50.00	\$124.00
26-7	All-Terrain Vehicles	\$50.00	\$124.00
26-8	Motor Vehicle Noise (Jake Braking)	\$50.00	\$124.00
26-11	Heavy Motor Vehicles	\$250.00	\$376.00
30-67	Emergency Slow No wake	\$60.00	\$136.60
103-289	Display Building Numbers	\$50.00	\$124.00

Revised 04/04/2024 MJH

Fines for Juveniles under 15 will be \$124 unless otherwise specified by WI State Statute



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MEMORANDUM

To: Village Board

From: Chief Michael Hartert

Date: March 20, 2024

Re: Repealing and Recreating Section 1-7 (c) of the Village Code relating to ***General Penalty; Continuing Violations.***

BACKGROUND: The current penalty section of our Municipal Code allows for a maximum penalty of \$500 plus the cost of prosecution for a first violation, and a maximum of \$1000 for continued violations. These maximum penalties are in conflict with current fines for certain violations.

ATTACHMENTS: Current Ordinance; Proposed Ordinance.

FISCAL IMPACT: No cost to Village.

RECOMMENDED: Motion to approve Ordinance 127-2024.

ORDINANCE NO. 127- 2024

-chapter 1,

AN ORDINANCE TO REPEAL AND RECREATE SECTION 1-7 (c) OF THE CODE OF THE VILLAGE OF SUMMIT RELATING TO GENERAL PENALTY; CONTINUING VIOLATIONS

THE VILLAGE BOARD OF THE VILLAGE OF SUMMIT, WAUKESHA COUNTY, WISCONSIN **DO ORDAIN AS FOLLOWS:**

(Chapter 1,

SECTION 1: Section 1-7 (c) of the Code of the Village of Summit relating to **General Penalty; Continuing Violations** is hereby repealed and recreated to read as follows:

Sec. 1-7. - General Penalty; Continuing Violations.

(c) Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be punished as follows:

(1) First Offense – Penalty. Any person who shall violate any provisions of this Code shall, upon conviction thereof, forfeit not less than \$5.00 nor more than \$2,000.00 together with the costs of prosecution and in default of such forfeiture and costs of prosecution shall be imprisoned in the County Jail until such forfeiture and costs are paid, but not exceeding 90 days.

(2) Second Offense – Penalty. Any person found guilty of violating any ordinance or part of an ordinance of this Code who shall previously have been convicted of a violation of the same ordinance within one year shall be upon conviction thereof, forfeit not less than \$10.00 nor more than \$2,000.00 for each offense, together with the costs of prosecution and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until such forfeiture and costs of prosecution are paid, but not exceeding 6 months.

SECTION 2: SEVERABILITY. The section of this Ordinance is declared to be severable. If any section or provision thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such declaration shall apply only to the specific section(s) or portion(s) thereof directly specified in said declaration, and shall not affect the validity of any other provisions, sections, or portions of the Ordinance, which shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and posting/publication as provided by law.

This Ordinance passed this ____ day of _____, 2024.

VILLAGE OF SUMMIT

By: _____
Jack Riley, Village President

Attest: _____
Debra J. Michael, Village Administrator/ Clerk/Treasurer

Published/Posted the ____ day of _____ 2024.

This is to certify that this is a true and accurate copy of the Ordinance #127-2024.

Debra J. Michael, Village Administrator

Sec. 1-7. - General penalty; continuing violations.

- (a) In this section the term "violation of this Code" means any of the following:
- (1) Doing an act that is prohibited or made or declared unlawful, an offense, a violation or a misdemeanor by ordinance, by statute adopted by reference in this Code, by state rule or regulation adopted by reference in this Code, or by order, rule or regulation authorized by ordinance.
 - (2) Failure to perform an act that is required to be performed by ordinance, by statute adopted by reference in this Code, by state rule or regulation adopted by reference in this Code or by order, rule or regulation authorized by ordinance.
 - (3) Failure to perform an act if the failure is prohibited or is made or declared unlawful, an offense, a violation or a misdemeanor by ordinance, by statute adopted by reference in this Code, by state rule or regulation adopted by reference in this Code or by order, rule or regulation authorized by ordinance.
- (b) In this section the term "violation of this Code" does not include the failure of a village officer or village employee to perform an official duty unless it is specifically provided that the failure to perform the duty is to be punished as provided in this section.
- (c) Except as otherwise provided by law or ordinance, a person convicted of a violation of this Code shall be punished as follows:
- (1) For the first offense, by a forfeiture of not less \$10.00 nor more than \$500.00, plus costs of prosecution.
 - (2) For each subsequent violation of the same provision by the person within one year, by a forfeiture of not less than \$10.00, nor more than \$1,000.00, plus costs of prosecution.
- (d) Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense. Except as otherwise provided by law or ordinance, as to violations that are not continuous with respect to time, each act constitutes a separate offense.
- (e) The imposition of a forfeiture does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions.
- (f) Violations of this Code that are continuous with respect to time are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent injunctive relief.

