



VILLAGE OF WILLIAMS BAY

250 Williams Street | PO Box 580 | Williams Bay | WI | 53191 | williamsbay.org Phone:
262-245-2700 | Fax: 262-245-2705

NOTICE

COMMITTEE MEETINGS

WEDNESDAY, DECEMBER 15, 2021 AT 6:30 PM

AGENDA

The following agenda items may be considered for Discussion, Consideration, or Action

I. Streets & Highways Committee – Stanek, Umans, Vlach

- a. Call to Order
- b. Roll Call
- c. Streets & Highways Committee Meeting Minutes of November 10, 2021
- d. Jake Braking
- e. Adjourn

II. Protective Services Committee – Vlach, Umans, D'Alessandro

- a. Call to Order
- b. Roll Call
- c. Protective Services Committee Meeting Minutes of November 10, 2021
- d. Protective Services Committee Meeting Minutes of December 6, 2021
- e. Monthly Numbers
- f. Chief's Report
- g. Adjourn

III. Parks & Lakefront Committee – D'Alessandro, Stanek, Wright

- a. Call to Order
- b. Roll Call
- c. Parks & Lakefront Committee Meeting Minutes of November 10, 2021
- d. Community Garden
- e. Lions Field House Refundable Deposit for Rental Agreement
- f. Adjourn

IV. Finance & Personnel Committee – Parker, D'Alessandro, Wright

- a. Call to Order
- b. Roll Call
- c. Finance & Personnel Committee Meeting Minutes of November 10, 2021

- d. Village Hall and Rec Department Copy Machine Leases
- e. Walworth County Economic Development Alliance Membership
- f. Adjourn

V. Water & Sewer Committee – Umans, Parker, Stanek

- a. Call to Order
- b. Roll Call
- c. Water & Sewer Committee Meeting Minutes of November 10, 2021
- d. Adjourn

VI. Building, Zoning & Ordinance Committee – Wright, Vlach, Parker

- a. Call to Order
- b. Roll Call
- c. Building, Zoning & Ordinance Committee Meeting Minutes of October 8, 2021
- d. Ordinance #2021-11 - An Ordinance amending section 80-3 of the Code of Ordinances of the Village of Williams Bay concerning the Village Administrator
- e. Utility Setbacks
- f. Bailey Estates Bond Reduction-Phase 4b
- g. Yard Waste Dumping
- h. Floodplain Ordinance-Act 175
- i. Adjourn

Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Village Clerk's office in advance so the appropriate accommodations can be made.

Posted: 12/13/2021 5:00 PM



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UNOFFICIAL MINUTES STREETS AND HIGHWAYS COMMITTEE WEDNESDAY, NOVEMBER 10, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

Call to Order

Meeting was called to order by Chairman Stanek at 6:37pm.

Roll Call

Trustees Stanek and Umans

Excused: Trustee Vlach

Also Present: President Duncan, Trustee D'Alessandro and Wright, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards, Police Chief Timm, Recreation Director Rowland, Village Attorney Schroeder, and Attorney Nick Egert; Representative for University of Chicago.

Meeting Minutes

Umans/Stanek motion to approve meeting minutes of September 15, 2021. Unanimously carried.

University of Chicago Dedication of Property

Attorney Egert discussed the proposed common law dedication from the University of Chicago. The intent is to dedicate .03 acres of parcel WAS 00001A to the Village. With the dedication, this portion of the property will become the street right-of-way of Constance Blvd. Attorney Schroeder stated that there is no impact to the Village if they accept the dedication. Stanek stated that the Plan Commission will also review the dedication and make a recommendation to the Village Board at their Joint meeting on November 15th. Umans/Stanek motion to recommend Village Board approval of the .03 acres of parcel WAS 00001A from the University of Chicago. Unanimously carried.

Adjourn

Stanek/Umans motion to adjourn at 6:43pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

These are not official minutes until approved by the Streets & Highways Committee



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UNOFFICIAL MINUTES PROTECTIVE SERVICES COMMITTEE WEDNESDAY, NOVEMBER 10, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

Call to Order

Meeting was called to order by Trustee Umans at 6:44pm

Roll Call

Trustees D'Alessandro and Umans

Excused: Chairman Vlach

Also Present: Trustees Parker and Wright, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards, Police Chief Timm, Recreation Director Rowland and Library Director Schnupp.

Meeting Minutes

D'Alessandro/Umans motion to approve meeting minutes of October 13, 2021. Unanimously carried.

Monthly Police Activity Report

Chief Timm presented the monthly report and answered any questions.

Police Chief's Report

Chief Timm provided an update on current activities within the Village. Timm stated that the electronic speed sign on E. Geneva Street was damaged in a traffic accident. He is working with Administrator Tobin and the insurance company on getting it replaced. The Toys For Tots campaign has started and there is a drop box for new, unwrapped toys in the Village Hall. Timm stated that there is a need to fill one of the crossing guard positions from January through March. It was suggested he contact the high school to see if a student would be available.

Adjourn

Umans/D'Alessandro motion to adjourn at 6:54pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer



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UNOFFICIAL MINUTES PROTECTIVE SERVICES COMMITTEE MEETING MONDAY, DECEMBER 6, 2021 AT 6:45 PM VILLAGE HALL COUNCIL ROOM

I. Call to Order

Chairman Vlach called the meeting to order at 6:45pm.

II. Roll Call

Present: George Vlach, Jim D'Alessandro, Robert Umans

Also Present: President Duncan, Trustee Stanek, Administrator Tobin and Chief Timm

- III. Consider a motion to convene into closed session pursuant to the exemption contained in Wis. Stats. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

The motion to convene into closed session pursuant to the exemption contained in Wis. Stats. § 19.85(1)(c) for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility was initiated by George Vlach and seconded by Robert Umans at 6:47pm.

Votes:

Yes: George Vlach, Jim D'Alessandro, Robert Umans

No: None

Abstain: None

Result: Passed

A. Police Department

IV. Motion to reconvene into open session

The Motion to reconvene into open session was initiated by Jim D'Alessandro and seconded by Robert Umans at 6:56pm. Unanimously carried.

V. Possible discussion of/action for those items discussed in closed session

The motion to Recommend Village Board Approval to extend a conditional offer to Valentino Rudi as a full-time Police Officer so long as he passes a background check, appears at the next Committee Meetings night as long as he is available and that the Village Board approves the final offer was initiated by George Vlach and seconded by Jim D'Alessandro. Unanimously carried.

VI. Adjourn

The motion to adjourn was initiated by Robert Umans and seconded by Jim D'Alessandro at 6:59pm. Unanimously carried.

/s/ Jackie Pankau, Village Clerk

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UNOFFICIAL MINUTES PARKS AND LAKEFRONT COMMITTEE WEDNESDAY, NOVEMBER 10, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

Call to Order

Meeting was called to order by Chairman D'Alessandro at 6:30pm

Roll Call

Present: Trustees D'Alessandro, Stanek and Wright

Also Present: President Duncan, Trustee Umans, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards, Police Chief Timm, Recreation Director Edwards and Attorney Schroeder.

Meeting Minutes

Wright/Stanek motion to approve meeting minutes of October 13, 2021 and October 18, 2021 Unanimously carried.

Edgewater Park Use Application for Farmer's Market 2022

The Committee reviewed the Edgewater Park Use application submitted by the Santa Cause Charity for the 2022 Farmer's Market. The Farmer's Market will be on Friday's beginning on May 27, 2022 and end on September 2, 2022 except for the Corn & Brat Festival weekend. Wright/Stanek motion to recommend Village Board approval of the Santa Cause Charity Edgewater Park application for 2022. Unanimously carried.

LWMMI 2021 Parks and Recreation Grant

Tobin discussed the \$3,434 grant that was received by the League of Wisconsin Municipalities Insurance. Staff is recommending utilizing the funds for benches and dog play equipment at the Dog Park. Stanek/Wright motion to recommend Village Board approval of utilizing the grant funds for the Dog Park. Unanimously carried.

Adjourn

D'Alessandro/Wright motion to adjourn at 6:37pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

These are not official minutes until approved by the Parks and Lakefront Committee

Williams Bay Community Garden Possible Move To Theatre Road

December/January

- Contact all garden members about the possibility of the move to Theatre Road. ● See how many gardeners would like to still have a plot.
- Determine how many plots should be constructed if there is enough interest.

