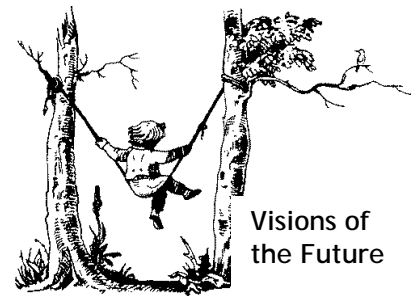


Village of Rochester

300 W. Spring Street
P.O. Box 65
Rochester, WI 53167

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Reflections of
the Past...



AGENDA
VILLAGE OF ROCHESTER
VILLAGE BOARD MEETING
MONDAY, MAY 9, 2016
7:00 P.M.

ROCHESTER VILLAGE HALL, 300 W. SPRING ST., ROCHESTER, WI

1. **Roll Call by Village President: Ed Chart**
Village Trustees: Nick Ahlers, Gary Beck, Chris Bennett, Russ Kumbier, Chris Johnson, Mike Weinkauf
2. **Pledge of Allegiance**
3. **Correction or approval of April 11, 2016 minutes**
4. **Period of Public Comment for Pre-Registered Citizens.**
Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this municipality that citizens be pre-registered to present comments or suggestions to the Village Board. Registration forms will be available at the meeting and must be turned in to the Village Clerk prior to the start of the meeting. Pre-registered Citizens will be called by name by the Village President and are subject to a three minute time period, per person, with time extensions granted at the Village Board's discretion. Be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments.
5. **Department Reports**
 - A. **Sheriff's Department**
 1. **Activity Report**
 2. **Communication or directives for upcoming quarter**
6. **Memorial Day Parade and Ceremony Preparations**
- 7:30 p.m. **Public Hearing: Ordinance #2016-4 "Amending the Municipal Code of the Village of Rochester to Create Section 9-8, Sale and Discharge of Fireworks Restricted, and to Amend Section 35-21.G.10.f., Fireworks Possession, Sales and Use, and to Amend Section 35-176.B.2., Monument Signs"**
7. **Second Reading and Possible Adoption: Ordinance #2016-3 " Amending the Deposit Schedule of the Village of Rochester to Specify Forfeiture for Several Violations"**
8. **Second Reading, Plan Commission Recommendation, and Possible Action: Ordinance #2016-4 "Amending the Municipal Code of the Village of Rochester to Create Section 9-8, Sale and Discharge of Fireworks Restricted, and to Amend Section 35-21.G.10.f., Fireworks Possession, Sales and Use, and to Amend Section 35-176.B.2., Monument Signs"**

9. Resolution #2016-5 "A Resolution Amending the Fee Schedule for the Village of Rochester to add fees for Fireworks Permits
10. First Reading: Ordinance #2016-5 " Amending the Municipal Code of the Village of Rochester to Repeal and Recreate Section 7-12, Noxious Weeds, Natural Lawns and Grass Cutting; and Resolution #2016-4 "Amending the Fee Schedule for the Village of Rochester to Add Fees for Natural Lawns Permits"
11. Discuss Policy Requiring Minimum Insurance Requirements for Sub-contractors
12. 2016-2017 Committee and Board Appointments
13. Correspondence:
 - A. Wisconsin Dept. of Transportation: MSID Funding Application for N. River Road
14. Committee/ Representative Reports:
 - A. Ordinance Committee
 1. Report on discussion and action taken at previous meetings and future agenda items. Next meeting: May 16, 2016 (6:00 p.m.)
 - B. Rochester Fire and Rescue Company Executive Board
 1. Report on discussion and action taken at previous meetings and future agenda items. Next meeting: June 6, 2016
 - C. Central Racine County Health Department
 1. Report on discussion and action taken at previous meetings and future agenda items. Next meeting: May 19, 2016
 - D. Honey Lake Protection and Rehabilitation District Board
 1. Report on discussion and action taken at previous meetings and future agenda items. Next meeting: May 17, 2016
 - E. Finance Committee
 1. Review of Monthly Disbursements and Cash Sheet
 2. Board Action
15. Reminder: May Public Works/ Village Board Meeting Rescheduled to Monday, May 16th
16. Adjourn

Betty Novy, Clerk/Treasurer

Posted: May 6, 2016

-It is possible that members and possibly 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 governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

-Please note: 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, please contact the Village Hall at 262-534-2431. Next Meeting: May 16, 2016

Ed Chart called the meeting to order at 7:00 p.m. with Nick Ahlers, Gary Beck, Chris Bennett, Chris Johnson and Mike Weinkauff present. Russ Kumbier was absent.

Betty Novy, Clerk-Treasurer; and Jon Schattner, Zoning Administrator, were also present.

Pledge of Allegiance.

Minutes. Weinkauff moved, 2nd by Beck to approve minutes from the March 14, March 24, and March 28, 2016 meetings as printed. Motion carried.

Period for Public Comment for Pre-Registered Citizens. None.

Department Reports:

Sheriff. Deputy Milam was present. Milam presented a written report showing the following statistics for March: one accident; three speeding citations; twelve traffic citations; one parking citation; and fifteen warnings were issued. There were twenty-eight ordinance arrests and one misdemeanor arrest. Complaint statistics were as follows: twenty-four complaints originated through calls directly to the Sheriff's Department; Deputy Milam originated sixteen on her own, performed follow up on forty-five, and assisted with two. Milam also reported twenty-two working days, 185.5 hours and 1,221 miles driven under the contract. Forty-three foot patrols were also conducted. A call detail report was also reviewed.

Additionally, Milam reported another theft from Lynch Truck Center; and a shots fired call on Academy Road. Milam was questioned on some of the protections that must be in place before discharging a weapon. Proper backstops and the need to be a certain number of feet from the dwelling of another are some of the items used to determine whether the discharge of a weapon was done safely. Milam brought up the Color Run event which is scheduled for May 7th. She asked the Board if it was okay to proceed with event planning in the same format as last year. Board members did not indicate any objections.

Central Racine County Health Department. Public Health Nurse Margaret Gesner presented the department's annual report noting it has now been a full year since the merger of the Western Racine County Health Department with the Central Racine County Health Department. Newly joined municipalities, including the Village of Rochester, now have voting members on the Board of Health. The health department received a five-year accreditation as a Level II health department from the state of Wisconsin; and became a nationally accredited Healthy Families America (HFA) home visiting program last year. Gesner noted the health department's licensing functions are new to Rochester. Last year the department conducted 1,100 inspections at 714 licensed facilities. They also handled 800 reports of communicable diseases, including fifteen institutional outbreaks. They conducted a mass clinic event at the Burlington High School, providing flu vaccines to staff and students. They also hosted three medication collection events. They came in on budget last year and kept their 2016 funding request from participating municipalities flat. 46% of the department's income comes from grants; 15% incomes comes from license and fees; and the balance is funded by the municipalities. Gesner was thanked for the presentation.

Plan Commission Recommendation and Possible Action on Resolution 2016-2: "A Resolution Approving a Specific Implementation Plan for Phase II of The Settlement of Rochester Condominium Pursuant to the Village of Rochester Planned Unit Development Overlay Zoning"

Applicant/ Owner: Phil Anderson, General Manager/ Harpe Development Quality Homes L.L.C.

Schattner presented an aerial exhibit displaying the different phases of the development and explained that the proposal is to proceed into Phase II according to the originally approved plans. Dustin Harpe, Owner; Phil Anderson, General Manager; and Atty. Tomaselli, legal counsel, were all present representing Harpe Development. Weinkauff reported on Plan Commission consideration of the request for specific implementation

plan approval at its April 7th meeting noting only minor revisions to the original plans were necessary. The developer will be allowed to modify the design of the mountable curbs by depressing the areas where driveways cross. This will help prevent some of the failures they have encountered with the current design. Additionally, a requirement to install a handicap accessible path to the bike trail on the north end of the development was removed due to difficulty fitting it into the grades in that area. Schattner noted that the recommended conditions of approval submitted by the Plan Commission were documented in Resolution 2016-2. Bennett moved, 2nd by Ahlers to approve Resolution #2016-2 approving the specific implementation plan for Phase II of The Settlement of Rochester. Motion carried.

Review and Possible Action on Developer's Agreement for Phase II: "The Settlement of Rochester"

Novy reported the first condition of specific implementation plan approval is that the developer enter into a development agreement with the Village of Rochester prior to any construction. She continued that the proposed development agreement presented to the Board provides assurances for the public improvements, including a financial guarantee to cover the village's expenses. The village may not require financial guarantees for private improvements, but some language has been included to ensure that the developer completes the work. Initial review by Board members indicated that section II.H. "Sidewalks" should be struck from the agreement (pertaining to the bike trail connection).

Atty. Tomaselli then reported on his communications with the village attorney in preparing the development agreement. He noted some minor revisions are still in the works, but that the major terms in the proposed agreement are acceptable to Harpe Development. It was also noted that Harpe Development is executing a separate agreement with the condominium association to deal with the completion of private improvements.

Beck moved, 2nd by Weinkauf to approve the developer's agreement for Phase II of "The Settlement of Rochester" subject to the review and final approval by the Village Attorney. Motion carried.

Request to waive Sewer Connection Fee: Millgate General Store

Michael Hurst was present representing Millgate General Store. Board members reviewed his written request asking that the \$6,000 sewer connection fee for the gas station/convenience store be waived. Justification for the request included over \$28,000 in costs incurred by Millgate in 2007 to construct and extend public sewers through an adjacent property, of which only \$10,000 was recovered from the benefited property. The Village had offered to assist with the collection of those monies at that time, but was unable to do so when the bank foreclosed on the property and the village attorney determined no monies from the adjacent property's financial guarantee could be utilized to reimburse Millgate. Beck moved, 2nd by Johnson to waive the sewer connection fee for Millgate General Store. Motion carried.

First Reading: Ordinance #2016-3 "Amending the Deposit Schedule of the Village of Rochester to Specify Forfeiture for Several Violations"

Novy reported this ordinance was being introduced at the request of the zoning administrator and Deputy Milam. When the consolidated code of ordinances was passed for the village; the deposit schedule was changed from specifying a fine for zoning and certain other violations to a simple statement "Appearance Required". The Village Attorney indicated this was so that the person in violation would be required to appear in court and come up with a plan to come into compliance. Novy continued that the zoning administrator and Deputy Milam always work with those violating ordinances to achieve compliance before issuing a citation. A citation is only issued when the individual is not cooperating. As such, they would like fines to be reinstated for these ordinance violations. Consensus of the Board was to schedule the second reading for the May meeting.