(Code 2006, § 1-1; Ord. No. 218, 2-6-1997)

State Law reference— Ordinance violations, Wis. Stats. § 66.0109 et seq.; imprisonment for failure to pay forfeiture and other remedies available to court for ordinance violations, Wis. Stats. § 800.09 et seq.



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MEMORANDUM

To: Village Board

From: Chief Michael Hartert

Date: March 26, 2024

Re: Revision and Updating of Police Policies Contract

BACKGROUND: At this year's Strategic Planning Meeting, I requested approval to enter into a contract with Custom Service Information, LLC for the revision of our Departmental Policies and Procedures. This request was approved by the Board at a cost of \$2,500 for the initial policies, and \$550 for yearly maintenance. All of these costs would be covered by the Wisconsin League of Municipalities Insurance Company.

I've received the contract for this service. Does the Board feel that this should be reviewed by our Village Attorney, or entered into as written?

ATTACHMENTS: Contract; E-mail from Wi League of Municipalities Insurance Co.

FISCAL IMPACT: None – All fees are reimbursed by the Wisconsin League of Municipalities Insurance Company.

RECOMMENDED: Motion to allow Chief Hartert to enter into a contract with Custom Service Information, LLC.

Service Contract
Between
Custom Service Information LLC
&
The Summit Police Department

I. This agreement entered into this 5th day of April, 2024 by and between Custom Service Information LLC, herein referred to as CSI and the Summit Police Department herein referred to as SPD.

II. CSI shall perform the following services for SPD:

- Provide written drafts of Policy & Procedures.
- Provide a Table of Contents for the SPD Policy & Procedure Manual.
- Complete all work prior to July 31, 2025. The Table of Contents and Template (used to create the Policy & Procedures) shall be due to SPD first. Subsequently, two (2) policies shall be provided to SPD each week until the work is completed. Actual weekly production will be dependent upon the total number of policies needed and their length and complexity. It is also understood that time permitting, CSI may provide more or less than the weekly minimum number of policies referenced above.
- The work that is to be performed and delivered by CSI shall be provided in draft form for approval by SPD. When drafts are provided and SPD does not make any suggested changes within 30 days, said drafts shall become the final work product performed by CSI.
- When completed, the policies become the sole property of SPD and shall be provided to SPD in Word documents and in an electronic format. SPD shall be responsible for any and all printing of their Policy & Procedure Manual and any related documents.

III. CSI shall receive compensation from SPD for the services described in section II:

- The maximum total sum not to exceed two thousand five hundred dollars (\$2,500.00) to be paid in four (4) payments. The deposit payment of five hundred dollars (\$500.00) shall be paid within thirty (30) days after final acceptance of this contract by both parties.
- Two (2) subsequent payments of seven hundred fifty dollars (\$750.00) shall be paid upon completion of approximately each one third (1/3) of the Policies outlined in the Table of Contents.

- The final payment consisting of the remaining balance shall be paid upon the fulfillment of the services agreed upon herein. CSI shall provide SPD with an Invoice each time payment is due.

IV. If travel to SPD becomes necessary; SPD shall reimburse CSI for actual travel and travel related expenses. For this purpose, State of Wisconsin employee guidelines for expense reimbursement shall govern reimbursement limits. Prior to any travel, CSI shall obtain advance approval from SPD and both parties shall agree upon the total amount of expenses to be reimbursed.

