



MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday October 16th 2018 - 6:00 P.M.

Location: Village Office

NOTE: The Board met as a Committee of the Whole at 5:30 PM prior to the regular meeting.

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call. The meeting was called to order by Rich Heidel at 6:25pm. Roll call: David Dillenburg, Rich Heidel, Ed Kazik and Debbie Schumacher were present. Tim Carpenter attended by telephone.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by Rich Heidel, second by Ed Kazik to approve the agenda as presented. The motion passed unanimously.
3. Pledge of Allegiance. Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS: No hearings were held this evening.

5. CONSENT AGENDA: Motion made by David Dillenburg second by Debbie Schumacher, to approve the items on the consent agenda. The motion passed unanimously.

A. Payment of Invoices

B. VILLAGE BOARD: Minutes of October 2nd 2018

C. PLANNING AND ZONING COMMISSION: Minutes of September 5th 2018 meeting

D. BID APPROVAL – Award Contract to Midwest Meter Inc. (\$9,700) for meter reading technology upgrade

E. ALCOHOL AND OPERATORS LICENSES

6. ITEMS REMOVED FROM CONSENT AGENDA: No items were removed.

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS (NOTE: Please limit citizens' comments to no more than three minutes). P. Klein 368 Peaceful Circle spoke saying that he believes citizens need to be a better job communicating with the Board.

A. PRESENTATION – Water Bill Process: E. Berger, Deputy Clerk / Treasurer, presented the discussion on the water bill sprinkler credit process. The Board listened to the presentation on how the water summer credit is processed. Erica Berger explained that the credit is applied to all residential water users equally and that this process does not accurately reflect the amount of water they are actually using. Jerry Lancelle, Public Works and Utilities Coordinator spoke to the use of Deduct meters for outside water use. By using the Deduct meters, residents are assured they are only billed for the water they are using. The second meter may be installed for outdoor water use only for such uses as outdoor irrigation, pool filling for commercial bulk water. The homeowner must cover the costs involved, including; plumbing, inspection of plumbing for no cross connections, meter installation, quarterly meter service charges and the outdoor water used. The Board sent this to the Public Works and Utilities Committee for further review and recommendation. No action taken.

B. DISCUSSION AND ACTION – Resolution 2018-17 (DECLARING SUPPORT TO CLOSE LOOPHOLES THAT SHIFT A GREATER PROPERTY TAX BURDEN FROM COMMERCIAL TO RESIDENT HOMEOWNERS) The resolution is being brought forward at the request of the Wisconsin League of Municipalities. Motion made by Rich Heidel, second by Debbie Schumacher to approve Resolution 2018-17. The motion passed unanimously.

8. VILLAGE ADMINISTRATOR’S REPORT/COMMUNICATIONS:

A. UPDATE – 2019 Budget Outline and Timeline. Aaron Kramer, Administrator spoke with the Board on the preliminary work for the budget. He told them that he and staff are working to keep a flat mill rate. One additional police officer is proposed and would be a joint hire with Town of Lawrence. Mr. Kramer will bring the fee schedule on building permits to the November 7th meeting.

9. COMMITTEE REPORTS AND ACTIONS:

A. PLANNING AND ZONING COMMISSION. Several Hearings were discussed and scheduled. The November meeting will be November 14th. HALO met and Short-Term Home Rentals licensing were discussed. CDA met and discussed the pedestrian/bike planning partnership with Brown County.

10. OLD BUSINESS: No old business.

11. NEW BUSINESS (Including items for future agenda consideration or Committee assignment):

A. DISCUSSION AND ACTION – Proposed Changes to Meeting Rules:

Staff is recommending two (2) changes to the Municipal Code which address the following items: 1) The Ordinance requiring a 12-hour notice if a Board member will be absent from a regularly scheduled meeting, and 2) Permitting attendance at a Board meeting via telephone or other electronic media. The 12-hour notice is not realistic. If a Trustee was in an accident on the way to the meeting, they could not give a 12-hour notice. It is common sense that they need to contact the village office as soon as they know they will be unable to attend the meeting.

Motion made by Rich Heidel, second by Ed Kazik, to suspend the rules to allow public comment. Mr. Klein said he feels all Trustees should be at every meeting so residents know they are listening. He asked if there was a limit to the number of meetings a Trustee could miss. Motion made by Rich Heidel second by Ed Kazik, to return to regular order. The motion passed unanimously.

The staff will present the ordinance changes at the November 7, 2018 Board meeting.

B. DISCUSSION AND ACTION - Proposed Changes to Noise Ordinance:

Staff recommended an additional clause, involving construction-related noise, be added to the current noise ordinance. This will be brought back to the November 7, 2018 Board meeting.

C. DISCUSSION AND ACTION – Establish Public Hearing for Amending the Sexual Offender Restricted Zone Map: This amendment will include Fontaine Family Park in the restricted zoning area. Staff recommended the Public Hearing be held at the November 20th Board meeting. Board directed staff to move forward with this ordinance and bring back for November 7, 2018.

D. DISCUSSION AND ACTION – Establish Public Hearing for Rezoning (HB-338-1, 1858 South Pine Tree Road, I-1 Limited Industrial to ER- Estate Residential):

The property owner is requesting the rezoning to allow for a small residential development. Staff recommended the Public Hearing be held at the November 20th Board meeting. Motion made by Rich Heidel second by Ed Kazik to set hearing for November 20, 2018 at 6:00pm. The motion passed unanimously.