Ordinance Committee Recommendation/ First Reading: Ordinance #2016-4 “ Amending the Municipal Code of the Village of Rochester to Create Section 9-8, Sale and Discharge of Fireworks Restricted, and to Amend Section 35-21.G.10.f., Fireworks Possession, Sales and Use”

Beck reported on the consideration of this ordinance by the Ordinance Committee. Currently, the use of fireworks is prohibited in the village. This ordinance allows for the use of fireworks by permit only; and provides guidance for their use and sales. The permit application requires that the applicant indicate the days that they are going to use the fireworks. Also, the clerk is directed to provide the fire company with a report of the permits that are issued so that they become aware of where and what kind of fireworks will be used. There was some discussion regarding the difference between novelty and statutory fireworks. It was also noted that some provisions of the ordinance regarding the sales of fireworks affect the zoning code. The Plan Commission will need to provide a recommendation on the ordinance; and a public hearing will need to be conducted before the ordinance can be adopted. Consensus of the Board was to schedule the public hearing for the May meeting.

Resolution 2016-3 “A Resolution for Endorsement of the Comprehensive Economic Development Strategy (CEDS) for Southeastern Wisconsin 2015- 2020”

Novy reported this resolution was drafted as follow up to direction given at the March 14th meeting. Beck moved, 2nd by Ahlers to adopt Resolution #2016-3. Motion carried.

Determine compliance with conditional award of Crack-filling Work: Asphalt Services LLC

Schattner presented a report confirming that the operations of Asphalt Services LLC were currently in compliance with the village zoning code. An updated proposal to perform 2016 crack filling work was also reviewed containing the changes discussed at the March 28th meeting. Weinkauff moved, 2nd by Johnson to accept the report finding Asphalt Services in compliance with village ordinances; and to award the 2016 crack filling work to Asphalt Services LLC for the amount of \$27,401. Motion carried.

Determine compliance with conditional award of Chip Sealing Work: Scott Construction

Board members reviewed an email from Scott Construction confirming that the company will provide notice of their approximate work schedule two weeks before performing the chip sealing work; that excess chip sealing material will be swept and cleaned up within five business days of its installation; and that if there are any changes or delays to their schedule that they will notify the public works manager of the change. Weinkauff moved, 2nd by Bennett to award the 2016 chip sealing work to Scott Construction for \$32,853. Motion carried.

Correspondence was read from the Wisconsin Dept. of Transportation regarding the award of Fox Grove Road Funding; the Wisconsin Dept. of Transportation transmitting an upcoming meeting notice regarding the reconstruction of WIS State Highways 20/83; the Southeastern Wisconsin Regional Planning Commission transmitting a Vision 2050 Workshop notice; and the League of Wisconsin Municipalities transmitting an invitation to their Local Government 101 Workshop.

Committee Reports:

Ordinance Committee: Beck reported the next meeting of the ordinance committee is to be determined.

Rochester Fire Company Executive Board: Kumbier was absent. The next meeting of the Board is Monday, May 2, 2016.

Central Racine County Health Department: Bennett had nothing to add to the report provided by the Public Health Nurse. The next meeting of the board is Thursday, April 21, 2016.

Honey Lake Protection and Rehabilitation District Board: Weinkauff reported on the district's last meeting held on March 15th. The district discussed flume pipe and dam repairs. They are still waiting to hear back regarding the construction of a house on the Leonard property. The spring clean-up has been scheduled for May 21st and will be run in the same manner as the past. The next meeting of the district is Tuesday, April 19th.

Finance Committee: Beck reported on the recommendations of the committee including approval of all disbursements listed on the check detail dated March 15, 2016 – April 11, 2016. Chart moved, 2nd by Bennett to accept the Finance Committee's recommendation and approve the March 15, 2016 – April 11, 2016 check detail. Motion carried.

Bennett moved, 2nd by Johnson to adjourn at 8:24 p.m. Motion carried.

Respectfully submitted:

Betty J. Novy, MMC CMTW WCPC
Clerk-Treasurer



RACINE COUNTY SHERIFF'S OFFICE

717 Wisconsin Avenue, Racine, WI 53403-1237

(262) 886-2300 FAX (262) 637-5279

Waterford (262) 534-5166 Burlington (262) 763-9558

Sheriff Christopher K. Schmaling

Chief Deputy John C. Hanrahan

Village of Rochester April 2016 Activity Report

Citations

Accidents: 0 Speeding: 2 Traffic: 6 Parking: 4 Warnings: 4

Arrests

Felony: 0 Misdemeanor: 0 Ordinance: 1 OWI: 0

Complaints

Assigned: 21 Deputy Initiated: 7 Assisted: 0 Follow up: 48

Other Activities

Warrants Served: 2 Civil Process Served: 1

Foot Patrols: 40

Work Days; 19

Miles Driven; 1020

Hours; 156.75

Time out of the Village : 0 Hr.

Sergeant Bill Mattke

ACTIVITY REPORT FOR ROCHESTER APRIL 2016

SHF	NAME	# OF DAYS	MILES DRIVEN	TOTAL HOURS WORKED	CMPLS ASGND	CMPLS ORIG	CMPLS FL-UP	CMPLS ASIST	CMPLS TOTAL	ARR SPD	CIT ACC	ARR TRFC	PARK	OWI	WARN	ORD NTRF	ARR MISD	ARR FEL	ARR ACC	ARR TOT	WRNT ATMD	WRNT SRVD	CIVIL ATMD	CIVIL SRVD	FOOT PTRL	OUT OF VIL
2	MILAM,C	19	1020	152.75	21	7	48	0	76	2	0	6	0	0	4	1	0	0	2	11	0	2	1	0	40	0
Total SHF 2:		19	1020	152.75	21	7	48	0	76	2	0	6	0	0	4	1	0	0	2	11	0	2	1	0	40	0
TOTAL ALL:		19	1020	152.75	21	7	48	0	76	2	0	6	0	0	4	1	0	0	2	11	0	2	1	0	40	0

VILLAGE OF ROCHESTER
NOTICE OF HEARING
ORDINANCE NO. 2016-4
MAY 9, 2016

NOTICE IS HEREBY GIVEN by the Village Board of the Village of Rochester, Racine County, Wisconsin, of a public hearing regarding changes to the Municipal Code of the Village of Rochester, being the creation of Section 9-8, Sale and Discharge of Fireworks Restricted, and the amendment of Section 35-21.G.10.f, Fireworks Possession, Sales and Use, and 35-176.B.2, Monument Signs. This ordinance creates regulations and a permitting process for the use of fireworks in the Village, and amends the existing fireworks provisions in the Planning and Zoning Code, along with amending the height requirements for monument signs.

This hearing will be held on May 9, 2016 at 7:30 p.m. or shortly thereafter in the Rochester Village Hall, 300 West Spring Street, Rochester, Wisconsin, during a meeting of the Village Board.

A complete text of the ordinance is available upon request at the Village Hall.

THE FIREWORKS PROVISIONS OF THIS ORDINANCE HAVE THE EFFECT OF CHANGING THE ALLOWABLE USE OF ALL PROPERTY IN THE VILLAGE, AND THE MONUMENT SIGN PROVISIONS HAVE THE EFFECT OF CHANGING THE ALLOWABLE USES IN THE BUSINESS AND INDUSTRIAL DISTRICTS, AS SHOWN ON THE ZONING MAP FOR THE VILLAGE OF ROCHESTER. A MAP OF THE ZONING DISTRICTS IS ON FILE AND AVAILABLE FOR VIEWING AT THE VILLAGE HALL, AND IS ALSO AVAILABLE ON THE VILLAGE OF ROCHESTER WEBSITE AT:
<http://rochesterwi.us/>

NOTICE IS FURTHER GIVEN that at said hearing opportunity will be given to any person or persons, whether or not represented by agent or attorney, to be heard either for or against the requested Code changes.

Dated at Rochester, Wisconsin, this 21st day of April, 2016.

BY ORDER OF THE VILLAGE BOARD

Betty Novy
Clerk-Treasurer

Published in the Burlington Standard Press April 21, 2016 and April 28, 2016.
Posted April 21, 2016

ORDINANCE NO. _____
Amending the Deposit Schedule of the Village of Rochester
to Specify Forfeiture for Several Violations

WHEREAS the Village of Rochester maintains a Schedule of Cash Deposits (Municipal Deposit Schedule) pursuant to Village of Rochester Municipal Code s. 50-24F, which includes deposit amounts for various Village ordinance violations, court costs in the amount allowed by Wisconsin Statutes, and surcharges, assessment and costs imposed by Wisconsin Statutes; and

WHEREAS s. 50-24.F.4. of the Municipal Code provides a formula for calculating the deposits allowed for offenses that are not specifically listed in the Schedule, and certain offenses are listed in the Schedule as requiring mandatory appearances. The Village Board has determined to eliminate the mandatory appearances required in the Deposit Schedule unless otherwise required by statute, and to specify deposit amounts for offenses that currently do not contain them pursuant to the formula set forth in s. 50-24.F.4. of the Code:

NOW, THEREFORE, the Village Board of the Village of Rochester, Racine County, Wisconsin, do ordain as follows:

I. That the following sections of the Village of Rochester Municipal Deposit Schedule are hereby amended as follows:

10-50	All other Sewer violations – see also 10-50.E. for violations of Racine County regulations	\$100.00
11-50	Other Building, Plumbing, Electrical and Mechanical Code violation	\$100.00
12-50.B	Other Stormwater Utility violation Any violation may result in liability for loss or damage related to the violation	\$100.00
17-50	Violation of Chapter 17, Finance and Taxation	\$100.00
20-50	Housing Code violation	\$100.00
21-50	Other Mfd. Housing Code violation- minimum fine is \$200, maximum is \$500, plus all costs	\$250.00
30-502.B	Other Land Division violation- minimum fine is \$100, max is \$400, plus all costs. See also 30-502.B for statutory penalties	\$200.00
31-50	Other Construction Site Erosion Control violation	\$100.00
32-50.A	Post-construction Stormwater or Pond violation	\$100.00
35-500.B	All other Planning and Zoning violations	\$100.00
36-500.C	Shoreland-Wetland or Shoreland violation	\$100.00
37-50.B	Floodplain Zoning violation – fine is	\$50.00

\$50 plus costs per day

39-50

Livestock Facilities violation

\$100.00

All applicable costs shall be added to this base deposit amount and shall be reflected in the Deposit Schedule.

