

**VILLAGE OF WINDSOR
ORDINANCE 2016-12**

**ORDINANCE TO IMPOSE A MORATORIUM ON THE EXPANSION OF
EXISTING AND/OR THE CREATION OF NEW NONMETALLIC MINING
OPERATIONS WITHIN THE VILLAGE OF WINDSOR
PENDING THE STUDY OF POSSIBLE LEGISLATIVE ACTION**

RECITALS

WHEREAS, the Town of Windsor incorporated as the Village of Windsor effective November 9, 2015, all as set forth in the Certification of Official Election Results and Incorporation of the Village of Windsor; and

WHEREAS, on November 24, 2015, the Village of Windsor adopted Ordinance 2015-04 entitled *ORDINANCE TO IMPOSE A MORATORIUM ON REZONES, ISSUANCE OF CONDITIONAL USE PERMITS, LAND DIVISIONS, SUBDIVISIONS AND THE EXPANSION OF EXISTING AND/OR CREATION OF NEW NONMETALLIC MINING OPERATIONS WITHIN THE VILLAGE OF WINDSOR PENDING THE STUDY OF POSSIBLE LEGISLATIVE ACTION*, which is incorporated herein by reference (the "Moratorium Ordinance"); and

WHEREAS, since that date, the Village has worked diligently on all of the issues subject to the Moratorium Ordinance, and obtained necessary approvals and adopted the Village Comprehensive Plan: 2035, Farmland Preservation Ordinance, Flood Plain Ordinance, Land Division Ordinance, and Zoning Ordinance and blanket rezones consistent therewith; and

WHEREAS, with one important exception, the Village is ready to repeal the Moratorium Ordinance; and

WHEREAS, the exception relates to nonmetallic mining operations within the Village of Windsor, and specifically establishing and codifying standards and requirements for the expansion of existing and/or the creation of new nonmetallic mining operations within the Village of Windsor, all in a manner that continues to meet the Village's obligations to the public health, safety and general welfare of the Village, and allows Village residents and other members of the public an opportunity to fully participate in these important issues; and

WHEREAS, to provide for removal of the Moratorium Ordinance for all but nonmetallic mining operations, Ordinance 2015-04 shall be repealed and replaced by this Ordinance 2016-12, all as set forth below.

NOW, THEREFORE, in consideration of the above Recitals, which are incorporated herein by reference, the Village Board of the Village of Windsor does hereby repeal Ordinance 2015-04, replaces it with Ordinance 2016-12 and hereby ordains as follows:

Section 1 -- TITLE AND PURPOSE:

- 1.1 Title. The title of this Ordinance is the Village of Windsor's **Ordinance To Impose A Moratorium On The Expansion Of Existing And/Or Creation Of New Nonmetallic Mining Operations Within The Village Of Windsor Pending The Study Of Possible Legislative Action ("Moratorium" or "Ordinance")**.
- 1.2 Purpose. The purpose of the Moratorium is to allow for a coordinated implementation of the Village's land use planning authority and efforts with respect to rezones, conditional use permits and/or the expansion of existing and/or the creation of new nonmetallic mining operations within the Village of Windsor, as will be set forth in its zoning code and comprehensive plan. The Moratorium does not prohibit or limit the issuance of building permits, zoning permits, occupancy permits or site plan review for uses that are consistent with existing zoning districts and approved land divisions and/or subdivisions. **This Moratorium is *not* a development moratorium (see Wis. Stat. § 66.1002).**

Section 2 – AUTHORITY:

The authority for this moratorium is found in Wis. Stat. § 61.34, *General Powers Of A Village Board*, and Wis. Stat. § 61.35, *Village Planning Authority*.

Section 3 -- MORATORIUM IMPOSED:

- 3.1 The Village shall not accept or review applications for rezones, conditional use permits, and/or the expansion of existing or creation of new nonmetallic mining areas while this Moratorium is in effect.
- 3.2 *[Reserved]*

Section 4 -- DURATION OF MORATORIUM:

The Moratorium shall be in effect for a period of 180 days from the date of adoption of this Ordinance, unless terminated earlier or extended further in part or in whole by an ordinance duly adopted by the Village Board.

