

DRAFT

These minutes will not be approved until the next meeting of the Village Board on March 25th

VILLAGE OF BRISTOL BOARD MINUTES

March 11, 2024

The Notice for the regular semi-monthly meeting of the Bristol Village Board had been posted at the Municipal Building, Bristol BP, Benson's Corners, and on the Village Website on March 8, 2024.

1. The meeting of the Village Board was called to order at 7:00 p.m. by President Farrell. In attendance at the meeting were Trustee Leker, Trustee Atwood, Trustee Kordecki, Trustee McCabe, Village Attorney Alan Harvey, Village Administrator Randy Kerkman, Village Clerk Renee Brickner and nineteen constituents.
2. President Farrell led the Pledge of Allegiance.
3. Approval of Agenda:
A motion was made by Trustee Atwood and seconded by Trustee Kordecki to approve the agenda. The motion was carried unanimously.
4. Approval of Minutes:
A motion was made by Trustee Leker and seconded by Trustee Kordecki to approve the minutes of the February 26, 2024, Regular Village Board meeting. The motion was carried with 3 Ayes with two abstaining (Farrell and McCabe). President Farrell and Trustee McCabe were excused from the February 26, 2024 meeting.
5. Treasurer's Report:
A motion was made by Trustee Kordecki and seconded by Trustee McCabe to receive and file the Treasurer's Report showing a balance of \$9,199,248.67 for the checking and investment account balance. The motion was carried unanimously.
6. Approval of Bills:
A motion was made by Trustee Leker and was seconded by Trustee Atwood to approve payment of the bills. The motion was carried unanimously.
7. Citizen's Comments:
Eric Meadows stated that he is a resident of Pleasant Prairie who is a candidate for Kenosha County Board Supervisor, District 18, which covers a portion of Bristol. He indicated that he wanted to come and introduce himself to all of the Board as well as the citizens of Bristol and to let you know that he is here to be a representative of you. He stated that he wants to keep an open dialogue with the County government and the Village of Bristol. He stated he knows what it is like to serve in an area where you are overshadowed by a much bigger community like Kenosha, and he wants to make sure your voice and your values are represented on County government as well. He indicated he is a strong component on God given rights, a strong believer in God, a strong believer

in limited government and small property taxes. He stated he is a big fan of public safety and that the Sheriff's Department needs all the support and resources they can get. Those are just a few of the items that are important to him and he believes we agree with the majority of the citizens in the Village of Bristol as well. He indicated he is open to conversations with anyone at anytime and stated he will keep that dialogue open as long as he can while he represents all of you in the County government.

8. President's Comments:

President Farrell presented the activity record from the Kenosha County Sheriff's Department for the Month of February. He indicated there is a more detailed report in the Clerk's Office to view should anyone want to look at the detailed report.

9. Trustee's Comments:

Trustee McCabe stated that it is great to see so many people in the audience and thanked everyone for coming.

Trustee Kordecki stated it is great to see people here. She reminded everyone of the Paris School Spaghetti Supper on Saturday, March 16th from 4:00 to 6:45 with a live auction to follow. She stated that she is happy to be here.

Trustee Atwood thanked all for coming and stated it is nice to see people in the audience.

Trustee Leker stated it is great to see people here and he is happy to be here.

10. Administrator's Report: None.

11. Public Works: None.

12. Fire Department:

a. Chief Niederer commented on his request stating he wants to make sure there are enough staff members as the Fire Department recently lost three members, one to a full-time position in Kenosha and the others for personal reasons.

A motion was made by Trustee Leker and seconded by Trustee Kordecki to approve Chief Niederer's request to hire Samantha Brien, Valente Enriquez and Luis Alvarado to serve on the Fire Department as paid-on-call and paid-on-premises staff. The motion carried unanimously.

b. Chief Niederer gave an overview of the Fire Department monthly report.

Trustee Atwood commented by stating that Chief Niederer's report was excellent.