II. That subsequent changes to Deposit Amounts for various Village Ordinance violations shall be reflected in the Schedule by routine updates to the Schedule as ordinances and penalties are revised and/or adopted.

III. That subsequent changes to statutorily required court costs, surcharges, assessments and costs imposed by Wisconsin Statutes shall be automatically included in the Schedule.

IV. This ordinance shall take effect after passage and publication as provided by law. All other language contained in the Municipal Code of the Village of Rochester shall remain without change and in full force and effect.

Introduced:

Passed and adopted:

BY ORDER OF THE VILLAGE BOARD

Ed Chart, President

ATTEST:

Betty J. Novy, Clerk-Treasurer

ORDINANCE NO. 2016-4

Amending the Municipal Code of the Village of Rochester to Create Section 9-8, Sale and Discharge of Fireworks Restricted, and to Amend Section 35-21.G.10.f., Fireworks Possession, Sales and Use, and to Amend Section 35-176.B.2., Monument Signs

The Village Board of the Village of Rochester, Racine County, Wisconsin, do ordain as follows:

I. That Chapter 9, Regulations, Licenses and Permits, Section 9-8, Sale and Discharge of Fireworks Restricted, is hereby created as follows:

9-8 SALE AND DISCHARGE OF FIREWORKS RESTRICTED

A. State Laws Adopted. The statutory provisions of Wis. Stat. s. 167.10, as may be amended from time to time, regulating the sale and use of fireworks, except in so far as this ordinance is more restrictive as to use, are hereby adopted by reference and made part of this Section as though fully set forth herein. This Section is adopted pursuant to Wis. Stat. s. 167.10(5).

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

1. "Novelty Fireworks" means the following types of fireworks:
 - A cap containing not more than 1/4 grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
 - A toy snake which contains no mercury.
 - A sparkler on a wire or wood stick not exceeding 36 inches in length that is designed to produce audible or visible effects or to produce audible and visible effects.
 - A device designed to spray out paper confetti or streamers and which contains less than 1/4 grain of explosive mixture.
 - A fuseless device that is designed to produce audible or visible effects or audible and visible effects, and that contains less than ¼ grain of explosive mixture.
 - A device that is designed primarily to burn pyrotechnic smoke-producing mixtures, at a controlled rate, and that produces audible or visible effects, or audible and visible effects.
 - A cylindrical fountain that consists of one or more tubes and that is classified by the Federal Department of Transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.
 - A cone fountain that is classified by the Federal Department of Transportation as a Division 1.4 explosive, as defined in 49 CFR 173.50.
2. "Novelty Fireworks, Commercial" means the sale and storage of novelty fireworks for commercial purposes, for which a temporary use permit is required under s. 35-21.G.10.
3. "Statutory Fireworks" means anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, inclusive of pyrotechnics, but not including any of the following:
 - Fuel or a lubricant.
 - A firearm cartridge or shotgun shell.
 - A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
 - A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
 - A model rocket engine.
 - Tobacco and a tobacco product.
 - Anything defined herein as "novelty fireworks."

C. Sale and Storage of Fireworks.

1. The sale and storage of statutory fireworks is prohibited within the Village of Rochester unless such sale or storage is part of a permanent use of land duly authorized under Chapter 35, Planning and Zoning.
2. The sale and storage of novelty fireworks for commercial purposes is prohibited within the Village without a Temporary Use Permit under s. 35-21.G.10. unless such sale or storage is part of a permanent use of land duly authorized under Chapter 35, Planning and Zoning..

D. Use of Statutory Fireworks.

1. Use prohibited without a permit. The use of statutory fireworks is prohibited in the Village of Rochester unless the fireworks are used pursuant to a user permit issued by the Village of Rochester, according to the provisions of Wis. Stat. s. 167.10(3) and all of the requirements and limitations of this Section 9-8.
2. User permit. A user permit application for the discharge of statutory fireworks may be made by any owner or resident of real property in the Village of Rochester, for intended discharge on such applicant's property in the Village. Such application may be made pursuant to Wis. Stat. s. 167.10(3)(c), and shall be subject to all applicable terms of this Section 9-8. Such use is restricted to the following dates: July 3, 4 or 5 each year, subject to the following. If the 4th of July falls on a Monday or Tuesday, the Saturday before will be allowed. If the 4th of July falls on a Wednesday or Thursday, the Saturday after will be allowed. The application must specify the name and address of the requested permit holder, the date on and after which fireworks may be purchased, the general kind and approximate quantity of fireworks which may be purchased, the date and location of the proposed use, and the name, address and telephone number for the individual responsible for the discharge of fireworks. All permit applications under this subsection must be filed between May 1 and June 30.
3. Restrictions and limitations. In addition to all other requirements of this Section 9-8 and applicable State laws, any use of statutory fireworks shall be subject to the following requirements:
 - a. Wind velocity. Wind velocity at the time of use shall not be more than 15 miles per hour as recorded or forecast by the National Weather Service Forecast Office, Milwaukee/Sullivan, Wisconsin.
 - b. Wind direction. Wind direction at the time of use shall be away from buildings or other combustible materials and structures and shall not carry fireworks onto any adjoining buildings or cause annoyance or danger to other persons or property.
 - c. The storage, use or display of permitted statutory fireworks shall conform to the standards set forth in NFPA 1, Chapter 65, Explosives, Fireworks and Model Rocketry, as may be amended from time to time. Every display shall be handled by a competent adult operator. After the permit is issued, possession, and use of fireworks shall be lawful for that purpose only. No permit granted hereunder is transferable.
 - d. Storage and handling of statutory fireworks.
 - (1) No person may store or handle statutory fireworks on any premises unless the premises are equipped with fire extinguishers.
 - (2) No person may smoke where statutory fireworks are stored or handled.

- (3) A person who stores or handles statutory fireworks shall immediately notify the Fire Chief or Fire Inspector of the location, description and quantity of the fireworks.
 - (4) No person may store statutory fireworks closer than the separation distances required in NFPA 1 Chapter 65 to a dwelling.
 - (5) No person may store statutory fireworks closer than the separation distances required in NFPA 1 Chapter 65 to public assemblages or places where gasoline or volatile liquid is sold in quantities exceeding one gallon.
 - (6) No person may use statutory fireworks for which a permit was not issued while attending a fireworks display for which a permit has been issued under this section.
- e. Parental liability. A parent, foster, or family-operated group home parent or legal guardian of a minor who consents to the use of any fireworks by the minor who is under the age of 18 years of age is liable for damages caused by the minor's use of the fireworks, and in addition shall be subject to the penalty provided in this Municipal Code.
 - f. Fire prevention. Sufficient firefighting implements and personnel shall be available at the scene to control any fire that may be caused by the statutory fireworks.
 - g. Hours. Statutory fireworks may only be used between 4:00 P.M. and 10:30 P.M.
 - h. Responsibility on Permitted Property. For property that is subject to a statutory fireworks permit, only the individuals designated on the permit application may discharge fireworks. Such individual is responsible in case of a violation, jointly and severally with the permit holder and property owner, and any or all of these parties may be cited for the violation. Any damage or personal injury as a result of the ignition of fireworks shall be the responsibility of the permit holder.
 - i. Responsibility on non-permitted property. For property that is not permitted for the discharge of statutory fireworks, if fireworks are discharged the actual person that caused the illegal discharge is responsible for the violation if such person is identified to the Village's satisfaction. If the Village cannot determine to its satisfaction the actual person that caused the illegal discharge, the owner or occupant of the property where the discharge occurred will be presumed to have caused the discharge, or to have aided or abetted the discharge, and shall be held responsible for the illegal discharge and may be cited for the violation. Such presumption may be rebutted only by credible evidence to show that the owner or occupant of the property had no knowledge of the fireworks being on the property at any time prior to the discharge, and that the owner or occupant of the property fully cooperated with the Village in trying to identify the actual person who caused the illegal discharge.
 - j. No sale. No person in the possession of statutory fireworks pursuant to this section may resell those fireworks in the Village of Rochester.
 - k. Permit availability. The permit the issues for the use of fireworks must be made available upon request of a law enforcement officer

4. Fee. A fee for statutory fireworks permits shall be established by the Village Board and placed on the Fee Schedule, and must be submitted at the time of application and shall be non-refundable.
 5. Acceptance of risk. All fireworks discharge permits issued in the Village are issued subject to the possibility that discharge may be prohibited, even if the permit is issued, due to the restrictions and limitations of this Section. All applicants accept this risk and shall be solely responsible for all consequences of the same, by their submittal of the application.
 6. Statutory fireworks may be possessed and used by the Village without a permit, but Village fire and law enforcement officials must be notified of the proposed use of fireworks at least two days in advance.
- E. Possession of statutory fireworks.
1. Statutory fireworks may be possessed while transporting the fireworks to a city, town, village or county where the possession of the fireworks is authorized by permit or ordinance, but the person doing the transporting may not remain in the Village for more than 12 hours.
 2. Statutory fireworks may be sold or possessed by persons delivering the fireworks to a person granted a permit under this Section.
- F. Use of Novelty Fireworks. Individuals may possess and use novelty fireworks on private property with the permission of the owner or person in charge thereof. Novelty fireworks may be used in Village rights-of-way, but not in the paved portion of streets. Novelty fireworks may not be used in Village parks or in or on other Village property.
- G. Temporary ban on all fireworks. The Village President, upon recommendation of the Fire Chief because of extreme dryness or drought, may in the President's discretion declare a temporary ban on fireworks, whether statutory or novelty. No fireworks of any kind may be discharged during a declared ban. Any permit which would otherwise allow discharge on a date during such ban is automatically revoked, subject to the following. Such permittee may apply for a new discharge date after the ban is lifted without incurring a new fee. If any of the possible discharge dates of Section 9-8.D.2. are during the ban, the Village Board shall have the authority, but not the obligation, to establish additional discharge dates which would apply only to those permittees who were not able to discharge fireworks on their permitted dates due to the ban.
- H. Seizure and destruction of fireworks; Revocation of permit.
1. In addition to, and not to the prejudice or exclusion of such other penalties and remedies as may apply, any fireworks stored, handled, sold, possessed or used by a person who violates the terms of this Section may be seized and held as evidence of the violation. In the event a person is convicted of violating this section all fireworks seized shall be destroyed pursuant to the provisions of Wis. Stat. s. 167.10(8)(b), provided that, if storage after seizure but prior to resolution of the charges is deemed too dangerous, the seized fireworks may be destroyed pursuant to statute. Fireworks seized as evidence of a violation for which no conviction results shall be returned to the owner if they have not been destroyed pursuant to statute.
 2. Any permit issued to the person under this Section shall be revoked upon conviction for a violation of this Section.

