

VILLAGE OF DOUSMAN
118 S. Main Street
MINUTES OF REGULAR BOARD PROCEEDINGS
March 10, 2025

PRESENT: President Cindy Queen, Trustee Kathy Bleecker-Piirto, Trustee Aaron Feisthammel, Trustee Mark Kliewer. Absent: Trustee Josh Marx.

STAFF PRESENT: Utilities Superintendent Joe Kitelinger, Administrator/Clerk/Treasurer John J. Roth, Village Planner Ben Kohout,,Village Engineer Bart Nies, Delta 3 (arrived at 6:30pm). Absent:

1. The meeting was called to order at 6:10 pm and publication of the meeting was confirmed.
2. Pledge of Allegiance
3. Public Comment:
 - Crystal Stutz, 170 Ludwig Ave: February 2025 Village Board meeting agenda in regard to the memorial tree: Village President Cindy Queen has not had a chance to discuss this situation with Joe Kitelinger yet.
 - John Stutz, 170 Ludwig Ave: wanting a timeline, wanting it in by late May
4. **MOTION KATHY PIIRTO_BLEEKER/ MARK/KLIEWER/** to approve the Consent Agenda which includes the following:
 - a. **Previous meeting Minutes of February 10, 2025 Village Board**
 - b. **General Fund Bills - \$1,597,737**
 - General Check #40782 – 40816 and bank/website direct payments
 - & Payroll Check #3290 - 3310
 - c. **Sewer Utility Bills – \$41,991.84**
 - Check #13733 – 13754
 - d. **Water Utility Bills – \$234,662.30**
 - Check #10741 – 10760
 - e. **Temporary “Picnic” Class B alcohol beverage license for the American Legion Post 405:**

Motion carried.

5. Appearances –

- Chief Bowen Western Lakes Fire District(WLFD) was present
 - Provided the WLFD Monthly Report (see document).
 - Tom Schutz, Assistant Chief, retired after 48 years of service.
 - Grass fires. Very windy conditions. Ordinance states no fires if winds are nine mph or more. DNR did training with us on grass fires, a number of concerns have been brought up. Call dispatch if there is a grass fire. Could be given a citation.
 - Received a \$3000 donation from an area resident from the family of a fire fighter who committed suicide.
 - Changes to our staffing. We are in Phase Three, we still have a few positions open.
 - Huge improvement from 2022 to 2025 in response time.
 - CPR classes coming up
- Chief Hartert, Police Dept. provided his report (see document): Discussion of fraud, bike violations; electric bikes.

6. Reports - Information or discussion/action taken at previous meetings, future agenda items, upcoming scheduled meetings.

- DPW/Sewer/Water Department (Joe Kitelinger)
 - Doing office work as well as work from home. Keep sending emails/texts.
 - Interviewed a candidate today for the Utilities Foreman position. Went extremely well, very good candidate, very knowledgeable, has 20 years of experience, has lots of water experience, would be a really good fit, going to be offering him the position.
 - Discuss/action on ATV/UTV sign update/placement: been working with Matt Thompson and the UTV club, we marked the locations, finally have a plan, waiting on the County, we have an action plan that I agree with for the Village of Dousman. Jack Nissen: Joe Kitelinger and I worked together, explained, there still are concerns with allowing signs on County Roads and State roads. We have the signs. The signs were donated to the Village by the ATV/UTV club, the signs now become the Village’s property.
 - Need to set Utica Lake Subdivision Public Information Mtg. – MS4 Storm Water Permit. This issue has been going on for years, we had a full DNR audit. The community needs to form an association. The storm water ponds have had no maintenance. DNR says we either enforce the creation of the homeowners association, or the Village maintains the ponds and the Village charges the property owners. Jack Nissen: the Village cannot force the residents to create an association (per the attorney). The DNR says we have to maintain the ponds. Bart Nies: the Village has to satisfy the MS4 DNR permit requirements. We are getting emails from the DNR every week. All the Village has to do in 2025 is to say that we held the meeting with the residents. Beyond that compliance, the DNR will make the Village maintain the ponds, there are four of them. Bart Nies: the new Developers agreements take care of these issues in the new

