

**VILLAGE BOARD MINUTES**  
**MONDAY, MAY 10, 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, Finance Director Bailey (zoom), Clerk Igl, Fire Chief Jambretz, Sue Jambretz, Police Chief Misko, Police Captain Kelsey, Utility Operations Supervisor Felkner, Rec Director Yogerst, Jessie Puzach, Jim Siepmann, BID Director Michelle Haider, Val Wisniewski, Attorney Linda de la Mora, Jim Muenzenberger, Sue Loppnow, Ryan Amtmann, Jessie Puzach, Deputy Chief Collura, Pat Endter, members of the Hartland Police Department, Attorney Joseph Rolling (zoom), Officer Shea and guests, Dairyland Bike Tour representatives, residents.

Pledge of Allegiance – Trustee Conner

Village President Pfannerstill conducted the swearing in of Officer Matthew Shea. Chief Misko welcomed Officer Shea and introduced Shea's family. Officer Shea's father was asked to pin his badge to his uniform.

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. None received.

1. Proclamation honoring Mark L. Jorgensen on his retirement from the Village of Hartland Police Department after 32 years of service.

President Pfannerstill read the proclamation into the record. The proclamation was received by Chief Misko who will present it to Officer Jorgensen on his official date of retirement of May 17. Chief Misko stated that Officer Jorgensen will be greatly missed by the department and the Village Board thanked Officer Jorgensen for his service to the Village.

2. Motion (Meyers/Ludtke) to approve Village Board minutes of April 26, 2021. Carried (7-0).
3. Motion (Wallschlager/Conner) to approve vouchers for payment in the amount of \$338,505.64. Carried (6-0). Meyers abstained.
4. Consideration of actions related to Licenses and Permits.
  - a. Motion (Dorau/Wallschlager) to approve an Operator's (Bartender's) License. Carried (7-0).
  - b. Consideration of a motion to approve a Street Use Permit for Hartland Gran Prix Bike Race on June 23.

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Michelle Haider, Jessie Puzach and Jim Muenzenberger, representing BID, stated that notification documents had been delivered to residents on the proposed bike race route and signatures were gathered. It was stated that there had been a slight change to the schedule so the roads will be closed a little later than anticipated. The race schedule was provided which includes 10 minute gaps between races to allow for access to/from residences. Trustee Meyers asked how residents will be able to get in and out of their residence. It was stated that they would be allowed to cross the route at specific points during gaps between races. Trustee Wallschlager asked how long of a wait time there may be for a resident to be allowed access. She also asked what residents would do if they can't walk as far as the area designated for parking and who/how they contact to get assistance with accessing their vehicle. BID Director Haider stated that residents will be given a document with details related to parking/access and will be aware of the schedule in advance.

Chief Misko stated that there are concerns with details mentioned but that there will be a plan in place to address them. He stated that he feels full road closures will help to manage the event more effectively and DPW will provide vehicles to block traffic as well. He stated that the PD will be able to provide some PD support for the event but that the department will be at minimal staffing. He suggested that PD staff coordinate getting people in and out of the race course. Chief Misko posed a question related to covering overtime costs of staff for the event to be sure the board is aware of the costs. Trustee Ludtke asked whether there would be overtime costs for other departments as well. It was stated that the Fire Department would only be involved in the event if there is an ambulance call and that DPW would provide support without significant cost.

Trustee Ludtke commented that she is struggling with the decision due to the hardship that the event will cause residents particularly on the main downtown roads. Jim Muenzenberger stated that he had polled the Warren Ave. residents, they were excited about the event and he received no opposition from those he spoke to.

Camille Pierce, 192 E. Park Ave., commented that the event would create a significant hardship for her and her neighbors. She stated that she cannot get on board to support this event as the street will be closed for 12 hours which will deadlock residents to their homes on a workday. She stated that she felt that it is unacceptable. Jill Hazod, 186 E. Park Ave., commented that her children are of working age so they need to be able to come and go from their home throughout the day.

Katie Fleming, 322 Lawn Street, commented that this event will be during summer school so she recommended that the notification will have to be significantly expanded to inform families at the school.

Trustee Dorau stated that she appreciated that BID had secured signatures since the last meeting. Matt Gardner, Bicycle Barn, stated his support for the event and getting the word out about local business in Hartland. Jessie Puzach stated that she understands that there will be some inconvenience due to the event.

Motion (Pfannerstill/Dorau) to approve the Street Use Permit for Hartland Gran Prix Bike Race on June 23. Carried (5-2) Wallschlager and Ludtke opposed.

5. Review and consideration of a motion to approve a banner for the Chamber of Commerce.

Jessie Puzach, representing the Chamber, stated that the banner will be the same as last year with just the date being updated. Motion (Ludtke/Meyers) to approve the banner for the Chamber of Commerce event. Carried (7-0).

6. Consideration of a motion to adopt Resolution 05-10-2021 "Relocation Order for Municipal Water System Well Site and Easements Needed for Same".

Village Engineer Ryan Amtmann provided an overview of the site identified as a potential for a new well. President Pfannerstill stated that the way the Village is going about acquiring the site is a legal process. Attorney Rollings provided an overview of the condemnation process stating that it was a way for government to acquire property for a public purpose. He stated that the process begins with the filing of a resolution to identify the property to be acquired. Appraisals will be conducted and then a price is negotiated to work out a price with the developer as they are not just donating the land.