- I. Application for and issuance of permit.
 - 1. Application. The application for a permit hereunder for statutory fireworks be submitted to the Village Clerk and shall include the date of the display, and shall specify the name and address of the permit holder, the kind and quantity of fireworks that will be displayed, and the date and location of the display. The owner or person in authority of the site of the display shall consent in writing to the use of the site.
 - 2. Review and issuance. The application shall be reviewed by the Village Clerk, who may seek the advice of the Fire Chief. The Clerk, under the authority of the Village President, shall issue the permit only if the requirements of this Section are met.
 - (a) No permits shall be issued to minors.
 - (b) No permit shall be issued unless the applicant acknowledges in writing that he or she understands and accepts that he or she is fully liable for all bodily injury and property damage that may result from the issuance of the permit, and the applicant indemnifies the Village for the same.
 - (c) No permit shall be issued for the storage of statutory fireworks, except as that storage may be necessary in preparation for a display permitted hereunder, and then only for the period set forth in this Section.
 - (d) No permit shall be issued for the indoor display or use of statutory fireworks.
 - 3. In accordance with state statute, the Village Clerk shall provide copies of the permits issued to the municipal fire and law enforcement officials at least 2 days before the date of authorized use.
- J. Penalties. See Wis. Stat. s. 167.10(9)(b), which provides that a penalty for violation of an ordinance adopted pursuant to Wis. Stat. s. 167.10(5) may not exceed \$1,000. The penalties for violation of this Section shall be set forth in the Village Deposit Schedule and shall not exceed \$1000 per violation.

II. That Chapter 35, Planning and Zoning, Section 21, Use Restrictions, subsection G., Temporary Uses of Land and Temporary Structures, subsection 10., Detailed Standards for Specific Temporary Uses, subsection f., Fireworks Possession, Sales and Use, is hereby amended as follows:

- f. Fireworks possession and sales. This section is enacted pursuant to Wis. Stat. s. 167.10(5), as may be amended from time to time.
 - (1) Definitions. The terms used in this section shall have the meanings indicated in s. 9-8.B. of this Municipal Code.
 - (2) Regulation of statutory fireworks. No person may possess or store statutory fireworks in the Village except as provided in this Section and Section 9-8 of this Municipal Code, or, if possession, sales or storage is to be a permanent use of land, under the appropriate zoning designation.
 - (3) Commercial novelty fireworks permit required.
 - (a) No person may sell, store, or possess novelty fireworks for other than personal use without a permit issued hereunder.
 - (b) Application. Application for novelty fireworks permits for seasonal sales shall specify the kind and quantity of fireworks that will be possessed and sold, and the dates and location of the sales. The owner or person in authority of the site of the storage and sales shall consent in writing to the use of the site.

Applicants must submit a site plan identifying the location of the storage, the sales, and any existing structures on the property and within 100 feet of the property lines.

- (c) Review and issuance.
 - [1] The application shall be reviewed by the Plan Commission and the Fire Chief.
 - [2] No permits shall be issued to minors.
 - [3] No permit shall be issued unless the Plan Commission and the Fire Chief determine that the novelty fireworks are stored in a safe and secure trailer and that sales of the novelty fireworks will be made from a temporary shelter or tent in an outdoor area that, in the opinion of the Plan Commission and Fire Chief, will not be hazardous to property or endanger any person or persons. In addition:
 - [a] The site must be at least 80,000 square feet.
 - [b] The storage and sales of the novelty fireworks must be at least the minimum distances required by NFPA 1 Chapter 65.
 - [c] The site must be served by adequate parking, ingress and egress.
- (d) No permit shall be issued unless the permittee has and maintains adequate liability insurance with minimum limits of \$1,000,000 bodily injury and property damage, combined single limit, naming the Village, its officers, employees and agents as additional insureds. Said insurance shall indemnify and defend the Village, its officers, employees and agents against all claims, liability, loss damages or expenses, whether caused by or contributed to by the negligence of the Village, its officers, employees or agents. Said insurance shall provide that the Village receive written notice 30 days prior to any cancellation, nonrenewal or material change in the policy. Proof of said insurance shall be submitted to the Plan Commission and Fire Chief prior to the issuance of the permit.
- (e) No permit shall be issued for the manufacture of novelty fireworks, and no permit shall be issued for the storage of novelty fireworks, except as storage may be necessary to sales permitted hereunder, or except as may be permitted for permanent uses allowed under this Chapter.
- (f) A permit for the sales of novelty fireworks issued hereunder shall not be valid for a period of longer than three weeks.
- (g) Temporary shelters or tents for the sale of novelty fireworks permitted hereunder may be erected no earlier than June 18 and must be removed no later than July 11. Storage trailers containing novelty fireworks may be placed on the site no earlier than June 15 and must be removed no later than July 11.
- (h) No permit shall be issued to any person who, in the previous 18 months, was found guilty of two or more violations of this section.
- (i) Permit regulations. The display and sales of permitted novelty fireworks shall conform to the standards set forth in NFPA 1, Chapter 65, Explosives, Fireworks and Model Rocketry, as may be amended from time to time. After

the permit is issued, storage, sale and possession for sale shall be lawful for that purpose only. No permit granted hereunder is transferable.

- (6) Storage and handling of commercial novelty fireworks.
 - (a) No person may store or handle commercial novelty fireworks on any premises unless the premises are equipped with fire extinguishers approved by the Fire Chief or Fire Inspector.
 - (b) No person may smoke where commercial novelty fireworks are stored or handled.
 - (c) A person who stores or handles commercial novelty fireworks shall immediately notify the Fire Chief or Fire Inspector of the location, description and quantity of the fireworks.
 - (d) No person may store commercial novelty fireworks closer than the separation distances required in NFPA 1 Chapter 65 to a dwelling.
 - (e) No person may store commercial novelty fireworks closer than the separation distances required in NFPA 1 Chapter 65 to public assemblages or places where gasoline or volatile liquid is sold in quantities exceeding one gallon.
- (7) Parental liability. A parent, foster, or family-operated group home parent or legal guardian of a minor who consents to the presence at a place selling novelty fireworks by the minor who is under the age of 18 years of age is liable for damages caused by the minor's access to the fireworks, and in addition shall be subject to the penalty provided in this Municipal Code.
- (8) Inspection, search and seizure of fireworks.
 - (a) Inspection and search of permitted premises. An applicant for a permit under this chapter thereby consents to the entry of the Fire Chief, Fire Inspectors, Police, or authorized representatives of the Village upon the permitted premises, including but not limited to storage areas, containers and vehicles, at all reasonable hours for the purposes of inspection and search and consents to removal from the premises and introduction into evidence in prosecutions for violations of this chapter of all things found therein in violation of this chapter or state law.
 - (b) Seizure. The Police or Fire Department shall seize, at the expense of the owner, all statutory or novelty fireworks stored, handled, sold, possessed or used by any person who violates this chapter. Such seized fireworks shall be destroyed after conviction for a violation, or, if storage is deemed to be dangerous, may be destroyed pursuant to statute. Statutory or novelty fireworks that are seized as evidence of a violation for which no conviction results shall be returned to the owner if they have not been destroyed pursuant to statute.
- (9) Emergency revocation of permit or authority to possess, sell or store commercial novelty fireworks. The Fire Chief, Fire Inspectors, and/or Plan Commission may revoke a permit or prohibit or terminate the possession, sale or storage of novelty fireworks when, in the opinion of the Chief and Plan Commission, atmospheric conditions or local circumstances make such possession, sale or storage a fire hazard or other hazard to the safety of the public. During such period of such prohibition, no person may sell novelty fireworks anywhere within the Village. The failure to allow the inspection and/or

search of a permitted premises pursuant to this section shall be grounds for the immediate revocation of the permit. The presence of statutory fireworks on premises permitted for commercial novelty fireworks shall be grounds for the immediate revocation of a permit. The Fire Chief, Fire Inspectors and/or Plan Commission may reinstate a permit upon the permittee's compliance with this chapter.

(10) Violations and penalties.

(a) See Wis. Stat. s. 167.10(9)(b), which provides that a penalty for violation of an ordinance adopted pursuant to Wis. Stat. s. 167.10(5) may not exceed \$1,000. The penalties for violation of this Section shall be set forth in the Village Deposit Schedule and shall not exceed \$1000 per violation.

(b) In addition to the penalties found elsewhere in this Chapter, any violation of this section shall also constitute a public nuisance which may be enjoined in a civil action in addition to prosecution therefore.

III. That Chapter 35, Planning and Zoning, Section 35-176, District Regulations for Signs, section B., Business and Industrial Districts, subsection 2, intro, is hereby amended as follows:

35-176.B.2. Monument Signs (Ground Signs). The top of a monument sign shall not exceed eight feet in height from the base of the sign. Monument signs shall not be located closer than 15 feet to a street right of way or closer than ten feet to a side or rear lot line. A monument sign shall not exceed 100 square feet on one side nor 200 square feet on all sides for any one premises.