Development areas, but this is an old Development. The DNR is willing to meet with the Village and residents. Jack Nissen: if you create a new fee (storm water), you have to deduct this from the Levy. Bart Nies: stated that the DNR is not allowing municipalities to create a new utility (preventing us from raising money for this). I think we can back charge this or do special assessments, but you can't just put it on their tax bill. There is a procedure for special assessing. This informational meeting will be held on May meeting. May 12, 2025 at 5:30 or 6pm

- Joe Kitelinger has been nominated Operator the Year for Dist. 2! Applause! Plans to attend ceremony in March at Green Bay.

- Administrator/Clerk/Treasurer's Office:

- Audit: Staff spent lots of time gathering documents, went well (first time with KerberRose and changover). Audit presentation is April 14, 2025
- Water Rate Case has been filed, PSC is reviewing, public hearing date to be set by the PSC
- Municipal Software conversion from Sage to Workhorse is going well, Sharyl Hall has been working with Workhorse and with Accountant Ginny Hinz. The software should be up and running by March 31.
- Board of Review: second, third or fourth week of May, Tuesday, Wednesday or Thursday, wither day or evening. May 13 at 6-8pm

7. Old Business - (None)

8. New Business

Discussion and action may occur on the following matters:

- A. **A request to Amend the Village Zoning Section 17.47 (A) SR-1 Single-Family Residential District, Subsection (4), proposing to amend the side yard setbacks for SR-1 Northeast Development Area from the current 10 feet minimum each side to 8 feet minimum each side. (Consider Ordinance to change the setbacks for part of the Talbot's Woods Development seventeen lots):** Copy of the proposed Ordinance amendment was provided to the Village Board members as part of their meeting packet. Public Hearing was held prior to this meeting. Plan Commission recommended approval.

MOTION CINDY QUEEN/AARON FEISTHAMMEL to approve the of the proposed ordinance amendment to Section 17.47(A)(4) pertaining to side yard setback changes for the SR-1, Northeast Development Area zoning district for Village of Dousman, on behalf of Joe Bukovich, Talbot's Woods, Phase One subdivision:

- **~~10~~ 8 feet minimum ~~each side one side~~, 18 feet minimum total both sides**
- *** See Definition of Northeast Development Area in Section 17.04.** (which notes that "Northeast Development Area" is defined in Section 17.04 to be uniquely applicable to this Talbot's Woods development.)

Motion carried. Trustee Kathy Bleecker-Piirto voted no

B. Proposed 2025 Infrastructure Improvements – Ludwig Estates

1. Award of Construction Bid

Village Engineer Bart Nies: see information in packet. Lots of interest in this project. The Village received four bids. For Contract #1 – Utility and Street Construction. The low bid was from D.F. Tomasini Contractors for \$1,389,974.75. This is 38% lower than the estimated construction budget amount of \$2,257,730. The village is saving close to \$900,000. We have worked with D.F. Tomasini Contractors before. Recommend to award this. The Village has been awarded up to 2.6 million 20-year loan locked in at 2.2% with the DNR safe drinking water program. Will need \$1,050,000 loan for the Village, \$756,000 from the DNR (this is at the 2.2%).

MOTION CINDY QUEEN/KATHY BLEECKER-PIIRTO to approve and award the Proposed 2025 Infrastructure Improvements – Ludwig Estates' Project to F. F. Tomasine Contractors, Inc. for \$1,389,974.75; as presented: Motion carried.

2. Delta 3 Grant Administration Contract

Village Engineer Bart Nies: Someone has to do the administration of the project. Had allocated \$20,000. This contract proposal is for approximately \$15,000.

MOTION CINDY QUEEN/KATHY BLEECKER-PIIRTO to approve the Proposed 2025 Infrastructure Improvements – Ludwig Estates' Project Grant Administration Services Contract to Delta 3 Engineering for \$15,000, as presented: Motion carried.

