

VILLAGE OF ORFORDVILLE
Regular Board Meeting
Monday, September 23, 2024 7:00 p.m.
Orfordville, WI 53576
Main Board Room

CALL TO ORDER

President Dennis Burtness called the meeting to order at 7:00 p.m. Present were President Burtness, David Olsen, Beth Schmidt, Nikki Tuffree, and Terry Gerber. Also present were Attorney Mike Davis, Fire Chief Ryan Perkins, Police Chief Jeremiah Burdick, DPW Director Nick Todd, and Clerk Sherri Waege. Absent were Cami Myers-Alstat and Terry Morris.

AGENDA VERIFICATION

Clerk Waege verified that on September 20, 2024 copies of the Revised Agenda were delivered to the President and Trustees; and posted at the Library, Village Hall, and Post Office. There were no additions made to the Revised Agenda.

MINUTE APPROVAL

Motion by Tuffree, seconded by Gerber to approve the September 9, 2024 minutes. Motion carried.

CITIZENS WISHING TO BE HEARD

None.

UNFINISHED BUSINESS

Amend Ordinance 320-18 Percentage of Commercial Space for Street Floor/First Floor Commercially Zoned Properties. Attorney Mike Davis was present to review the draft ordinance. Motion by Tuffree, seconded by Schmidt to **DELETE 320-18 C-7 that states "Street-level apartments. Buildings with businesses or commercial uses on the first floor/street-level floor of a building may have an apartment, residence, or similar living space in the rear of the first floor/street-level floor if the business or commercial use utilizes at least 50% of the first floor/street-level floor's total square footage and the apartment, residence, or similar living space meets the following requirements:(a) The apartment, residence, or similar living space has its own street access separate from the business or commercial use; and(b) The apartment, residence, or similar living space has a minimum of 650 square feet per unit" which eliminates street floor/first floor apartments"** ; **to AMEND Chap 320-18 A. to state " Purpose. The C-1 District is intended to provide an area for the business and commercial needs of the Village. Specifically, the C-1 District provides incentives for development and economic sustainability of the Village. A wide range of office, retail, and lodging land uses are permitted within this district which cater to the general public"; and to AMEND Chapter 320-C-(6) to state "Upper-level apartments. Buildings with businesses or commercial uses on the first floor/street-level floor of a building may have apartments, residences, or similar living spaces on any and all floors above the first floor/street-level floor if the apartments, residences or similar living spaces meet the following requirements: (a) The apartment, residence, or similar living space has its own street access separate from the business or commercial use; and(b) The apartment, residence, or similar living space has a minimum of 650 square feet per unit."**
Motion carried.

Amend Ordinances 22-1,22-2,65-7 and 168-2 regarding duties and authority of the Fire Chief. Attorney Mike Davis was present to review the draft ordinance. Motion by Tuffree, seconded by Gerber to **amend Ordinance 65-7B(3) to state: "The Fire Chief shall enforce all fire prevention ordinances of the Village^{WI} and any and all state laws and regulations pertaining to fire prevention, by**

any reasonable means, including without limitation, issuing citations. The Fire Chief shall keep citizens informed on fire prevention methods and on the activities of the Department. [1] Editor's Note: See Ch. 168, Fire Prevention." and to amend Ordinance 168-2 B. (2) to state "While acting as Fire Inspector pursuant to § 101.14(2), Wis. Stats., the Fire Chief, or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Village of Orfordville at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code, the Fire Chief may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated, or that a fire hazard exists which should be eliminated, it shall be the Fire Inspector's duty to give such directions for the abatement of such conditions as the Fire Inspector shall deem necessary, refer violations for citations to the Police Chief, and if such directions are not complied with, to report such noncompliance to the Village Board for further action. Motion carried.

NEW BUSINESS

Operator Licenses. Motion by Gerber, seconded by Tuffree to accept the Police Committee Recommendation to grant Operator's Licenses to expire June 30, 2025 to Adaline Converse and Terry Morris. Motion carried.

Joint Powers Agreement for 2025. Motion by Tuffree, seconded by Schmidt to approve the Joint Powers Agreement with Rock County Communications for 2025. Motion carried.

Sign Agreement with Parkview School District. Clerk Waege provided the written notice from Parkview School District stating that they have decided to give a 60 day notice to relinquish their portion of the sign (the top marquee portion) located at the intersection of Highways 11 and 213. Clerk Waege further explained that the sign is being relinquished as is and will not be restored to working order as Parkview has chosen not to allocate any further resources towards the sign. Discussion held on moving forward with the sign. No action was taken.

Use of Parking Lot for Fire Training. Chief Perkins was present to explain that the Fire Department would like to use the back parking lot at the Village Hall for training from October 7th through October 11th. Chief Perkins explained that the cars used for training will be removed for the Treats on the Trail Event on October 18th. Motion by Tuffree, seconded by Gerber to allow the Fire Department to use the back parking lot for training for the time period of October 7th through October 11th. Motion carried.

TREASURER REPORT

Motion by Tuffree, seconded by Schmidt to table to the October 14, 2024 meeting as Clerk Waege was on vacation. Motion carried.

VOUCHERS

Motion by Gerber, seconded by Tuffree to approve the vouchers with a check range of 37535-37552. Motion carried.