IV. That the Village of Rochester Deposit Schedule shall be amended to add the base penalty deposit amounts for section 9-8 and s. 35-21.G.10.f. as follows, which shall be applicable in the entirety of the Village of Rochester:

9-8.C.	Sale or storage of statutory fireworks without a permit	\$150
9-8.D.1 or 2.	Use of statutory fireworks without a permit	\$150
9-8.3.	Violation of statutory fireworks regulations	\$150
9-8.E.	Possession of statutory fireworks without a permit	\$150
9-8.F	Violation of novelty fireworks regulations	\$150
9-8.G.	Violation of temporary ban on fireworks	\$ 500
35-21.G.10.f.(3)	Sale or storage of novelty fireworks without a permit	\$ 500
35-21.G.10.f.(8)	Failure to allow inspection of permitted premises	\$ 500
35-21.G.10.f.(9)	Sale or storage of novelty fireworks after permit revocation	\$ 1000
	The base forfeiture for a violation of Chapter 35 may not exceed \$1,000	

All applicable costs shall be added to this base deposit amount and shall be reflected in the Deposit Schedule.

IV. This ordinance shall take effect after public hearing, passage and publication as provided by law. All other language contained in the Municipal Code of the Village of Rochester shall remain without change and in full force and effect.

Introduced:
Adopted:

BY ORDER OF THE VILLAGE BOARD

Ed Chart, President

ATTEST:

Betty J. Novy, Clerk-Treasurer

May 2, 2016

PLAN COMMISSION

7:00 p.m.

Meeting was called to order at 7:00 p.m. with Mike Weinkauff, Paul Beere, Ed Chart, Maureen Eckert, Patricia Gerber, Tom Rowntree and Mark Tamblyn present.

Jon Schattner, Zoning Administrator and Sandi Swan, Planning Secretary were also present.

Action Items:

Application for Temporary Site Plan approval to conduct a wedding event, including live music, on August 20, 2016, at 705 South Front Street (formerly known as the Coral Reef property) Owner: Feer Laroc, LLC. Greg Meinerz, Owner Parcel Id. # 176031911336000

Schattner explained that the owner submitted a request on behalf of his client James Ellertson, to conduct an outside wedding event with live music at 705 S. Front St., located in Section 11, Township 3 North, Range 19 East, Village of Rochester, Racine County, Wisconsin. The event is scheduled to take place on August 20, 2016. The property is zoned B-1, the properties to the west and south are zoned R-8. The property on the other side of the river is Case Eagle Park.

Schattner displayed an aerial of the property showing the locations of the tents, dumpster and portable toilets. The event will have two 20'x40' tents and two 20'x30' tents. The applicant will contract services for portable toilets, hand wash station and a 15yd dumpster.

Weinkauff read a letter from Julie Anderson, Director of Public Works & Development Services. Racine County requests that all event parking be confined to the site where parking is shown on the site plan and that parking not be allowed on CTH W, if at all possible. They also request that the applicant provide a safety plan in the event of severe weather, as there are no permanent/sturdy structures on the site that would provide adequate shelter during severe weather or flooding.

An email was also received from Ann Sorvla who resides on Ag School Rd. Her only concern is the volume of music and how long the music will play. Her husband is up at 3 a.m. on Sunday to be to work at 4 a.m. and would hope that the newlyweds will take this into consideration.

Mr. Ellertson addressed the committee. He stated that set up would be on Friday, August 19, 2016 with the actual event on Saturday, August 20, 2016. Tear down would be on Sunday, August 21, 2016. Dumpster and portable toilets would be picked up on Monday, August 22, 2016. The event would be from 5 p.m. to 11:00 p.m. Lighting will be contained in the tents.

After light discussion was held. Beere moved, seconded by Eckert to approve the temporary site plan to conduct a wedding event on August 20, 2016 subject to the following conditions recommended by John Schattner, Zoning Administrator:

- 1) Upon receiving approval from the Village of Rochester Planning Commission it is the responsibility of the applicant to obtain a zoning permit card, at a cost of \$125.00 from the Village Zoning Administrator, prior to conducting the temporary use activity on this property. The zoning permit card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times, during the time that the temporary sales activity is taking place on the subject property.
- 2) The proposed site for the wedding event shall be located in accordance with the submitted plans dated April 27, 2016 and the written reports, dated April 18 & 26, 2016. There shall be no sales of liquor on this property.
- 3) The owner will be allowed to set up the tents on the subject site on August 19, 2016. The tents, portable toilet(s) and the dumpster(s) shall be removed from the property on August 22, 2016.

May 2, 2016

PLAN COMMISSION

7:00 p.m.

- 4) All parking shall be restricted to the parking lot that presently exists on this property. There shall be no parking along South Front Street (County Trunk Highway W) (See attached e-mail from Julie Anderson, Racine County director of Public Works and Development Services dated April 27, 2016)
- 5) The owner/applicant should provide a safety plan in the event of severe weather, as there are no permanent/sturdy structures on this site that would provide adequate shelter during severe weather or flooding.
- 6) Driveway access to the subject site shall be restricted to the two (2) southwesterly driveways entering and exiting this property. It is the responsibility of the property owner/applicant to ensure that there will be no driveway access from the northeasterly driveway.
- 7) The proposed wedding event shall have a curfew of 11:00 pm, on August 20, 2016. This means that all lights are to be turned off and all live music shall be discontinued.
- 8) There shall not be any overnight camping or parking of vehicles allowed on this property.
- 9) The owner/applicant are responsible for keeping this area free of refuse or debris during the entire wedding event. This property owner/applicant shall be responsible for returning the subject property to the condition that it existed in prior to this scheduled event.
- 10) The property owner and/or the applicant is responsible for providing portable toilets and a dumpster for this wedding event. The portable toilets shall be properly maintained by Pat's Sanitary Service and removed from the property by August 22, 2016. The proposed dumpster shall also be removed from the subject site by August 22, 2016.
- 11) The applicant must obtain all necessary federal, state, and local permits, approvals and licenses and comply with all applicable codes and regulations.
- 12) The applicants must comply with the provisions of 35-250 Performance Standards found in Chapter 35, Planning & Zoning, of the Village of Rochester Municipal Code.
- 13) The Village of Rochester accepts no liability through the issuance of this temporary use permit that will take place on this site.
- 14) No additions, deletions, or changes may be made to this request, site plan or these conditions without the Village of Rochester Planning Commission, prior approval. All additions, deletions, and/or change requests must be submitted in writing to the Village Planning Commission, for their review and approval.
- 15) The applicant must allow the Zoning Administrator or a Village employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, and maintenance.
- 16) Failure to comply with the terms and conditions of this approval could result in the issuance of citation(s) and permit revocation.

- 17) You're accepting this approval/permit and beginning the project means that you have read, understand, and agree to follow these conditions. Therefore, Greg Meinerz and James Ellertson, their heirs, successors, and assigns are responsible for full compliance with these conditions.

- 18) It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.

Review and Recommendation of Ordinance #2016-4 "Amending the Municipal Code of the Village of Rochester to Create Section 9-8 Sale and Discharge of Fireworks Restricted, and to Amend Section 35-21.G.10.g., Fireworks Possession, Sales and Use, and to Amend Section 35-176.B.2., Monument Signs"

Discussion was held about the fireworks portion of the ordinance, Gerber was concerned about how the Village is going to get the word out to all the residents. A suggestion was made that the fireworks stand at Burger King could put a sign up telling customers about the permit requirement for Rochester.

Weinkauf stated he would like to see something in the sign ordinance that would accommodate the businesses on Evergreen Dr. that they be allowed to use a monument sign to advertise the businesses in that business development. He stated Millgate Development could utilize it in the future when they develop that business district.

Tamblyn moved, seconded by Beere to recommend approval of Ordinance #2016-4 "Amending the Municipal Code of the Village of Rochester to Create Section 9-8 Sale and Discharge of Fireworks Restricted, and to Amend Section 35-21.G.10.g., Fireworks Possession, Sales and Use, and to Amend Section 35-176.B.2., Monument Signs", subject to adding a provision for multi-tenant signs for commercial businesses within a business district and subject to the following recommendations by Jon Schattner, Zoning administrator:

With referenced to Section 25-176.B.2. Monument signs I would recommend that it be amended to read as follows:

35-176.B.2. Monument Signs (Ground Signs). The top of a monument sign shall not exceed ten (10) feet in height from existing grade at the proposed sign location. The structural base below the sign shall maintain a minimum two (2) foot in height measured from existing yard grade to the bottom of the sign. The structural base shall extend the full width of the sign face. Monument signs shall not be located closer than 15 feet to a street right of way or closer than ten feet to a side or rear lot line. A monument sign shall not exceed 100 square feet on one side nor 200 square feet on all sides for any one premises.

- a) Required Landscaping at Base of Monument Sign. All monument signs shall provide a landscaped area with appropriate natural plant material groundcover and other landscape plantings located at the base of the monument sign equal in area to the area of the face of the sign.
- b) When earthen berms are used as part of the landscaping, the earthen berms shall maintain a side slope of three to one with a maximum berm height of three feet above the surrounding grade. When earthen berms are used, earthen berms shall count towards the maximum permissible sign height.

In addition, I would recommend that 35-176.B.1 be amended to read as follows:

35-176 (b) (1) Wall Signs placed against the exterior walls of buildings are allowed and shall not extend outside of a building's wall surface and shall not exceed 500 square feet in area for any one premises.

- a) Wall signs placed against the exterior walls of buildings may not extend more than 12 inches outside of a building's wall surface, may not exceed 30 feet in height (measured from the existing grade below the sign to the top of the sign), and may not extend above the roofline of a flat roof, or the eave line of a building with a gambrel, gable, dome, or hip roof, or the deck line of a building with an mansard roof.

- b) Total area of all wall signs may not exceed 500 square feet in area for any one premises; except that in multi-tenant shopping centers, the anchor tenant(s) may each have 500 square feet of allowable sign area, and the total area of individual wall signs for non-anchor businesses within such multi-tenant structures shall not exceed 50 square feet per tenant. An anchor tenant is defined as the major store or stores within a shopping center exceeding 40,000 square feet in total floor area.

Tamblyn moved, seconded by Eckert to adjourn at 8:20 p.m. Motion carried.

