



Village Office 2990 S. Pine Tree Rd, Hobart, WI  
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## **MEETING MINUTES – VILLAGE BOARD (Regular)**

**Date/Time:** Tuesday February 6<sup>th</sup> 2018 - 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: Tim Carpenter attending by telephone, David Dillenburg, Rich Heidel, Ed Kazik and Debbie Schumacher were present.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by Debbie Schumacher, second by Ed Kazik, to approve the agenda as modified. The modification was to move item !!c up in the agenda to after the public hearings 4F. The motion passed unanimously.
3. Pledge of Allegiance. Those present recited the Pledge of Allegiance.

**4. PUBLIC HEARINGS:** Rich Heidel opened the public hearings. He asked those speaking to state their name and address and then proceed with their comments.

**A. PUBLIC HEARING – Conditional Use Permit (CUP) (HB-658, 4000 Block of N. Overland Road, Storage Warehousing)** This CUP is for a Mini and Condominium Storage Warehousing development. The Planning and Zoning Commission has recommended approval of this project.

- 1) Dan Erickson - Birch Drive: He moved here for the rural atmosphere of the area. This will change the face of Hobart and take away from Rural Atmosphere. Concerns about looks of project. Concerned about reducing property values. Wants cedars/ Lombardi Poplars planted around borders to block it from vision.
- 2) Julie and Craig Edwin - Birch Drive: an email from Julie and Craig states that they are opposed "because of the changes to the rural area. Everything is changing from when they moved out her for."
- 3) John Rather - Mapleview Ct: it is out of place in a rural area, he would rather see a subdivision. It is across from a farm and it is not rural, it is like Howard.
- 4) Kathy Vandonsel - N. Overland: She has concerns over the increased traffic, it will bring more traffic, keep it rural, Centennial Centre is not rural.
- 5) Jerry Odness - Hunters Run: Ditto each of the other speakers, concerns over property values, were studies done on how this will affect property values, has the homework been done to evaluate the safety concerns? Will there be a round-a-bout at the intersection? How many units will there be? What about break-ins, will they be safe, has the research been done?
- 6) Lee Harmon - N. Overland: Concerned over the appearance of the project, rather have a subdivision. Concerns over traffic and running in and out of the area. Concerned about vandalism, it is not appropriate in this area. It belongs on 29 or mason street or by airport, not here.
- 7) Tom Ambrosius - Deerberry: He is in support of the project. It is near Centennial and Thornberry; located between two developments, he will use it.
- 8) Chad Reader - Developer of project: Mr. Reader said that the development will not happen all at one time. They will build the first set of 3-buildings and when they are full, another group of buildings will be built. It will be phased development. They have restrictive covenants on the property drawn up by an attorney that addresses how the area is to be used. There will be brick or stone on the buildings, the decision has not been made at this time which it will be. There will be a fence and gates for the project, they are planning on planting trees but not total screening for safety reasons. They have been studying this project so it will be a clean area. No outside storage, no business in the storage units. There will be a set of buildings for contractors later on in the project. Lighting will be wall packs that are dark

sky lighting. Front of the project will have a 2-foot berm with trees and landscaping. Each owner will pay condominium fees that will pay for the upkeep of the area. The people will own the building but not the land.

- 9) Chuck Cucullu – Hunters Run: email concerns the project is not compatible with adjacent property uses.

Allyn Dannhoff, Director of Neighborhood Services, spoke about the Conditions placed on the development: Hours of Operations/Access shall be limited to 6 am to 10 pm daily.

**Conditions:**

1. There shall be no exterior storage;
2. The storage buildings shall not be allowed to contain water supply, sanitary sewer or electrical facilities for use by the storage unit tenant/occupant without further review and approval from the Village of Hobart;
3. Access to the storage units be restricted with gated access which is configured to allow access to authorized parties with the location of said gate to be reviewed and approved by the Site Review Committee in specifically reviewing for adequate vehicle and trailer stacking between the road and the gate;
4. The access drive shall be paved from the public roads to the entrance gate(s) prior to commencing construction of the storage units.
5. This Conditional Use Permit is issued solely to the stated business and/or owner;
6. Compliance with Site Review Committee conditions of approval;
7. No business operations may commence until compliance with applicable regulations, including but not limited to building codes and Village Occupancy Permit ordinance, has been secured.
8. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and revocation if the activities of the operation result in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws;

Police Chief Bani spoke about the importance of keeping a clear line of vision so the officers can see into the development. Trees around the site will block that vision and are not recommended. He said the lighting around the buildings also enables officers to see what is going on in the site.