3. DNR SDWLP Bond Counsel Agreement

Village Engineer Bart Nies: This is for \$12,300. We have used this company before. This is a requirement. Village Attorney Eric Larson cannot prepare the Bond. The bond is required. We have to secure the loan with a bond. The water rates have to be secured with a bond. We budgeted \$15,000 for this contract

MOTION CINDY QUEEN/AARON FEISTHAMMEL to approve the Proposed 2025 Infrastructure Improvements – Ludwig Estates' Project Bond Counsel Contract to Quarles for \$12,300, as presented (approximately \$950,000 Village of Dousman Water System Revenue Bonds, Series 2025 Safe Drinking Water Loan), this \$950,000 will change: Motion carried.

Need to have a public informational meeting. Send to the entire subdivision. John or Sharyl to send out the invitations. Put in the paper, send paper notice to the residents. The informational meeting will be .5 to 1.5 hours long. April 28 at 6pm. Ben Kohout to get the names and addresses to the Village.

- C. **Ordinance 432 Ordinance to Amend Section 14.1.20 of the Village of Dousman Village Code Concerning Driveway Construction Standards In Street Right Of Way:** Copy of the proposed Driveway Amendment Ordinance was provided to the Village Board members as part of their meeting packet.

- **Village Planner Ben Kohout:** Provided a staff report and a recommendation for approval.
- **Utility Superintendent Joe Kitelinger:** explained. Talked to Tom Marks the building inspector. He is ok with this. Tom had stated that in regard to driveways: in areas in the Village (and future annexations) where properties have ditches, driveways need to be asphalt or gravel, not concrete.
- **Village Engineer Bart Nies:** we want hot mix asphalt pavement

MOTION CINDY QUEEN/MARK KLIEWER to approve Ordinance 432 Ordinance to Amend Section 14.1.20 of the Village of Dousman Code Concerning Driveway Construction Standards In Street Right-Of-Ways as corrected (see corrections). Motion carried.

The following standards apply for driveways hereafter constructed or reconstructed in the Village of Dousman. ~~If the driveway is paved with materials other than asphalt, the pavement shall be installed no closer to the roadway than the edge of the right of way, and the portion of the driveway that is within the right of way shall be paved with asphalt.~~

- For Village approved roadways with curb and gutter, the portion of the driveway that is within the right of way shall be permitted to be of the same material as the private driveway.**
- For Village approved roadways without curb and gutter, the portion of the driveway that is within the right of way must be paved with hot mix asphalt pavement.**

D. Resolution 2025-03-01 Election Wards: This Resolution needs to be approved and adopted due to the County and State creating a seventh ward due to land attachments.

MOTION CINDY QUEEN/MARK KLIEWER to approve Resolution 2025-03-01 A Resolution To Divide The Village of Dousman Into Wards Pursuant To Wisconsin Statutes Section 5.15(4), as presented. Motion carried.

E. Resolution 2025-03-02 ATV/UTV Bond Schedule: Police Chief Mike Hartert stated that this Bond Schedule needed to be approved and adopted for the issuance of citations for violations of the newly approved ATV/UTV Ordinance. Chief Hartert explained. Utilizing the State Bond Book. This will then be sent to the judge for his approval.

MOTION CINDY QUEEN/AARON FEISTHAMMEL to approve Resolution 2025-03-02 A Resolution ATV/UTV Fines/Violations Bond Schedule, as presented. Motion carried.

F. Resolution 2025-03-03 Setting The Tax Equivalent Payable to the Village of Dousman by the Dousman Water Utility At A Fixed Amount: Accountant Ginny Hinz, who is filing the Water Rate Case, stated that this Resolution needed to be adopted.

MOTION CINDY QUEEN/KATHY to approve Resolution 2025-03-01 A Resolution Setting The Tax Equivalent Payable to the Village of Dousman By The Dousman Water Utility At A Fixed Amount, as presented. Motion carried.

G. Cell phone reimbursement for Nate Kosewski \$45 per month: Utilities Superintendent Joe Kitelinger stated that Nate is taking calls and is on-call. He is connected to the SCADA system.

