



136 North Monroe Street
Waterloo, Wisconsin 53594-1198

**NOTICE OF A CITY OF WATERLOO
PLAN COMMISSION MEETING**

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and the news media, the following meeting will be held:

MEETING: PLAN COMMISSION
DATE: MAY 26, 2020 **TIME: 7:00 p.m.**
LOCATION: 136 N. MONROE STREET, MUNICIPAL BUILDING COUNCIL CHAMBERS
(participation options: in-person or via remote access)

Remote Meeting Instructions

1. Join by computer: <https://attccasprial2.webex.com/attccasprial2/j.php?MTID=mebda07e71512ce88e7b1046e2d41af1e>

Meeting number: 969 169 480

Password: PlanComm0526 (75262666 from phones)

Host key: 256758

2. Join by phone: 1-844-531-0958 United States of America Toll Free

Access code: 969 169 480

Password: PlanComm0526 (75262666 from phones)

Host key: 256758

to consider the following:

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF PRIOR MEETING MINUTES – May 5, 2020
3. CITIZEN INPUT
4. COMPLIANCE & ENFORCEMENT REPORT
5. UNFINISHED BUSINESS
 - a. Follow-up Discussion Of A Comprehensive Plan Update
 - b. Draft Ordinance Revising The Special Assessment Policy
6. NEW BUSINESS
 - a. Certified Survey Map, 333 Portland Road, Parker Dow Land Acquisition
 - b. Certified Survey Map, 203 East Madison Street, City of Waterloo Land Acquisitions
7. FUTURE AGENDA ITEMS & ANNOUNCEMENTS
 - a. Amending The Regulation Of Accessory Buildings Or Structures, Setting A Minimum Size (§385-8 and throughout)
 - b. Zoning & Planning Map Updates

8. ADJOURNMENT

Mo Hansen

Mo Hansen, Clerk/Treasurer

Posted, Distributed & Emailed: May 20, 2020

Members: Leisses, Quimby, Crosby, Reynolds, Lannoy, Petts and Sorenson pending Council confirmation

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

WATERLOO PLAN COMMISSION – Minutes for May 5, 2020

PUBLIC HEARING – CONDITIONAL USE APPLICATION, ST JOHN'S EVANGELICAL LUTHERAN CHURCH, 413 EAST MADISON STREET, FELLOWSHIP HALL

1. PUBLIC HEARING CALL TO ORDER. Mayor Quimby called the remotely accessed public hearing to order at 7:00 pm. Plan Commissioners attending: Leisses, Crosby, Reynolds, Quimby, Lannoy and Petts. Absent: Butzine. Others attending: Charles Kuhl; Pam Kuhl; Jayson Daye and Tom Schermerhorn both with Excel Engineering; Mark Herbst; Maureen Giese; Bob Topel representing St. John's Church and the Clerk/Treasurer.
2. PUBLIC HEARING COMMENT – St. John's Evangelical Lutheran Church, 413 East Madison Street requests amendment to an existing conditional use permit to allow for the construction of Fellowship Hall within an overall area of 17,600 square feet – Topel described changes from the 2017 issued conditional use permit. Leisses said less than an acre would be disturbed, adding that the applicant should provide a storm water study for any next project. He noted items listed on the Kunkel Engineering review document. Daye said the front circle driveway plans hadn't changed. Charles Kuhl sought clarifications that no changes to parking lot asphalt would take place in the northeast corner of the church parcel. Schermerhorn confirmed this. Lannoy asked if both new and old areas would now be sprinklered. Schermerhorn said code compliant fire separations would exist. Only the new area would be sprinklered.
3. ADJOURN PUBLIC HEARING. The Mayor closed the public hearing at 7:16 p.m.

