

## Village Board Meeting Minutes July 13, 2020

**NOTE: Due to COVID-19 restrictions, residents are not allowed in the Village Hall.**

**To 'join' the meeting at 6:30pm via Webex:** Go to the Village home page at [www.villageofsherwood.org](http://www.villageofsherwood.org). The Webex meeting link is located in the upper right-hand side of your computer screen. You may print or save a copy of the complete meeting packet.

**Join via telephone (without video):** Tel #: 1-408-418-9338. Access Code: 628 186 722# Attendee ID: 51#

**Regarding Public Hearings:** Speakers will be allowed in the Village Hall and may speak directly to the Board one person at a time for up to 3 minutes, and only with a face mask.

1) Call to Order and Roll Call – *President Laux called the meeting to order at 6:30 p.m. with roll call:*

<b>Present</b>	<b>Absent</b>
<i>Bob Benz (Virtual)</i>	<i>David Miller</i>
<i>Paul Grube</i>	<b>Others Present</b>
<i>Roger Kaas</i>	<i>Randy Friday, Administrator</i>
<i>Joyce Laux</i>	<i>Kathy Mader, Acting Clerk</i>
<i>Lisa Ott</i>	<i>Craig Hamilton, AIT</i>
<i>Kathy Salo</i>	<i>Steve Summers, Plan Commission Chair</i>

2) Pledge of Allegiance – *Recited*

3) Approval of the Agenda – *Salo moved to approve the agenda. Ott seconded. Motion carried unanimously.*

4) Approval of Minutes: June 22 (Regular Meeting) – *Salo moved to approve the June 22, 2020 meeting minutes. Kaas seconded. Motion carried unanimously.*

5) Registered Citizen Comments on Agenda Items –

- Bob Gillespie                      N7886 Lakeshore Ln                      Re item 6) a – 6) c  
*Stated he enjoys living in Sherwood and is in favor of project.*
- Mike Cook                              N7770 Palisades Tr                      Re item 6) a – 6) c  
*Said he feels the board should vote based upon what the majority of residents want which is not in favor of project.*
- Jack Kruse                              W4873 Mustang Dr                      Re item 6) a – 6) c  
*Read a letter in favor of the project.*
- Craig Booher                              W4897 Golf Course Rd                      Re item 6) a – 6) c  
*Shared his concerns and oppositions to the proposed project.*
- Bob Anderson                              N7829 S Niagara Ct                      Re item 6) a – 6) c

*Questioned the three-minute rule for a Public Hearing and stressed his opposition to the project.*

- Bill Troestler N7853 N Niagara Ct Re item 6) a – 6) c  
*Quoted Friday, Administrator, regarding comparable housing density, quoted Ripple, High Cliff Golf Course, regarding 2015 interview “unacceptable to be Par 70 course” and believes a revised course will fail.*
- Mark Huiting W5039 Cherrywood Dr Re item 6) a – 6) c  
*In favor of project.*
- Troy Neuber N7827 Palisades Circle Re item 6) a – 6) c  
*Questioned how High Cliff Golf Course will make it as a non-regulation course if they are having issues, currently, as a regulation course.*
- Ron Wenzel N7751 Windswept Ln Re item 6) a – 6) c  
*In favor of project.*
- Jeff Luniak High Cliff Golf Course Re item 6) a – 6) c  
*Read a letter from Nathan Vanden Wymelenberg, resident, who is in favor of the project.*
- Kristin Vanden Wymelenberg Cliffview Entertaining Re item 6) a – 6) c  
*Letter read by Ellen Lind in favor of project.*
- Paul & Tonya Dederling N7860 Lakeshore Ln Re item 6) a – 6) c  
*Becky Rippl read letter inf favor of project*
- John Sharer W5011 Cherrywood Dr Re item 6) a – 6) c  
*Stated he is a proponent of all three Public Hearing items being discussed.*
- Brian Ruechel W4841 Bridle Road Re item 6) a – 6) c  
*In favor of project.*
- Lila Miller W4872 Nature Ln Re item 6) a - 6) c  
*Opposed to new zoning and the proposed buildings.*
- Angela Halbach N8057 Stommel Rd Re item 6) a – 6) c  
*In favor of the project.*
- Lucia Moburg W4864 Forest Ln Re item 6) a - 6) c  
*Opposed to the project based upon progress versus preservation.*
- Patrick Ambroso (vital) N7868 Lakeshore Ln Re item 6) a – 6) c  
*Stated he is in support of the project.*
- Ben Thompson (virtual) N7817 Palisades Circle Re item 6) a – 6) c

*Opined, with the recent sale of the Sherwood Forest Golf Course, High Cliff Golf Course should keep their course as a regulation course and not continue with the project.*