V. CSI and SPD further agree that Timothy Kriz is acting as an independent contractor for CSI and is not an employee of any law enforcement agency. Both parties also agree that SPD shall not be held liable or responsible for any benefits such as vacation time, sick pay, unemployment benefits, social security tax, insurance, or pension benefits that may be incurred on behalf of CSI or Timothy Kriz.

VI. Both parties mutually agree to release and hold harmless each other for any claims, losses, damages, costs or expenses that may arise during the performance of this contract. CSI is not providing legal counsel and makes no claims of legal representation, therefore CSI is not liable to provide any legal defense of the Policy & Procedures or any other services provided to SPD.

VII. It is understood and agreed that the terms and conditions of this contract shall be governed by the laws of the State of Wisconsin.

VIII. Any written notices or documentation required to be provided pursuant to the terms of the contract shall be sent to CSI at 2720 Boles Circle, Wisconsin Rapids, Wisconsin 54495, and to the Summit Police Department at 37100 Delafield Rd, Summit Wisconsin 53066.

IX. This contract shall remain in effect through July 31, 2025, unless said term is extended by the parties upon mutual written agreement.

X. This agreement sets forth the entire agreement of the parties and shall not be amended unless upon the written mutual agreement of both parties.

XI. Neither party shall assign to any other party or entity its rights or obligations under this contract without the express written consent of the other party.

XII. If any term of this contract shall, for any reason and to any extent be found invalid or unenforceable, the remaining terms shall be in full force and effect.

XIII. If either party believes that the other party has not performed an obligation under this agreement, the aggrieved party shall provide written notice to the defaulting party of the defaulting party's right to cure any alleged defect within 10 days of the notice being given.

If the default is not cured, the aggrieved party then has the right to terminate the contract. If the contract is terminated, the work done to date shall be turned over to SPD and such shall become the sole property of SPD. Under any such circumstances, CSI shall be entitled to a pro-rated fee for the work completed.

CONTRACT ACCEPTED:

CSI

SPD

By:

By:



Timothy A. Kriz
Owner/Manager CSI

Michael Hartert
Chief of Police/SPD

Date: 04/05/2024

Date: 04/05/2024

Michael Hartert

From: Wuenne, Nancy <nwuenne@rnr.com>
Sent: Tuesday, February 27, 2024 1:06 PM
To: Michael Hartert
Subject: CSI
Attachments: CSI_BROCHURE_04_21.docx

Hi Chief,

Thank you for calling earlier. I spoke to and received the attached confirmation from Matt Becker at the LWMMI that we will reimburse the cost of this product up to \$2,500 per year. All you need to do is submit the paid receipt to us and we will get a check reimbursed to you right away up to \$2,500 per year. There really is not a program name or anything I can provide to you for your strategic planning meeting other than what is in the attached brochure which I'm sure you have already.

Please let me know if this is adequate or if you need more from me.

Thanks

Nancy

Nancy Wuenne CPIA | R&R Insurance Services, Inc.
Program Specialist
2021 S. 18th Avenue, Suite 202 West Bend WI 53095
New



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MEMORANDUM

To: Village Board

From: Debbie Michael, Village Administrator-Clerk/Treasurer

Date: March 21, 2024

Re: Appointment to Boards, Committees, Commissions

BACKGROUND: Appointments are usually up in May of each year.
See attached matrix and applications/emails from those that are interested in serving.

ATTACHMENTS: Applications, emails of interest and matrix

FISCAL IMPACT: paid positions have been included in the 2024 budget at the current rate
(most are \$50 per meeting)

Staff recommends appointment based on discussion of Village Board

****All appointments are made by the board.**

2024

**PLAN COMMISSION APPOINTMENTS: *2 made by Village Board,
1 made by Village President (n/a until 2025)

***MOTION:** to appoint _____ as a regular member of the Plan Commission for a 3-year term.

***MOTION:** to appoint _____ as a regular member of the Plan Commission for a 3-year term.

CEMETERY BOARD APPOINTMENTS: made by Village Board:

MOTION: to appoint _____ as a regular member of the Cemetery Board for a 3-year term.

MOTION: to appoint _____ as an alternate member of the Cemetery Board for a 3-year term.

POLICE COMMISSION APPOINTMENTS: made by Village Board:

MOTION: to appoint _____ as a regular member of the Police Commission for a 3-year term.