13. Plan Commission Recommendations:

a. Discuss and consider for approval the request of Brett Hickey, Kimley-Horn & Associates 111 W. Jackson Boulevard, Suite 1320, Chicago, IL 60604 (Applicant), Nutting Properties, LLC (Jay Nutting, Current Owner), and The Overland Group (Developer) for a Zoning Map Amendment and a Zoning Text Amendment change from A-2 (Agricultural) to B3 (Highway Business District) on approximately 2.840

acres on tax parcel #37-4-121-054-0415 Part of the E 1/2 SE 1/4 SEC 5 T 1 R 21 COM 300 FT W OF SE COR 1/4 N 55 DEG 45' E 58.65 FT TO N LN HWY "50" & POB TH W 444.53 FT N 366.98 FT E 634.97 FT (W LN HWY "D"), Village of Bristol, Kenosha County, Wisconsin. For informational purposes, the property is located at 18514 75th Street which is on the Northwest corner of Hwy 50 (75th Street) and County Hwy D (184th Ave).

A motion was made by Chris Leker and was seconded by Willam Niederer based on the review of submitted materials dated 2/20/24 by Strand Associates and the review of submitted materials dated 2/20/2024 by GRAEF that the Plan Commission recommends to the Village Board the **CONDITIONAL APPROVAL** subject to the following conditions:

1. Any and all technical deficiencies shall be corrected;
2. All applicable Villag of Bristol application and review fees shall be paid by the applicant; and
3. The applicant shall address any other issues which are raised by an approving or objecting authority which the Village Plan Commission and/or Village Board deems necessary for the applicant to address in the application materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Village Engineer, and Village Planner.

The motion was carried by 6 Ayes and 1 Nay (Sharp).

A motion was made by Trustee Leker and seconded by Trustee Kordecki to approve the request of Brett Hickey, Kimley-Horn & Associates 111 W. Jackson Boulevard, Suite 1320, Chicago, IL 60604 (Applicant), Nutting Properties, LLC (Jay Nutting, Current Owner), and The Overland Group (Developer) for a Zoning Map Amendment and a Zoning Text Amendment change from A-2 (Agricultural) to B3 (Highway Business District) on approximately 2.840 acres on tax parcel #37-4-121-054-0415 Part of the E 1/2 SE 1/4 SEC 5 T 1 R 21 COM 300 FT W OF SE COR 1/4 N 55 DEG 45' E 58.65 FT TO N LN HWY "50" & POB TH W 444.53 FT N 366.98 FT E 634.97 FT (W LN HWY "D"), Village of Bristol, Kenosha County, Wisconsin. For informational purposes, the property is located at 18514 75th Street which is on the Northwest corner of Hwy 50 (75th Street) and County Hwy D (184th Ave) subject to the following conditions:

1. Any and all technical deficiencies shall be corrected;
2. All applicable Villag of Bristol application and review fees shall be paid by the applicant; and
3. The applicant shall address any other issues which are raised by an approving or objecting authority which the Village Plan Commission and/or Village Board deems necessary for the applicant to address in the application

materials, and which have been made, or may be made, by the Village Administrator, Village Attorney, Village Engineer, and Village Planner.

Trustee Leker commented that the Plan Commission felt it was appropriate to approve as it does meet the Village's future plan use. The motion carried unanimously.

b. Discuss and consider for approval of **Ordinance No. 24-2: TITLE 13, ZONING ORDINANCE OF THE VILLAGE OF BRISTOL CODE OF ORDINANCES.**

A motion was made by Ruth Atwood and seconded by Amy Klemko to recommend to the Village Board the approval of the adoption of the new Village Zoning Ordinance Title 13, of the Village of Bristol Code of Ordinances. The motion was carried unanimously.

Attorney Harvey stated that he has been working with Village Officials on updating the Code of Ordinances of which the Zoning Code is a component of. Attorney Harvey complimented the Plan Commission in that they have spent a lot of time on the Zoning Code going through multiple refinements and have put a lot of time and effort into this endeavor. Questions were answered.

