



Village Office 2990 S. Pine Tree Rd, Hobart, WI
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Notice is hereby given according to State Statutes that the VILLAGE BOARD of the Village of Hobart will meet on Tuesday September 5th 2017 at 6:00 P.M. in the Village Office. NOTICE OF POSTING: Posted this 1st day of September, 2017 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING MINUTES – VILLAGE BOARD

Date/Time: Tuesday September 5th 2017 - 6:00 P.M.

Location: Village Office

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call. The meeting was called to order by Rich Heidel at 6:00 pm. Roll call: David Dillenburg, Rich Heidel, Ed Kazik and Debbie Schumacher were present. Tim Carpenter arrived at 6:10pm.
2. Certification of the open meeting law agenda requirements and approval of the agenda: Motion made by Rich Heidel, second by David Dillenburg, modify and approve the modified agenda. The modification was to move item 9C to just after item 7, so members of the public did not have to sit through a lengthy meeting prior to the item of their concern to be heard. The motion passed unanimously.
3. Pledge of Allegiance: Those present recited the Pledge of allegiance.

4. PUBLIC HEARINGS:

- A. PUBLIC HEARING – Conditional Use Permit (CUP): Sports Training Facility, 1200 Flight Way Dr., HB-335-2-3:** This CUP would allow for the development of a Sports Training Facility. Rich Heidel opened the Hearing for comments. Rich Heidel opened the Hearing for comments from those attending. There were no comments given. The Planning & Zoning Commission has reviewed and approved the facility. The Site Review Committee has reviewed the plans for the lot and the facility and has approved with conditions. Being no further comments on the CUP, the hearing was closed.
- B. ACTION on aforesaid agenda item:**
Motion made by Rich Heidel, second by Ed Kazik, to approve the Conditional Use Permit for the Sports Training Facility, contingent upon the executed developer's agreement and subject to conditions outlined by Site Review. The motion passed unanimously.
- C. PUBLIC HEARING – Exclusive Agriculture Comprehensive Planning Rezoning Requests; various parcels:** Rich Heidel opened the Hearing for comments. This Public Hearing was held to consider the rezoning various parcels for inclusion and exclusion in the Exclusive Agriculture Zoning District; the Village's Farmland Preservation qualifying zoning district. Planning and Zoning Commission has approved the changes for the districts. No other comments were given. The hearing was closed.
- D. ACTION on aforesaid agenda item – Ordinance 2017-05:**
Motion made by David Dillenburg, second by Debbie Schumacher, to approve Ordinance 2017-05, approving the changes in the Exclusive Agriculture Zoning District. The motion passed unanimously.

5. CONSENT AGENDA:

A. Payment of Invoices; B. VILLAGE BOARD: Minutes of August 15th 2017; C. PLANNING AND ZONING COMMISSION: Minutes of June 14th 2017; D. COMMUNITY DEVELOPMENT AUTHORITY – Minutes of July 26th 2017; E. PUBLIC WORKS AND UTILITY ADVISORY COMMITTEE – Minutes of March 6th 2017 meeting; F. ALCOHOL AND OPERATORS LICENSES.

Motion made by David Dillenburg, second by Tim Carpenter, to approve the items presented on the Consent Agenda items. The motion passed unanimously.

6. ITEMS REMOVED FROM CONSENT AGENDA: no items were taken separately.

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS:

A. PRESENTATION – Northern Hobart Water System Supply and Storage Evaluation

Presentation by Robert E Lee & Associates. Lee Novak, P. E. and Josh Steffek, P.E. from Robert E. Lee & Associates (REL), were present to go over the 2017 study. Prior to this year's evaluation, the Village engaged REL in 2006 to perform a similar evaluation for the purposes of identifying a long-term plan for a redundant water supply. Both of the studies provide recommendations for a system wide storage and supply.