Section 5 -- ACTION ANTICIPATED DURING MORATORIUM:

- 5.1 The Plan Commission shall complete revisions of the zoning code and the Comprehensive Plan with regard to rezones, conditional use permits, and/or the expansion of existing or creation of new nonmetallic mining areas, all for implementation under the village form of government. The Plan Commission shall consider such other legislative options as it deems prudent and necessary to address the Village's current land use and planning needs.
- 5.2 The Plan Commission shall provide opportunities for public participation throughout the process, and consider the public health, safety, and general welfare of Village residents during its review process.

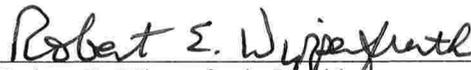
- 5.3 The Plan Commission shall report its findings and recommendations to the Village Board.
- 5.4 Following consideration of the recommendations from the Plan Commission, and in accordance with applicable statutes and ordinances, the Village Board shall act upon the recommendations from the Plan Commission, Village residents and the Village's consultants.
- 5.5 The Village Board shall terminate or extend all or any part of the Moratorium, as it deems prudent and necessary. Unless there is action to the contrary, the Moratorium shall expire 180 days from the date of adoption.

Section 6 -- EFFECTIVE DATE AND PUBLICATION:

- 6.1 This Ordinance shall be effective upon adoption and posting on the Village's website and one public place, as permitted by law.
- 6.2 The Village Clerk shall publish notice of this Ordinance as a Class 1 Notice.

The above and foregoing Resolution was duly adopted at a regular meeting of the Village Board of the Village of Windsor held on the 17th day of May, 2016, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR

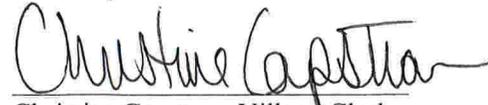

Robert E. Wipperfurth, President


Donald G. Madejung, Trustee


Bruce Stravinski, Trustee


Alan Buchner, Trustee


Monica M. Smith, Trustee

Attested by:

Christine Capstran, Village Clerk

Published: May 26, 2016
Effective: May 27, 2016

Legal Notice

**ADVERTISEMENT FOR BIDS
TID 6 - North Business Park
Improvements
DeForest, WI**

Sealed Bids for the construction of the following:
Project No. 160034

TID 6 - North Business Park Improvements - to include: the construction of Burton Boulevard (1300 LF), TID 6 Drive (1480 LF), reconstruction of Stevenson Street (1,350 LF) including grading, storm sewer, sanitary sewer, water main, common excavation, base course, curb and gutter, asphalt pavement, asphalt trail, landscaping, restoration of the work area, and other miscellaneous items in conformance with the Contract Documents.

will be received **online only** through **QuestCDN.com**, until **9:00 AM** local time, **June 3, 2016**. Bids will be opened and publicly read in the Public Works conference room on the second floor of the Public Works Facility, 205 DeForest Street, at 10:05 AM local time, Thursday, May 5, 2016.

All Bids shall be uploaded and submitted through Quest with EJCDC C-430 bid bond equal to five percent (5%) of the Bid. All Bids uploaded and submitted through Quest shall also be accompanied with Bid Form 00 41 43.

The Bidding Documents may be examined at the Village of DeForest, 306 DeForest St, DeForest, WI 53532, or the office of Vierbicher Associates, Inc., 400 Viking Drive, Reedsburg, WI 53959.

Complete digital project bidding documents are available at www.vierbicher.com or www.questcdn.com. You may download the digital plan documents for \$30.00 by inputting **Quest project #4395890** on the website's Project Search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project

Wisconsin or through the Village's website at <http://www.vi.deforest.wi.us>. Clerk's Telephone No.: (608) 846-6751.