A motion was made by Trustee Leker and seconded by Trustee Kordecki to approve the adoption of **Ordinance No. 24-2: TITLE 13, ZONING ORDINANCE OF THE VILLAGE OF BRISTOL CODE OF ORDINANCES** including the clarifications of March 11, 2024. The motion was carried on a roll call vote of 4 Ayes and 1 Nay (McCabe).

14. Unfinished Business:

a. Tabled from February 12, 2024:

A motion was made by Trustee McCabe and seconded by Trustee Kordecki to table action on expanding ATV's, UTV's and golf carts to all Village roads until the March 11, 2024 Village Board meeting to allow participants who signed the petition to be present to answer any questions the Village Board may have. The motion carried unanimously.

A motion was made by Trustee Kordecki and seconded by Trustee McCabe to remove from the table taking action on expanding ATV's, UTV's and golf carts to all Village roads until the March 11, 2024 Village Board meeting to allow participants who signed the petition to be present to answer any questions the Village Board may have. The motion carried unanimously.

Ron Gant stated he is a Trustee in the Village of Salem Lakes and indicated they just passed their ordinance on ATV and UTV on Village roads. He stated that he has been working with Trustee McCabe on this and stated it was quite a to do. He had been trying to get this through for 2 years dealing with the DNR, DOT and DMV and stated it was a lot of rigamarole before he got a direct answer from someone at the DMV. He stated the signage is a biggy as Salem has an RFP put out on it and basically, they are going to put up 19 signs where roads come into their Village that specify all Village streets, not roads or routes that are ATV accessible. He

finished by stating Salem is going to get this thing to fly and that is up to you people what you want to do.

Trustee Leker asked Mr. Gant who is paying for their signs.

Ron Gant stated they have a pretty good donor, otherwise the Village would pay for it. He said he has talked to Bloomfield, they had the Sportsman's Club pay for all their signs.

President Farrell asked how many signs we would need, 50 or 21?

Administrator Kerkman indicated that it can be done either way and discussed an email from the DOT and DNR regarding signage.

President Farrell stated that he read in a different place that there has to be appropriate signage.

Administrator Kerkman stated 21 would be the easiest and cheapest to use for roads coming into Bristol and would be around \$200 - \$250 per sign.

There was discussion of State laws regarding signage and where they would be placed. Further discussion was had regarding submitting a map of the streets that usage would be allowed which would exclude all county and state roads.

Trustee McCabe thanked Mr. Gant for all his help in giving him all the information and helping him get this all together.

Tom stated he is from the Town of Wheatland where they recently did theirs that took them 2 years. He indicated they had one side of Wheatland done, on one side Lily Lake done but not the other side. He stated that they posted on the main drag coming off of Hwy 50 that was pretty simple and it was not as expensive as you think it would be because they did the bare minimum for safety and that is what they looked at. He stated they appreciate the Village looking at this and stated maybe all the towns can be joined together at some point.

Trustee Atwood asked Tom who paid for their signs.

Tom stated the Town and they enacted a small fee, a two year fee to help support the appropriate signs. He indicated they will be requiring a permit as they follow the DNR thing to make sure of things like you have to be 16 years old since we don't want young kids riding around.

President Farrell asked if permits were required for George Lake.

There was a discussion on permits, registration and proof of insurance, and further discussion on the payment of signs.

Lori Andrekus stated she lives on one of the safest town roads in the Village because it is a dead end. She indicated that recently they had some go carts and ATV's going down the road even though there is no permit and stated she is mostly concerned about the safety in that she does not think there are enough resources to enforce safety as much as it would have to be for something like that.

Trustee McCabe stated that if there are problems like that in the Village like the use of golf carts and stuff like that, you can call the Sheriff and he will go out there and take care of it for you.

Lori Andrekus stated they would be gone by the time the Sheriff would get there, that is what happens because it happens sporadically, and it is not at the same time every day. She stated it is a group thing, they drive around ATVs, go carts and golf carts.

Trustee Leker asked Attorney Harvey what the jurisdiction over private roads is, what would the law read.

Attorney Harvey indicated he would have to take a look at the statutes stating his quick answer would be the Village probably don't have jurisdiction over private roads.

