

## Divided board agrees to acquire land by plant

Written by CAROL POMEDAY  
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### After heated debate and 4-3 vote, village trustees accept deal from former resident for 11.3 acres in industrial park

The Village Board on Monday narrowly decided to acquire 11.3 acres next to the wastewater treatment plant in the industrial park for about \$9,000 in back taxes and forgiving \$27,000 in village assessments.

The land owned by Julaine Demge of Oceanside, Calif., is assessed at \$153,300 and listed for sale for \$89,900.

Trustees were torn between what is admittedly a good deal and their fiscal responsibility in tough economic times. The fact the land is not needed now and a portion of the land will likely be used for a dog park further clouded the issue.

Trustee Jason Acevedo was adamantly opposed to the acquisition, saying it was a back-door way to get a dog park without knowing if village residents want one.

“Even without the dog park, I would be opposed to getting involved in this,” he said. “We’re struggling with our finances and we’re talking about buying land that we don’t need and probably won’t need. We have to look at needs vs. wants.”

After a heated debate, the board voted 4-3 to follow the recommendation of its Finance and Personnel Committee to acquire the land. The board then authorized Village Attorney Gerald Antoine to negotiate a deal with Demge that would not put time restrictions on when the dog park must be developed. Zoning changes would be required for a dog park.

Demge, who grew up in Belgium, told Village President Richard Howells she is willing to give the land to the village for the back taxes and assessments she owes, but wants at least one acre set aside for a dog park in memory of her dog Pepi.

If Demge agrees to the terms, the village will not only acquire the land but may be reimbursed through the tax incremental district because the land is part of the industrial park development, Antoine said.

Dave Wagner, the village’s financial advisor, said all expenses related to acquiring the land are eligible expenditures in the district, Antoine said.

Demge paid about \$140,000 in taxes and assessments on the land she’s owned for 38 years but has been unable to pay taxes or assessments since 2008, he said.

She was notified that Ozaukee County would begin foreclosure procedures if she does not pay the back taxes.

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If Ozaukee County forecloses on the property, Antoine said, the village's lien for the special assessments will be wiped out and the village will receive nothing.

Demge's real estate agent, Barb Beatty of Port Washington, said her client was contacted by a good friend in Belgium who told her neighbors did not want a dog park in Heritage Park or any other residential neighborhood.

"She had just helped develop two dog parks in Oceanside and said maybe she could help," Beatty told the board.

Beatty said there were two interested buyers in spring, but both deals fell through.

Neil Anderson, wastewater treatment supervisor, said the plant can handle about 800 more residents. If a large industrial user comes to the village or there is a large residential development, the plant would need to be expanded, he said.

The village owns six acres, which would not be enough for an expansion, Anderson said.

The land could be rented to a farmer for about \$500 a year until needed, he said.

"I would rather take my chances that someone will buy it at a sheriff's auction and keep it on the tax roll," Acevedo said. "If we acquire it, it's off the tax rolls."

Trustee Vickie Boehnlein, a staunch supporter of a dog park, said the deal is too good to pass up. She accused Acevedo of being willing to fund only projects he supports, such as ball diamonds and other athletic fields in the parks. A woman has volunteered to do fund-raising for developing and maintaining the park, she said.

Acevedo said the deal appears to be a bailout for Demge.

Antoine said bailout implies Demge will profit from the acquisition.

"I don't see it as a bailout because she's not getting a nickel out of this," he said, noting her assessment was \$100,000, which she was allowed to pay over 20 years. "She's already paid a lot in assessments without getting any benefit from the improvements."

The village needs to be thinking long-term and the land acquisition makes sense because it's adjacent to municipal land, Howells said.

"If it wasn't adjacent, I wouldn't be proposing this," he said.

Trustees John Hise and Clem Gottsacker joined Howells and Boehnlein in supporting the acquisition, while Acevedo, Ken Hirschmann and Jeff Thiel were opposed.