



Village Office 2990 S. Pine Tree Rd, Hobart, WI
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MINUTES OF THE HOBART VILLAGE BOARD – TUESDAY OCTOBER 2ND 2018

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call - The regular meeting was called to order by Rich Heidel at 6:00pm. PRESENT: Tim Carpenter, Rich Heidel, David Dillenburg, Ed Kazik, Debbie Schumacher. STAFF PRESENT: Village Administrator Aaron Kramer, Director of Planning and Code Compliance Todd Gerbers, Director of Public Works Jerry Lancelle
2. Certification of the open meeting law agenda requirements and approval of the agenda – ACTION: To certify the open meeting law agenda requirements have been met and approve the agenda MOTION: Heidel SECOND: Kazik VOTE: 5-0.
3. Pledge of Allegiance – Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS

A. PUBLIC HEARING – Conditional Use Permit (HB-1518, 4360 Indian Trail) - The applicant is seeking a CUP to operate a bed-and-breakfast establishment at their property, which is zoned R-1 Residential. Heidel opened the Public Hearing at 6:04 PM. The applicants (Gerald and Elise Heimerl) discussed the operation they are currently operating at their home, and wish to continue. Gary Rudd (1532 Fox Trail) discussed the Associations' bylaws with the Board, and asked if the current Municipal Code is able to regulate similar bed-and-breakfast establishments in the Village. Kramer said he was working with Gerbers on proposed changes to the Code in regards to Short-Term Rentals, Home Occupations and Conditional Use Permits to better reflect new state laws and address some areas where the code is not clear or concise on those matters. He also asked if the Fire Chief was going to inspect the Heimerl home to ensure it was compliant with the Fire Code. Dan Bake (4369 Hilton Head Court) addressed the Board on how the Village is regulating other bed-and-breakfast operations, particularly in Thornberry Creek. Kramer said there is a lack of enforcement powers in the code for the Village in those instances, but he was aiming to address those in the new ordinance proposals. Roberta Rather (697 Maple View Court), John Rather (697 Maple View Court) inquired about the regulation of bed-and-breakfast operations in the Village, and expressed concern over the impact on neighborhoods in the community. Don Banaszak (555 Wooded Hill Trail) said he was concerned over the possible impact of non-residents renting these homes on a short-term basis. Donna Severson (362 Cross Point Court) inquired as to whether other similar operations, such as corporate retreats, had Conditional Use Permits. Staff indicated they did not have that information immediately accessible. Heidel closed the Public Hearing at 6:50 PM.

B. ACTION on aforesaid agenda item – ACTION: To grant a conditional use permit to Gerald and Elise Heimerl at 4360 Indian Trail (HB-1518) for the operation of a bed-and-breakfast with the following conditions: (1) no on-street parking, (2) no noise or nuisance detrimental to surrounding neighborhood, (3) no serving or sale of liquor, (4) no more than 6 tourists at one time, and (5) that the Fire Chief and Director of Planning and Code Compliance inspect the residence to confirm the proposed use under the CUP does not violate any current ordinances or codes MOTION: Heidel SECOND: Kazik VOTE: 5-0

5. CONSENT AGENDA

ACTION: To approve the Consent Agenda, which consisted of A. Payment of Invoices; B. VILLAGE BOARD: Minutes of September 18th 2018; C. SITE REVIEW COMMITTEE: Minutes of August 22nd 2018; D. COMMUNITY DEVELOPMENT AUTHORITY: Minutes of August 29th 2018; E. ALCOHOL AND OPERATORS LICENSES (if any) MOTION: Carpenter SECOND: Kazik VOTE: 5-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS (NOTE: Please limit citizens' comments to no more than three minutes) - None

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS

Kramer updated the Board on a recent Town and Village Workshop he attended (September 18th), with a special emphasis on the Conditional Use Permit Process. He also informed the Board that the Village has received the GFOA Distinguished Budget Award. He also stated that the Town of Lawrence would like to have several of its representatives meeting with Hobart officials on the police budget.

9. COMMITTEE REPORTS AND ACTIONS

Kramer updated the Board on the following recent Committee meetings: A. Site Review Committee (September 26th) and B. Community Development Authority (September 26th). He also said the Planning and Zoning Commission would meet on October 10th.

10. OLD BUSINESS - None

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

A. DISCUSSION - Items for future agenda consideration or Committee assignment - None

NOTE: At 7:30 PM, Carpenter left the meeting.

B. ADJOURN to CLOSED SESSION (7:31 PM) – ACTION: To go into closed session 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; 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, Hobart-Lawrence Water Service, Land Purchase (Water System Improvement Project), and (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: Police Chief Employment Contract and Director of Public Works Compensation MOTION: Heidel SECOND: Kazik VOTE: 4-0

C. CONVENE into open session (9:30 PM) – MOTION: Heidel SECOND: Dillenberg VOTE: 4-0

D. ACTION from closed session – ACTION: To approve a development agreement with Wyld Berry Condominium LLC for the construction of a 23-unit condo development, consisting of 11-single family condo structures, and 6 duplex-style condo buildings (Woodfield Prairie Way/North Overland Road, HB-502) MOTION: Heidel SECOND: Kazik VOTE: 4-0 ACTION: To approve a development agreement with Madera Place LLC for the construction of a 70-unit, 5-building leased residence development at the end of Stella Court (HB-2774) MOTION: Kazik SECOND: Schumacher VOTE: 4-0

12. ADJOURN (9:33 PM) – MOTION: Heidel SECOND: Dillenberg VOTE: 4-0

Submitted by Aaron Kramer, Village Administrator