

**VILLAGE BOARD MINUTES**  
**MONDAY, MARCH 26, 2018**  
**7:00 PM**  
**BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

Roll Call

Pledge of Allegiance – Swenson

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

Others: Administrator Cox, Clerk Igl, Finance Director Bailey, DPW Director Einweck, Interim Chief Collura, Dave Felkner, Alex Konen, Jeff Anson, Donna Dorau, Matt Neumann, John Siepmann and a large group of residents.

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 received. President Pfannerstill outlined the procedures to be utilized for the Public Hearing.

1. Motion (Meyers/Stevens) to approve Village Board minutes of March 12, 2018. Carried (7-0).
2. Motion (Landwehr/Swenson) to approve vouchers for payment in the amount of \$165,759.82. Carried (7-0).
3. Consideration of actions related to Licenses and Permits
  - a. Motion (Meyers/Wallschlager) to approve Large Scale Event Street Use Permit for the Swallow School Education Foundation 5K run on May 19, 2018 from 6:30am to 11:00am on streets in the Four Winds Subdivision. Carried (7-0).
  - b. Motion (Wallschlager/Landwehr) to approve applications for an Operator's (Bartender) Licenses with a term ending June 30, 2018. Carried (7-0).
4. Items related to creation of the RSE-2 Single Family Residential Estate zoning district.
  - a. Public hearing to receive comment on the proposed creation of the RSE-2 Single Family Residential Estate zoning district.

President Pfannerstill opened the Public Hearing at 7:06 p.m. Administrator Cox explained that this is the creation of a new chapter in the zoning code pertaining to development of properties without municipal utilities. The proposed section calls for densities not less than of 1.75 units per acre and default lot sizes of 30,000 square feet. It provides that these requirements could be reduced conditioned on whether the petitioner can demonstrate all of the required the ability to facilitate onsite sewer and water on the proposed lots. A provision was added that allows a shared driveway in

situations another authority controls driveway access and is not willing to allow additional driveway access to the properties. It was stated that this discussion is the creation of the zoning code section only, not the consideration of the proposed project. An individual that lives approximately 600 feet from the property stated that she did not receive notice of this and was not aware of the proposal. It was stated that the Public Hearing notice had been published and posted. The Public Hearing was closed at 7:17 p.m.

- b. Consideration of a motion to adopt on third reading Bill for an Ordinance No. 02/26/18-01 "An Ordinance to Amend Chapter 46 of the Village of Hartland Municipal Code Pertaining to Zoning Ordinance."

Motion (Compton/Meyers) to adopt Bill for an Ordinance No. 02/26/18-01 "An Ordinance to Amend Chapter 46 of the Village of Hartland Municipal Code Pertaining to Zoning Ordinance." Carried (7-0).

5. Items related to a request for amendments to the Comprehensive Development Plan for the area north of CTH K (Lisbon Road) and west of CTH KE (Winkleman Road).
  - a. Public Hearing to receive comment on the proposed amendments to the Comprehensive Development Plan.

President Pfannerstill opened the Public Hearing at 7:19 p.m. Matt Neumann, Neumann Developments, provided a presentation on the proposal to develop 72 single family condominium homes on the 40 acre parcel and 27 duplex condominiums on the property that is south of the CTH KE reroute. He provided information on the large number of vacant lots available in the Village and surrounding communities in the \$150,000 to \$200,000 price range. He stated that the amount of housing below \$650,000 in the Hartland area is substantially lower. He stated that they believe this type of product will be desirable to Hartland residents interested in downsizing.

He stated that the current comp plan would allow 96 units of housing on the full 80 acres. What is proposed is to increase of 30 total housing units for a total of 126 total units. He stated that the problem with this site is that the existing conditions are difficult due to grading and traffic volume. The developer stated that they want to make it as easy as possible for the county to implement a plan to reroute CTH KE and are proposing some improvements at Jungbluth and Hwy K as a part of the project. He stated that as long as they can find access off of Hwy K, they will not connect through Mary Hill. An access road would be constructed for the development approximately 1,200 feet long from Hwy K which would be prepping the reroute for the county.

Mr. Neumann stated that if the proposal is not approved, they would propose 50 single family home sites on the 40 acre parcel but would have to access the property from the west.

The following individuals provided comments and were generally opposed to increasing the density.

Dave Pride, 750 Penbrook Way, quoted an article stated that Waukesha County will not consider funding the reroute of CTH KE for at least 5 years and asked whether the road proposed by the developer will be a condo road.