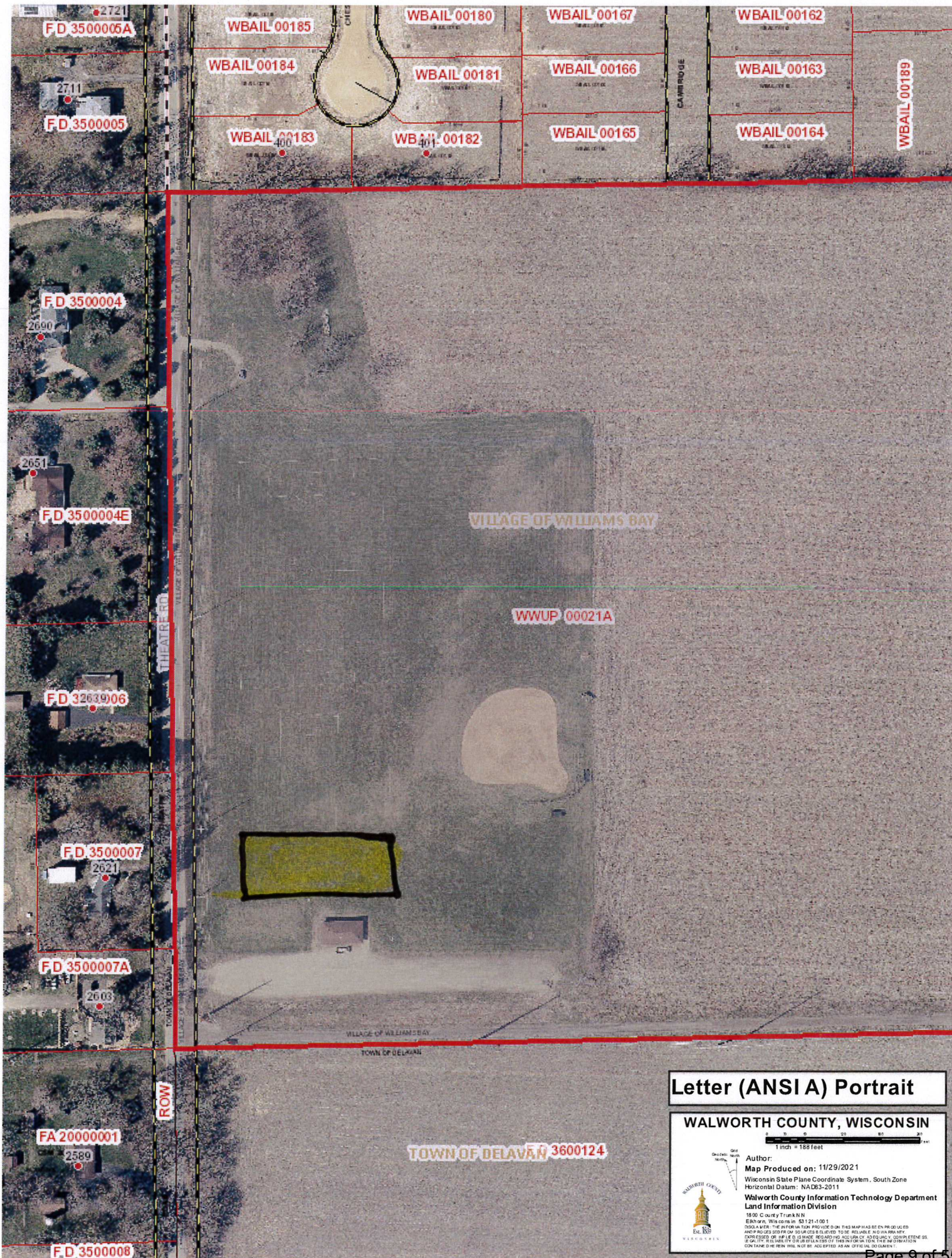
March/April

- Remove sod from Theatre Road. Public Works would probably take a full day to finish.
- Till soil at Theatre Road. Public Works would probably take a day.
- Remove fence and fence posts from Lions Park. The Recreation Department would take three to five days.
- Put up fence and fence posts at Theatre Road. The Recreation Department would take five to ten days.
- Setup water source and rain barrels at Theatre Road. Should take a half of a day.
- Make a door for Theatre Road. Should take a half of a day.
- Clean up the area at Lions Park and plant grass seed.

Mid April/May

- Open the community garden to garden members.

No money would be required for the move, but it will take time and a lot of hard work to move the garden.



Letter (ANSI A) Portrait

WALWORTH COUNTY, WISCONSIN

1 inch = 188 feet

Grid North
Magnetic North

Author:
Map Produced on: 11/29/2021
Wisconsin State Plane Coordinate System, South Zone
Horizontal Datum: NAD83-2011
Walworth County Information Technology Department
Land Information Division
1800 County Trunk Rd N
Elkhorn, WI 53121-1001
DISCLAIMER: THE INFORMATION PROVIDED ON THIS MAP HAS BEEN PREPARED BY WALWORTH COUNTY AND IS PROVIDED TO THE USER AS A SERVICE. WALWORTH COUNTY DOES NOT WARRANT THE ACCURACY, COMPLETENESS, OR QUALITY OF THE INFORMATION PROVIDED ON THIS MAP OR ANY OTHER INFORMATION CONTAINED THEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY INFORMATION FOR ANY PURPOSES FOR WHICH THIS MAP IS USED.



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UNOFFICIAL MINUTES FINANCE AND PERSONNEL COMMITTEE WEDNESDAY, NOVEMBER 10, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

Call to Order

Meeting was called to order by Trustee Wright at 6:54pm

Roll Call

Trustees Parker, D'Alessandro, and Wright.

Excused: Chairman Parker

Also Present: President Duncan, Trustees Stanek and Umans, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards, Police Chief Timm and Recreation Director Rowland.

Meeting Minutes

D'Alessandro/Wright motion to approve meeting minutes of October 13, 2021. Unanimously carried.

Fund Balance Policy

The Committee reviewed the revised draft fund balance policy. Tobin stated that based on the discussion at the previous meeting regarding the Library and recycling levy and whether they should be included in the calculation of operating expenses, language was added to the policy stating the prior to calculating the General Fund reserve percentage, the Village will ensure that the Library and Recycling Fund have been made whole related to any budgeted/actual deficits. Wright/D'Alessandro motion to recommend Village Board approval of the Fund Balance Policy. Unanimously carried.

Baker Tilly letter of engagement for ARP (American Recovery Plan) Advisory Services

Tobin stated that Baker Tilly has been contracted by Walworth County to work with municipalities within Walworth County to determine the range of services needed to advance ARPA planning, funding strategies, program management, and implementation. Tobin and Peternell met with a representative of Baker Tilly to discuss the expenditures that the Village has identified as uses for the funds and determining the loss revenue calculation. Tobin stated that there is no cost to the Village for the services. D'Alessandro/Wright motion to recommend Village Board approval of the Baker Tilly letter of engagement. Unanimously carried.

2022 Budget

Peternell stated that the public hearing on the 2022 budget is scheduled for Monday, November 15th. Wright/D'Alessandro motion to recommend Village Board approval of the 2022 Budget as presented. Unanimously carried.

Adjourn

Wright/D'Alessandro motion to adjourn at 7:01pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

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C O M P A N Y , I N C .
BUSINESS TECHNOLOGY. MANAGED.®

SOUTHERN WISCONSIN'S TECH EXPERTS



WHAT GFC OFFERS

HARDWARE

GFC is the **largest independent Canon dealer in the U.S.** and a leading provider of Ricoh, Lexmark and Zebra printers.

Canon **Lexmark™**
RICOH **ZEBRA**

FINANCING

Our own in-house financing division, GFC Leasing, provides flexible lease agreements with terms that will match your technology needs. And we'll never sell your lease to a 3rd party.

MANAGED PRINT

GFC's ImageCARE+ delivers the right combination of hardware and software, saving you money, time and resources.

uniFLOW
Laserfiche® PaperCut®

PRODUCTION & LARGE FORMAT

GFC's production and large format Print experts deliver the fastest, most dependable, accurate and award-winning printers/plotters in the industry.

FAMILY OWNED SINCE 1956

13 YEAR
AVERAGE
EMPLOYEE TENURE



162
SERVICE
TECHNICIANS



106
ACCOUNT
EXECUTIVES



34 LOCAL
OFFICES
IN THE MIDWEST



GFC's commitment to quality customer service begins with our experienced staff. Our local service technicians have an average tenure of more than 26 years.



GFC is committed to charitable giving and supporting non-profits in the communities we serve. The Gordon Flesch Charitable Foundation has donated over \$2 million to date.

December 7, 2021

To: Village Board

From: Becky Tobin, Village Administrator

RE: Village Hall Copy Machine

Dear Village Board Members:

The copy machine in village hall is a Sharp MX-3110N that was purchased in 2012 and is currently being serviced by Office Copy Equipment. The machine is slow, outdated, and is starting to have some mechanical issues. The maintenance on this machine is costing the village approximately \$240 per month or \$2,880 annually. I have been researching different alternatives to bring this equipment up-to-date and be cost efficient in the process.