PLAN COMMISSION REGULARLY SCHEDULED MEETING

1. CALL TO ORDER & ROLL CALL. The Mayor called the remote meeting to order at 7:00 pm. See above for the roll call.
2. APPROVAL OF PRIOR MEETING MINUTES – November 26, 2019. MOTION: Moved by Petts, seconded by Crosby to approve the minutes. VOICE VOTE: Motion carried.
3. CITIZEN INPUT. None.
4. COMPLIANCE & ENFORCEMENT REPORT – Building Inspector activity at 134 East Madison Street noted as primary activity since last report.
5. UNFINISHED BUSINESS
 - a. Follow-up Discussion Of A Comprehensive Plan Update – Maureen Giese submitted a handout on behalf of the Historical Society. She said the 2008 plan was an excellent document; enhancing entryways including Fox Park should be included; successes such as a pop-up store should be noted.
6. NEW BUSINESS
 - a. St. John's Evangelical Lutheran Church Fellowship Hall
 - i. Architectural Design Review -- Leisses reviewed the submitted information saying material would match with much glass on the street side of the new structure. MOTION: Moved by Leisses, seconded by Crosby to approve the review. VOICE VOTE: Motion carried.
 - ii. Conditional Use Permit Application. MOTION: Moved by Crosby, seconded by multiple to recommend Council approval of the application. VOICE VOTE: Motion carried.
 - b. Draft Ordinance Revising The Special Assessment Policy – Leisses said the draft should be modified to change "new street" to "unimproved street." Petts agreed. The Mayor said the draft could be edited for next meeting. No action taken.
7. FUTURE AGENDA ITEMS & ANNOUNCEMENTS
 - a. The Regulation Of Accessory Buildings Or Structures, Setting A Minimum Size (§385-8 and throughout) Building Inspector Chris Butschke
 - b. Zoning & Planning Map Updates
 - c. Forms Updates
8. ADJOURNMENT. MOTION: Moved by Lannoy, seconded by Petts to adjourn. Approximate time: 7:50 p.m.



Mo Hansen
Clerk/Treasurer

Chapter 12

Assessments

DRAFT ORDINANCE REVISIONS 5/20/2020 – FOR PLAN COMMISSION CONSIDERATION

[HISTORY: Adopted by the Common Council of the City of Waterloo 10-19-1987 by Ord. No. 87-6 as §§ 8.09 and 8.10 of the 1987 Code. Amendments noted where applicable.]

§ 12-1 Public improvements.

A. General application.

- (1) The installation of any public improvement shall be an exercise of the police power of the City, as may from time to time be determined by the Council, and the property served shall be assessed pursuant to the provisions of §§ 66.0703 and 66.0701, Wis. Stats.
- (2) The total cost of any public improvement to be paid in whole or in part by special assessment shall include the direct and indirect costs reasonably attributable thereto, including but not limited to materials, supplies, labor, equipment, site preparation and restoration, damages occasioned by the public improvement, interest on bonds or notes issued in anticipation of the collection of assessments, and a reasonable charge for engineering, legal and administrative costs.
- (3) The total assessment for any public improvement shall be based upon the total cost, as defined in Subsection A(2) above, and shall be apportioned among the individual parcels benefited. Such apportionment shall generally be computed on a linear frontage basis unless the Council otherwise determines that extenuating circumstances require a different method of apportionment.

B. Sewer and water mains.

- (1) All sewer and water main extensions shall be constructed by the City in accordance with specifications established by the Board of Public Works.
- (2) Special assessments for all sewer and water main extensions ~~shall~~ may be levied at 100% of the cost.
- (3) Corner lots shall be assessed in accordance with § 66.0703(3), Wis. Stats.
- (4) No water mains less than eight inches in diameter and no sanitary sewer mains less than eight inches in diameter shall be installed. When oversized sewer or water mains are installed by the City, the benefitting abutting property owner shall be assessed the eight-inch equivalent cost; the City shall levy a special assessment on an area basis for the remaining oversize cost against all the property benefitting from such oversizing.

C. Streets.

- (1) Streets shall be constructed by the City in accordance with specifications established by the Board of Public Works.
- (2) Special assessments for all ~~new~~ unimproved streets ~~shall~~ may be levied at 100% of the cost. The cost of

maintaining and resurfacing existing streets shall be borne by the City.

D. Curb and gutter.

- (1) Curb and gutter shall be constructed in accordance with specifications established by the Board of Public Works.
- (2) Special assessments for all ~~new~~ unimproved curb and gutter ~~shall~~ may be levied at 100% of the cost.
- (3) The cost of replacement curb and gutter shall be borne by the City, except when such curb and gutter was damaged by the property owner.