Michael Brandt, N59W28135 Ainsworth Rd., stated concerns about the density and the addition of children to schools, and would prefer to see single family homes.

Heidi Brandt, N59W28135 Ainsworth Rd., concerned about adding traffic to congested area and allowing 30 additional homes in an area that already has heavy traffic.

Bob Pjevach, 1002 N. Cypress Ct., concerned about increasing density and significantly increasing traffic. He suggested that a traffic study be conducted before making decision on density.

Dan Gall, N67W28341 Sussex Rd., concerned about safety issue with traffic flow and against increasing density and that infrastructure be addressed first.

Tom Truttschel, 424 E. Capitol Dr., stated opposition to increasing density and asked that the Village take time to study and understand the impact on traffic of such a development.

Ken Servi – 1007 N. Pine Grove Ct., stated concerns about safety in the area by the water tower as he believes the hill should be cut down and stated traffic issues need to be addressed.

Diane Gaberino, W284N5074 Roosevelt Quay, opposed increasing density as she moved to area for the rural character.

Rick Sands, Winkleman Rd., stated he already has difficulty getting out of his driveway due to traffic volume and the proposed development will make it worse.

Bill Luterbach, 1101 Sweetbriar Dr., concerned with traffic safety concerns with limited access points

Jeff Anson, 335 Cottonwood Ave., against density change due to concerns about traffic safety and stated that there should be no development of this property until the road (reroute) is constructed. He stated that he is not against development but it needs to be the right kind of development.

Lowell Argue, 1240 Mary Hill Cir., stated traffic safety concerns and asked Board members to observe traffic in the area during peak usage. He stated drivers become impatient and pull out in front of oncoming traffic.

Michael Brandt, N59W28135 Ainsworth Rd., stated that Arrowhead traffic needs to be considered.

Matt Neumann commented that there is no easy answer to the concerns but pointed out that other developments going on in the area of this property will continue to add traffic volume. He stated that he agrees that traffic volume is a serious concern in the area but does not warrant what the County needs to fix it. Primary entrance road to the development would be paved to County's elevation and could include additional minor improvements such as a bypass lane to allow traffic to bypass cars waiting to turn left onto Winkleman.

On the issue of speed limit, Mr. Neumann commented that the County has stated that operating speed dictates the speed limit and that even if the speed limit were reduced, those traveling the road would have to actually be willing to do that.

Carol Jungbluth, Winkleman Road, asked what the County's objection is to the southern route for the rerouting of CTH KE.

Trustee Landwehr expressed his concern that the property being discussed be annexed into the Village so that it will have municipal sewer service rather than putting untreated sewage into the ground.

Rick Sands, Winkleman Rd., further commented that the risk that the traffic situation will get better should not be taken.

President Pfannerstill closed the Public Hearing at 8:08 p.m.

- b. Consideration of a motion to substitute for the pending Bill two ordinances dealing with the separate issues being considered in this matter and voting upon each separately as a Bill for an Ordinance No. 02/26/18-02a regarding transportation and a Bill for an Ordinance No. 02/26/18-02b regarding future land use designations and to suspend the rules to allow consideration of the separated ordinances upon first reading.

Motion (Wallschlager/Meyers) to keep ordinance as one as it has been read. Roll call vote: Stevens, yes; Meyers, yes; Compton, yes; Landwehr, no; Swenson, no; Wallschlager, yes; Pfannerstill, yes. Motion carried (5-2).

- c. In the event that the motion to provide for separate votes regarding separate Bills as stated in item 5b fails or is not acted upon by the Village Board, item 5c will be the consideration of a motion to adopt Bill for an Ordinance No. 02/26/18-02 "An Ordinance

Adopting an Amendment to the Village of Hartland Comprehensive Development Plan: 2035.”

Motion (Compton/Swenson) to adopt Bill for an Ordinance No. 02/26/18-02 “An Ordinance Adopting an Amendment to the Village of Hartland Comprehensive Development Plan: 2035.”

Trustee Wallschlager commented on her concerns related to heavy traffic volume in the area (from Arrowhead to Ryan Road) of the proposed development which would add at least 200 vehicles to Hwy K. She stated that as a taxpayer she is not interested in paying the cost of flattening or widening the roadway for an unnecessary increase in usage. She stated that to put this increase in traffic on the area would be irresponsible of the Village.