MOTION CINDY QUEEN/AARON FEISTHAMMEL to approve reimbursing Nate Kosewski \$45 per month for use of his cell phone, reimburse back to January 1, 2025. Motion carried.

9. Correspondence (none)

10. MOTION CINDY QUEEN/MARK KLIEWER to adjourn at 7:30pm: Motion carried.

John J. Roth, Administrator-Clerk/Treasurer, Village of Dousman

Village Planner Ben Kohout's Staff report

Village of Dousman Plan Commission

CC: John Roth

FROM: Ben Kohout AICP, Planning Consultant

RPT DATE: March 3, 2025

MTG DATE: March 10, 2025

RE: SR-1 Side Yard Setback Amendment from 10 feet to 8 feet for Northeast Development area – Talbot's Woods Phase One - Single Family Residential Development Plat

BACKGROUND:

1. Petitioner: [Petitioner]

OVERVIEW:

The Petitioner is requesting to amend the side yard setback standards in the SR-1, Northeast Development Area to accommodate preliminary and final plat approvals for single family development known as Talbot's Woods Phase One.

The final plat was approved with the condition that the side yard setback, shown to be 8 feet in lieu of standard 10 feet, on the plat, to be reviewed and approved to be amended by the Village Board to bring the final plat into compliance.

SUBMITTAL:

The enclosed submittal includes a draft ordinance language that would:

- Removes the 10 feet side yard setback and inserts 8 feet side yard setback.
- Includes and asterisk (*), which notes that "Northeast Development Area" is defined in Section 17.04 to be uniquely applicable to this Talbot's Woods development.

PLANNER COMMENTS:

The Village ordinance provides for amendments to the zoning ordinance following consideration given to the stated purposes of the applicable section within which the proposal is being made. In addition, further consideration as to how the proposal meets the Comprehensive Land Use Plan stated goals and objectives. There is a requirement for a public hearing, in which the Village may hear any questions or concerns to be further considered prior to making any determination on the requested zoning ordinance changes. Staff finds the proposal satisfies both of these conditions as the small residential lots desired and envisioned with the comprehensive land use plan is maintained with this proposal, as is the proposed side yard setback for the development down to 8 feet minimum.

STAFF RECOMMENDATION:

Depending on confirmation by the Village of Dousman Plan Commission of the above-described comments, the Village of Dousman Plan Commission may take the following actions:

The Village of Dousman Plan Commission Recommends Approval of the proposed ordinance amendment to Section 17.47(A)(4) pertaining to side yard setback change from 10 feet to 8 feet for the SR-1, Northeast Development Area zoning district for Village of Dousman, on behalf of Joe Bukovich, Talbot's Woods, Phase One subdivision.

STATE OF WISCONSIN VILLAGE OF DOUSMAN WAUKESHA COUNTY

ORDINANCE NO. 431

AN ORDINANCE TO AMEND SECTION 17.47 (A) (4)
OF THE VILLAGE OF DOUSMAN VILLAGE CODE
CONCERNING SR-1 SIDE YARD SETBACK STANDARDS FOR
NORTHEAST DEVELOPMENT AREA (AS DEFINED)

WHEREAS, The Village of Dousman has enacted quantitative standards for the SR-1 Zoning district, including side yard setback standards, and

WHEREAS, the Village has reviewed and approved a subdivision plat in the Northeast Development Area, as defined in Section 17.04, and

WHEREAS, new residential development plat for said single family development is shown to be containing side yard setbacks down to eight (8) feet, and

WHEREAS, the Village has reviewed the request and has determined the reduced side yard setback is consistent with the stated purpose of the SR-1 District, as enumerated in Section 17.47(A)(4), and the Village Comprehensive Land Use Plan, and

NOW, THEREFORE, the Village Board of the Village of Dousman, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 17 of the Village of Dousman Village Code entitled "Zoning Code," Section 17.47(A)(4) entitled "SR – 1 SINGLE-FAMILY RESIDENTIAL DISTRICT," is hereby amended as follows:

(Proposed additions in **BOLD** and deletions noted with **strikethrough**)

(4) QUANTITATIVE STANDARDS OF THE SR-1 DISTRICT

	Northeast Development Area *	All Other SR-1 District Zoned Properties
Lot Size		
Minimum Area	12,000 square feet (10,000 square feet with a Conditional Use)	15,000 square feet (See Note #1)
Principal Building Distance from Property Lines		
Setback (Front or Street Yard)	30 feet minimum	30 feet minimum
Side	10 8 feet minimum each side one side, 18 feet minimum total both sides	10 foot minimum one side, 25 feet minimum total both sides (See Note #2)
Rear	25 feet	25 feet

Maximum Building Height	35 feet	35 feet
Minimum Living Area		
One-Story Building or Total Multiple Level Building	1,300 square feet	1,500 square feet
First Floor with Multiple Levels	850 square feet	900 square feet
Total Without Basement	1,400 square feet	1,600 square feet
Maximum Lot Coverage (See Note #3)	40 Percent	40 Percent
Accessory Buildings	See Section 17.20	See Section 17.20

* See Definition of Northeast Development Area in Section 17.04.

SECTION 2.

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


SECTION 3.

EFFECTIVE DATE

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

Dated this 10th day of March, 2025.

VILLAGE OF DOUSMAN


Cindy Queen, Village President

ATTEST:


John Roth, Village Clerk/Administrator

Published and/or posted this 10th day of March, 2025.

STATE OF WISCONSIN VILLAGE OF DOUSMAN WAUKESHA COUNTY

ORDINANCE NO. 432

**AN ORDINANCE TO AMEND SECTION 14.1.20
OF THE VILLAGE OF DOUSMAN VILLAGE CODE
CONCERNING DRIVEWAY CONSTRUCTION STANDARDS
IN STREET RIGHTS OF WAY**

WHEREAS, The Village of Dousman has enacted a Section within 14.1.20, which addresses limiting the type of hard surface treatment allowed for all driveway connections from the private property side into the Right-of-Way up to the street edge, such as driveway approaches, including those with curb and gutter and those without, and

WHEREAS, the Village Engineer has advised that the intentions of the ordinance were set in place prior to installing new roadways with curb and gutter, and replacement of asphalt during times of culvert replacement or damage with removal was less costly to the Village, and

WHEREAS, new residential development builders that provide for curb and gutter connections within right of ways have made requests for consideration of an ordinance amendment to allow for continuous same material matching for hard surfacing of driveway approaches with the Village roadways and has general staff approval of requesting an ordinance amendment, and

WHEREAS, the Village Engineer and Village Utilities Superintendent have recommended that the Village Code be amended to include a provision to ensure that the portion of driveways located within the street right of way that contain curb and gutters, should be allowed the same type of continuous hard surface type, such as the Village roadway, such as concrete, for the private driveway (outside of the Village Right-of-Way), and

NOW, THEREFORE, the Village Board of the Village of Dousman, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 14 of the Village of Dousman Village Code entitled "Building Code," Section 14.1.20 entitled "Driveway Construction in Street Rights of Way," is hereby amended as follows:

14.1.20 Driveway Construction in Street Rights of Way

The following standards apply for driveways hereafter constructed or reconstructed in the Village of Dousman. ~~If the driveway is paved with materials other than asphalt, the pavement shall be installed no closer to the roadway than the edge of the right of way, and the portion of the driveway that is within the right of way shall be paved with asphalt.~~

- a. For Village approved roadways with curb and gutter, the portion of the driveway that is within the right of way shall be permitted to be of the same material as the private driveway.
- b. For Village approved roadways without curb and gutter, the portion of the driveway that is within the right of way must be paved with hot mix asphalt pavement.

SECTION 2.

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

SECTION 3.

EFFECTIVE DATE

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

Dated this 10th day of March, 2025.

VILLAGE OF DOUSMAN


Cindy Queen, Village President

ATTEST:


John Roth, Village Clerk/Administrator

Published and/or posted this 10th day of March, 2025.