E. Sidewalks. [Amended 3-15-2007 by Ord. No. 2007-06]

- (1) The sidewalk shall be located in such places and at such grades and width as designated by the Council and shall be constructed in accordance with standards and specifications established by the Board of Public Works.
- (2) Special assessments for all ~~new~~ unimproved sidewalks ~~shall~~ may be levied at 100% of the cost.
- (3) ~~Pursuant to § 66.0907, Wis. Stats., the Board of Public Works may order property owners to repair or remove and replace any sidewalk which is unsafe, defective or insufficient. If the property owner shall fail to so repair or remove and replace such sidewalk for a period of 20 days after service of the notice provided in § 66.0907(3)(e), Wis. Stats., the Board of Public Works shall repair or construct such sidewalk and the Clerk-Treasurer shall enter the total cost thereof upon the tax roll as a special tax against said lot or parcel of land.~~
- (4) ~~If the cost of repair of any sidewalk in front of any lot or parcel of land does not exceed the sum of \$100, the Board of Public Works or the Director of Public Works may immediately repair such sidewalk, without notice or letting the work by contract, and shall charge the cost thereof to the owner of the lot or parcel of land, as provided in § 66.0907, Wis. Stats.~~
- (5) Sidewalk Replacement. When, in the opinion of the City Engineer, it becomes necessary to replace defective sidewalk:

(a) Owner Responsible. The sidewalk shall be removed and replaced, without cost to the City, as provided in sec. 66.0907, Wis. Stats., if:

1. The sidewalk was damaged by the owner or occupant of the property or by anyone acting with the permission of the owner or occupant of the property or by anyone acting under a contract with the owner or occupant of the property; or
2. The sidewalk was last constructed without a permit being issued before such construction; or
3. The sidewalk was not constructed by the City and, in the opinion of the City Engineer, the defect was caused by defective construction.

(b) City Responsible. If none of the conditions set forth in (a) apply, then the City shall replace existing sidewalk at its expense.

F. Storm sewer.

- (1) Except as provided in Chapter 380, Subdivision of Land, of this Code, storm sewer shall be constructed by the City in accordance with standards established by the Board of Public Works.
- (2) Special assessments for storm sewer ~~shall~~ may be levied at 100% of the cost against the benefitting property on an area basis.

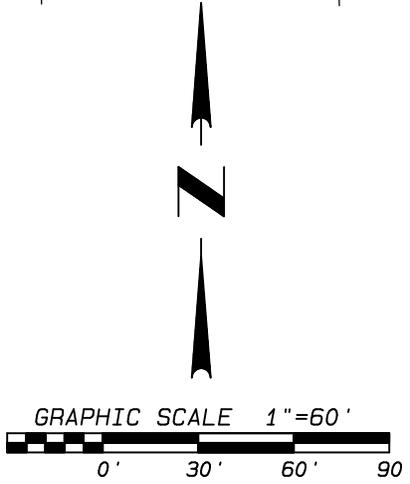
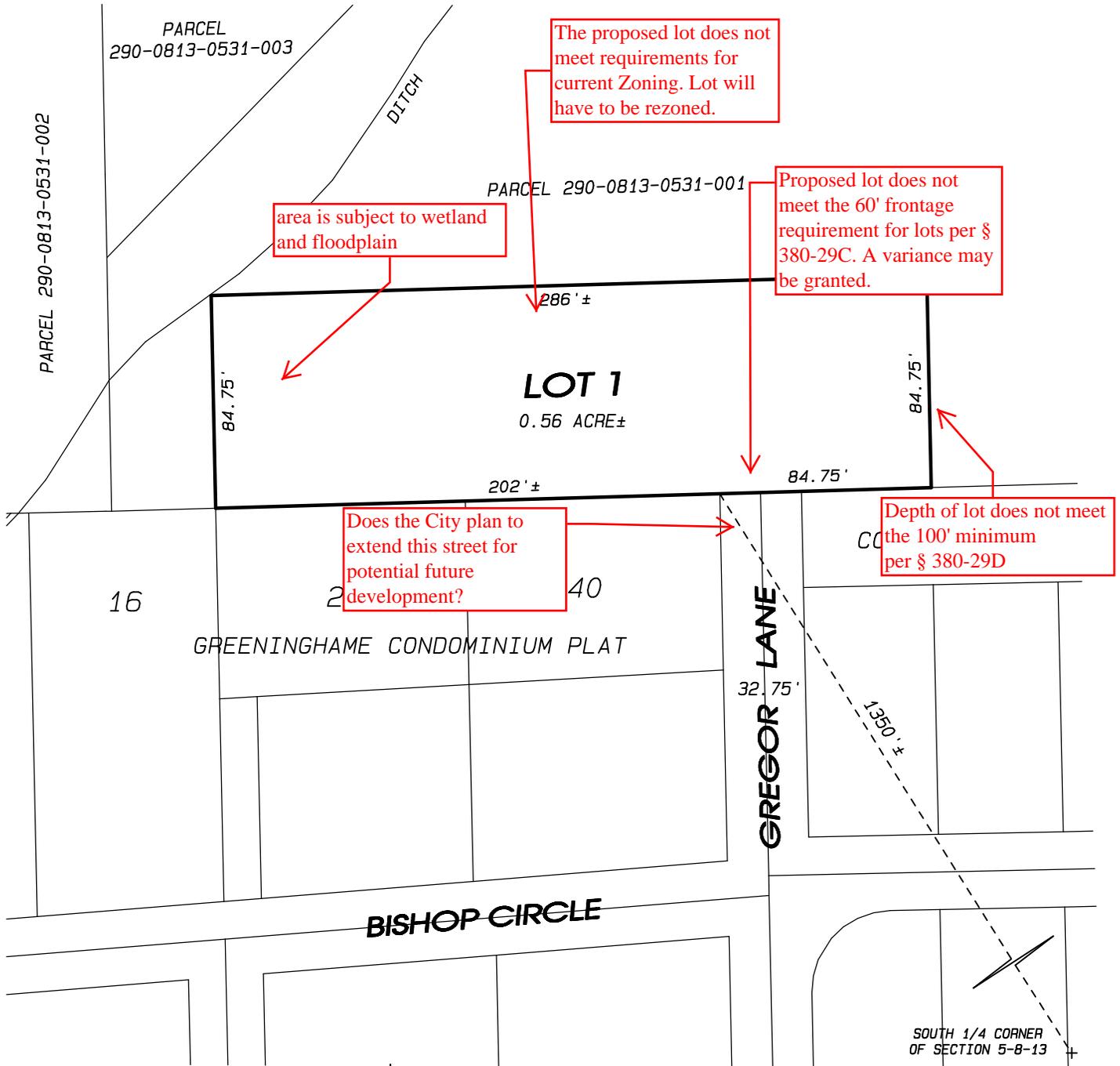
§ 12-2 **Special assessment procedure.**