Trustee Stevens asked that the Board consider delaying the vote for further consideration by the members. Trustee Compton commented that the property will be developed in the future and she would prefer to see the property developed as part of the Village to increase the tax base.

President Pfannerstill stated that there have been other proposals to develop this property previously which did not move forward. He stated concerns that people that are in the area of the proposed development were not aware of the proposal. He suggested that notifications be made to property owners up to a quarter of a mile for proposed projects.

Trustee Wallschlager stated as a reminder to the Board members that they are elected officials whose job is to listen to the public and firmly believes this is the wrong place for the requested density.

Trustee Swenson asked the developer for clarification on comments made previously that without the requested density the proposed development would not work financially. Mr. Neumann responded that there would be no way without the increased density for the developer to pay the costs for making roadway improvements and construct the access road for the development. Mr. Neumann stated that they could add up to 96 units of housing without making any road improvements and stated that they could potentially come out onto Winkleman Road. He stated that multiple access rights exist for the property onto County highways but they are not good options.

John Siepman, property owner, encouraged the Village Board to reconsider splitting this ordinance into two issues to consider the density requested and road relocation separately. If the road relocation is out of the equation that will slow down the process with the County to reroute CTH KE and the traffic issue will continue to get worse.

President Pfannerstill stated that he will be requesting that the intended reroute of CTH KE be reflected on the Comprehensive Plan so that property owners are aware of the plan.

Matt Neumann stated that he is looking for clarity as to whether the northern road extension will go through as it has a dramatic impact on the development and asked whether the Village is officially adopting the County's reroute plan. Neumann suggested that the Board consider amending the ordinance to clarify that the northern extension will go through and cap the density based on the current comprehensive plan.

President Pfannerstill called for a recess at 8:44 p.m.

The meeting reconvened at 8:51 p.m.

Motion (Pfannerstill/Stevens) to amend the motion made to adopt Bill for an Ordinance No. 02/26/18-02 "An Ordinance Adopting an Amendment to the Village of Hartland Comprehensive Development Plan: 2035." to remove all references in the ordinance to density changes.

Roll call vote to amend the motion: Stevens, yes; Meyers, yes; Compton, yes; Landwehr, yes; Swenson, yes; Wallschlager, yes; Pfannerstill, yes. Motion carried (7-0).

Trustee Meyers clarified that the Village's sewer and water systems had been designed to handle any northern extension and those costs were paid by developers. There will not be any cost to the taxpayers in the Village for extending service to the proposed development.

The developer asked for clarification stating that the current comprehensive plan includes connection to this property from the west and asked whether the only update to the plan in the ordinance is the placement of the reroute to the north. It was confirmed that everything else in the current comprehensive plan remains the same.

Trustee Swenson agreed (as the second to the original motion) to the amended motion.

Roll call vote to adopt Bill for an Ordinance No. 02/26/18-02 "An Ordinance Adopting an Amendment to the Village of Hartland Comprehensive Development Plan: 2035" as amended: Stevens, yes; Meyers, yes; Compton, yes; Landwehr, yes; Swenson, yes; Wallschlager, yes; Pfannerstill, yes. Motion carried (7-0).

#### Items referred from the March 19 Plan Commission meeting

6. Consideration of actions related to an amendment to the Sign Code section of the Zoning Code related to signage in the I-1 Institutional and P-1 Park and Recreation Districts.

**VILLAGE BOARD MINUTES**  
**MONDAY, MARCH 26, 2018**  
**7:00 PM**  
**PAGE 7**

- a. First reading of Bill for an Ordinance No. 03/26/18-01 "An Ordinance To Amend Chapter 46 Of The Village Of Hartland Municipal Code Pertaining To Zoning Ordinance."  
  
Administrator Cox stated that it was the recommendation of the Plan Commission to amend the code to allow changeable message signs in the I-1 District.
  - b. Motion (Compton/Meyers) to set a public hearing on the matter for April 23, 2018 as part of the Regular Village Board meeting. Carried (7-0).
7. Consideration of actions related to rezoning the property east of 1270 E Capitol Drive from RS-3 Single Family Residential District to the RSE-2 Single Family Residential Estate District
    - a. First reading of Bill for an Ordinance No. 03/26/18-02 "An Ordinance To Amend The Official Zoning Map Of The Village Of Hartland."
    - b. Motion (Swenson/Meyers) to set a public hearing on the matter for April 23, 2018 as part of the Regular Village Board meeting. Carried (7-0).
  8. Motion (Meyers/Stevens) to approve site, building and landscaping plans for a building addition and soccer field shelters at Lake Country Lutheran High School, 401 Campus Drive. Carried (7-0).
  9. Consideration of a motion to approve an Extraterritorial CSM for the 15-acre parcel on the east side of Campus Drive north of the Lake Country Lutheran vacant property in the Town of Merton.