Trustee Wallschlager stated that she does not want to hold up the developer from moving forward. President Pfannerstill stated that he wants to make sure that the developer is fairly compensated for the property with a price that is based on actual appraisals.

Amtmann stated that consideration of the possible site dates back to 2002 as this location showed promise to be a good well site and additional rounds of testing were conducted on the site in 2012. He stated that as land continues to develop in the area it has become more important that the site be secured. He stated that the Village has two options; to secure site and wait or to secure site and conduct testing. He stated that this site has been part of the long range plan and the owners have cooperated with testing of the site. He stated that the chances that the water is still acceptable are very high so the Village could wait before conducting further testing.

Motion (Meyers/Anson) to adopt Resolution 05-10-2021 "Relocation Order for Municipal Water System Well Site and Easements Needed for Same".

7. Consideration of a motion to adopt Resolution 05-10-2021 "Resolution Designating Public Depository for Miscellaneous Public Accounts and Authorizing Withdrawal of Public Moneys".

Finance Director Bailey stated that he has met with Town Bank. Town Bank is active in the community and has rates that match the LGIP. He stated that the funds at Town Bank will be fully insured. Motion (Conner/Ludtke) to adopt Resolution 05-10-2021 "Resolution Designating Public Depository for Miscellaneous Public Accounts and Authorizing Withdrawal of Public Moneys". Carried (7-0).

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8. Discussion and consideration of a motion to approve the updated Food Truck Policy.

Rec Director Yogerst stated that the Park & Recreation Board had approved an updated policy at their recent meeting. It was stated that the goal was that organizations based in Hartland would not have to pay for a food truck permit. After the approval, language referencing tax key was modified and copies of the updated policy were provided to the Village Board. It was stated that the goal of the policy is to have the organizer of an event pay for the food truck permit if required and that it would be ideal if Hartland businesses are used. Rec Director Yogerst stated that food trucks would be for private events and intended to sell to invited guests only. President Pfannerstill asked that the policy be updated and brought back to the Village Board for consideration. There was discussion of whether using the term "catering" should be used in the policy. It was agreed that the policy needed further revisions and review. Motion (Ludtke/Anson) to postpone the item for a month. Carried (7-0).

9. Discussion and consideration of a motion to approve an agreement with Endter's for operation of the Lake Country Beer Garden at Nixon Park.

It was stated that the updated agreement includes a \$10 per week increase. Dates of operation are outlined in the agreement but it can be open outside of that range with the Village's permission. Motion (Meyers/Pfannerstill) to approve an agreement with Endter's for operation of the Lake Country Beer Garden at Nixon Park. Carried (7-0).

Other Items for Consideration

10. Presentation of Hartland Fire Department Annual Report.

Fire Chief Jambretz presented the 2020 Hartland Fire Department Annual Report.

11. Presentation of Hartland Police Department Annual Report.

Police Chief Misko presented the 2020 Hartland Police Department Annual Report.

12. Consideration of a motion to approve Contractor's Application for Payment No. 3 in the amount of \$12,932.30 to C.W. Purpero, Inc., for the Nixon Pond Dredging Project.

Utility Operations Supervisor Felkner stated that the request for payment is for work completed including grading, seeding and erosion matting. The contractor will be back to finish the work in September. Staff recommended payment as requested. Motion (Meyers/Anson) to approve Contractor's Application for Payment No. 3 in the amount of \$12,932.30 to C.W. Purpero, Inc., for the Nixon Pond Dredging Project. Carried (7-0).

13. Consideration of a motion to award the 2021 Slurry Seal Program to Fahrner Asphalt Sealers, LLC in the amount of \$59,316.

Utility Operations Supervisor Felkner stated that this work will be on E. Industrial, Terrace, Tenny and in The Woodlands. Two proposals were received. Staff recommended the award to

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Fahrner Asphalt Seals, LLC. Motion (Conner/Dorau) to award the 2021 Slurry Seal Program to Fahrner Asphalt Sealers, LLC in the amount of \$59,316. Carried (7-0).

14. Consideration of a motion to approve the 2022 Budget Preparation Schedule.

Finance Director Bailey presented the 2022 Budget Preparation Schedule stating that a CIP meeting including staff from R & M will be held. Motion (Dorau/Anson) to approve the 2022 Budget Preparation Schedule as presented. Carried (7-0).

15. Discussion and possible action regarding municipal attorney service RFP's that were received and the presentations that were conducted at the Special Village Board meeting May 6<sup>th</sup>.

Motion (Meyers/Wallschlager) to retain Hector de la Mora as the Village's municipal attorney with the option to go outside of the firm to select an attorney to handle specific issues. Trustee Dorau commented that this issue had originally been scheduled differently to include a closed session. President Pfannerstill stated that he was given the legal opinion that this issue did not fall into one of the exemptions allowed in State Statute for a closed session. Trustee Conner commented on what the process would be for selection an attorney for new items as he felt holding meetings to decide on an attorney for specific topics seems cumbersome.

Motion (Meyers/Wallschlager) to clarify the motion to state that the Village maintain the current legal counsel of Hector de la Mora at von Briesen. Trustee Ludtke stated that she is not in support of staying with the current attorney as this is an opportunity to grow and innovate if moving to a new attorney. Trustee Dorau stated that she was impressed with Attorneys Gutenkunst and Van Kleunen as she felt there would be full disclosure, she liked the idea discussed of holding staff meetings including the attorney and felt comfortable with the attorneys despite the fact that they are going to a new firm.

16. 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.

17. Adjournment