PUB. The DeForest Times-Tribune: May 26, 2016
WNAXLP

**NOTICE OF NEWLY ENACTED RESOLUTIONS
Village of Windsor**

Please take notice that the Village of Windsor enacted the following Ordinances and Resolutions on May 17, 2016:

Ordinance 2016-12 To Impose a Moratorium on the Expansion of Existing and/or the Creation of New Nonmetallic Mining Operations within the Village of Windsor Pending the Study of Possible Legislative Action.
Ordinance 2016-14 Approval of Rezone from A-3 Agriculture to A-2(2) Agriculture of a Parcel Created by Certified Survey Map: Rauls, 6961 North Towne Road, Windsor.

Resolution 2016-60 Approval of Site Plan for Phased Multifamily Development Project in Windsor Crossing.

Resolution 2016-67 Approval of Certified Survey Map and Rezone Request to Separate Farm Residence from Agricultural Land: Jay Rauls, 6961 North Towne Road, Windsor.

Resolution 2016-68 Approval of the Final Plat of the Happy Valley Addition to Windsor Gardens.

The full text of all resolutions and ordinances may be obtained at the Village Clerk's office, 4084 Mueller Rd., DeForest, WI 53532, on the Village website at windsorwi.gov or by calling 846-3854.

PUB. The DeForest Times-Tribune: **May 26, 2016**
WNAXLP

**NOTICE OF NEWLY ENACTED RESOLUTIONS
Village of Windsor**

Please take notice, that the Village of Windsor enacted the following Ordinance and Resolutions on May 19, 2016:

may appeal the decision to the Board of Review. The Assessor has the authority to change the assessment at the open book, if it is determined that there is an error.

Posted: May 16, 2016
Wendy

Stoekler, Deputy Clerk
PUB. Waunakee Tribune/
DeForest Times-Tribune;
May 26 & June 2, 2016
WNAXLP

**Special Notice of
School Board Member
Vacancy
DeForest Area School
District
May 10, 2016**

Notice is hereby given that the DeForest Area School Board is soliciting applications of interest from DeForest Area School District residents for appointment to the DeForest Area School Board. This appointment will fill a vacancy in the office of a school board member, which was made vacant by the resignation of Dan Choi, effective June 27, 2016. This appointment will serve to complete the final ten months of the 3rd year of a three-year term, concluding with the Spring 2017 election. This seat is apportioned to the Town of Burke, therefore candidates must be residents of the Town of Burke to fill this vacancy.

Interested individuals are asked to contact the Superintendent's Office, at (608) 842-6582 to receive application information and to schedule an orientation meeting to learn more about the role and function of a board member. Applications will be accepted until June 6, 2016. Individuals will then participate in an interview/conversation with the Board of Education on June 13, 2016. Formal appointment will be made at the Board's Regular Meeting on July 11, 2016.

Questions concerning the process should be directed to Administrative Assistant, Ann Stettbacher, at (608) 842-6582

board may waive that requirement up to the end of the 5th day of the session or up to the end of the final day of the session if the session is less than 5 days with proof of extraordinary circumstances for failure to meet the 48-hour notice requirement and failure to appear before the board of review during the first 2 hours of the first scheduled meeting.

4. Objections to the amount or valuation of property shall first be made in writing and filed with the clerk of the board of review within the first 2 hours of the board's first scheduled meeting, except that, upon evidence of extraordinary circumstances, the board may waive that requirement up to the end of the 5th day of the session or up to the end of the final day of the session if the session is less than 5 days. The board may require objections to the amount or valuation of property to be submitted on forms approved by the Department of Revenue, and the board shall require that any forms include stated valuations of the property in question. Persons who own land and improvements to that land may object to the aggregate valuation of that land and improvements to that land, but no person who owns land and improvements to that land may object only to the valuation of that land or only to the valuation of improvements to that land. No person may be allowed in any action or proceedings to question the amount or valuation of property unless the written objection has been filed and that person in good faith presented evidence to the board in support of the objections and made full disclosure before the board, under oath, of all of that person's property liable to assessment in the district and the value of that property. The requirement that objections be in writing may be waived by express action of the board.

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