VILLAGE PRESIDENTS UPDATE

President Burtness explaining the following:

- The Ben Neal signs designating Hwy 11 from Orfordville to Footville have been installed. Thanks again to everyone who helped with this project, especially the members of the Legion whose hard work to achieve this made it happen.
- Fall Fest at the Fire Station will be on Saturday October 12th, from 4:00 – 6:30pm.
- Treats on the Trail will be on Friday, October 18th, from 6:00-8:00pm behind Village Hall on the walking path.
- The recent fire East of Orfordville on Hwy 213 underscores how important the water tower is to our community. Due to the windy and dry weather, fighting the fire required the help

from multiple fire departments. 90,000 gallons of water was used during this time from 2 different hydrants to keep up with the demand. The reserve water in the tower helps maintain the water supply for residents as well as for firefighting efforts.

- Wednesday, October 23rd at 5:30 Join us for an evening of networking! Aspiring entrepreneurs and business professionals all welcome! Orfordville Economic Development Committee is co-hosting a Business After Five event with Bricks & Stones of Orfordville.

Details:

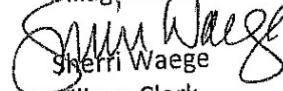
- ~ Doors open at 530pm
 - ~ \$10 Entry Fee includes appetizers & 1 drink ticket
 - ~ Bring a business card to enter the raffle drawing
 - ~ Table available for display of your business information & marketing materials
- We look forward to seeing you!

ADJOURN

Motion by Schmidt, seconded by Gerber to adjourn at 8:35 p.m. Motion carried.

Submitted by,

Dennis Burtness
Village President


Sherri Waege
Village Clerk

- (a) The apartments, residences, or similar living spaces have their own street access separate from the business or commercial use; and
- (b) The apartments, residences, or similar living spaces have a minimum of 650 square feet per unit.

§320-18 C. (7) Street-level apartments. Buildings with businesses or commercial uses on the first floor/street-level of a building may have apartments, residences, or similar living spaces in the rear of the first floor/street-level floor if the business or commercial use utilizes at least 50% of the first floor/street-level floor's total square footage and the apartments, residences, or similar living spaces meet the following requirements:

- (a) The apartments, residences, or similar living spaces have their own street access separate from the business or commercial use; and
- (b) The apartments, residences, or similar living spaces have a minimum of 650 square feet per unit.

FIRE CHIEF ENFORCEMENT RIGHTS

The Village inquired regarding the ability of the Fire Chief to issue citations for violations of the fire code or other Village ordinances. The Fire Chief has citation power under §22-1 and §22-2 with respect to the sections of the Code which are directly related to his area of responsibility.

While the Fire Chief already has authority to issue citations, we recommend the Village adopt the following amendments to specifically highlight the Fire Chief's ability to issue citations:

Amended version
~~XXXX~~

§65-7 B. (3) The Fire Chief shall enforce all fire prevention ordinances of the Village⁽¹⁾ and any and all state laws and regulations pertaining to fire prevention, by any reasonable means, including without limitation, issuing citations. The Fire Chief shall keep citizens informed on fire prevention methods and on the activities of the Department. [1] *Editor's Note: See Ch. 168, Fire Prevention.*

add

§168-2 B. (2) While acting as Fire Inspector pursuant to § 101.14(2), Wis. Stats., the Fire Chief, or any officer of the Fire Department designated by the Fire Chief, shall have the right and authority to enter any building or upon any premises in the Village of Orfordville at all reasonable hours for the purpose of making inspections or investigations which, under the provisions of this Code, the Fire Chief may deem necessary. Should the Fire Inspector find that any provisions of this Code relating to fire hazards and prevention of fires are being violated, or that a fire hazard exists which should be eliminated, it shall be the Fire Inspector's duty to give such directions for the abatement of such conditions as the Fire Inspector shall deem necessary, *refer violations for* ~~issue citations for violations,~~ *to Police Chief* and if such directions are not complied with, to report such noncompliance to the Village Board for further action.

*① Add Chief of Police
add citations info*

Refer to Section 1-5



Memo

To: Village of Orfordville

From: Nowlan Law LLP

Date: September 9, 2024

Re: Recommendations for revisions to C-1 Zoning District and Fire Chief Ordinances

SUMMARY OF RECOMMENDATION

After considering comments from the Village of Orfordville Board ("Village"), reviewing the Village's ordinances, and researching the ordinances of similarly-sized municipalities, we recommend that the Zoning Ordinance should be amended to provide that conditional uses in the C-1 General Commercial District expand a property owner's right to request multiple apartments, residences, or similar living spaces ("Residences"). Additionally, the Village should amend its ordinances to specifically demonstrate the Fire Chief's ability to issue citations.

AMENDMENT TO C-1 ZONING DISTRICT

The Village's current primary commercial zoning district allows for only one residence. Many Rock County cities and villages tend to allow multiple Residences on commercially zoned property. Further, the Village has already allowed, by conditional use permit, multiple properties in its C-1 Zoning District to have multiple Residences. This was done despite the current ordinance only allowing one residence, apartment, or living area.

Considering the foregoing, we recommend adopting the following additions and amendments to the Village's ordinances:

§320-18 A. Purpose. The C-1 District is intended to provide an area for the business and commercial needs of the Village. Specifically, the C-1 District provides incentives for development and economic sustainability of the Village. A wide range of office, retail, and lodging land uses are permitted within this district which cater to the general public.

add →

§320-18 C. (6) Upper-level apartments. Buildings with businesses or commercial uses on the first floor/street-level floor of a building may have apartments, residences, or similar living spaces on any and all floors above the first floor/street-level floor if the apartments, residences or similar living spaces meet the following requirements:

add →
replace