- A. Alternate method selected. As provided in § 66.0701, Wis. Stats., in addition to other methods provided by law, special assessments for any public work or improvement may be levied by alternate methods. The Council hereby elects to levy such special assessments as provided in this section.
- B. Preliminary resolution. Whenever the Council shall determine that any public work or improvement shall be financed in whole or in part by special assessments levied under this section, it shall adopt a preliminary resolution setting forth the following:
- (1) Its intent to exercise its police powers for the purpose of levying special assessments for the stated municipal purpose.
 - (2) The limits of the proposed assessment district.
 - (3) The time, either before or after completion of the work or improvement, when the amount of such assessments shall be determined and levied.
 - (4) The number of installments in which the special assessments may be paid or that the number of installments shall be determined after the public hearing required by Subsection **D** below and shall be included in the final resolution.
 - (5) The rate of interest to be charged on the unpaid installments or that the rate of interest will be determined after the public hearing required by Subsection **D** below and shall be included in the final resolution.
 - (6) The terms on which any of such assessments may be deferred while no use of the improvement is made in connection with the property or that such terms will be determined after the public hearing required by Subsection **D** below and will be included in the final resolution.
 - (7) The Director of Public Works shall prepare a report as required by Subsection **C** below.
- C. Report of Director of Public Works.
- (1) Whenever the Council, by preliminary resolution, directs the Director of Public Works to prepare a report, the Director of Public Works shall prepare a report consisting of the following:
 - (a) Preliminary or final plans and specifications for the public work.
 - (b) An estimate of the entire cost of the proposed work or improvement, except that when the Council determines by preliminary resolution that the hearing on such assessments shall be held subsequent to the completion of the work or improvement, the report shall contain a statement of the final cost of the work, service or improvement in lieu of an estimate of such costs.
 - (c) A schedule of the proposed assessments.
 - (d) A statement that each property against which the assessments are proposed has been inspected and is benefited, setting forth the basis for such benefit.
 - (2) Upon completion of the report, the Director of Public Works shall file a copy of the report with the Clerk-Treasurer.
- D. Incorporation of statutory provisions. The provisions of § 66.0703, Wis. Stats., including those related to notice, hearing and the adoption of a final resolution, shall, to the extent not inconsistent with this section, apply to special assessments levied under this section.
- E. Lien. Every special assessment levied under this section shall be a lien against the property assessed from the date of the final resolution of the Council determining the amount of such levy.