- Corey Feller (virtual) High Cliff Golf Course Re item 6) a – 6) c  
*Is in favor project.*
- Marcus Holz (virtual) High Cliff Golf Course Re item 6) a – 6) c  
*In favor of project.*
- Tim Halbach (virtual) W612 Clifton Road Re item 6) a – 6) c  
*Stated ten reasons against project.*
- Mark Damrow (virtual) W4933 Golf Course Rd Re item 6) a – 6) c  
*Against project.*
- Mark Delfosse (virtual) N7830 Lakeshore Ln Re item 6) a – 6) c  
*In favor of project. Would consider becoming resident of new project.*
- Roland Smoot (virtual) N7779 Spurline Ct Re item 6) a – 6) c  
*Opposes project.*
- Tom Herrmann (virtual) N7782 Spurline Ct Re item 6) a – 6) c  
*Shared concern regarding project drainage.*

6) Public Hearing(s): ***Laux opened the Public Hearing at 6:33 p.m.***

- a. RP #2019-01: A rezoning petition (Drive Fore Success, LLC) to rezone Tax ID #13425 (18<sup>th</sup> Hole; High Cliff Golf Course) from IR-1 to IR-2 zoning, allowing housing construction.
- b. PUD #2019-02: Consider a Planned Unit Development (Drive Fore Success, LLC) allowing development of (22 buildings) 44 duplex units on current 18<sup>th</sup> Hole of HCGC (11.3 acres).
- c. CPA #2020-01: A Comprehensive Plan Amendment (Village) in concert with RP #2019-01 and/or PUD #2019-02 regarding the land use of High Cliff Golf Course Hole #18 (Parcel #13425; Drive Force Success, LLC); Maps 8-3 (Land Use) and 8-4 (Future Land Use).

***Salo moved to close the Public Hearing at 8:19 p.m. Kaas seconded. Motion carried.***

7) Report of the Joint Review Board

- a) FY19 TIF Districts #1, #2 & #3 Financial Reports (by CLA; Approved.) – Reviewed. Friday stated the Final Audit for TID #1 is due by September 2020 to be completed by CLA per prior approval.

8) Report of the Plan Commission (July 6) –

- a) CSM #2020-01: Request (Village) to create new Condon Road R-O-W. - ***Kaas moved to approve CSM #2020-01 to create new Condon Road R.O.W. Ott seconded. Motion carried unanimously.***

- b) CSM #2020-02: Request (Kress) to re-create Tax ID #s 13530 (N599 Military Rd., et. al.;predominantly farmland), #13532 (Sherwood Elevator), #13524 (Sherwood Elevator), #13511 (Sherwood Elevator) into Lots #1 (7.813ac. – Sherwood Elevator operations) and Lot #2 (37.396ac. – Ag. land). – ***Salo moved to approve CSM #2020-02. Ott seconded. Motion carried unanimously.***

*Summers explained accessibility to Lot 2 was questioned at the Plan Commission. Friday stated access is available from Highway 114 to the property.*

- c) *RP #2020-01: Request (West) to split and rezone Tax ID# 13504 (N364 Military Rd.) from current IR-2 zoning into two parcels; Lot #1 = 2.0ac. parcel with dwelling remains as IR-2; Lot #2 = 9.0ac to be rezoned as C-2 (commercial).*  
***Kaas moved to approve concept for RP #2020-01. Salo seconded. Motion carried 5-1. Laux – nay. Staff will schedule public hearing and review/approval of CSM.***

- d) Outdoor Entertainment structure/area: (Informational) Request (Djupstrum)  
To place 24x24’ outdoor entertainment space (structure) in rear yard – *Friday stated the current Code does not allow. Friday reported the property owner plans to attach the structure to the house as an addition.*

- e) (Discussion) Concept Plan regarding former-Sherwood Forest Golf Course (75ac.):  
UP Builders, LLC discussion regarding redevelopment of former golf course land into residential housing, as currently zoned and allowed in ‘IR-2’ zoning. – *Reviewed.*

9) Report of Village Officers.

- a) Village President – *Nothing*

- b) Fox Cities Area Room Tax Commissioner – *Benz did not respond virtually.*

- c) Clerk/Treasurer.

i. Financial Reports.

1. Consent Agenda (Financials).
2. Operators Licenses: 6 Applications.
3. Operator License (In-person, per June 22 Meeting)
  - Malorie Dragoo
4. ‘Open Book’ and ‘Board of Review’: Schedule meeting times/dates.