I have been working with Gordon Flesch Company to help us determine what copier will best suit our needs at the Village. GFC is a highly reputable business technology company that has a strong presence in southern Wisconsin. GFC is recommending that the Village purchase a Ricoh IM C4500. This machine is part of the NASPO (National Association of State Procurement Officials) State of Wisconsin contract, so it has already been bid. This is part of a cooperative purchasing contract which allows local governments to take advantage of pricing discounts that have been bid at the state and even federal level. The Village would enter a 60-month lease with a \$1 buyout at the end of the lease. The lease will cost \$181.47 per month, plus copies, for an estimated monthly cost of \$245 (\$2,940 annually). There is \$3,000 allocated in the 2022 budget for the copy machine so the Ricoh will allow us to stay within the budget.

I am requesting approval from the Village Board to enter into a 60-month agreement with Gordon Flesch Company for the purchase of a Ricoh IM C4500 copy machine. Pricing is subject to the State of WI NASPO Contract #140602 and State of WI PA #505ENT-M20-MFDCOPIER-01.



Village of Williams Bay

GFC Recommended Solution: Village Hall Color Ricoh IM C4500

Machine Features:

- 45 Pages Per Minute - Black & White and Color
- Color Copying, Network Printing, Network Scanning, Staple Finishing, & Hole Punch
- 220 Sheet Single Pass Duplexing Automatic Document Feeder
 - Scan Both Sides at Once (Single Pass)
- 4 x 550 Sheet Paper Cassettes & 100 Sheet Bypass Tray
- Optional 2 x 550 Sheet Paper Cassettes + 1 x 2,000 Large Capacity Drawer (Letter)
- Up to 12" x 18" Media
- 10.1" Color Touch Screen
- Color Copying
 - Duplexing, Enlarge/Reduce, Watermarking, Collating, Grouping, etc!
- Color Network Printing - PCL, PS3 Emulation
 - Secure Print, Mobile Printing & Direct Print via USB Drive
- Color Network Scanning
 - Scan to Email, Folders, and USB Media
 - Scan as PDF, Compact PDF, JPEG, Tiff
 - Scan Directly to Folders & Create One Touch
 - Remove Blank Page Feature
- Internal Finishing
 - Stapling, Offsetting
 - 3 Hole Punch
 - One Output Tray up to 500 Sheets Output
- Dimensions: 23.1" x 27.0" x 47.6" (W x D x H)
- Motion Sensor Wake Up
- Includes Delivery, Installation, & Onsite Training





Village of Williams Bay

GFC Solution Investment: Ricoh IM C4500

60 Month \$1 Buyout Lease

\$181.47 per Month

**At the end of the lease, you own the machine for \$1!

Optional 2 x 550 + 1 x 2,450 Large Cap Drawer

Plus \$4.73 per Month

**2 x 550 sheet paper cassettes instead of 4 x 550.

Optional 2 x 550 + Cabinet Configuration

Less \$7.75 per Month

**2 x 550 sheet paper cassettes instead of 4 x 550.

Optional Power PDF Software (5 Licenses)

Plus \$23.49 per Month

**Includes 5 licenses & 5 years of support

imageCARE Toner Inclusive Service Program

\$.0062 per Page Black & White

\$.048 per Page Color

Pricing includes all toner, staples, parts, labor, service, technical updates,
access to our Technical Support Center, etc!

December 7, 2021

To: Village Board

From: Becky Tobin, Village Administrator

RE: Recreation Department Multi-Function Machine

Dear Village Board Members:

The multi-function machine used by the Recreation Department is a reconditioned Konica Minolta Bizhub C3110. This machine will color, copy, print, and scan. It was purchased by the Rec Department 2 years ago for \$860. The maintenance contract is through Martin Group and costs \$99.62 per month which includes 1,000 black and white copies and 250 color pages. Overage charges apply if copy count goes above the allotted amount. The recreation department needs to be able to print more color copies for their program brochures and other materials. The copy costs on this machine are extremely high, especially for a used product.

Gordon Flesch did their research and is recommending the Village to purchase a Desktop Color Ricoh C300F. This machine has color copying, network printing, network scanning, & fax. It is a robust machine for its size and will be an upgrade for the recreation department. The Village would enter a 60-month lease with a \$1 buyout at the end of the lease. The lease will cost \$48.46 per month and the Village only pays for copies that they use rather than the flat expensive rate that Martin Group was charging. The Rec Department could double the amount of color copies that they print, and it would still only cost \$92.11 per month. The Ricoh will end up saving the Village money compared to the current machine.

I am requesting approval from the Village Board to enter into a 60-month agreement with Gordon Flesch Company for the purchase of a Ricoh C300F copy machine. Pricing is subject to the State of WI NASPO Contract #140602 and State of WI PA #505ENT-M20-MFDCOPIER-01.



Village of Williams Bay

GFC Recommended Solution: Rec Dept Desktop Color Ricoh C300F

Machine Features:

- 30 Pages Per Minute - Black & White and Color
- Color Copying, Network Printing, Network Scanning, & Fax
- 50 Sheet Single Pass Duplexing Automatic Document Feeder
- 1 x 250 Sheet Paper Cassette
- 100 Sheet Multi-Purpose Tray
- Up to 8.5" x 14" Media
- 10.1" Color Touch Screen
- Color Copying
 - Duplexing, Enlarge/Reduce, Watermarking, Date Stamping, etc!
- Color Network Printing - PCL, PS3 Emulation
 - Secure Print, Mobile Printing & Direct Print via USB Drive
- Color Network Scanning
 - Scan to Email, Folders, and USB Media
 - Scan as PDF, Compact PDF, JPEG, Tiff
 - Remove Blank Page Feature
- Fax
 - Route Incoming Faxes to an Email Address or Fax Folder
 - Fax From Your Desktop
- Dimensions: 19.6" x 22.1" x 20.1" (W x D x H)
- Motion Sensor Wake Up
- Includes Delivery, Installation, & Onsite Training





Village of Williams Bay

GFC Solution Investment: Ricoh IM C300F

60 Month \$1 Buyout Lease

\$48.46 per Month

**At the end of the lease, you own the machine for \$1!

imageCARE Toner Inclusive Service Program

\$.01210 per Page Black & White

\$.0631 per Page Color

Pricing includes all toner, parts, labor, service, technical updates,
access to our Technical Support Center, etc!



December 8, 2021

Becky Tobin
Village of Williams Bay
250 Williams Street
Williams Bay, WI 53191

Re: WCEDA Membership

Dear Becky:

It was nice to be able to meet with you in person, and it's great to have you in that role. And, I look forward to working with you going forward. We discussed a number of ways we could work together as I talked to you about WCEDA membership.

As a recap, the county has provided annual funding at a rate of approximately \$1 per resident. Our municipal members have provided funding at \$.5 per resident. There are not any set benefits, but I am proactive with the communities that support WCEDA. Essentially, that means that I check in with them regularly, I bring prospects to them before other communities, and I do customized tasks.

Some of the tasks that we could do for the village that we discussed on our recent meeting were things link the following:

- Walk the council through an Economic 101 series of worksheets to help them think through how they want to implement their comprehensive plan in the near term.
- Connect you with economic development partners and peers from other communities within the county that are doing projects that might work well for Williams Bay.
- Give you input on potential projects that might position you better for the future, related to the use of TIF funding, utilities, or land usage.
- Help you work better with the companies and organizations that drive your local economy.
- Help you better understand the economic development tools that are available to you and provide direct contacts for each.
- Give you input about adding economic development resources to your website.

Of course, we are open to assistance in other ways, if a need arises. Many people don't realize that we are a small non-profit agency with only 3.5 full-time equivalents. Funding from municipalities goes a long way and it greatly appreciated. It also helps us fund our general operations. One of our key areas of programming is related to workforce development.



We address this through career awareness programs like Made in Walworth County (for manufacturers), Inspire (career awareness for construction, healthcare, and hospitality), job fairs, and low-cost training options that are delivered in partnership with Gateway Technical College. Members like municipalities get a \$100 discount per employee on training workshops.

General funding also ensures that Walworth County has a seat at the table for state and regional initiatives. Those counties that don't have an economic development agency can miss out. I would encourage you or your council members to take a look at our most recent annual report via this [link](#).

Many of our key cities and villages are members, and we would be grateful for Williams Bay's support as well. Thank you for your consideration, and let us know how we can help you.

Sincerely,

Derek D'Auria
Executive Director
262-564-3211



VILLAGE OF WILLIAMS BAY

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UNOFFICIAL MINUTES WATER AND SEWER COMMITTEE WEDNESDAY, NOVEMBER 10, 2021 AT 6:30 PM VILLAGE HALL COUNCIL ROOM

Call to Order

Meeting was called to order by Chairman Umans at 7:01pm

Roll Call

Trustees Umans and Stanek

Excused: Trustee Parker

Also Present: President Duncan, Trustee D'Alessandro and Wright, Administrator Tobin, Treasurer Peternell, Public Works Director Edwards, Police Chief Timm and Recreation Director Rowland.

Meeting Minutes

Stanek/Umans motion to approve the October 13, 2021 meeting minutes. Unanimously carried.

2022 Proposed Budget

Discussion was held regarding the revenue projections for 2022. Umans stated that the 2022 budget reflects a proposed rate increase effective in the 3rd quarter based on the preliminary projections provided by Baker Tilly as outlined in the current rate case application with the PSC. Wright/D'Alessandro motion to recommend Village Board approval of the 2022 budget as presented. Unanimously carried.

Southwick Creek Realignment Update

The Committee reviewed the Preliminary Opinion of Probable Costs and the 10-13-21 Proposed Creek Alignment Plan provided by Baxter Woodman. Discussion was held that the Geneva Lake Conservancy has applied for a DNR Surface Water grant.

Adjourn

Umans/Stanek motion to adjourn at 7:23pm. Unanimously carried.

/s/ Lori Peternell, Village Treasurer

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UNOFFICIAL MINUTES BUILDING, ZONING AND ORDINANCE 10/08/21 MEETING FRIDAY, OCTOBER 8, 2021 AT 8:30 AM VILLAGE HALL COUNCIL ROOM

I. Call to Order

Trustee Wright called the meeting to order at 08:33am.

II. Roll Call

Present: Lowell Wright, Don Parker

Also Present: Administrator Tobin and Clerk Pankau

Excused: George Vlach

III. Building, Zoning & Ordinance Committee Meeting Minutes of September 17, 2021

The motion to Approve the Building, Zoning & Ordinance Committee Meeting Minutes of September 17, 2021 was initiated by Don Parker and seconded by Lowell Wright. Unanimously carried.

IV. Resolution R-12-21 Revising the Ward Map for the Village of Williams Bay

Clerk Pankau explained that the Ward Maps need to be reviewed and possibly changed every 10 years after the Census Data is available. She explained that the goal is to have about the same number of residents in each ward. Therefore, she showed the Committee that she extended Ward 1 and made Ward 2 and 4 smaller, to reflect the changes in population that Ward 2 and 4 have had in population growth.

The motion to Recommend Village Board Approval of Resolution R-12-21 Revising the Ward Map for the Village of Williams Bay was initiated by Lowell Wright and seconded by Don Parker. Unanimously carried.

V. Pier Numbers

Trustee Wright explained that after Harbor Commission meetings, he is looking into establishing an Ordinance which would require pier numbers to be clearly placed at the end of each pier so that it is easier for the Harbor Commission, Law Enforcement, Fire Departments and Rescue Departments to know which pier is which. The Committee asked Administrator Tobin to ask the Village Attorney what an appropriate penalty would be and if it could be enforced on existing piers.

VI. Appointment of Village Administrator

The Committee asked Administrator Tobin to ask the Village Attorney to put into language to say that if the Village President does not re-appoint the incumbent Village Administrator, then the Village Board by majority vote can re-appoint them. Trustee Wright asked for this to be reviewed at the November Committee meeting.

VII. Update on Status of Comprehensive Plan

Trustee Wright announced that Van de Walle has suggested coming before the Village Board before a regular Board Meeting to start the process of the Comprehensive Plan.

VIII. Contract for Building Inspection Services

Trustee Wright explained that there is a proposed contract from Safe Built that needs to be passed onto the Finance and Personnel Committee. Trustee Wright noted that it still refers to Dave Bretl, former Interim Administrator in the

contract, and asked Administrator Tobin to have them change it to "Village Administrator".

The motion to move the Contract for Building Inspection Services to the Finance and Personnel Committee for review was initiated by Lowell Wright and seconded by Don Parker. Unanimously carried.

IX. Adjourn

The motion to adjourn was initiated by Lowell Wright and seconded by Don Parker at 9:03am. Unanimously carried.

/s/ Jackie Pankau, Village Clerk

These are not official Minutes until approved by the Governing Body.

Appointment of Village Administrator

Ordinance Change Proposals – 10/2021

Situation and Goal: Under current ordinances that Village Administrator is appointed and subject to re-appointment every year. That short period makes it difficult to recruit strong candidates and may encourage short-time horizons in policy and action. There also are inconsistencies between the Ordinance describing the Village Administrator and the Position Description on which the Administrator is recruited and managed. The goal of these ordinance changes is to provide for a longer appointment time and to eliminate inconsistencies.

Proposal Regarding Appointment

Amend Section 80.3 C as noted in bold text below:

Appointment. The Village Administrator shall be appointed by the Village President and confirmed by the Village Board **for a term of three (3) years at the time of initial hire (or at the expiration of appointment of an incumbent Administrator appointed prior to adoption of this amendment)** on the basis of merit, with due respect to training, experience, administrative ability and general fitness and knowledge of administrative and operational functions of municipal government. The Village Administrator shall be deemed an officer of the Village of Williams Bay. Compensation therefor shall be as determined by the Village Board from time to time

Proposal Regarding Inconsistencies between Ordinance and Job Description

Amend Section 80.3 D to replace all existing text with the following taken from the current approved Position Description for the Village Administrator

D. General Duties: The Village Administrator shall have the following general duties

(1) Board Relations

- (a) Carry out directives of the Village Board, which requires administrative implementation, reporting promptly to the Village Board any difficulties encountered therein
- (b) Attend all meetings of the Village Board, assisting the President and the Board as required in the performance of their duties.
- (c) Keep the President and Board regularly informed about the activities of the Administrator's office and the current fiscal position of the Village by oral or written report at regular and special meeting of the Village board
- (d) The Village Administrator shall make recommendations from time to time to the Village Board for improving that quality and efficiency of services performed by the Village and for improving the health, safety and welfare of the Village.

(2) Financial

- (a) Serve as the primary staff person in establishing and monitoring the annual operating budget in accordance with all statutory requirements
 - (b) Oversee the work of the Treasurer and serve as the primary staff responsible for monitoring the budget and answering budget inquiries of staff and elected officials. Perform certain accounting tasks to ensure separation of duties to the extent possible including reviews and approves journal entries, approve all Village encumbrances, reviews and approves back deposits.
 - (c) Serve as the purchasing agent for the Village, supervising all purchasing and overseeing the contracting for supplies and services. Prepares for execution of Village contracts.
- (3) Administration
- (a) Administer all day-to-day operations of the Village government, including the monitoring of all Village ordinances, resolutions, Village Board meetings and state statutes.
 - (b) Administer and direct the operation and maintenance of all Village-owned property, lands, building, improvement and eq, and all public ways, ditches, drains and storm sewers and where such duties are otherwise given to other officials, officers and employee of the Village, the Village Administrator shall assist the above officials, officers and employees as the Village Board may from time to time direct.
 - (c) Create drafts of administrative procedures, subject to review by the Village Board, to increase the effectiveness and efficiency of Village government.
 - (d) Oversee the engagement of outside consultants through drafting RFPs or bid requests, review and bids of proposals and make a recommendation to the Village Board.
 - (e) Ensure the thorough and satisfactory completion of all contracted and consultant work.
- (4) Legislative
- (a) Keep informed concerning current Federal, State and County legislation and administrative rules affecting the Village.
- (5) Human Relations
- (a) Serve as personnel officer for the Village with responsibilities to see that complete and current personnel records, including specific job descriptions for all Village employees are maintained, evaluate in conjunction with department directors the performance of all employees on a regular basis, recommend salary and wage scales for Village employees not covers by collective bargaining agreements, assure that the Village employees have proper working conditions, and work closely with department heads to promptly resolve personnel problems or grievances..
 - (b) Administer or direct a designee to ensure that all employees, new and sustained, have had their benefit package fully explained and implemented.
 - (c) The Village Administrator shall work closely with department heads to assure that employees receive adequate opportunity for training in order to maintain and improve their job-related knowledge and skills.