PRELIMINARY CERTIFIED SURVEY MAP

PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, T.8N., R13E. OF THE 4TH P.M., CITY OF WATERLOO, JEFFERSON COUNTY, WISCONSIN.

For a review the CSM will need to meet all state statutes and the City requirements



NOTE: THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 120 - 198 For: DOW

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com

tel: 608 752-0575
fax: 608 752-0534

City Hall

From: City Hall
Sent: Wednesday, May 20, 2020 3:15 PM
To: Dan Higgs
Cc: Chikowski, Nicholas; Leisses, Mitchell
Subject: RE: Waterloo - Dow CSM Review

Dan,
After speaking with our City Attorney and following up on the Mitch Leisses email below. We need a CSM that doesn't create a new parcel, rather it should show the conveyance of the land as indicated on your preliminary, but not as a new parcel. This gets us past items 2&3 below. Thanks for speaking with me earlier in the day.

Mo Hansen | Clerk/Treasurer | [City of Waterloo](#) | 920.478.3025

From: Leisses, Mitchell <mleisses@geo-logic.com>
Sent: Wednesday, May 20, 2020 2:36 PM
To: City Hall <cityhall@waterloowi.us>
Cc: Chikowski, Nicholas <nchikowski@geo-logic.com>; Dan Higgs <dhiggs@combssurvey.com>
Subject: Re: Waterloo - Dow CSM Review

Mo,
Yes, that is a way to get around some of the requirements that we were suggesting. That said, the "plat of survey" is very minimalistic. There is no defined point on the survey to give us any accuracy. This worries me more so when looking at the remnant of parcel 290-0813-0531-01. If the City would want to sell any of said parcel in the future, does anyone know what they are buying?

I don't mean to be difficult but just want to make it known.

Mitchell Leisses
Office/Project Manager

Kunkel Engineering Group
a Geo-Logic Company
1115 South Main Street
West Bend, WI 53095
Office: (920)356-9447 | Direct: (920)210-6330
mleisses@kunkelengineering.com or mleisses@geo-logic.com

www.kunkelengineering.com | www.geo-logic.com

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From: City Hall <cityhall@waterloowi.us>
Sent: Wednesday, May 20, 2020 2:03 PM
To: Leisses, Mitchell <mleisses@geo-logic.com>
Cc: Chikowski, Nicholas <nchikowski@geo-logic.com>; Dan Higgs <dhiggs@combssurvey.com>
Subject: FW: Waterloo - Dow CSM Review

Mitch,

Are you OK with Parker Dow's surveyor, Dan Higgs, re-submitting this as a recordable plat of survey depicting the lot line adjustment?

Mo Hansen | Clerk/Treasurer | [City of Waterloo](#) | 920.478.3025

From: City Hall

Sent: Wednesday, May 20, 2020 2:00 PM

To: Parker Dow <parker@wil-park.com>

Cc: Dan Higgs <dhiggs@combssurvey.com>; Jeni Quimby <mayor@waterloowi.us>

Subject: FW: Waterloo - Dow CSM Review

Parker,

Below is the review from City Engineer Mitch. I talked briefly with Dan Higgs. Rather than a stand along Lot 1 which would required 2&3 below, Dan thinks this can be done as plat of survey, showing a lot line adjustment. An approved plat of survey would be recorded documenting the property line shift. This means we forego, 2 & 3 below. Zoning will have to eventually be done, but that doesn't have to happen to allow for the land sale. It would be helpful if Dan present a 2nd draft showing this in the revised format described above. Also, Mitch Leisses needs to OK this method of re-writing the property line.

Mo Hansen | Clerk/Treasurer | [City of Waterloo](#) | 920.478.3025

From: Leisses, Mitchell <mleisses@geo-logic.com>

Sent: Wednesday, May 13, 2020 11:17 AM

To: City Hall <cityhall@waterloowi.us>

Cc: Jeni Quimby <mayor@waterloowi.us>

Subject: Fw: Waterloo - Dow CSM Review

Good Morning Mo,

I've had my surveyor review the CSM and as you are probably aware, there's a lot of work to be completed on it. I've attached a marked up CSM but wanted to point out a couple of items that will need to be reviewed and discussed with the Plan Commission:

1. The proposed lot will be subject to wetland and floodplain delineations (can be pulled from state GIS sites)
2. The proposed lot does not meet 60-foot frontage requirements and would require a variance.
3. Depth of lot does not meet 100-foot minimum and would require a variance.
4. Current zoning for this lot is M1 and would need to be rezoned to R3, assuming this will be an expansion of the property to the south.