Rich Heidel asked if there were any further comments. Being none, he gave a history of the development in Hobart. we started the Centennial Centre during the worst of economic times because we needed to protect the tax base. The Oneida Tribe takes land off of the tax rolls by placing it into trust, we cannot just sit and do nothing while this happens. The development is less than 3% of the village land mass, yet it will contribute multiple times that in tax base for the village once it is out of the TID status. With development comes secondary services, snow plowing, police services. He said that no thinking individual could think Hobart will stay as it was when they first came here. Change means challenges. With all subdivisions we have tried to maintain diversity in housing. No area remains rural in a free enterprise market. Mr. Heidel also stated that the meetings that all developments go through are all open to the public, the Planning and Zoning Commission, the Site Review Committee each define and insure the requirements of the development meet the aesthetics and regulations of our zoning ordinances. He invited residents to come to these meetings as well to learn more about the developments going on within the village. The Site Review meeting will be February 21<sup>st</sup> at 5:30pm. The hearing was closed.

**B. ACTION on aforesaid agenda item:** Motion made by Rich Heidel, second by Ed Kazik, to approve the CUP for HB-658 Storage warehousing. Conditioned upon the Staff Report Conditions as listed and the change of zoning and Site Review approvals. The motion passed unanimously.

**C. PUBLIC HEARING - Proposed Rezoning (HB-658, 4000 Block of North Overland Road from Agriculture to Limited Industrial) This** rezoning is for a parcel that is proposed for Mini and Condominium Storage Warehousing, and leased business space development. Planning and Zoning has recommended approval of this change in zoning.

1) Lee Harmon – asked about the change of the zoning, would it always stay as limited industrial. Allyn Dannhoff, Director of Neighborhood Services, read some of the uses that could be used in this zoning. He said that the change will remain until a new owner petitions to have the zoning changed to a different use. Then a public hearing would be held on that change at that time. Rich Heidel stated that the Comprehensive Plan for the Village was worked on by 20+ residents of this village, the meetings took over 6-months and encompass the entire village. Any changes made to the land use map are consistent with those plans. Being no further comments, this hearing was closed.

**D. ACTION on aforesaid agenda item – Ordinance 2018-03:** Motion made by Ed Kazik, second by David Dillenburg, to approve Ordinance 2018-03 with this change being conditioned upon Site Review Approvals, and the successful transfer of land. The motion passed unanimously.

**E. PUBLIC HEARING - Conditional Use Permit (CUP) (HB-857, 3380 South Pine Tree Road, Bulk Materials & Equipment Storage Yard)** This CUP would allow for contractor Bulk Material storage and equipment storage. Allyn Dannhoff, Director of Neighborhood Services, spoke about the CUP. Mr. Roffers at one time thought he would build his business/shop on the parcel. He has since decided that he will not build there, but has the property for sale. However, he does need a conditional use to use the piece of property for a bulk materials & equipment storage yard for his truck/earth moving business. There were no public comments.

Conditions:

1. Hours of Operation shall be limited to 6am – 10pm, Monday – Friday
2. 7am – 5pm Saturday
3. Operations on Sundays, Holidays, or outside the stated hours may only be conducted by special permission from the Village Administrator or designee.
4. This CUP is issued solely to the stated business and/or owner;
5. Compliance with Site Review Committee conditions of approval;
6. The driveway shall be paved from S. Pine tree Rd., extending no less than 40 feet into the parcel.
7. All required erosion control measures, including, but not limited to vehicle and equipment tracking, storm water erosion control, and wind erosion control measures shall be maintained.
8. No business operations may commence until compliance with applicable regulations, including but not limited to building codes and Village Occupancy Permit ordinance, has been secured.
9. The CUP may be brought back to the Village board for reconsideration and revocation if the activities of the operation result in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws.

**F. ACTION on aforesaid agenda item:** Motion made by Rich Heidel, second by Ed Kazik, to approve the CUP for HB-857 for a Bulk Materials & Equipment Storage Yard with the conditions as listed. The motion passed unanimously.