- (d) Recommend to the village Board the appointment, promotion, and, when necessary, for the good of the Village, the suspension or termination of department directors.
 - (e) In consultation with the appropriate department director be responsible for the appointment, promotion and, when necessary for the good of the Village, the suspension or termination of employees below the department director level.
- (6) Community and Government Relations
 - (a) Establish and maintain procedures to facilitate communications between citizens and Village government to assure that complaints, grievances, recommendations and other matters receive prompt attention by the responsible officials
 - (b) Promote the economic well-being and growth of the Village of Williams Bay through public and private sector cooperation.
 - (c) The Village Administrator shall represent the Village in matters involving legislative and intergovernmental affairs as authorized by the Village Board.
 - (d) File all reports required by the State of Wisconsin including, but not limited to: Statement of Assessments, Statement of Taxes, Compliance Maintenance Report, Recycling Grant and Accomplishments, with the exception of the Financial Report Form and the Public Service Commission.
 - (e) Attend promptly to all resident inquiries, concerns, issues, etc., ensuring that all ordinances are followed.
- (7) Secondary, Incidental Duties and Responsibilities
 - (a) Oversee the completion of Village publications on a timely basis to ensure all materials included therein are current.
 - (b) Provide or outsource periodic upgrades to the Village website by uploading new information for public consumption.
 - (c) Attend conferences, seminars, workshops and court proceedings as needed.
 - (d) Have conversations with developers, building, business-owners and others attempting to procure development within Williams Bay. Involve the Village Board as appropriate.

Delete Section E and F

Renumber Section G to be Section E

ORDINANCE #2021 – 11
AN ORDINANCE AMENDING SECTION 80-3 OF THE CODE OF ORDINANCES
OF THE VILLAGE OF WILLIAMS BAY CONCERNING THE VILLAGE ADMINISTRATOR

WHEREAS, Section 80-3 of the Code of Ordinances of the Village of Williams Bay sets forth the authority, duties and responsibilities of the Village Administrator; and

WHEREAS, the Building, Zoning and Ordinance Committee having reviewed Section 80-3 to ensure that it adequately describes the position of Village Administrator in a manner that meets the needs of the village; and

WHEREAS, as result of its review of Section 80-3 the Building, Zoning and Ordinance Committee having proposed to the Village Board amendments to that section in order to better meet the needs of the village; and

WHEREAS, the Village Board of the Village Williams Bay having reviewed the proposed amendments to Section 80-3 and having determined that it is appropriate to adopt same.

NOW, THEREFORE, the Village Board of the Village of Williams Bay do hereby ordain as follows:

Section I. Section 80-3C. of the Code of Ordinances of the Village of Williams Bay is hereby amended to read as follows:

C. Appointment. The Village Administrator shall be appointed by the Village President and confirmed by the Village Board for a term of three (3) years from the date of initial hire (or at the expiration of the term of an incumbent Village Administrator appointed prior to April 20, 2021) on the basis of merit, with due respect to training, experience, administrative ability and general fitness and knowledge of administrative and operational functions of municipal government. The Village Administrator shall be an officer of the Village of Williams Bay. Compensation therefore shall be as determined by the Village Board from time to time. Should the Village President decline to reappoint an incumbent Village Administrator, the Village Board may reappoint the incumbent Village Administrator to that office.

Section II. Section 80-3D. of the Code of Ordinances of the Village of Williams Bay is hereby amended to read as follows:

D. General Duties: The Village Administrator shall have the following general duties:

(1) Board Relations.

- (a) Carry out directives of the Village Board which require administrative implementation, reporting promptly to the Village Board any difficulties encountered therein.
- (b) Attending all meetings of the Village Board, assisting the President and the Village Board as required in the performance of their duties.
- (c) Keep the President and Village Board regularly informed about the activities of the Administrator's Office and the current fiscal position of the Village by oral or written report at regular and special meeting of the Village Board.
- (d) The Village Administrator shall make recommendations from time to time to the Village Board for improving the quality and efficiency of services

performed by the Village and for improving the health, safety and welfare of the Village.

(2) Financial.

- (a) Serve as the primary staff person in establishing and monitoring the annual operating budget in accordance with all statutory requirements.
- (b) Oversee the work of the Treasurer and serve as the primary staff person responsible for monitoring the budget and answering budget inquiries of staff and elected officials. Perform certain accounting tasks to ensure separation of duties to the extent possible, including reviews, approves journal entries, approves all Village encumbrances, review and approve bank deposits.
- (c) Serve as the purchasing agent for the Village, supervising all purchasing and overseeing the contracting for supplies and services. Prepare Village contracts for execution.

(3) Administration.

- (a) Administer all day-to-day operations of the Village government, including the monitoring of all Village ordinances, resolutions, Village board meetings and state statutes.
- (b) Administer and direct the operation and maintenance of all Village-owned property, lands, buildings, improvements and equipment, and all public ways, ditches, drains and storm sewers and where such duties are otherwise given to other officials, officers and employees of the Village, the Village Administrator shall assist the above officials, officers and employees as the Village Board may from time to time direct.
- (c) Create drafts of administrative procedures, subject to review by the Village Board, to increase the effectiveness and efficiency of Village government.
- (d) Oversee the engagement of outside consultants through drafting RFP's or bid requests, review bids and proposals and make a recommendation to the Village Board.
- (e) Ensure the thorough and satisfactory completion of all contracted and consultant work.

(4) Legislative.

- (a) Keep informed concerning current Federal, State and County legislation and administrative rules affecting the Village.

(5) Human Relations.

- (a) Serve as personnel officer for the Village with responsibilities to ensure that complete and current personnel records, including specific job descriptions for all Village employees, are maintained; evaluate in conjunction with department directors the performance of all employees on a regular basis, recommend salary and wage scales for Village employees not covered by collective bargaining agreements, ensure that

the Village employees have proper working conditions, and work closely with department heads to promptly resolve personnel problems or grievances.

- (b) Administer or direct a designee to ensure that all employees, new and sustained, have had their benefit package fully explained and implemented.
- (c) The Village Administrator shall work closely with department heads to ensure that employees receive adequate opportunity for training in order to maintain and improve their job-related knowledge and skills.
- (d) Recommend to the Village Board the appointment, promotion and, when necessary, for the good of the Village, the suspension or termination of department directors.
- (e) In consultation with the appropriate department director be responsible for the appointment, promotion and, when necessary for the good of the Village, the suspension or termination of employees below the department director level.

Section III. Section 80-3E. and Section 80-3F. are hereby repealed.

Section IV. Section 80-3G. is hereby redesignated as Section 80-3E.

Section V. This ordinance shall take effect upon passage and publication as provided by law.

Approved by the Village Board of the Village of Williams Bay this _____ day of _____, 2021.

VILLAGE OF WILLIAMS BAY

By: _____
William Duncan, President

Attest: _____
Jackelyn Pankau, Clerk

First Reading: _____
Second Reading: _____
Date Adopted: _____
Date Published: _____

- (c) **Utility setbacks.** In addition to any other **setback** required by this chapter or ordinance, no building shall hereafter be erected, structurally altered, reconstructed, or relocated so that any roofed or enclosed portion, including any footings, is closer than ten feet to any public **utility** line. The zoning administrator may require said public **utility** lines to be surveyed in advance of issuing a zoning permit so as to verify compliance with this section.

(Ord. No. 090412-02, § 1, 9-4-2012; Ord. No. 03-07-16-04, § 1, 3-7-2016)

December 6, 2021

Becky Tobin, Administrator
Village of Williams Bay
250 Williams Street
Williams Bay, WI 53191

Subject: Bailey Estates – Phase 4B

Dear Becky,

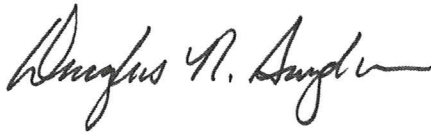
Enclosed is an Application for letter of credit reduction, sworn statement, and lien waivers for work performed for Phase 4B of Bailey Estates Subdivision by Gerstad Builders. Please note that Phase 4A was Chesterfield Court; Phase 4B is Cambridge Drive. They are requesting a letter of credit reduction to \$101,012.00; enclosed is a list of items needed prior to a further letter of credit reduction for Phase 4B.

We recommend that the Village reduce the letter of credit for Phase 4B of Bailey Estates Subdivision to \$101,012.00.

Please call if you have any questions.

Sincerely,

BAXTER & WOODMAN, INC.
CONSULTING ENGINEERS



Douglas R. Snyder, P.E.

DRS/drs
Encs.