The phased approach to achieve an overall system improvement is recommended. The significant growth in the village is a cause for the additional storage. The annual usage has increased and the daily demand has also increased. At this time, we have water storage capacity of 300,000 and we exceed this amount often. The underground storage will be used to build up the reserve for fire or peak day demands. The proposed storage tank would hold 1,000,000-gallons of water. By having the storage, it will allow us to fill on off peak times, which is more cost effective and gives a smoother flow to the Green Bay system rather than a large draw. Green Bay has asked communities to draw their water during the off-peak times if at all possible.

The village has agreements with City of Green Bay and Village of Ashwaubenon for sources of water. There is still a need to improve the reliability and resilience in our system. The underground storage is needed for fire reserve and storage.

The existing In-Line Booster Station will need to be modified with larger pumps. The larger pumps are required because the three existing pumps do not have the ability to fill the new 500,000-gallon tower. Along with the larger pumps, a larger emergency generator will also be required. This will need to be done as soon as possible.

The looping is to eliminate the isolation of areas if there is a break in the system and it also improves the quality of the water. The Centennial Centre system can be connected to the Indian trails system which will provide the additional source for supply as well as improvements to the water quality.

Time discussed was 2018-2019 for the start of the projects, with the pumps and the water tower being in the first phase and the underground storage in the second phase.

Motion made by Rich Heidel, second by Ed Kazik to suspend the rules to allow residents to speak. The motion passed unanimously. One of the residents asked the size of the underground storage unit and how it is constructed. Mr. Novak stated that it is a cement structure approximately 90-feet by 88-feet by 20-feet deep and would have a rubber coated Span-Crete roof. The underground storage unit is approximately 10-years out in planning. Motion made by Rich Heidel, second by David Dillenburg, to return to the regular order for business. The motion passed unanimously.

No action was taken on this discussion item.

7B. Item 9C moved up in order on the agenda:

(9C). DISCUSSION AND ACTION – Request to Amend Weapons Discharge Zoning (Weapons Discharge Committee):

Keith Boye (1257 Thayer Trail) is requesting the weapons discharge zone be changed for his property to permit the use of guns on his property. The Weapons Discharge Committee voted 3-1 last month to recommend approval of the change. Mr. Kramer read a statement regarding the error on the committee agenda regarding the closed session for committee. The closed session

was held for discussion only. The action taken by the committee was done in open session. All agendas will now go through the Administrator to have the proper statutory reference applied for any closed sessions. Motion made by Rich Heidel, second by David Dillenburg, to suspend the rules to allow for comments from those attending. The motion passed unanimously.

Jim Daniels, committee member, stated that the group walked the property and safety was #1 concern. They did vote in open session. There are 12 other properties around Mr. Boye's parcels that are allowed to use guns. Mr. Boye is only allowed bow and arrow, not guns.

Jane Jerzak, resident said that this area is now an urbanized area and there are many homes and developments along Centennial Centre. That safety is a great concern; the Jerzaks have walking trails that run along the property line with Mr. Boye. She stated that she was told to wear orange in their own yard. She further said that the nuisance ordinance would become involved should this be allowed due to the shooting at all times. She said that there are three neighbors who are opposed to this change. Mark Earnest, A. Rogers, and the Jerzaks. Mrs. Jerzak stated that even though the other 12 parcels are allowed to use guns, they do not hear any shots.

Bill Higgins, committee member, voted in favor of the Jerzaks, he also said that during the 9-day gun deer season his family does wear orange when out in the yard. It is their own choice. He doesn't believe that Mr. Boye would shoot in the direction of Centennial Centre, and it would be target shooting with the kids, not a shooting range.

Ed Kazik, asked about the ballistics on different weapons. The chart in the packet was referred to.

The DNR changed the rules and now allows rifle instead of shotgun throughout the state. There have been no problems yet, but that doesn't mean we won't experience some problems. If a person shoots a deer on their property and it runs, it may run onto the neighbors' land. This could be a hazard.