**5. ITEM MOVED UP IN ORDER FOR AGENDA: 11- C. DISCUSSION AND ACTION: – Speed Limit on County Highway**

**J:** This item was moved up in order on the agenda to accommodate residents present for the discussion. Rich Heidel gave a recap of the history of this change. There was a developer who wanted to develop the land on the SW corner of FF and J. The project has been discussed over the past 6-months and involved 86 lots and several new ingress and egress points to the subdivision. This project brought up concerns over the increase in traffic. The County required the Village to address the speed limit before they would approve the plat. 3-months ago the Village send a resolution to the County to consider reducing the speed limit as the Village has no jurisdiction over that road for speed limits. The 4-way stop is another example of the Village and County working together for safety. The project has since then fallen by the wayside and will not go forward. Motion made by Rich Heidel second by David Dillenburg, to suspend the rules to allow public input on this matter. The motion passed unanimously. Several residents spoke in favor of changing the limit back to 45 mph. They also said that there are many tailgaters which makes it unsafe as well. Motion made by David Dillenburg, second by Ed Kazik, to return to regular order of business. The motion passed unanimously. Mr. R. Schadewald said that the safety concerns are paramount when the county committee considers speed limits on the county roads. He will take the Village recommendation back to his committee. Motion made by Rich Heidel, second by David Dillenburg, to revert to 45 mph the entire portion that was 45 to begin with. That motion failed vote 3 – 2. Motion made by Rich Heidel, second by David Dillenburg, to have the west portion of J from Hidden Trail intersection to the 4-way stop at FF revert to 45 mph and the portion to the east of the 4-way stop to RK remain at 35 mph. Motion passed 5 – 0. A Resolution will be acted upon at the February 20<sup>th</sup> meeting and forwarded on to Brown County.

**6. CONSENT AGENDA:** Motion made by David Dillenburg, second by Ed Kazik, to approve the items in the consent agenda. The motion passed unanimously.

A. Payment of Invoices; B. VILLAGE BOARD: Minutes of January 10<sup>th</sup> (Special) and January 16<sup>th</sup> (Regular) 2018; C. ALCOHOL AND OPERATORS LICENSES (if any); Set Public Hearing for amendment to the Comprehensive Land Use Plan and Future Land Use Map NOTE:

**7. ITEMS REMOVED FROM CONSENT AGENDA:** None.

**8. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS:** None

**9. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS:** Aaron Kramer, Administrator reported that the building permit report for January shows that 2018 is starting well. The Audit fieldwork has been completed and the final work is being finalized by the auditors. Road bid opening will be Thursday February 8<sup>th</sup> and be on the February 20<sup>th</sup> agenda for Board consideration. Rich Heidel asked to have a list of committee vacancies given to the Board so appointments can be made to complete committees. Our citizen representative to the Brown County Planning Commission, Glenn Severson contacted Rich Heidel asking to be replaced for 4-months due to a change in his work schedule. Rich Heidel appointed Melissa Tanke to this position.

**10. COMMITTEE REPORTS AND ACTIONS:** Allyn Dannhoff, Director of Neighborhood Services, reported that the Public Works and Utility Committee would not be meeting in February.

**11. OLD BUSINESS:** None.

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

**A. DISCUSSION AND ACTION – Ordinance 2018-04 (AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF HOBART, BY AMENDING CHAPTER 170 (FIREARMS AND OTHER WEAPONS))**

The purpose of this section is to amend the Village ordinances regarding firearms and other weapons, and where they can be legally used. The Board discussed the ordinance and asked that the reference to target practice be removed. If a person is able to discharge a firearm to hunt, they should be able to target practice as well on their property. If problems occur with residents creating a nuisance by shooting for long periods of time or at inappropriate hours, they will be cited under the nuisance ordinance. This ordinance sets the proper framework to change any properties in the future. Planning and Zoning will recommend to the Village Board any amendments to the ordinance or to the map. No action was taken, the revised ordinance will be brought back for the first reading at the February 20, 2018 Board meeting.

**B. DISCUSSION AND ACTION – Establish a Public Hearing to Increase Sewer Volume Rates**

Under the Village's Local Annual Adjustment Policy to account for "pass-through" charges from the Green Bay Metropolitan Sewerage District to local Hobart Utility customers, a proposed 17 percent increase in sewer rates will be considered at the February 20<sup>th</sup> public hearing. Motion made by David Dillenburg, second by Ed Kazik, to set the hearing February 20, 2018. The motion passed unanimously.

**The original Item 11C was moved up in order to position 5 on the agenda.**

**D. DISCUSSION - Items for future agenda consideration or Committee assignment:** plans for Fontaine Family Park will be brought to the February 20, 2018 board meeting.

**The Board took a short break at this point in the agenda, 8:30pm.**

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

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

Roll call vote: Tim Carpenter, aye, David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye, approved 5-0. Board moved into closed session at 8:40pm.

**F. CONVENE into open session:** Motion made by Ed Kazik, second by David Dillenburg, to return to open session. Roll call vote: Tim Carpenter, aye, David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye, approved 5-0. Board returned to open session at 9:49pm.

**G. ACTION from closed session:** None.

**13. ADJOURN:** Motion made by Rich Heidel, second by Ed Kazik, to adjourn. The motion passed unanimously, meeting adjourned at 9:50pm.