E. DISCUSSION AND ACTION – Establish Public Hearing for Conditional Use Permit (HB-301, 800 Orlando Drive; Badger State Storage GB LLC):

The original CUP was granted to the property owner, who sold to a new party, who has applied to issue the CUP to a third party, which is purchasing the property. Staff recommend the Public Hearing be held at the November 20th Board meeting. Motion made by Ed Kazik, second by David Dillenburg to set hearing for November 20, 2018 at 6:00pm. The motion passed unanimously.

F. DISCUSSION AND ACTION – Establish Public Hearing for Rezoning (HB-2674, Stone Gables Court, Unzoned to R-2-R – Residential, Village of Hobart):

The Village is requesting the rezoning to provide a zoning designated to a currently unzoned parcel. Staff recommended the Public Hearing be held at the December 4th Board meeting. Motion made by David Dillenburg second by Ed Kazik to set hearing for December 4, 2018 at 6:00pm. The motion passed unanimously.

G. DISCUSSION AND ACTION – Establish Public Hearing for Rezoning (HB-3211, Centennial Centre Boulevard, Unzoned to R1 – Residential, Village of Hobart):

The Village is requesting the rezoning to provide a zoning designated to a currently unzoned parcel. Staff recommended the Public Hearing be held at the December 4th Board meeting. Motion made by Ed Kazik second by Tim Carpenter to set hearing for December 4, 2018 at 6:00pm. The motion passed unanimously.

H. DISCUSSION AND ACTION – Establish Public Hearing for Rezoning (HB-3212, Centennial Centre Boulevard, Unzoned to R1 – Residential, Village of Hobart):

The Village is requesting the rezoning to provide a zoning designated to a currently unzoned parcel. Staff recommended the Public Hearing be held at the December 4th Board meeting Motion made by Debbie Schumacher second by Ed Kazik to set hearing for December 4, 2018 at 6:00pm. The motion passed unanimously.

I. DISCUSSION AND ACTION – Establish Public Hearing for Rezoning (HB-347-A, Orlando Drive, Unzoned to PDD #2 – Orlando/Packerland Planned Development District, Brown Country Tax Deed):

The Village is requesting the rezoning to provide a zoning designated to a currently unzoned parcel. Staff recommended the Public Hearing be held at the December 4th Board meeting. Motion made by Rich Heidel second by Ed Kazik to set hearing for December 4, 2018 at 6:00pm. The motion passed unanimously.

J. DISCUSSION AND ACTION – Establish Public Hearing for Rezoning (HB-360-5, Scheuring Road, Unzoned to R1 – Residential, Alexander and Jessica Aerts):

The Village is requesting the rezoning to provide a zoning designated to a currently unzoned parcel. Staff recommended the Public Hearing be held at the December 4th Board meeting. Motion made by David Dillenburg second by Ed Kazik to set hearing for December 4, 2018 at 6:00pm. The motion passed unanimously.

K. DISCUSSION AND ACTION – Appointments by Village Board President:

The Board President, with approval of the Board, submitted the following for Board action:

- Appointment of Dawn Clark (Alternate) to the Community Development Authority, to a term expiring May 1st 2021
- Appointment of Don Hedrick to the Hobart-Lawrence Board of Police Commissioners (Hobart representative), to a term expiring May 1st 2023
- Appointment of Henry Rueden to the Village of Hobart Board of Appeals, to a term expiring May 1st 2020

Motion made by Ed Kazik second by David Dillenburg to approve the appointments for the CDA, Police Commission and Board of Appeals as presented. The motion passed unanimously.

L. DISCUSSION AND ACTION – Approval of Development Payment (Atkins Building Group LLC):

Staff recommended payment of a \$10,000 incentive payment which was part of the 2013 development agreement. Funds would come from Tax Increment District #1. Motion made by David Dillenburg second by Ed Kazik to approve the payment for the incentive agreement. The motion passed unanimously.

M. DISCUSSION - Items for future agenda consideration or Committee assignment: no additional assignments.

N. ADJOURN to CLOSED SESSION: Motion made by Rich Heidel, second by Ed Kazik to move into closed session pursuant to:

- 1) Under Wisconsin State Statute 19.85 (1) (g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Fee-to-trust issues, Abandoned railroad R-O-W, and Special event permit litigation, Hobart-Lawrence Utility Agreement

- 2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Projects/Development Agreements
- (3) Under Wisconsin State Statute 19.85 (1) (c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: Employee Compensation Adjustment. Tim Carpenter did not participate in the closed session.

Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. The Board moved into closed session.

O. CONVENE into open session: Motion made by Rich Heidel, second by Ed Kazik to return to open session. Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. The Board returned to open session at 9:17pm.

P. ACTION from closed session: ACTION: To approve an amended development agreement with Fieldstone Investments, LLC (formerly Madera Place LLC) for the construction of a 70-unit, 5-building leased residence development at the end of Stella Court (HB-2774) MOTION: Heidel SECOND: Kazik VOTE: 4-0

12. ADJOURN: Motion made by Rich Heidel, second by David Dillenburg, to adjourn. The motion passed unanimously. Meeting adjourned at 9:18pm.