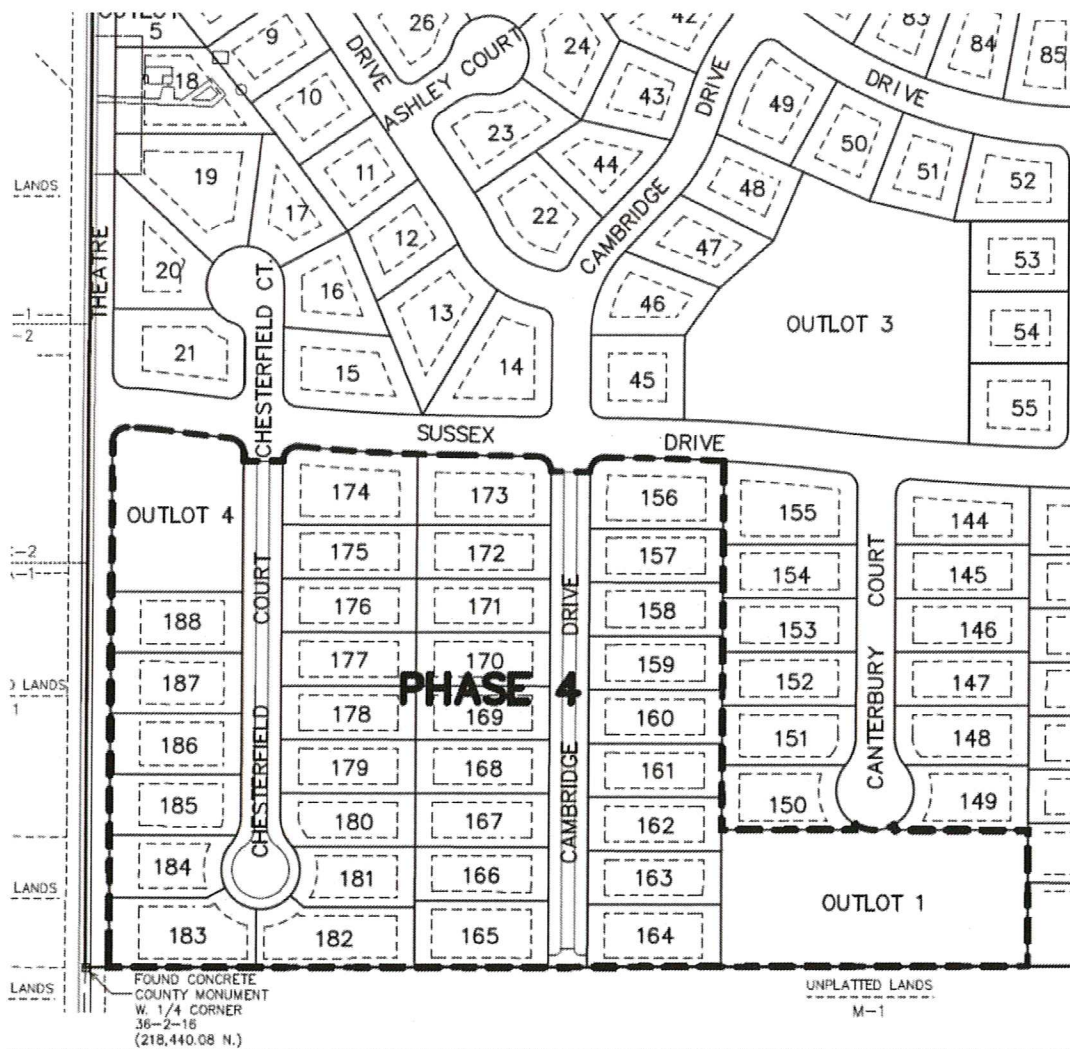
I:\CRYSTAL LAKE\WLMSV\190695-BAILEY EST PHASE 4A\PHASE 4B LETTER OF CREDIT REDUCTION.DOC

Items Needed Prior to Project Acceptance Bailey Estates Phase 4B- Cambridge Drive Village of Williams Bay

December 6, 2021

Page 1 of 1

1. Final layer of asphalt with proof roll.
2. Limestone shoulder.
3. Street trees.
4. Record drawings for the entire subdivision to date, including Phase 4B



October 28, 2021

Rebecca Tobin, Administrator
Village of Williams Bay
250 Williams Street
PO Box 580
Williams Bay, WI 53191

Subject: Bailey Estates Unit 4b

Gerstad Builders is requesting a reduction for bond of public improvements to Bailey Estates phase #4b, Cambridge Drive south of Sussex. The public improvements are complete with the exception of the final lift of asphalt and the street trees.

Enclosed is a contractor's statement with waivers.

We are requesting to reduce the Construction Bond on file from \$1,111,500 to \$101,012.00.

Should you have any questions please call.

Sincerely,



Roger Gerstad
President

Sworn General Contractor Statement

Property Owner: Gerstad Builders, Inc.

General Contractor: Gerstad Builders, Inc.

Title File #:

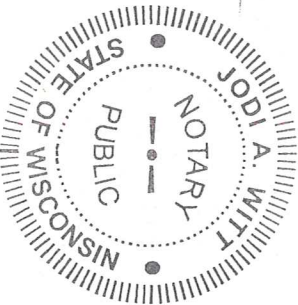
Property: Bailey Estates Unit # 4b

Type of Work	Contractor Supplier Name	Original Contract Amount	Changes to Contract	Current Contract (orig +/- changes)	Contract Balance to be Paid	Totals
Engineering (1040+1050+1051)	Farris Hansen	6,085.00		6,085.00	0.00	6,085.00
Landscape (1045)	Willkomm Excavating & Grading	29,007.40		26,106.66	2,900.74	29,007.40
Storm Sewer (1060)	Willkomm Excavating & Grading	31,428.00		31,428.00	0.00	31,428.00
Water (1065)	Willkomm Excavating & Grading	25,777.00		25,777.00	0.00	25,777.00
Sanitary Sewer (1070)	Willkomm Excavating & Grading	98,633.41		98,633.41	0.00	98,633.41
Gravel Sub Base (1073)	Willkomm Excavating & Grading	59,566.25		59,566.25	0.00	59,566.25
Paving (1085)	Willkomm Excavating & Grading	27,992.15		25,192.93	2,799.22	27,992.15
Dirt Moving (1090)	Willkomm Excavating & Grading	512,767.35		445,540.82	67,226.53	512,767.35
Miscellaneous (1110)	Gerstad Builders, Inc.	64,170.94		64,170.94	0.00	64,170.94
Trees	Gerstad Builders, Inc.	11,250.00		0.00	11,250.00	11,250.00
Totals		866,677.50	0.00	782,501.01	84,176.49	866,677.50

1. The undersigned has a contract with the Owner for construction of improvements ("Project") on the property shown above ("Property");
2. To the best of the undersigned's knowledge, the amounts shown above are: (a) the exact and total amounts paid, due or to become due to each such contractor, subcontractor and/or supplier for the services, materials or labor furnished for the Project, and (b) are fair and reasonable values for the services, materials or labor;
3. Except as shown above, no other contractors, subcontractors and/or suppliers have been contracted with or employed by the undersigned for the Project and the undersigned is not aware of any other contractors, subcontractors and/or suppliers for the Project;
4. The undersigned will not authorize the doing of any work or furnishing of any materials upon the Property which will be an expense or claim in addition to the amounts set forth above

Date: October 28, 2021

Roger Gerstad President
General Contractor Signature and Title



Subscribed and sworn before me on: Oct 28, 2021

Notary Public, Notary Signature
County, Illinois.

My Commission (expires): 9-3-22

WAIVER OF LIEN__PARTIAL
MATERIALS OR LABOR (ILLINOIS)

STATE OF ILLINOIS, }
McHENRY COUNTY, }

October 28, 2021

DATE

TO ALL WHOM IT MAY CONCERN:

Whereas, I the undersigned Roger Gerstad

have been employed by Gerstad Builders, Inc.

Bailey Estates Subdivision-Phase 4-B

to furnish

Miscellaneous

for the building known as Number

City/Village of Village of Williams Bay situated on Lot

In section 36, Township 2 North, Range 16 East

County of: Walworth State of Wisconsin.

Now, therefore, Know Ye, That the undersigned, for and in consideration of \$64,170.94
Sixty-four thousand, one hundred, seventy and 94/100 Dollars, and other good and
valuable considerations, the receipt whereof is hereby acknowledged, do hereby waive and release
any and all lien, or claim, or right of lien on said above described building and premises under the
Statutes of the State of Illinois relating to Mechanic's' Liens, on account of labor or materials, or both,
furnished or which may be furnished by the undersigned to or on account of the said _____
for said building or premises.

Given Under my hand and seal this 28th day
of October, 2021.

Roger O Gerstad Seal

Seal

Exact copy should be made and retained.

WAIVER OF LIEN PARTIAL
MATERIALS OR LABOR (ILLINOIS)

STATE OF ILLINOIS, }
McHENRY COUNTY, }

October 28, 2021

DATE

TO ALL WHOM IT MAY CONCERN:

Whereas, I the undersigned Roger Gerstad

have been employed by Gerstad Builders, Inc.

Bailey Estates Subdivision-Phase 4-B to furnish

Overall

for the building known as Number

City/Village of Village of Williams Bay situated on Lot

In section 36, Township 2 North, Range 16 East

County of: Walworth State of Wisconsin.