ZONING BOARD OF APPEALS APPOINTMENTS: made by Village Board

MOTION: to appoint _____ as a regular member of the Zoning Board of Appeals for a 3-year term.

MOTION: to appoint _____ as a regular member of the Zoning Board of Appeals for a 3-year term.

MOTION: to appoint _____ as an alternate member of the Zoning Board of Appeals for a 3-year term.

RESIDENCE BOARD APPOINTMENTS: made by Village Board

MOTION: to appoint _____ as a regular member of the Residence Board for a 5-year term.

WESTERN LAKES FIRE DISTRICT BOARD APPOINTMENTS: made by Village Board:

MOTION: to appoint _____ as a member of the WLF D Board for a 3-year term.

WESTERN LAKES FIRE DISTRICT COMMISSIONER APPOINTMENTS: made by Village Board:

MOTION: to appoint _____ as a commissioner for the WLF D for a 5-year term.



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MEMORANDUM

To: Village Board

From: Debbie Michael, Village Administrator-Clerk/Treasurer

Date: March 22, 2024

Re: Insurance Proposal for 2024/2025

BACKGROUND: Since incorporation, the Village has been insured through the League of Wisconsin Municipalities Mutual Insurance Company in partnership with our local agent, Nancy Wuenne from R&R Insurance. The League's partner carriers include: Municipal Property Insurance Company (MPIC) (property), Hanover (crime), ACE (tank) and United Heartland (workers compensation).

The overall total package increase is 1.6%.

ATTACHMENTS: Summary of proposal from Nancy Wuenne, renewal packet.

FISCAL IMPACT: Estimated cost of insurance included in 2024 budget.

MOTION: **To approve the renewal proposal for Village insurance through the League of Wisconsin Municipalities Mutual Insurance program as presented.**

Hi Debbie,

Thank you so much for the prompt return and hard work on your renewal applications. I'm pleased to present the 24-25 Village of Summit Renewal Proposal from the League of Wisconsin Municipalities Mutual Insurance Program (LWMMI), the Municipal Property Insurance Company (MPIC) and our partner carriers that include Hanover, ACE and United Heartland.

I would direct your attention to pages 3-5 of the Proposal which are the comparison pages. This is a perfect quick glance at any changes from last year to this year:

The LWMMI package had a very minimal overall 2.0% increase from last year.

The MPIC property insurance went up by 8.3% from last year and that is mainly due to the values automatically going up by 8% as well as the fact that cost of building materials and supply chain issues continue to be an issue for all property carriers and recent wind and hail storms escalating property rates across the board.

Crime stayed the same and the tank had a minimal 4.1% increase or \$23 more than last year. However, the LWMMI is now offering the same crime limits be added to their package and the premium quoted is \$500 annually compared to Hanover at \$636. **If you want my recommendation, I think it would be best to add it to the LWMMI Package policy, not just for the small premium savings but because it would be part of the big bundle of coverages they do so well with.**

The Workers Compensation decrease of -0.9% is due to the State regulated rates going down from last year despite the fact that your payroll went up by \$115,652 and the Mod went from 0.82 to 0.85. (See page 4)

Over all it is a total package of premiums increase of 1.6%. (well below average and well below the budget numbers given to you back in September)

I am happy to come out and meet with you at any time to go over all of this. A zoom call or even a simple phone call, whatever you prefer, please let me know. I always enjoy working with you, you are truly one of my favorite people, so please let me know what I can do to make this process easier. My direct line is.

I look forward to hearing from you either way on if you want to set up a meeting or if we can renew as proposed with our recommendation on the Crime. There is no rush as we are way ahead of the renewal date this year 😊

Have a great rest of your day!