Tom Gilly of the Kenosha County Sheriff's Department stated there are some things on private property that can be enforced. He stated that he feels the Village is doing this right and needs to be concerned with cars racing down the roads that will now have ATV's added to them. He stated he is concerned for the safety of operators on roads like 216th crossing Hwy 50.

Trustee Leker asked to hear from people on how they plan to use this.

Jennifer stated she lives in a very respectable neighborhood; they look out for their neighbors and we already know it is already going on. She stated that she would hate for it to come down to neighborhood complaints because of a meeting and drawing attention to this to have to trailer my four-wheeler two doors down to help dig out her neighbor come snow time. She stated the rules of the road are followed through there and we do have the younger kids as the lady who expressed her concerns as well, but also being respective neighbors, we do go to the homeowner as adults and say your kids. She stated that everyone has cameras these days and thinks that if you contact the family that is causing the problem and not have to bring it on authority. If you follow the rules of the road, there should be an age stating that her four-wheeler says right on it you have to be 18 to drive. Just like taking Ski-Doo's out on the lake, there is a safety course you have to take if you are not of age to drive them, so perhaps we have them show some sort proof that they have taken a safety course if you catch a younger person operating.

Andy Lois stated it was pretty hard to hear some of the statements already made. He stated that he lives pretty close to Twin Lakes, New Munster area and they have a problem with Hwy 50 as they live on O and that seemed to be the best place to cross the road and still do it in a safe manner. He stated they are working with Samantha on that, they just can't get the State to give the go ahead on crossing Hwy 50 yet. He stated they are getting a lot of the problems solved and having a lot of problems south of them having opened up a lot, they have also opened up a lot of roads, but haven't got the right to cross Hwy 50 yet. He stated he does not want to be a sticker, but if the Village is going to have golf cars on the roads he thinks it is going to be too slow. He states he does not want to pick on the people, he thinks they are great and they have one up north and ride it all over but traffic is different up there, traffic doesn't drive as fast. He stated he thinks you need to be going 35 MPH if you are going to be out of the way. He stated a golf cart is not going to do that and another thing with golf carts is you are going to have a tendency to have younger children driving them and in the area he is in you have to 16 to drive anything. We are not going to have kids on the road and we are not going to give them permission to do it. He stated he hopes we can all get together and make this happen stating he thinks it will be a lot of fun for a lot of people. He doesn't think there is going to be a great amount of riders, they might go on an afternoon or maybe on a nice summer night to go have a hamburger or something but not riding the countryside all day long. He stated he hopes it all works out and gives a lot of credit to all for putting some extra time into it.

President Farrell stated that he wants to clarify with regards to roads, any County roads like D or AH would not be allowable to use these vehicles and wants all to be clear on what that restriction is.

There was discussion on Village owned roads, County roads, where riders can cross, the use of golf carts and developing additional golf cart language.

Andy Lois stated Hwy O has a stop and go light and is perfectly flat going both ways so we just thought that instead of trying to cross Hwy 50, Hwy 83 and Hwy P there is a ridge there and a curve on both and the way the cars go through there, if you had to go through there you want to make sure you are safe. He stated that he does not know why the State owns about 50 to 60 feet on both sides of new 50 on O. He stated nobody can figure out how they got that property, but they are the sticker and said it is too long of a stretch to be on the State highway before we get to Hwy 50. He indicated that if they can get the go ahead they will be pretty much set besides a few other issues with going one way and not being able to get back. He stated that he wanted to clarify on O that is a real good stretch and the stop and go lights are good but you have to sit there once and a while and wait while the people are going to Lake Geneva cause half of Chicago is out there, stating it ain't easy but they get there eventually.

