

**VILLAGE BOARD MINUTES
MONDAY, MARCH 8, 2021
6:30 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

Call to Order
Roll Call

Present: Trustees Anson, Dorau, Meyers, Wallschlager, Ludtke, Conner, President Pfannerstill

Others Present: Administrator Rhode, Utility Operations Supervisor Felkner, Finance Director Bailey, Clerk Igl, Fire Chief Jambretz, Police Chief Misko, Rec Director Yogerst, Tim Hallquist, Jim Muenzenberger.

Pledge of Allegiance – President Pfannerstill

Public Comments: Please be advised the Village Board will receive comments from the public related to any item(s) on the agenda for a three-minute time period per person, with time extensions per the Village President's discretion.

Jacob Zuehl, 306 Lawn Street, commented on his concerns with the number of trees being removed from along the Bark River and in Nixon Park. Exhibits including questions were distributed to the Board members which he indicated will be emailed to the DPW and Park & Recreation Board as well. He commented that he understands there are valid reasons to remove trees and appreciates the work the village does to keep things clean but would hope that the public would be notified, that alternatives would be explored prior to removal and that trees would be replaced. Mr. Zuehl stated that he looks forward to discussing this issue further with the appropriate boards/committees. President Pfannerstill asked that Mr. Zuehl email him as well.

Courtney Marschalek, 210 Nixon Ave., commented that the area along the river has changed drastically since moving to the Village 10 years ago. She stated that the trees removed does not follow the tree survey which had been conducted which is disappointing. She also shared concerns about the Nixon pond dredging project and killing of frogs, turtles and invertebrates.

Tara Frontera, 875 Rae Drive, also commented about the number of trees and amount of vegetation removed and is concerned about erosion along the banks asking whether the Village is paying attention to the impact on the community and the wildlife.

1. Motion (Meyers/Ludtke) to approve Village Board minutes of February 22, 2021. Carried (7-0).
2. Motion (Wallschlager/Anson) to approve vouchers for payment in the amount of 3,505,897.72. Carried (6-0). Meyers abstained.
3. Consideration of actions related to Licenses and Permits.

- a. Motion (Dorau/Ludtke) to approve an Operator's (Bartender) License. Carried (7-0).
4. Discussion and consideration of a motion to approve a special event for Birch & Banyan which includes the sale of alcoholic beverages on April 16.

Administrator Rhode stated that the event will be similar to the previously approved one and stated that the business owner was unable to attend the meeting. Motion (Anson/Ludtke) to approve a special event for Birch & Banyan which includes the sale of alcoholic beverages on April 16. Carried (7-0).

Items referred from the March 1, 2021 Park & Recreation Board meeting

5. Consideration of a motion to affirm the Park and Recreation Board approval of the use of Nixon Park for Hartland's Bark River Bash on May 1, 2021.

Rec Director Yogerst stated that the event had been approved by the Park & Recreation Board and introduced Jim Muenzenberger to present the event. Mr. Muenzenberger stated that the event is being planned by Kiwanis in coordination with BID. He stated that there will be vendors, food and music at Nixon Park, a rubber duck race, and a canoe/kayak trip down the Bark River. Motion (Meyers/Anson) to affirm the Hartland's Bark River Bash event as presented. Carried (7-0). It was stated that the rental forms were not in the packet. Administrator Rhode stated that the music piece of the event is still unknown.

6. Consideration of a motion to affirm the Park and Recreation Board approval of the use of the Fine Arts Center by Your Choice to Live on June 13, 2021.

Rec Director Yogerst stated that the event had been approved by the Park & Recreation Board and introduced Mike Kaiser, organizer for the event. Mr. Kaiser provided an overview of the plans for the event. Motion (Dorau/Ludtke) to affirm the Your Choice to Live event as presented. Carried (7-0).

Other Items for Consideration

7. Discussion and consideration of a motion to approve a Mutual Aid Agreement for the Major Investigations Unit for the Police Department.

Chief Misko stated that the agreement has been updated to incorporate the most recent state statute language but otherwise nothing has changed operationally in the agreement. Motion (Meyers/Dorau) to approve a Mutual Aid Agreement for the Major Investigations Unit for the Police Department. Carried (7-0).