***Salo moved to approve the Concept Agenda (Financials), Operator Licenses (6) and Open Book to be held August 20, 2020 from 1-7 p.m. and Board of Review to be held Thursday, September 17, 2020 from 4-6 p.m. Kaas seconded. Motion unanimously.***

***Salo moved reinstate Dragoo operator license contingent written agreement between Dragoo and current employer, The Granary, detailing best practices to ensure underage customers are not served alcohol. Kaas seconded. Motion carried unanimously.***

10) Village Engineer and/or Utility Operator – *Nothing*

11) Village Administrator: Update – *Friday stated an Escrow Account has been established with the developers of Pond View Estates.*

12) Old Business:

a) Computer devices for Village Boards: Update – *Hamilton inquired email name preference and Kaas responded to set up with name is preferred. Kaas will be the “sponsor”. Kaas requests face to face training to be scheduled. Kaas, also, stated the village Office Coordinator will require hyperlink training.*

13) New Business: *Note: Attempts to make virtual contact with Benz were unsuccessful for remainder of meeting.*

a) *Concept Plan: Consider plan (Drive Fore Success, LLC) for 22-building (44 duplexes) on Hole #18 at High Cliff Golf Course – **Salo moved to approve Concept Plan, Kaas seconded. Motion carried. Grube – Nay, Kaas – Aye, Laux – Aye, Ott – Nay, Salo – Aye.***

b) *RP #2019-01: Consider petition (Drive Fore Success, LLC) to rezone Tax ID #13425 (18<sup>th</sup> Hole; High Cliff Golf Course) from IR-1 to IR-2 zoning, allowing housing construction. – **Salo moved to approve rezoning Tax ID #13425 from IR-1 to IR-2 zoning, allowing housing construction. Kaas seconded. Motion carried. Grube – Nay.***

c) *PUD #2019-02: Consider Planned Unit Development (Drive Fore Success, LLC) allowing development of (22 buildings) 44 duplex units on current 18<sup>th</sup> Hole of HCGC (11.3 acres) on private driveway. – **Salo moved to approve PUD #2019-02. Kaas seconded. Motion carried. Grube – Nay, Kaas – Aye, Laux – Aye, Ott – Nay, Salo – Aye.***

*Friday explained a Protest Petition regarding Proposed Zoning Change for Tax Parcel #13425 has been received from a resident. Friday stated the Sherwood Code reflects, “Official Hearing. The Village Board shall hold a public hearing upon each proposed change or amendment... Action. Village Board...following receipt of the Plan Commission recommendations, the Village Board shall act to approve, modify and approve, or disapprove the proposed change or amendment. Re-referral to Plan Commission. ...Should the Village Board not concur in the recommendation of the Plan Commission. ...the Village Board shall re-refer the matter to the Commission for reconsideration before taking final action... Protest...Extra majority required. ...such statements are found to be true, such ordinance shall not be adopted except by the affirmative vote of three fourths of the members of the Village Board present and voting.”*

*Friday stated, though the process had been repealed by the State in 2018, it is still in Sherwood Code it is enforceable. The PUD #2019-02 will be reconsidered at the August Plan Commission meeting.*

*(Amended) Staff was directed to contact counsel to revise the Sherwood code to reflect the 2018 repeal by the State of the Rezoning Petition Protest.*

- d) CPA #2020-01: (Based on above outcomes) Consider Comprehensive Plan Amendment (Village) in concert with RP #2019-01 and/or PUD #2019-02 regarding land use at High Cliff Golf Course Hole #18 (Parcel #13425; Drive Force Success, LLC); Maps 8-3 (Land Use) and 8-4 (Future Land Use). – ***Kaas moved to approve the Comprehensive Plan Amendment, CPA #2020-01. Laux seconded. Motion carried 5-0.***
  - e) Clerk-Treasurer Hiring Process: Discuss Hiring Committee continuance of review process, interviews, and reporting back to Village Board – *No action.*
- 14) Complaints & Compliments:
- a) Resident Booher and Village Administrator e-mails regarding forward messages to Village Board Members received late for Agenda packet inclusion and during Administrator’s vacation (July 7) – *Reviewed.*
- 15) Correspondences:
- a) (High Cliff Golf Course re-development) Concern regarding rezoning & Comp. Plan change Hennlich; July 9).
  - b) Accommodations for those unable to Attend Electronic Meetings (Town Counsel Law & Litigation, LLC; July 9).
  - c) Protest Petition regarding Proposed Zoning Change for Tax Parcel #13425 (Resident petition; July 8).
  - d) (High Cliff Golf Course re-development) Concerns over Proposed Condensed Duplex Village Housing (Booher, Anderson – July 8).
  - e) (High Cliff Golf Course re-development) Letters of Support for Proposed Re-Zoning (Mincheff, Goerlitz, Fischer, McKown, Vendegna, Thoreson, Meyer, Nelson, Helker, Griesser, Schlies, Albers, Lowe; July 8).
  - f) Infrastructure partnership (WisDOT; July 7).
  - g) (High Cliff Golf Course re-development) Concern regarding holding Public Hearing (Booher; July 6).
  - h) Property Tax Installment Deferral (Calumet County; July 6).
  - i) Monthly Report – May (Calumet County Sheriff’s Dept; June 30).
  - j) Support for Opening Village Parks (Pluimer; June 15).
  - k) High Cliff Golf Course re-development) Support for Proposed Re-Zoning (Delfosse; June 11).
- 16) Adjournment – ***Salo moved to adjourn at 10:10 p.m. Ott seconded. Motion carried 5-0.***

Respectfully submitted for review and approval by Kathy Mader, Acting Clerk