Administrator Cox stated that this triangular piece of property is between the subdivision west of AHS and Campus Drive. This parcel was created when Campus Drive was dedicated. The property owner is attempting to create a legal description for this standalone parcel as it exists.

Motion (Meyers/Compton) to approve an Extraterritorial CSM for the 15-acre parcel on the east side of Campus Drive north of the Lake Country Lutheran vacant property in the Town of Merton. Carried (7-0).

Others items for consideration

10. Consideration of a motion to approve the Stormwater Management Program Annual Report to the DNR.

DPW Director Einweck stated that there were two changes to the report this year. The report will be now be filed electronically and secondly, because we are under a TDML for suspended solids and phosphorus, a second report had to be prepared and submitted. He stated that the report describes progress on activities required to maintain the Village's discharge permit.

Motion (Meyers/Landwehr) to approve the Stormwater Management Program Annual Report to the DNR.

11. Consideration of a motion to approve Resolution 03/26/18-01, "A Resolution Authorizing Submission of a Stormwater Management Grant Application to the DNR."

DPW Director Einweck stated that the Storm Water Management/TMDL Plan Update identified various projects it intended to implement in order to meet Storm Water Permit requirements. An application for a grant will be made to the DNR to assist in paying the construction costs for the project to install grass swales along Progress Drive and E. Industrial Drive.

Motion (Compton/Swenson) to approve Resolution 03/26/18-01, "A Resolution Authorizing Submission of a Stormwater Management Grant Application to the DNR."

12. Consideration of a motion to approve award of a contract to Stark Pavement Corporation of Milwaukee for the 2018 Paving Program in the amount of \$1,136,507.25.

DPW Director Einweck stated that two bids were received for the 2018 Paving Program with the low bid received from Stark Pavement Corporation. The project will repave E. Bristlecone Dr., E. Juniper Way, N. Blue Spruce Circle, N. Cypress Court, the Arlene Drive entrance off CTH KE and the remaining portion of Greystone Blvd. Also included is concrete patching on the cemetery's west driveway on W. Capitol Dr. and pavement patching Cardinal Lane.

Motion (Meyers/Wallschlager) to approve award of a contract to Stark Pavement Corporation of Milwaukee for the 2018 Paving Program in the amount of \$1,136,507.25. Carried (7-0).

13. Consideration of a motion to approve a three-year professional services agreement with Baker Tilly Virchow Krause, LLP of Milwaukee for annual auditing services of all Village Funds, including the BID District, in the annual amount of \$31,750.

Finance Director Bailey stated that there is no fee increase over the previous contract. Motion (Swenson/Stevens) to approve a three-year professional services agreement with Baker Tilly Virchow Krause, LLP of Milwaukee for annual auditing services of all Village Funds, including the BID District, in the annual amount of \$31,750. Carried (7-0).

14. Consideration of a motion to approve various liability, workers compensation, automobile, property and equipment insurance coverage through League of Wisconsin Municipalities Mutual Insurance (LWMMI), Municipal Property Insurance Company (MPIC) and other underwriters for the term of April 1, 2018 to April 1, 2019 with a combined annual premium of \$223,698.

Finance Director stated that auto physical damage increased due to the purchase of the new fire vehicle. The worker's compensation coverage increased by \$4,400 as our modifier increased slightly. Administrator Cox stated that the League has done a great job of providing municipally focused insurance.

**VILLAGE BOARD MINUTES**  
**MONDAY, MARCH 26, 2018**  
**7:00 PM**  
**PAGE 9**

15. 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.

President Pfannerstill announced that he will not be present at the April 9, 2018 meeting.

The Spring Election will be held on April 3, 2018 with the polls open from 7:00 am to 8:00 pm.

Brush collection will begin on April 9 with DPW providing one pass through the Village.

16. Adjournment

Motion (Landwehr/Swenson) to adjourn at 9:14 p.m.

Respectfully submitted,

Darlene Igl  
Village Clerk