Mo, I wanted to get these comments to you sooner than later because I want to make sure everyone realizes what needs to be done moving forward.

With regards to a final CSM, as always, Kunkel would like to make sure we review something more complete and give our final blessings to it before being signed and recorded.

Please let me know if you have any other questions.

Sincerely,

Mitchell Leisses

Office/Project Manager

Kunkel Engineering Group

a Geo-Logic Company

1115 South Main Street

West Bend, WI 53095

Office: (920)356-9447 | Direct: (920)210-6330

mleisses@kunkelengineering.com or mleisses@geo-logic.com

www.kunkelengineering.com | www.geo-logic.com

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From: Chikowski, Nicholas <nchikowski@geo-logic.com>
Sent: Wednesday, May 13, 2020 9:54 AM
To: Leisses, Mitchell <mleisses@geo-logic.com>
Subject: Waterloo - Dow CSM Review

Mitch,

Here are my review comments for the Preliminary Dow CSM. Any questions let me know.

Nick Chikowski
Survey Technician

Kunkel Engineering Group
a Geo-Logic Company
[107 Parallel Street](#)
[Beaver Dam, WI 53916](#)

Office: (920)356-9447 | Direct: (920)382-8861
nchikowski@kunkelengineering.com or nchikowski@geo-logic.com

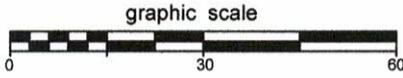
www.kunkelengineering.com | www.geo-logic.com

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JEFFERSON COUNTY
CERTIFIED SURVEY MAP NO.

PRELIMINARY

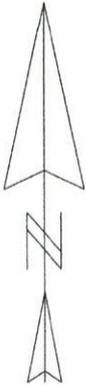
A PART OF OUTLOT 52 AND A PART OF OUTLOT 174 IN THE CITY OF WATERLOO ACCORDING TO THE ASSESSOR'S PLAT TO THE VILLAGE (NOW CITY) OF WATERLOO AS RECORDED MARCH 22, 1937 IN VOLUME 5 ON PAGE 91, BEING LOCATED IN A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWN 8 NORTH, RANGE 13 EAST, CITY OF WATERLOO, JEFFERSON COUNTY, WISCONSIN.



LEGEND

- 1" x 18" Iron Pipe Set weighing 1.13 lbs/ft
- △ Mag Nail Set
- ⊙ Jefferson County Survey Monument as shown
- [R] Recorded or Described value
- 1-1/4" Iron Pipe Found
- 3/4" Iron Rebar Found
- × Chisel Cross Found

North point oriented to the Jefferson County Coordinate System.
 South line SW 1/4 Section 5 assumed N. 89° 30' 17"E.



MAUNESHA RIVER

[P.O.S. #44
 NOTBOHM
 SEPT. 17, 2003
 CITY OF WATERLOO
 MILL POND PROPERTY]

OUTLOT 1
 3,517 SQ FT
 0.081 AC +/-

OUTLOT 2
 1,226 SQ FT
 0.028 AC +/-

203 EAST MADISON ST
 CITY OF WATERLOO
 PIN:290-0813-0533-032

OWNERS

OUTLOT 1
 Emma M Stewart
 131 Mill Street
 Waterloo, WI 53594
 [PIN: 290-0813-0533-033]

OUTLOT 2
 Thomas G Bergan
 Robin D Van Fleet-Bergan
 237 E Madison Street
 Waterloo, WI 53594
 [PIN: 290-0813-0533-030]

STEWART PROPERTY
 PIN:290-0813-0533-033

[P.O.S. #2290
 BIRRENKOTT
 AUG 8., 1997]
 BERGAN PROPERTY
 PIN:290-0813-0533-030

[P.O.S. #17-71
 RIESOP
 JULY 5., 1989]

SW CORNER
 SECTION 5-8-13
 [ALUM. MON]

S 1/4 CORNER
 SECTION 5-8-13
 [ALUM. MON]

PRELIMINARY

Dated this _____ day of _____, 2020

Mark R Tomashek WI PLS - 2340-008
 New Frontier Land Surveying llc
 at Beaver Dam Wisconsin

New Frontier Land Surveying
 234 S Spring St - P.O. Box 576
 Beaver Dam, Wisconsin 53916
 p(920)885-3904 f(920)885-3905

Job No. 20-2571
 Sheet 1 of 2