Respectfully submitted,

Sandi Swan
Planning Secretary

DRAFT

RESOLUTION NO. 2016-5

**A Resolution Amending the Fee Schedule for the Village of Rochester
to Add Fees for Fireworks Permits**

WHEREAS the Village of Rochester issues permits and licenses and performs other reviews, inspections and services as provided in its Municipal Code; and

WHEREAS the Village defrays its costs of administration, investigation, and processing of said services by imposing fees; and

WHEREAS the Village wishes to amend its fee schedule to add fees for fireworks permits as provided in Village of Rochester Municipal Code s. 9-8; and

WHEREAS the fees set forth in the amended Fee Schedule are directly related to the Village's cost of providing the services reflected therein:

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Rochester, Wisconsin that, pursuant to all of the above, the Village of Rochester Fee Schedule is hereby amended to add the following fees:

9-8 Fireworks Display Permit

 Display Permit Fee \$ 15.00

BE IT FURTHER RESOLVED that all other fees in the Fee Schedule remain without change and in full force and effect.

Introduced:

Passed and Adopted:

BY ORDER OF THE VILLAGE BOARD

Ed Chart, Village President

ATTEST:

Betty Novy, Clerk-Treasurer

ORDINANCE NO. 2016-5
Amending the Municipal Code of the Village of Rochester
to Repeal and Recreate Section 7-12, Noxious Weeds, Natural Lawns and Grass Cutting

The Village Board of the Village of Rochester, Racine County, Wisconsin, do ordain as follows:

I. That Chapter 7, Public Peace, Health and Welfare, Section 7-12, Grass Cutting, is hereby repealed and recreated as Section 7-12, Noxious Weeds, Natural Lawns and Grass Cutting, as follows:

7-12. Noxious Weeds, Natural Lawns and Grass Cutting.

A. Noxious Weeds.

1. The Village Clerk shall annually, on or before May 15, publish as set forth in Wis. Stat. s. 66.0407 a notice that every person is required by law to destroy all noxious weeds on lands in the Village which he/she owns, occupies or controls. A joint notice with other towns or municipalities may be utilized.

2. If the owner or occupant neglects to destroy any weeds as required by such notice, then the Weed Commissioner of the Village shall give five days' written notice, by mail with delivery confirmation, to the owner or occupant of any lands upon which the weeds are growing to the effect that said Weed Commissioner, after the expiration of the five-day period, may proceed to destroy or cause to be destroyed all such weeds growing upon said lands and that the cost thereof will be assessed as a special charge upon the lands upon which such weeds are located under the provisions of Wis. Stat. ss. 66.0517 or 66.0627. If the owner or occupant does not comply with the five-day notice, then the Weed Commissioner may destroy such weeds or cause them to be destroyed as set forth in subsections C.7.a. and b.

3. As provided for in Wis. Stat. s. 66.0407, the Village requires that all noxious weeds be destroyed prior to the time in which such plants would mature to the bloom or flower state. The growth of noxious weeds in excess of twelve inches in height from the ground surface shall be prohibited within the Village corporate limits. Noxious weeds shall include any weed, noxious grass or similar plant growth that, if allowed to pollinate, would cause or produce hay fever in human beings or would cause a skin rash through contact with the skin.

4. Definitions.

a. Noxious weeds are defined to include, but shall not be limited to the following:

- Cirsium arvense (Canada thistle)
- Ambrosia artemisiifolia (common ragweed)
- Ambrosia trifida (great ragweed)
- Euphorbia esula (leafy spurge)
- Convolvulus arvensis (creeping jenny) (field bind weed)
- Tragopogon dubius (goat's beard)
- Rhus radicans (poison ivy)
- Cirsium vulgare (bull thistle)
- Pastinaca sativa (wild parsnip)
- Arctium minus (burdock)
- Xanthium strumarium (cocklebur)

Amatanthus retroflexus (pigweed)
Chenopodium album (common lambsquarter)
Rumex crispus (curled dock)
Cannabis sativa (hemp)
Plantago lanceolate (English Plantain)

- b. Noxious grasses are defined to include, but shall not be limited to, the following:

Agrostis alba (red top)
Sorghum halepense (Johnson)
Setaria (foxtail)
Toxicodendron diversilobum (poison oak)

- c. Noxious weeds also include the following plants and other rank growth of vegetation:

Ragweed or Thistles
Smartweed
Any weed, noxious grass or similar plant growth that, if allowed to pollinate, would cause or produce hay fever in human beings or would cause a skin rash through contact with the skin.

B. Natural Lawns.

1. Definitions.

“Lawn” means an area of short, mown grass in a yard or on other property.

“Natural Lawn” includes common species of grass and wildflowers native to North America that are designed and purposely cultivated to exceed eight inches in height from the ground. Specifically excluded in natural lawns are the noxious grasses and weeds identified in subsection A.4. of this Section.

“Natural Lawn Management Plan” means a written plan relating to the management and maintenance of a lawn upon which the planted grass will exceed eight inches in length, a statement of intent and purpose for the lawn, a detailed description of the vegetation types, plants and plant succession involved, and the specific management and maintenance techniques to be employed.

“Neighboring Property Owners” means all those property owners who are located within 300 feet of the proposed natural lawn site.

“Property Owner” includes the legal titleholder and/or the beneficial owner of any such lot according to most current tax records.

2. Natural lawns restricted. On lots of less than two acres, the growth of a natural lawn in excess of eight inches in height from the ground surface is prohibited within the Village corporate limits unless a natural lawn management plan is approved and a permit is issued by the Village as set forth in this section. Natural lawns shall not contain litter or debris and shall not harbor undesirable wildlife.

3. Natural lawn management plan.

a. Property owners of lots that are less than two acres who wish to plant and cultivate a natural lawn must submit their written plan and related information on the form provided by the Village. Natural lawn management plans shall only indicate the planting and cultivating of natural lawns on property legally owned by the property owner. Applicants are strictly prohibited from developing a natural lawn on any Village-owned property, including street rights-of-way. This shall include, at a minimum, property located between the sidewalk and the street, or a strip not less than 10 feet adjacent to the street where there is no sidewalk, whether the area is under public or private ownership. In addition, natural lawns shall not be permitted within 10 feet of the abutting property owner's property, unless waived in writing by the abutting property owner on the side so affected. Such waiver is to be affixed to the natural lawn management plan.

b. Any subsequent property owner who abuts an approved natural lawn may revoke the waiver, thereby requiring the owner of the natural lawn to remove the natural lawn that is located in the ten-foot section abutting the neighboring property owner. Such revocation shall be put in writing and presented to the Village Clerk by the subsequent abutting property owner. Upon receiving the written request to revoke the original waiver, the Village shall contact the owner of the approved natural lawn and direct the owner to remove the natural lawn located in the ten-foot section abutting the neighboring property owner. The Village Board shall revise the approved natural lawn management plan accordingly. The owner of the approved natural lawn shall be required to remove the ten-foot section abutting the neighboring property owner within 20 days of receipt of the written notification from the Village, provided that the notification is received sometime beginning May 1 and ending November 1. Property owners who receive notification from the Village between November 1 and April 30 shall be required to remove the ten-foot section abutting the neighboring property owner no later than May 20 following receipt of the notification.

c. Application process.

(1) Property owners interested in applying for permission to establish a natural lawn must obtain and complete an application form available from the Village Clerk. The completed application shall include a natural lawn management plan. Upon submitting a completed application, a nonrefundable filing fee set by the Village Board and set forth in the fee schedule will be assessed by the Village. Upon receiving payment, copies of the completed application shall be mailed by the Village to each of the owners of record, as listed in the tax records, who are owners of the property situated wholly or in part within 300 feet of the boundaries of the property for which the application is made. If, within 15 calendar days of mailing the copies of the complete application to the neighboring property owners, the Village receives written objections from 51% or more of the neighboring property owners, the Village Clerk shall immediately deny the application.

(2) If the property owner's application is in full compliance with the natural lawn management plan requirements and less than 51% of the neighboring property owners provide written objections, the Village Clerk shall issue permission to install a natural lawn. The initial permit is valid for two years, and must be reapplied for every two years until 75 percent of the intended grasses or plants are established and growing or the Weed Commissioner determines that the natural lawn is well established. Once this

standard is met, the permit shall be considered perpetual, unless the permit is revoked pursuant to subsection B.5. of this Section.

(3) Application for appeal. The property owner may appeal the Village Clerk's decision to deny the natural lawn permit request to the Village Board at an open meeting. All applications for appeal shall be submitted within 15 calendar days of the notice of denial of the natural lawn permit. The decision rendered by the Village Board shall be final and binding.

4. Safety precautions for natural grass areas.

a. When, in the opinion of the Fire Chief or Fire Inspector of the Fire Department serving the Village of Rochester, the presence of a natural lawn may constitute a fire or safety hazard due to weather and/or other conditions, the Fire Chief or Fire Inspector may order the cutting of natural lawns to a safe condition. As a condition of receiving approval of the natural lawn permit, the property owner shall be required to cut the natural lawn within three days upon receiving written direction from the Fire Chief or Fire Inspector.

b. Natural lawns shall not be removed through the process of burning, unless stated and approved as one of the management and maintenance techniques in the natural lawn management plan. The Fire Chief or Fire Inspector shall review all requests to burn natural lawns and shall determine if circumstances are correct and all applicable requirements have been fulfilled to ensure public safety. Burning of natural lawns shall be strictly prohibited unless a written permit to burn is issued by the Fire Inspector. The Fire Inspector shall establish a written list of requirements for considering each request to burn natural lawns, thereby ensuring the public safety. In addition, the property owner requesting permission to burn the natural lawn shall produce evidence of property damage and liability insurance identifying the Village as an additional insured. The minimum amount of acceptable insurance shall be \$300,000.

5. Revocation of an approved natural lawn permit. The Village Clerk, upon the recommendation of the Weed Commissioner, shall have authority to revoke an approved natural lawn permit if the owner fails to maintain the natural lawn or comply with the provisions set forth in this section. Notice of intent to revoke an approved natural lawn permit shall be appealable to the Village Board. All applications for appeal shall be submitted within 15 calendar days of receipt of the written notice of intent to revoke the approved natural lawn permit. Failure to file an application for appeal within 15 calendar days shall result in the revocation of the natural lawn permit. All written applications for appeal filed within the required 15 calendar days shall be reviewed by the Village Board in an open meeting. The decision rendered by the Village Board shall be final and binding.