Now, therefore, Know Ye, That the undersigned, for and in consideration of \$866,677.50
Eight hundred, sixty-six thousand, six hundred, seventy-seven and 50/100 Dollars, and other good and
valuable considerations, the receipt whereof is hereby acknowledged, do hereby waive and release
any and all lien, or claim, or right of lien on said above described building and premises under the
Statutes of the State of Illinois relating to Mechanic's' Liens, on account of labor or materials, or both,
furnished or which may be furnished by the undersigned to or on account of the said _____
for said building or premises.

Given Under my hand and seal this 28th day
of October, 2021.

Roger O Gerstad Seal

Seal

Exact copy should be made and retained.

WAIVER OF LIEN TO DATE

STATE OF Wisconsin
COUNTY OF Racine

TO WHOM IT MAY CONCERN:

WHEREAS the undersigned has been employed by Gerstad Builders, Inc. to furnish Earthwork/Utilities for the premises known as Bailey's Estates-Phase 4B of which Gerstad Builders, Inc. is the owner.

THE undersigned, for and in consideration of Two Hundred Twenty Thousand one Hundred Forty Three and 55/100 (\$220,143.55) dollars and other good and valuable considerations, the receipt whereof is hereby acknowledged, do(es) hereby waive and release any and all liens or claim of, or right to, lien, under the statutes of the State of Wisconsin, relating to mechanics' liens with respect to and on said above-described premises, and the improvement thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due from the owner, on account of labor, services, material, fixtures, apparatus or machinery, furnished, or which may be furnished at any time hereafter, by the undersigned for the above described premises. INCLUDING EXTRAS.*

DATE: 8/21/2021

COMPANY NAME: Willkomm Excavating & Grading, Inc.

ADDRESS: 17108 County Line Road
Union Grove WI 53182

SIGNATURE AND SEAL: Nicholas A. Willkomm

The waiver provided in the foregoing paragraph shall only become effective when the Contractor's payment covering Application for Payment Number has been received by Subcontractor and cleared Subcontractor's bank.

NOTE: All waivers must be for the full amount paid. If waiver is for a corporation, corporate name should be used, corporate seal annexed, and title or officer signing waiver should be set forth; if waiver is for a partnership the partnership name should be used, partner should sign and designate himself as partner.

CONTRACTOR'S AFFIDAVIT

STATE OF Wisconsin
COUNTY OF Racine

TO WHOM IT MAY CONCERN:

THE undersigned, Nicholas A Willkomm, being duly sworn, deposes and says that he or she is President of Willkomm Excavating & Grading, Inc. who is the contractor furnishing earthwork/utilities on the project located at Bailey's Estates, Williams Bay, WI owned by Gerstad Builders, Inc.

That the total amount of the contract including extras* is \$ 727,966.56 on which we have received payment of \$ 434,896.52 prior to this payment. That all waivers are true, correct and genuine and delivered unconditionally and that there is no claim either legal or equitable to defeat the validity of said waivers. that the following are the names of all parties who have furnished material or labor, or both, for said work and all the parties having contractors or subcontracts for specific portions of said work or for material entering into the construction thereof and the amount due or to become due to each, and that the items mentioned include all labor and material required to complete said work according to plans and specifications:

NAMES	WHAT FOR	CONTRACT PRICE	APPROVED CO	AMOUNT PAID	THIS PAYMENT	BALANCE DUE
Willkomm Excavating	Earthwork	\$ 512,767.35		\$ 225,397.27	\$ 220,143.55	\$ 67,226.53
Concrete Specialties	Structures	\$ 8,083.99		\$ 8,083.99		\$ -
Corporate Contractors Inc	Stone	\$ 15,038.87		\$ 15,038.87		\$ -
Highway Landscapers	Landscaping	\$ 29,007.40		\$ 26,106.66		\$ 2,900.74
Johnson Sand and Gravel	Stone	\$ 20,751.83		\$ 20,751.83		\$ -
Core and Main	Pipe	\$ 50,859.02		\$ 50,859.02		\$ -
Neenah	Casting	\$ 3,899.70		\$ 3,899.70		\$ -
Stark	Paving	\$ 27,992.15		\$ 25,192.93		\$ 2,799.22
Super Aggregate	Stone	\$ 59,566.25		\$ 59,566.25		\$ -
TOTAL LABOR AND MATERIAL TO COMPLETE		\$ 727,966.56		\$ 434,896.52	\$ 220,143.55	\$ 72,926.49

That there are no other contracts for said work outstanding, and that there is nothing due or to become due to any person for material, labor or other work of any kind done or to be done upon or in connection with said work other than above stated. Subcontractor agrees to indemnify and hold harmless Contractor from any and all liabilities, losses, costs, damages, expense, demands, claims, lien claims, bond claims, attorney's fees or collection cost that directly or indirectly arise from Subcontractor's work, or misrepresentations, omissions or inaccuracies in this Waiver.

DATE: 8/21/2021

Subscribed and sworn to before me this



August, 2021

My Commission Expires: 5/15/2024
NOTARY PUBLIC

PARTIAL WAIVER OF LIEN

9/15, 20 21

For value received \$26,106.66, we hereby unconditionally waive **PARTIAL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____, same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**

Highway Landscapers, Inc.

Scott Shuck PRESIDENT

Name – Title

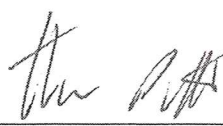
PARTIAL WAIVER OF LIEN

9/22, 20 21

For value received \$25,192.93, we hereby unconditionally waive **PARTIAL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____, same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**
Stark Pavement

 Vice President
Name -- Title

FINAL WAIVER OF LIEN

For value received, VS Water Blasting, LLC hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____ in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

VS Water Blasting, LLC


 Name - Title _____ Date 1-25-21
 Division Manager

FINAL WAIVER OF LIEN

For value received, Core & Main hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____ in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

Core & Main

 August 10, 2021
Name - Title Senior Credit Associate Date

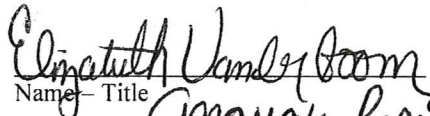
FINAL WAIVER OF LIEN

For value received, Johnson Sand & Gravel Inc hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____ in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

Johnson Sand & Gravel Inc


 Name— Title Date July 13, 2021
Accounts Receivable

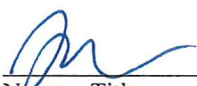
FINAL WAIVER OF LIEN

For value received, Super Aggregates hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____ in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

Super Aggregates

 President 7-12-21
Name - Title Date

FINAL WAIVER OF LIEN

For value received, Corporate Contractors, Inc. hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____ in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

For Invoice # 21251-174

Corporate Contractors, Inc.

Melanie Mussey - Accountant 7-7-21
Name - Title Date

FINAL WAIVER OF LIEN

For value received, Neenah Foundry Co. hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for cast iron castings in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

Neenah Foundry Co.

David Chitek June 28th, 2021
Name - Title Date
David Chitek, Director Financial Operations
415156

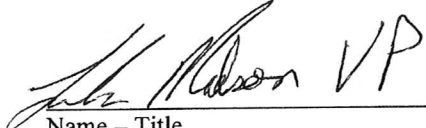
FINAL WAIVER OF LIEN

For value received, Little Limestone hereby unconditionally waive **ALL** rights and claims for lien on land and on building about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For Gerstad Builders, Inc. owner, by Willkomm Excavating & Grading, Inc. contractor, for _____ in same being situated in Walworth County, State of Wisconsin, described as Bailey's Estates-Phase 4B.

For all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances, except, **NONE**.

Little Limestone

 VP 2-8-21
Name - Title Date

Chapter 308. Solid Waste and Recycling

§ 308-5. Management of lead-acid batteries, major appliances, waste oil, and yard waste and electronic waste.