Rich Heidel said he walked the Jerzak parcel. It looks different now than it will in the fall with no leaves on the trees and brush. The contour of the land shows that there is no shot that could be taken from Boyes' property without it going onto a neighbor's property. The village is growing and areas that were not issues maybe come issues. He wants the committee to meet at least one time per year to review the entire map for safety. He feels that bow hunting would be alright, not gun hunting.

Keith Boye, resident, said the area has changed since he first moved there. He has purchased two properties which has given him 12 acres now and 2-less homes. The committee looked at the area and deemed it to be safe. There are large ridges and a pond area. He said there are over 300 parcels that are 2 to 3 acres that are allowed guns and those parcels are smaller than his 12-acre parcel. He thinks the way the decisions are made are very inconsistent. He said he was not going to have a shooting range, but a site for the children and him to site in the guns and target practice. It would be a few days not 365 days of the year at all hours.

Police Chief Bani said the state changed the rules 8-years ago and now allow the rifle hunting and there have been no problems in Hobart.

Bill Higgins said the entire village parcels were looked at one by one. The committee took into consideration churches, schools, government buildings and other areas that are obvious that guns would not be allowed.

Rich Heidel, said that the Board and Committee have work to do and some areas may need to be changed.

Jordan Stelter, committee member, said he was absent for the meeting. He said that at this time they are not talking about other areas, and with all of the growth in the north end of the village, it does not make sense to gun hunt. He said that the committee is not a "hunting" committee but a weapons discharge committee. To determine where it is safe to discharge a weapon. He could see Bow hunting there.

Jim Jerzak, told the Board that their trails are lower than the Boye property and that the shooting would be down at those trails. He said his zoning is B-1 and at this time he does not hear gun hunting.

Tim Carpenter, asked Mr. Boye why he said he would never fire toward Centennial Centre. Mr. Boye said it would not be safe. He and other hunters use common sense and they know their target and what is beyond before they shoot.

Motion made by David Dillenburg, second by Debbie Schumacher to return to regular session. The motion passed unanimously.

Motion made by Rich Heidel, second by Debbie Schumacher, to retain the current zoning for bow hunting on the Boye property. The motion passed unanimously.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS:

A. UPDATE – Hobart Volunteer Award Nominations:

Nomination was made and the resolution will be brought to the September 19th Board meeting for adoption. Aaron Kramer, Administrator reported that the Dental Insurance quote was received and it reflects an 8% increase in premiums. Staff is looking at options at this time. The amended 2017 general fund budget will be presented later in this agenda for the Board's consideration.

9. COMMITTEE REPORTS AND ACTIONS:

A. DISCUSSION AND ACTION - Seidl Preliminary Plat Request, HB-197: (Planning & Zoning)

The Board considered the 7-parcel plat for single family dwelling development on the SE corner of S. Pine Tree and Cyrus Dr. There were four conditions recommended by the Planning and Zoning Commission. The natural flow of water will be noted on the plat with 2' contours. Allyn Dannhoff, Director of Neighborhood Services, will make the builders aware of the drainage and the requirement to not block the drainage, when they come for the building permits for each parcel.

Motion made by David Dillenburg, second by Ed Kazik, to approve the plat presented as the final plat HB:197 for the 7-parcel development. The motion passed unanimously.

B. DISCUSSION AND ACTION – Hobart Facebook Campaign (CDA): Mr. Kramer spoke with the Board about the 4th quarter marketing campaign. He is planning on having drone aerials of Hobart to be used on the websites and for the Facebook pages. The aerials would include both businesses and residential developments. Both TID 1 and TID 2 marketing funds are available for this project. Motion made by Debbie Schumacher, second by Ed Kazik, to approve the campaign. The motion passed unanimously.

10. OLD BUSINESS:

A. DISCUSSION AND ACTION – Ordinance 2017-02 (AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF HOBART, CHAPTER 221 THEREOF, ENTITLED “PEACE AND GOOD ORDER”, TO ADD A NEW SECTION PROVIDING FOR THE REGULATION OF LOCK BOXES)

The purpose of this Ordinance is to require the installation of lock boxes in the Village of Hobart and regulate their usage.

Motion made by Ed Kazik, second by Debbie Schumacher, to approve Ordinance 2017-02. The motion passed unanimously.

B. DISCUSSION AND ACTION – Ordinance 2017-03 (AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF HOBART, CHAPTER 221 THEREOF, ENTITLED “PEACE AND GOOD ORDER”, TO ADD A NEW SECTION PROVIDING FOR PUBLIC SAFETY AND FIRE EMERGENCY RESPONSE COST RECOVERY):

In order to protect the Village of Hobart from extraordinary expenses resulting from the utilization of Village resources in response to certain public safety or fire emergency incidents, this section authorizes the imposition of charges to recover actual costs incurred by the Village in responding to such incidents.

Motion made by Tim Carpenter, second by Ed Kazik, to approve Ordinance 2017-03. The motion passed unanimously.

C. DISCUSSION AND ACTION – Ordinance 2017-04 (AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF HOBART, CHAPTER 221 THEREOF, ENTITLED “PEACE AND GOOD ORDER”, TO ADD A NEW SECTION PROVIDING FOR CLEANUP OF CLANDESTINE DRUG LAB SITES AND CHEMICAL DUMP SITES)

The purpose of this section is to reduce public exposure to health risks where law enforcement officers have determined that hazardous chemicals or residue from a suspected clandestine drug lab site or chemical dump site may exist, or professional reports, based on assessments, testing and investigations, show that chemicals used in the production of illicit drugs can condense, penetrate, and contaminate surfaces, furnishings, and equipment of surrounding structures. The Village Board finds that such Sites, and the personal property within such Sites, may contain suspected chemicals and residues that place people, particularly children or adults of child bearing age, at risk when exposed through inhabiting or visiting the site or using or being exposed to contaminated personal property.

Motion made by Rich Heidel, second by David Dillenburg, to approve Ordinance 2017-04. The motion passed unanimously.

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

A. DISCUSSION AND ACTION – Amended 2017 General Fund Budget:

Mr. Kramer spoke with the Board about the amendments made for the 2017 Budget. He stated that although the amended budget shows a deficit, with the surplus funds that were transferred from 2016, the budget will once again have a surplus at years end. He noted that building permits are up approximately 250% at this time. The Departments are adhering to the budget figures and it appears that barring any unforeseen large expenses, we will once again be in either on or under budgeted numbers. One area that was over budgeted was the police part time categories. That will save approximately \$12,000.00.

Motion made by David Dillenburg, second by Debbie Schumacher, to approve the 2017 amended General Fund budget. The motion passed unanimously.

B. DISCUSSION - Items for future agenda consideration or Committee assignment:

Items that will be brought to future agendas include the water system improvements and committee membership review.

C. 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

RE: Abandoned railroad R-O-W

RE: 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 Land Development Projects

RE: Hobart-Lawrence Water Extension

RE: Proposed Water Tower Lease with Verizon (Easement)

Roll call vote: Tim Carpenter, aye, David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. the Board moved into closed session at 8:00pm.

D. CONVENE into open session:

Motion made by David Dillenburg, second by Rich Heidel, to return to open session. Roll call vote: Tim Carpenter, aye, David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. The Board returned to open session at 9:25pm.

E. ACTION from closed session: Motion made by Ed Kazik, second by Debbie Schumacher, to approve the offer to purchase 3750 Packerland Drive property for the cost of \$1.25 million dollars. The motion passed unanimously.

12. ADJOURN: Motion made by David Dillenburg, second by Tim Carpenter, to adjourn. The motion passed unanimously. The Board adjourned the meeting at 9:28pm.