6. Public nuisance defined; abatement after notice.

a. The growth of a natural lawn, as defined in this section, shall be considered a public nuisance unless a natural lawn management plan has been filed and approved and a permit is issued by the Village, as set forth in this section. Violators shall be served with a notice of public nuisance by mail, with delivery confirmation, to the last known mailing address of the property owner.

b. If the person so served with a notice of public nuisance violation does not abate the nuisance within 10 days, the enforcement officer may proceed to abate such nuisance, keeping an account of the expense of the abatement, and such expense shall be charged to and paid by such property owner. Notice of the bill for abatement of the public nuisance shall be mailed to the owner of the premises and shall be payable within 10 calendar days from receipt thereof. Within 60 days after such costs and expenses are incurred and remain unpaid, the Village Clerk shall enter those charges onto the tax roll as a special charge pursuant to Wis. Stat. s. 66.0627.

c. The failure of the Village Clerk to record such claim or to mail such notice, or the failure of the owner to receive such notice, shall not affect the right to place the Village expense on the tax roll for unpaid bills for abating the public nuisance, as provided for in this section.

C. Grass Cutting.

1. Purpose. This section is adopted due to the unique nature of the problems associated with lawns, grasses and weeds being allowed to grow to excessive length in the Village of Rochester.

2. Public nuisance declared. The Village Board finds that lawns and non-noxious grasses and weeds on lots or parcels of land that are five acres or less within the Village of Rochester that exceed eight inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomforting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interfere with the public convenience and adversely affect property values of other land within the Village. For that reason, any lawn, grass or weed on a lot or parcel of land that is five acre or less, that exceeds eight inches in length, is hereby declared to be a public nuisance, except for property located in a designated floodplain area and/or wetland area, or where the lawn, grass or weed is part of a natural lawn approved pursuant to subsection B, above.

3. Nuisances prohibited. No person shall permit any public nuisance as defined in subsection C.2 above to remain on any premises owned or controlled by the person within the Village.

4. Inspection. The Weed Commissioner or his/her designee shall inspect or cause to be inspected all premises and places within the Village to determine whether any public nuisance as defined in subsection C.2. exists.

5. Abatement of nuisance. If the Weed Commissioner determines with reasonable certainty that any public nuisance as defined in subsection C.2. exists, he/she shall immediately cause written notice to be served in person or mailed to the property owner by mail, with delivery confirmation, to notify the owner that the nuisance must be abated within five days, and if not done, that the Village proposes to have the lot, grass or lawn cut after five days so as to conform to this section and subsection A.

6. Due process hearing. If the property owner believes that the grasses or weeds are not a nuisance, the owner may request a hearing before the Village Board. The request for said hearing must be made in writing to the Village Clerk's office within the five days set forth in the Weed Commissioner's notice. When a hearing is requested by the owner of the property, the hearing by the Village Board shall be held at the next possible regular Village Board meeting, The property in question will not be mowed by the Village until such time as the hearing is held

by the Board. At the hearing, the owner may appear in person or by his/her attorney, may present witnesses in his/her own behalf, and may cross-examine witnesses presented by the Village, as well as subpoena witnesses for his/her own case. At the close of the hearing, the Village Board shall make its determination in writing, specifying its findings, facts and conclusions. If the Village Board determines that a public nuisance does exist, the Board shall order the Weed Commissioner to mow the property in question, unless the property has been mowed by the owner, within 48 hours of the Village Board's decision. If the owner does not abate the nuisance within the described 48 hours, the Weed Commissioner shall cause the same nuisance to be abated and the costs assessed as a special charge against the property.

7. Village's abatement of the nuisance. In any case where the owner, occupant or person in charge of the property fails to cut his/her lawn, grass or weeds in conformance with the notice, as set forth above, then and in that event the Village may cut said lawn, grass or weeds as follows:

a. The written notice required in Subsection 6 shall inform said person that in the event of his/her failure to abate the nuisance within the prescribed time, the Village shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.

b. The Village shall cut or cause to be cut all grass and weeds from the subject's property and shall charge the expenses of so doing at a rate as established by resolution by the Village Board. The charges shall be set forth in a statement to the Village Clerk who, in turn, shall mail the same to the owner, occupant or person in charge of the subject premises. If said statement is not paid in full within 30 days thereafter, the Village Clerk shall enter the charges in the tax roll as a special charge against said lot or parcel of land, and the same shall be collected as set forth in Wis. Stat. ss. 66.0517 or 66.0627.

D. Penalties and Fees.

1. In addition to the provisions of each subsection, any person who violates any provision of this Section or who fails to comply with a Village order within the required time period shall be subject to the general penalties found in s. 50-20 of this Code.

2. In addition to any penalties provided in this Section, the Village may issue stop-work orders upon owners of lots where work is unfinished under an existing permit for any violation of section B.

3. Additional notices of violations are not required for any property that has received one notice in the same calendar year.

4. The fee for the mowing or destruction of weeds, cutting or removal of a natural lawn, or the cutting of grass by order of the Village Weed Commissioner shall be established by the Village Board and set forth in the Fee Schedule.

5. The fee for a natural lawn permit fee shall be established by the Village Board and set forth in the fee schedule.

II. That the Village of Rochester Deposit Schedule shall be amended to change the penalty shown for s. 7-12 and add the base deposit penalty amounts as follows, which shall be applicable in the entirety of the Village of Rochester:

7-12A. Failure to remove noxious weeds, plus fees for mowing/removal	\$ 50
7-12.B.2. Natural lawn without a permit	\$ _____
7-12.B.3.,4. Failure to conform to terms of natural lawn permit	\$ _____
7-12.C. Failure to cut lawns, grasses or weeds, plus fees for mowing/removal	\$ _____

All applicable costs shall be added to this base deposit amount and shall be reflected in the Deposit Schedule.

III. This ordinance shall take effect after passage and publication as provided by law. All other language contained in the Municipal Code of the Village of Rochester shall remain without change and in full force and effect.

Introduced:

Adopted:

BY ORDER OF THE VILLAGE BOARD

Ed Chart, President

ATTEST:

Betty J. Novy, Clerk-Treasurer

RESOLUTION NO. 2016-4

**A Resolution Amending the Fee Schedule for the Village of Rochester
to Add Fees for Natural Lawns Permits**

WHEREAS the Village of Rochester issues permits and licenses and performs other reviews, inspections and services as provided in its Municipal Code; and

WHEREAS the Village defrays its costs of administration, investigation, and processing of said services by imposing fees; and

WHEREAS the Village wishes to amend its fee schedule to add fees for fireworks permits as provided in Village of Rochester Municipal Code s. 7-12; and

WHEREAS the fees set forth in the amended Fee Schedule are directly related to the Village's cost of providing the services reflected therein:

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Rochester, Wisconsin that, pursuant to all of the above, the Village of Rochester Fee Schedule is hereby amended to revise and add the following fees:

7-12.B.2.c. Natural Lawn Permit \$ _____

7-12.D.4 Cutting or Destroying Noxious Weeds, Cutting or Removal of Natural Lawn, or Cutting Grass
\$100 per hour, \$100 minimum, plus equipment repair cost, if applicable

BE IT FURTHER RESOLVED that all other fees in the Fee Schedule remain without change and in full force and effect.

Introduced:

Passed and Adopted:

BY ORDER OF THE VILLAGE BOARD

Ed Chart, Village President

ATTEST:

Betty Novy, Clerk-Treasurer

Betty Novy

From: King II, Bill <Bill.King@rrins.com>
Sent: Thursday, May 05, 2016 11:58 AM
To: 'Betty Novy'
Subject: RE: Work Comp Insurance Requirements
Attachments: LWMMI FAQ REV 2.pdf

Betty:

The implication is that the Village's Worker's Compensation policy becomes the de facto Work Comp policy for the arborist.

Thus:

1. Their claims can become your claims.
2. Can affect the Village's experience mod rating which in turns means you pay more for insurance.
3. Your Worker's Compensation carrier (LWMMI) then has the right to gather payroll information from the arborist and charge the Village premium based on that exposure for anyone that steps on Village property.

There is no such thing as a verbal waiver here either.

If one of the employees of the arborist has a Work Comp claim as a result of the job, the employee can file the claim with the LWMMI if the arborist doesn't have their own Work Comp policy.

Another point: If the arborist has no employees and is working by himself he is not required by the State of Wisconsin to carry a Worker's Compensation policy.

However, without a policy of his own he can still file a claim against the Village.

Solution: require the arborist to purchase a Work Comp policy. His problem should not become the Village's problem.

Further information:

Attached is the current version of my LWMMI FAQ.

Contracts are covered on pages 13, 18 and 39.

Turn to 39 first and you'll see the insurance requirements that the Village should incorporate *at a minimum* in all contracts.

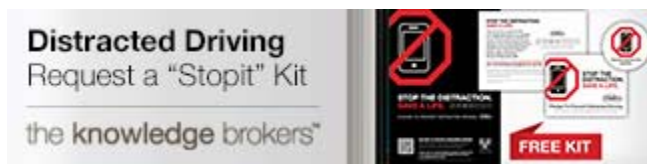
I've asked Dennis Tweedale to review the requirements with an eye towards adding Professional Liability and Pollution Liability as requirements on all contractor contracts.

Hope this helps. Please let me know if you have follow up questions.

Thanks,
Bill

Bill King II

Senior Account Executive
R&R Insurance Services, Inc.
1581 E. Racine Ave
Waukesha, WI 53186
Ph: 262-953-7243
Fx: 262-953-1346
Bill.King@rrins.com



From: Betty Novy [mailto:bnovy@rochesterwi.us]
Sent: Thursday, May 05, 2016 11:20 AM
To: King II, Bill
Subject: Work Comp Insurance Requirements

Hi, Bill,

At the conference last week, there was some discussion about the exposures the municipality has if it hires a sub-contractor that does not have work comp insurance.

I just discovered that one of our contractors, an arborist, does not have this coverage.

Can you please explain the implications/ exposures to the Village in this case?

*Betty J. Novy, MMC CMTW WCPC
Clerk-Treasurer
Village of Rochester, Racine County, Wisconsin
P.O. Box 65
Rochester, WI 53167
p. 262-534-2431 Ext. 301/ f. 262-534-4084
Population: 3,726*



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LWMMI FAQ

OUTSIDE VENDOR INSURANCE REQUIREMENTS SUGGESTED BY R&R INSURANCE FOR LWMMI CLIENTS (added 1/23/14) (see also pgs. 13 & 18)

Subcontractors must comply with the following minimum insurance limits, coverages and requirements as shown below or if higher, the requirements set forth in Contract Documents provided by the Owner.