Occupants of single-family and two- to four-unit residence, multiple-family dwellings and nonresidential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste and electronic waste as follows:

- A. Lead-acid batteries with intact cases shall be placed next to the recycling bin.
- B. Major appliances shall be taken to the Village Garage during its hours of operation only. Freon must be removed from freezers, refrigerators or dehumidifiers in a legally permissible manner by an appropriate licensed facility or handler with the appropriate written certification provided to the Village that the Freon has been legally removed prior to placement at the Village Garage.
- C. Waste oil shall be placed in a clean covered receptacle and placed next to the recycling bin.
- D. Yard waste to include only leaves, grass clippings, yard and garden debris but excluding all brush, woody vegetative material no greater than six inches in diameter, shall be taken to the Village designated compost site during its hours of operation only.
- E. Clean woody vegetative material no greater than six inches in diameter (this material includes branches and small limbs not greater than six inches in diameter) may be put out for collection by the Village crew at curbside by appointment only. Occupants must call the Village Hall and make an appointment for the placement of this type of material at curbside. The Village crew will then pick up the material and chip it, placing the chipped material at the Village designated compost site.
- F. As an alternative to the occupant taking major appliances to the Village Garage, the occupant may purchase from the office of the Village Clerk, a major appliance sticker at a fee to be established from time to time by the Village Board and affix the sticker to the major appliance at the occupant's residence. Thereafter, the Village crew will pick up the major appliance and transport the major appliance to the Village Garage.
- G. As an alternative, occupants may wish to utilize the leaf collection program to be run by the Village each fall and spring as will be announced in the local official newspaper. Leaves will be collected by Village personnel and thereafter taken to the Village designated compost site.
- H. The Village designated compost site's hours of operation will be established from time to time by the Village Board.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]
- I. Electronic waste shall be taken to the location of a collector registered with the Wisconsin Department of Natural Resources as required under § 287.17(7), Wis. Stats. to be recycled.

ACT 175 (s. 87.30 (1d)(d) Stats.) Guidance

The WDNR floodplain model ordinance includes the acceptable regulatory standards required in Ch. NR116, Wis. Admin. Code with supplemental wording intended to ensure that the minimum requirements for participation in the National Flood Insurance Program (44 C.F.R. §§59-72) are met or exceeded in all circumstances. The floodplain model ordinance now includes language for communities choosing to adopt changes consistent with 2019 Act 175.

Act 175 was enacted March 2020 and created § 87.30 (1d) (d), Wis. Stats. This Act changes how Ch. NR116, Wis. Admin. Code may require local governments to regulate nonconforming structures in the floodplain. To participate in the National Flood Insurance Program, however, communities must still adopt and enforce regulations that meet the NFIP's minimum standards, which are unchanged. § 87.30 (1d) (d) creates an exception to the state's "50% rule" for structures in the floodplain. The state's "50% rule" says no modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of the local floodplain ordinance.

Essentially, in a floodplain zoning ordinance that has incorporated Act 175, if a nonconforming structure is altered to meet the federal minimum standards applicable to new construction and substantial improvements, and the living quarters in the nonconforming building are elevated to be at or above the flood protection elevation, then the Department is prohibited from imposing cost-based regulation or restrictions to the structure (i.e., "50% Rule"). It is important to note that structures modified to meet the requirements of § 87.30 (1d) (d) are not transformed into conforming structures. They are still considered nonconforming structures and are subject to all other non-cost-based regulations and restrictions applicable to nonconforming structures.

The NFIP minimum standards require a participating community to regulate all development, including all improvements to all structures in special flood hazard areas. The appropriate minimum standards must be applied to substantial improvements, modifications, additions, and repair or other improvement of substantially damaged buildings, without regard for whether such buildings are "nonconforming" with regard to ordinances adopted to meet Ch. NR116 regulations or other state or local zoning regulations.

Act 175 did not change any city, village, or county floodplain ordinance authority and communities are able to maintain their current ordinance and incorporate higher standards into their floodplain zoning ordinance.

Communities should decide whether to incorporate Act 175 into the floodplain ordinance or maintain their current framework for regulating nonconforming structures based on an assessment of local flood risks. Once the local flood risks are identified and an appropriate zoning approach is determined, some communities may choose to maintain existing floodplain zoning and implement higher standards, while others may modify their ordinances to adopt this new minimum standard. (see [WDNR floodplain model ordinance.](#))

1. When Act 175 is incorporated into an ordinance there is a potential for the community to allow modifications, additions, substantial improvements, maintenance and repairs to existing nonconforming structures in excess of the State's 50% Rule once the minimum requirements of **Appendix A** are met. This creates two classifications of nonconforming structures:
 - a. Class 1: Nonconforming structures that do not meet Appendix A minimum requirements and continued to be subject to the State's 50% Rule.
 - b. Class 2: Nonconforming structures meeting Appendix A minimum requirements and no longer subject to the State's 50% Rule.
 2. For ordinances without Act 175 – repair/maintenance/modification/substantial improvement of structures in the floodplain is limited by the 50% rule as expressed in NR116.
 - a. No modification, addition, maintenance, or repair can be made on a structure in the floodway if the cost exceeds 50% of the present equalized assessed value of the structure;
 - b. If a structure in the floodway is substantially damaged by a flood, it must be removed from the floodway;
 - c. No modification, addition, maintenance, or repair can be made on a structure in the floodfringe if the cost exceeds 50% of the present equalized assessed value of the structure unless the structure is modified to conform to the floodplain ordinance;
 - d. In addition all standards for nonconforming structures in the floodplain, listed in Nonconforming Uses in Section 6.0 of the state model, must be followed.
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Appendix A

For communities incorporating Act 175 into its ordinance, non-conforming structures not subject to the State 50% Rule must meet the following minimum standards:

- (1) Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;
- (2) The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;
- (3) The nonconforming building is permanently changed to conform to the applicable requirements of the general standards applicable to all floodplain districts;
- (4) The building is permanently changed to conform to all applicable requirements in the community's floodplain zoning ordinance such as Hydraulic and Hydrologic Analyses (H & H), lowest floor elevations, anchoring, mechanical and utility equipment elevations, floodproofing standards, and must not obstruct flow of floodwater or cause any increase in flood levels.

NOTE: Incorporating Act 175 into the local ordinance still requires the zoning administrator to carefully review and apply applicable portions of Nonconforming Uses in section 6.0 of the model ordinance because the structure is still a nonconforming structure.

- (5) If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of the floodfringe district.
- (6) New construction and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation.
- (7) New construction and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - a. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of paragraph vii above.
 - b. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed.
- (8) Fully enclosed areas below the lowest floor of new construction and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the

entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:

- a. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide a total net area of not less than one square inch for every square foot of enclosed area;
 - b. The bottom of all openings must be no higher than one foot above the adjacent grade;
 - c. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters.
- 9) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- 10) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH on existing sites in an existing manufactured home park that is not undergoing expansion and on which a manufactured home has not incurred substantial damage as a result of flood must be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- 11) Recreational vehicles placed on sites within zones A1-30, AH, and AE must either
- a. Be on site for fewer than 180 consecutive days; or
 - b. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or
 - c. Meet the elevation and anchoring requirements for manufactured homes in paragraph ix above.
- 12) In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including new construction, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- 13) In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring new construction, substantial improvement, and other development to meet paragraphs (6) through

(12) (inclusive) above. If floodway data are available, the community must select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any point.

- 14) In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, no new construction, substantial improvement, or other development (including fill) may be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- 15) Notwithstanding the requirements of paragraphs (12) and (14) above, the community may permit certain development in zones A1-30 and AE where a floodway has not been delineated, which will increase the water surface elevation of the base flood by more than one foot, or in a regulatory floodway, which will result in an increase in base flood elevations, if the community first obtains a Conditional Letter of Map Revision (CLOMR) from FEMA and fulfills the requirements of Section 65.12 of Title 44, Code of Federal Regulations.
- 16) In zone AO, new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified).
- 17) In zone AO, new construction and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in paragraph vii above.



November 4, 2021

Mr. Bill Duncan
Village President
Village of Williams Bay
Sent via email: bduncan@williamsbay.org

Dear Mr. Duncan:

The Federal Emergency Management Agency (FEMA) recently updated the Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS) for Walworth County. Mapped floodplain exists within the village boundaries. According to NR116.05(1) a municipality with mapped floodplain is required to have a floodplain zoning ordinance and is required to update within 6 months of new study data (NR116.05(4)(d)). The DNR has a template model floodplain zoning ordinance that the village can use to make this update. DNR staff are also available to assist the village throughout the adoption process.

Additionally, this is an opportunity for your community to consider participation in the National Flood Insurance Program (NFIP). Joining the NFIP is simple and beneficial to your community. By joining, federally backed flood insurance becomes available for the municipality and citizens to purchase. There is no cost to join and the first step is for the community to adopt a floodplain zoning ordinance.

Please see attachments for further information regarding the benefits of joining the National Flood Insurance Program. If you have any questions on the NFIP, please contact Mia Van Horn, Water Regulations and Zoning Specialist, at Michele.VanHorn@Wisconsin.gov or by phone at (608) 590-5296.

Sincerely,

Brian Cunningham
Floodplain Management Policy Coordinator

Cc: Becky Tobin, Village Administrator, via email: admin@williamsbay.org
Andrea Stern, DNR Water Management Engineer, Waukesha Office, via email: andrea.stern@wisconsin.gov



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