Chuck Goralczyk stated to Trustee Leker's question what would I use it for, would be to visit my friends, to go the post office, and just to travel around just so I don't have to use my own vehicle. He stated that he sees more people walking their dogs up and down 83rd that are slow moving, they are much slower moving than a golf cart. He questioned Chief Niederer on how many pedestrians he has hit indicating that he does not know of too many. Maybe more on 50 and 45, and ATV accidents but indicated the most he hears is from being on the Paris Fire Department for 22 years has been up at Bong. He stated that they have snowmobile accidents by us, very few ATV accidents and they have a lot of ATVs over in Paris and have no regulations there. He stated it is all up to the citizens.

Trustee Leker stated that he asked the questions because he had taken some calls today asking what the purpose was.

Chuck Goralczyk stated to get around town so he does not have to use his car would be nice. He indicated he has three ATVs and pays for registration fees and would like to use them.

Tom stated that as an update on 50 where they cross over at, in Wheatland they had a proposal in front of their Board and it is his understanding from his Supervisor who is in Colorado right now that Samantha Kerkman is getting them the test pilot to cross over 50 because you can't get from one side of Wheatland to the other side, how do you connect the two. He stated that if you want to go for a burger over there you can't go cause there is no where to connect. He indicated that out of two years they picked the best safest area where it is a controlled intersection. He stated he believed the proposal has been sent to them to sign and it will be a test pilot for about a year to make sure everything goes good.

President Farrell stated the current motion includes UTVs, ATVs and golf carts and indicated that it needs to be clear on the language need regarding golf carts.

There was discussion regarding removing golf carts from the motion and have a separate ordinance.

Ron Gant stated that in Salem there is a separate golf cart ordinance and ATV ordinance. The golf cart ordinance means that you can not have anyone under the age of 16 driving it and you have to bring it to a fire station where you have to show a certificate of insurance and it has to be safety inspected. The inspection is done by the Sheriff's Department who we contract to.

There was discussion regarding operating golf carts on private property and Village roads, and the requirement of permits.

A motion was made by Trustee McCabe and seconded by Trustee Kordecki to approve the expansion ATVs and UTVs to all Village roads with signage expense not to exceed \$1,000.00. The motion was carried by a roll call vote of 5 Ayes.

15. New Business:

- a. Review and discuss **Title 6, Public Works Ordinance of the Village of Bristol Code of Ordinances** with Attorney Alan Harvey.

Attorney Harvey stated that anything new presented for consideration is underlined and we do have a number of items where we have offered some suggestions on that. The one thing that is maybe a little bit of a grey area is whether you want some of this in the ordinance or in the standard specifications manual. He stated that he did add new language on 6.3.9 sidewalks, and curb and gutter because with new developments you are likely to have that and you didn't have anything in the existing code of ordinances on that. Attorney Harvey stated that is always good to have ordinance language backing that. He indicated that he feels everything is fairly self-explanatory on the changes and assured the Board that the new language is just for your information; these are not state law mandates. They are for local discretion and local policies. Attorney Harvey answered questions presented.

- b. Review and discuss **Title 2, Government and Administration Ordinance of the Village of Bristol Code of Ordinances** with Attorney Alan Harvey.

Attorney Harvey indicated he mainly stuck with what the Village had. The one exception is back in Chapter 5, which is the ethics code and there is a completely new section to consider on types of harassment. Section 2.5.8 is new and provided for the Board to take a look at in certain situation and goes beyond the usual ethics language.

16. Communications and Announcements:

Zoning Board of Appeals meeting is scheduled for **March 13th** at 7:00 p.m..

Paris School is having their Spaghetti Super on **March 16th** dinner will be served from 4:00 p.m. to 6:45 p.m. with auctions to follow.

Next Village Board Meeting is scheduled for **March 26, 2024** at 7:00 p.m.

Next Plan Commission Meeting is scheduled for **March 27, 2024** at 7:00 p.m..

Historical Society Pancake breakfast is scheduled for **March 23rd** from 7:30 to 11:00 p.m. with Egg Hunt to follow at Hansen Park.

17. Adjournment:

A motion was made by Trustee Kordecki and seconded by Trustee Atwood to adjourn the meeting at 8:55 p.m.. The motion was carried unanimously.

Respectfully Submitted,
Renee Brickner, Village Clerk