8. Discussion and consideration of a motion to accept a Request for Proposal for legal services.

Administrator Rhode stated that the Village Board had directed staff to seek proposals for legal services and that three firms had responded. A summary based on hourly rates was provided and it was stated that the Village Board could select a firm or conduct interviews at a future meeting. Trustee Dorau stated that she did not believe they had enough information, should

move ahead with interviews and consider more information. Trustee Anson stated his agreement. Trustee Meyers commented that he felt Attorney de la Mora has done a good job and he commented on others from the firm that had worked with the Village. Trustee Meyers also commented that he was impressed with the professionalism of the attorney that the Village had worked with from Cramer, Multhauf and Hammes previously. He stated that he felt the Board should look deeper at the options. Trustee Ludtke commented that she felt the Board should review the scope of services further.

President Pfannerstill stated that he was happy with services received from Von Briesen, that there have not been many grievances related to services provided and is in favor of staying with the firm. Trustees Anson and Dorau commented that they are not unhappy with services provided. Trustee Ludtke stated for the record that no one had ever brought up age in opting to go out for requests for proposals for legal services.

Motion (Ludtke/Dorau) to move forward with scheduling interviews with all three firms that responded at a future meeting. Carried (6-1) Pfannerstill opposed.

9. Discussion and consideration of a motion to approve the Waukesha County Community Covid-19 Vaccination Clinic Cooperative Agreement.

Administrator Rhode stated that the proposed intergovernmental agreement with Waukesha County is related to the mass vaccination clinic and includes provisions for the fire department to provide staff to work at the clinics. As a way of offsetting the Village's costs to provide staff, the agreement offers \$65 an hour reimbursement. It was stated that this activity will not have an impact on coverage for the Village. Motion (Conner/Ludtke) to approve the Waukesha County Community Covid-19 Vaccination Clinic Cooperative Agreement. Carried (7-0).

10. Discussion and consideration of possible action related to an ordinance change or a new ordinance allowing atv's to be able to legally drive on certain road ways.

President Pfannerstill stated that Trustee Meyers had requested that this item be placed on the agenda. He also stated that he had been contacted by a resident with this request and had discussed with Chief Misko as there seems to be some desire to allow atv's to operate on the roads. It was stated that an ordinance change would be necessary to allow. Trustee Meyers stated that he feels the village should not limit the citizens if this is an available option.

Trustee Anson commented that many rural communities allow this activity but feels that there are roads in the Village that atv's do not belong on such as main thoroughfares. He expressed concerns about them clogging traffic and concerns whether it is safe for children.

Chief Misko commented that it is his preference that atv's not be allowed to operate on the roads in the Village but that it is up to the board to legislate and the police department will enforce ordinances enacted. He stated that he believes the intention of state law to allow atv's on roads in rural areas with trail systems is to provide connectivity. Further, he stated that atv's can be used for snow removal purpose as allowed by existing laws. Chief Misko stated that the residents would need to be educated and while he doesn't believe this would be a high volume

issue, he felt the department would get calls related to noise produced. Additionally, he stated that it would likely be difficult to make a traffic stop of an atv.

Trustee Wallschlager asked whether an atv would need to follow the posted speed limit. Chief Misko stated that they could not exceed speed limits. Trustee Wallschlager asked what the rule is for motorized scooters. Chief Misko responded that the Village doesn't have an ordinance that deals with them and that they are treated like bikes. The Village does not prohibit bikes from operating on the sidewalks.

Trustee Dorau raised concerns about possible noise from the operation of atv's as well as adding more traffic to the roadways along with vehicles and bikes. Trustee Conner stated that he doesn't think its right for the Village and doesn't want to expend resources looking into it. No action taken.

11. Announcements: The following individuals will be given an opportunity to make announcements at the meeting in regards to (1) activities taken since the previous meeting on behalf of the community, (2) future municipal activities, and (3) communications received from citizens. It is not contemplated that these matters will be discussed or acted upon. The following individuals may provide announcements: Village President or individual Village Board members or Village Administrator or other Village Staff members.

Chief Misko announced that the civil disturbance unit is being recognized by Waukesha County for a team award. He also stated that the department and Captain Kelsey have been nominated for Kudo's awards.

Chief Jambretz stated that the department had responded to a structure fire on Lisbon Ave. recently which was called in by a passerby. He stated that the fire had been extinguished within 12 minutes and was contained to the garage.

President Pfannerstill reminded residents that in-person absentee voting will be held for the two weeks prior to the April election. Or a request for an absentee ballot may be submitted and the ballot mailed.

12. Adjournment

Motion (Conner/Anson) to adjourn at 7:26 p.m. Carried (7-0).

Respectfully submitted,

Darlene Igl
Village Clerk