Sincerely,

Nancy

Insured Name: Village of Summit

Nancy Wuenne/Ashley Pettit
Effective: 5/1/2024

Premium Comparison

Company Year	Prior Year	Current Year - By Companies Quoting		
	<u>LWMMI</u> 2023	<u>LWMMI</u> 2024	Difference	
Coverages				
General Liability	\$7,370.00	\$6,898.00	-\$472.00	-6.4%
Police Prof Liability	\$8,102.00	\$8,659.00	\$557.00	6.9%
Public Officials Liability	\$4,355.00	\$4,570.00	\$215.00	4.9%
Auto Liability	\$2,848.00	\$2,831.00	-\$17.00	-0.6%
Auto Physical Damage	\$4,178.00	\$4,371.00	\$193.00	4.6%
Dam	\$500.00	\$500.00	\$0.00	0.0%
Cyber	\$2,854.00	\$2,982.00	\$128.00	4.5%
Package Total	\$30,207.00	\$30,811.00	\$604.00	2.0%
Property	\$9,629.00 <i>MPIC</i>	\$10,433.00 <i>MPIC</i>	\$804.00	8.3%
Crime	\$636.00 <i>Hanover</i>	\$636.00 <i>Hanover</i>	\$0.00	0.0%
Tank	\$557.00	\$580.00	\$23.00	4.1%
Other Coverages Subtotal	\$10,822.00	\$11,649.00	\$827.00	7.6%
Workers Compensation	\$29,472.00	\$29,194.00	-\$278.00	-0.9%
Estimated Premium	\$70,501.00	\$71,654.00	\$1,153.00	1.6%
Exposure changes				
	<u>2023</u>	<u>2024</u>	<u>Difference</u>	
Package Changes				
Total Payroll	\$1,540,639	\$1,656,290	115,651	7.5%
# of Full Time Police Officers	10.5	11	1	4.8%
Number of Vehicle	12	12	0	0.0%
Population	5061	5,202	141	2.8%
APD - Total Original Cost	\$749,574	\$751,756	2,182	0.3%
APD- Total Number of Vehicles	12	12	0	0.0%
Crime				
Optional Quote with LWMMI:				
Limit \$250,000				
Deductible \$2,500				
Annual Premium \$500				
Property (See Additional Page)				
Work Comp (See additional page)				

Insured Name: Village of Summit

Effective: 5/1/2024

Workers' Compensation Comparison

Code	Classification	2023		2023		2024		2024		2024		2024		2024	
		Payroll Exposure	Rate	Premium	Rate	Payroll Exposure	Rate	Premium	Rate	Payroll Exposure	Rate	Premium	Rate	Payroll Exposure	Rate
7720	Police Officers	993,454	2.67	26,525	2.42	1,067,240	2.42	25,827	73,786	-0.25	-9.4%	(698)			
8810	Clerical Office	315,440	0.17	536	0.17	341,851	0.17	581	26,411	0.00	0.0%	45			
9414	Village Operations	231,745	4.73	10,962	4.01	247,200	4.01	9,913	15,455	-0.72	-15.2%	(1,049)			
Totals		1,540,639		38,023		1,656,291		36,321	115,652			(1,702)			
Experience Mod			0.82	(6,844)	0.85			(5,448)		0.03		1,396			
Premium Discount			6.20%	(1,927)	6.20%			(1,899)		0.00%		28			
Expense Constant				220				220				0			
Terrorism Coverage			0.00	0	0.00			0				0			
Total Premium				\$29,472				\$29,194				-\$278			

Insured Name: Village of Summit

Property Comparison

Effective: 5/1/2024

	Prior Year MPIC 2023	Current Year MPIC 2024	Difference	
Building, BPP, PITO				
Premium	\$7,306.00	\$7,862.00	\$556.00	8%
Coverage Limit	9,417,371	9,888,248	\$470,877.00	5%
Rate	\$0.0776	\$0.0795	\$0.00	2%
Deductible	\$2,500.00	\$2,500.00	\$0.00	0%
Contractor's Equipment				
Premium	\$1,730.00	\$1,928.00	\$198.00	11%
Coverage Limit	786,180	876,449	\$90,269.00	11%
Rate	\$0.22	\$0.22	\$0.00	0%
Deductible	\$1,000.00	\$1,000.00	\$0.00	0%
Equipment Breakdown				
Premium	\$593.00	\$643.00	\$50.00	8%
Coverage Limit	9,417,371	9,888,248	\$470,877.00	5%
Rate	\$0.0063	\$0.0065	\$0.00	3%
Deductible	\$1,000.00	\$1,000.00	\$0.00	0%
Property Total	\$9,629.00	\$10,433.00	\$804.00	8%