

VILLAGE BOARD MINUTES
MONDAY, JULY 24, 2017
7:20 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

Present: Trustees Stevens, Meyers, Compton, Landwehr, Swenson, Wallschlager, President Pfannerstill

Others: Administrator Cox, DPW Director Einweck, Police Chief Bagin, Fire Chief Dean, Finance Director Bailey, Clerk Igl and Verizon Rep. Rod Carter

Roll Call

Pledge of Allegiance – Trustee Landwehr

Public Comments: (Please be advised the Village Board will receive information from the public for a three minute time period per person, with time extensions per the Village President's discretion. Be it further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.) None.

1. Motion (Swenson/Meyers) to approve Village Board minutes of July 10, 2017. Carried (7-0).
2. Consideration of a motion to approve the vouchers for payment.

This item was held until after item 7.

3. Consideration of actions related to Licenses and Permits
 - a. Motion (Wallschlager/Swenson) to approve an application for Operator's (Bartender) Licenses with a term ending June 30, 2018. Carried (7-0).
 - b. Motion (Meyers/Wallschlager) to approve a Temporary Class "B"/"Class B" Retailer's License and Street Use Permit related to Palmers "Tent Event" to benefit Cystic Fibrosis Foundation, Sunday, August 27, 2018. Carried (7-0).
 - c. Motion (Landwehr/Swenson) to approve a Temporary Class "B"/"Class B" Retailer's License, Public Dance License and Temporary Operator's Licenses relating to St. Charles Catholic Church Fall Festival, September 8, 9 & 10. Carried (7-0).
 - d. Motion (Swenson/Landwehr) to approve an application for a street use permit for Stacey LaFlamme, 1017 Wood Dr., for a River Reserve Block Party on September 16. Carried (7-0).
 - e. Motion (Meyers/Landwehr) to approve an application for a street use permit for Beer Snobs Ale & Eats, 122 Cottonwood Ave., and Hartland Inn, 120 Cottonwood Ave., for their Oktoberfest event on September 30. Carried (7-0).
 - f. Motion (Stevens/Wallschlager) to approve the use of the Pawling Avenue Municipal Parking Lots for a weekly Farmer's Market on Sundays until September 24. Carried (7-0).

Items referred from the July 17, 2017 Plan Commission meeting

4. Items related to a request for a wireless installation on the existing Village water tower at Coventry Lane for Verizon Wireless Personal Communications.
 - a. Consideration of a motion to approve site and building plans
 - b. Consideration of a motion to approve a Conditional Use Permit
 - c. Consideration of a motion to approve a Water Tower License Agreement with Verizon Wireless Personal Communications, LP related to the use of the existing Village water tower at Coventry Lane

Administrator Cox stated that Verizon Wireless had proposed the installation of a new facility at the water tower near Coventry Lane. Verizon will construct a small facility on the site that will house their equipment including their generator. In addition, they will add antennas on top of the water tower. Verizon is also asking permission to replace painter's rings and handrails and increase their diameter. Administrator Cox stated that the Plan Commission has recommended approval with conditions listed in the Conditional Use Permit.

Trustee Stevens asked about the provisions for the Village to paint the water tower when necessary. Administrator Cox stated that the proposed agreement includes provisions that state that carriers on the tower have to remove their equipment from the tower while it's being painted. The agreement with Verizon has a provision that states that the first time the Village requires this activity, it is no cost to the Village. The second time would be a cost split of 50/50 and the third time the Village would pay the full cost. This would apply to activities within the five year sequence of the twenty five year life.

Administrator Cox stated that the agreement is for a life of 25 years with 5 year terms. The license agreement terms include the first year payment will be \$20,800 annualized for their use of the site. Additionally, agreements related to terminations and relocations would be worked out. The license fee increases over time by a flat percentage. Verizon will pay a \$5,000 fee upon execution of the agreement covering the Village's upfront costs.

Motion to approve the site and building plans, a Conditional Use Permit and a Water Tower License Agreement with Verizon Wireless Personal Communications, LP related to the use of the existing Village water tower at Coventry Lane. Carried (7-0).

5. Items related to a request to construct a storage building located at Hartland Meadows Retirement Apartments, 357 Cottonwood Ave.
 - a. Preliminary review of site and building plans
 - b. Consideration of a motion to set Monday, August 28, 2017 during the Regular Village Board Meeting for the Public Hearing related to an amendment to the PUD agreement

Administrator Cox stated that when Hartland Meadows was approved, it was allowed at a greater density as a Planned Unit Development. It was stated that construction of a garage

VILLAGE BOARD MINUTES

MONDAY, JULY 24, 2017

7:00 PM

PAGE 3

north of the existing facility intended to be used for storage of equipment used on site is being proposed. Because this is a modification to a PUD, additional steps are required including the Village Board holding a Public Hearing. The Plan Commission recommended approval subject to conditions.

Motion (Meyers/Swenson) to set a Public Hearing for the amendment to the Hartland Meadows Planned Unit Development for August 24, 2017. Carried (7-0).

6. Consideration of a motion to approve site and building plans for an addition to HM Solutions, 581 S. Industrial Dr.

Administrator Cox stated that HM Solutions is proposing a 26,000 sq. ft. addition to their building. The Plan Commission reviewed items related to parking and determined the parking is adequate.