If the subcontractor is an architect or engineer, Professional Liability/Errors & Omissions coverage should also be provided with a minimum policy limit of \$1,000,000. ***Do not*** have the municipality named as an additional insured on the Professional Liability/E&O policy. To do so would negate the municipality's ability to subrogate a claim against the architect or engineering firm. The municipality ***should*** be added as an additional insured on the General Liability and Umbrella policies.

Limits	
Commercial General Liability	<ul style="list-style-type: none"> • Coverage Limits of: \$ 1,000,000 Per Occurrence \$ 2,000,000 Annual or General Aggregate \$ 1,000,000 Products/Completed Operations Aggregate
Business Auto	<ul style="list-style-type: none"> • Liability Coverage Limits: \$1,000,000 Combined Single Limit
Workers Compensation & Employers Liability	<ul style="list-style-type: none"> • Employer Liability Limits: \$ 100,000 Bodily Injury by Accident/Each Accident \$ 500,000 Bodily Injury by Disease/Policy Limit \$ 100,000 Bodily Injury by Disease/Each Employee
Umbrella	<ul style="list-style-type: none"> • Coverage Limits of \$ 2,000,000

Coverages	
Commercial General Liability	<ul style="list-style-type: none"> • "Per Project" Aggregate Endorsement • Additional Insured - including Completed Operations (CG 2010 07 04 and CG 2037 07 04 or equivalent) • Waiver of Subrogation • Primary & Non-contributory wording with respects to Additional Insured status
Business Auto	<ul style="list-style-type: none"> • Coverage Applies to "Any Auto" or to "Owned/Non-Owned/Hired Autos" • Waiver of Subrogation
Workers Compensation & Employers Liability	<ul style="list-style-type: none"> • Waiver of Subrogation
Umbrella	<ul style="list-style-type: none"> • Following form as to additional insured status of the underlying policies: <ol style="list-style-type: none"> 1. Commercial General Liability 2. Business Auto 3. Employers Liability • Municipality named as additional insured.
Carrier Best Rating	<ul style="list-style-type: none"> • Best Rating of not less than "A"
Notice of Cancellation	<ul style="list-style-type: none"> • As per policy provisions

VILLAGE OF ROCHESTER, WISCONSIN COMMITTEE/ BOARD ASSIGNMENTS 2015 – 2016 (May)

Finance Committee: Meets 2 nd Monday at 6:30 p.m.	
Gary Beck (Chairperson)	262-534-2071 GBeck@waterforduhs.k12.wi.us
Christian Johnson	262-210-9496 lucydog@tds.net
Christopher Bennett	262-514-4505 bennett73@gmail.com

Ordinance Committee: Meets 3 rd Monday at 7:00 p.m.	
Gary Beck	262-534-2071 GBeck@waterforduhs.k12.wi.us
Russell Kumbier	262-210-7299 rkumbier1@wi.rr.com
Bob Lancour	534-9173 rlancour@tds.net

Public Works Committee: Meets 4 th Monday at 7:00 p.m.	
Christopher Bennett	262-514-4505 bennett73@gmail.com
Gary Beck Jr.	262-534-3370 agbeck@tds.net
Chris Johnson (Chair)	262-534-1916 lucydog@tds.net
Nick Ahlers	(262) 534-9578 naa1969@gmail.com
Mike Weinkauff	262-534-2163
Vince Klemko	262-534-3553 nk90@tds.net
Christopher Birkett (Public Works Manager)	262-332-1017 cbirkett@rochesterwi.us

Historic Preservation Committee: Meets as needed.	
Joan Beck	262-534-2071 jonisewandsew@yahoo.com
James Henning	262-534-2848 lynnjim@tds.net
Geri Schwabe	262-534-3558 geriloves2golf@gmail.com
Russell Kumbier	262-210-7299 rkumbier1@wi.rr.com
Annie Herr-Popp	(262) 492-8964 tlcannie6@email.phoenix.edu

Plan Commission: Meets 1 st Monday at 7:00 p.m.	
Mark Tamblyn Term Expires: 5/2017	(262) 492-4079 mtamblyn@wi.rr.com
Patricia Gerber Term Expires: 5/2017	262-534-5963 b_pgerber@yahoo.com
Ed Chart Term Expires: 5/2018	262-534-5425 ejchart@tds.net
Maureen Eckert Term Expires: 5/2018	262-534-6710 djandme@tds.net
Mike Weinkauff, Chairperson Term Expires: 5/2018	262-534-2163
Paul Beere Term Expires: 5/2016	534-2886 oakmere@tds.net
Tom Rowntree Term Expires: 5/2016	262-534-5168 rowntree@tds.net
Jonathan Schattner (Zoning Administrator)	262-902-2782 jschattner1@gmail.com

Zoning Board of Appeals: Meets as needed- generally 4 th Thursday	
James Henning Term Expires: May 2017	262-534-2848 lynnjim@tds.net
Tony Hegemann Term Expires: May 2017	262-534-6458 ahegemann@wi.rr.com
Debra Steinke Term Expires: May 2015	262-534-3950 elsteinko@yahoo.com
Wayne Jensen (chairperson) Term Expires: May 2018	262-534-6044 wjensen28@yahoo.com
Steve Fladwood (alternate) Term Expires: May 2018	262-534-3845 sfladwood@tds.net
Steve Boulden (alternate) Term Expires: May 2018	262-534-6535
Peggy Shumway Term Expires: May 2016	262- 989-7100 (cell) 262-631-6909 (work) peggy@americanhomeswi.com
Jonathan Schattner (Zoning Administrator)	262-902-2782 jschattner1@gmail.com

Emergency Operations Committee:	
Walter Henning (Fire Chief) Coordinator of Emerg. Mngmnt.	(262) 930-5817 (cell) whenning@tds.net
Steve Denman (Fire Safety Officer) Deputy Coordinator of Emerg Mngmt	
Margaret Gesner, Public Health Officer (Central Racine Co. Health Dept.)	(262) 898-4463 mgesner@crchd.com
David Maack (Racine County Emerg Management)	(262) 636-3515 david.maack@goRacine.org
Sheriff Christopher Schmaling (Racine County Sheriff)	262-636-3211 (office) 262-534-5166 (dispatch)
Village Board Members	

Central Racine County Health Dept.	
Village Representative:	Christopher Bennett (262) 514-4505
Honey Lake Protection & Rehabilitation District	
Village Representative:	Mike Weinkauff (262) 534-2163

*ED CHART, VILLAGE PRESIDENT, SERVES ON ALL COMMITTEES

**VILLAGE OF ROCHESTER, WISCONSIN
COMMITTEE/ BOARD ASSIGNMENTS 2015 – 2016 (May)**

Rochester Public Library Board:	
Diana Benavides, Chairperson 3 rd Term Exp. 7/1/2017	262-806-7176
Brian Wegener School Liasion 2 nd Term Exp. 7/1/2016	262-534-5923
Kelly Brutlag, Treasurer 2 nd Term Exp. 7/1/2017	262-534-4507
Rachel Bennett, Secretary 2 nd Term Exp. 7/1/2016	262-534-2329
Jennifer Muffick 1 st Term Exp. 7/1/2016	262-534-5116
Sandra Becker 2 nd Term Exp. 7/1/2017	

Rochester Fire & Rescue Co. Officers	
Wally Henning (Fire Chief)	262-514-3996 (home) 262-930-5817 (cell) rvfc@tds.net
Jack Biermann (Asst. Chief)	262-492-0667 (cell) rvfc@tds.net
Catherine Wagner (Asst. Chief)	262-210-0557 (cell) rvfc@tds.net
Nick Longo (Fire Captain)	262-770-2471 (cell)
Shawn Skorstad (Fire Lieutenant)	262-758-3704 (cell)
Elijah Clark (Rescue Captain)	262-402-7074 (cell)
Justin Demant (Rescue Lieutenant)	262-989-2347 (cell)

Weed Commissioner:	Christopher J. Birkett, Public Works Manager
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*ED CHART, VILLAGE PRESIDENT, SERVES ON ALL COMMITTEES



Division of Transportation
Investment Management
Bureau of Transit, Local Roads, Railroads & Harbors
PO Box 7913
Madison, WI 53707-7913

Scott Walker, Governor
Mark Gottlieb, Secretary
Internet: www.wisconsin.gov

Telephone: 608-266-0775

Facsimile (FAX): 608-266-0658

April 25, 2016

Mr. Edward Chart, President
Village of Rochester
P.O. Box 65
Rochester, WI 53167

Dear Mr. Chart:

Thank you for your interest and application for funding under the 2016-2017 Municipal Street Discretionary Improvement Program (MSID). Unfortunately, the Statewide Municipal Street Discretionary Improvement Committee (SMSIDC) did not recommend your local project on River Road North and Rochester Street North to the WisDOT Secretary's Office for funding approval.

In this program cycle, 30 eligible MSID applications were received, requesting over \$12 million in MSID funds, with \$27 million in total project costs. MSID funds available for this biennium totaled almost \$2.05 million, including carryover. The Advisory Committee consisted of six local officials representing the League of Wisconsin Municipalities.

Secretary Gottlieb, approved eight MSID projects as recommended by the SMSIDC. These approved projects total approximately \$4.3 million in project costs. The committee has a goal to maintain as close to a 50 percent state/50 percent local match as possible and to maximize the state dollars. They chose to prorate the approved projects at approximately 99.7% of the requested amounts. A list of the approved projects will be posted to the LRIP homepage on WisDOT's Internet site at <http://wisconsin.gov/Pages/doing-bus/local-gov/astnce-pgms/highway/lrip.aspx>.

Wisconsin's cities and villages, led by their local associations, continue to show strong interest in and support of MSID, and in providing significant improvements to municipal streets throughout the state. We look forward to your continued interest in the program and to future project applications from the Village of Rochester.

Sincerely,

A handwritten signature in cursive script that reads "Lorrie Olson".

Lorrie Olson
LRIP Program Manager

cc: Julie Anderson, Racine County Highway Commissioner
Jerry Deschane, Executive Director, League of Wisconsin Municipalities
Curt Witynski, Assistant Director, League of Wisconsin Municipalities