Motion (Swenson/Landwehr) to approve and site building plans for an addition to HM Solutions. Carried (7-0).

Other Items for Consideration

7. Consideration of a motion to approve Change Order No. 1 (Final) to the 2017 Utilities Program contract with Wood Sewer and Excavating, Inc., to adjust for final quantities in the additional amount of \$49,544 for a revised contract amount of \$498,892.

DPW Director Einweck stated that the change order incorporates final quantities on the project. Part of the cause for increased quantities was excess deterioration on the outside of the structure that was not viewable upon inspection. In addition, it was found that the original contractor had poured excess concrete outside of the structures causing difficulties during repairs.

Motion (Stevens/Swenson) to approve Change Order No. 1 (Final) to the 2017 Utilities Program contract with Wood Sewer and Excavating, Inc., to adjust for final quantities in the additional amount of \$49,544 for a revised contract amount of \$498,892. Carried (7-0).

8. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$482,731.32. Carried (7-0).
9. Consideration of a motion to approve award of a contract to Fahrner Asphalt Sealers, LLC for the 2017 Crack Sealing Program in the amount of \$50,000.

DPW Director Einweck recommended that the Village take advantage of the good prices this year and award the contract for the full \$50,000 budgeted. Motion (Landwehr/Swenson) to award a contract to Fahrner Asphalt Sealers, LLC for the 2017 Crack Sealing Program in the amount of \$50,000. Carried (7-0).

10. Consideration of a motion to approve the Intergovernmental Agreement Regarding Settlement of Certain Unpaid Special Assessments and Special Charges with Waukesha County.

Finance Director Bailey stated that this agreement has been requested by Waukesha County. Previously, the County would pay to the municipalities the full amount of any special charges or assessments that were included on the tax bills regardless of whether the bill was actually paid. The agreement states that the county will pay up to \$50,000 on special assessments and up to \$25,000 on special charges per parcel.

Motion (Landwehr/Swenson) to approve the Intergovernmental Agreement Regarding Settlement of Certain Unpaid Special Assessments and Special Charges with Waukesha County. Carried (7-0).

11. Consideration of Resolution No. 07/24/2017-01, A Resolution Approving a \$700,000 General Obligation Note With First Bank Financial Centre Related To A Fire Department Apparatus.

Administrator Cox stated that funds in the corporate reserve account will pay approximately \$300,000 of the cost of the vehicle. The resolution approves funding of the \$700,000 balance. The Village Attorney is making final changes to the loan documents which were provided by First Bank. The final resolution authorizes the changes as they may be acceptable to the Village Attorney.

Motion (Meyers/Wallschlager) to approve Resolution No. 07/24/2017-01, A Resolution Approving a \$700,000 General Obligation Note With First Bank Financial Centre Related To A Fire Department Apparatus . Carried (7-0).

12. Consideration of a motion to approve an agreement For The Provision of Sanitary Sewer And Storm Water Service By The Village Of Hartland To The Town Of Delafield.

Administrator Cox stated that the Hawks Haven Subdivision in the Town of Delafield on Maple Avenue is south of River Reserve between River Reserve and Hawks Nest. It is an eleven lot subdivision being developed outside of the Village because the agreement we have with the Town and City of Delafield does not allow that parcel to be annexed. The agreement requires the Village to provide that parcel with sanitary sewer service. The agreement outlines the terms for providing service to the subdivision. The subdivisions' storm water maintenance and transmission is also addressed in the agreement as the storm water from the subdivision will flow into the Village's system, ultimately to the Bark River.

Motion (Compton/Swenson) to approve an agreement For The Provision of Sanitary Sewer And Storm Water Service By The Village Of Hartland To The Town Of Delafield. Carried (7-0).

13. Discussion related to the Village's involvement in nationwide Coordination protocol development efforts.

VILLAGE BOARD MINUTES

MONDAY, JULY 24, 2017

7:00 PM

PAGE 5

Administrator Cox asked the Board to consider how much the Village wants to be involved in the ongoing effort related to federal coordination. Mr. Grant, hearing officer for coordination hearing, has asked the Village whether it is interested and willing to be involved in an effort he is going to try to undertake on a nationwide basis to create a standard protocol at the federal level for how agencies are supposed to undertake coordination with municipalities.

Administrator Cox stated that there are two separate issues for consideration; 1) vaping coordination effort to repeal or replace the regulations, 2) more broad issue of creating coordination protocol.

President Pfannerstill stated that the initial deadline has passed and the Village has not received a response from the FDA. He stated that it may be appropriate to send a follow up letter to each of the agencies involved. There was discussion related to what type of activities and costs may be involved if the Village is willing to assist in the broader issue of creating protocol. Concerns were raised about the potential of this activity escalating, costing the Village significant resources.

Motion (Wallschlager/Swenson) that the Village be involved with the national coordination protocol development process without funding at this time. Carried (7-0).

14. 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.

Hartland's Kids Day is scheduled for Wed., July 26.

15. Motion (Wallschlager Swenson) to recess to closed session pursuant to SS 19.85 (1)(e), deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session regarding relocation of County highway and to adjourn thereafter without reconvening into open session pursuant to SS 19.85 (2). Roll Call Vote was taken. All ayes. Carried (7-0).

Meeting adjourned to closed session at 8:15 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk