

VILLAGE BOARD MINUTES
MONDAY, SEPTEMBER 13, 2021
6:30 PM
MEETING ROOM, HARTLAND PUBLIC LIBRARY, 110 E. PARK AVENUE

Call to Order
Roll Call

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

Others Present: Interim Administrator Bailey, Clerk Igl, Interim DPW Director Felkner, Police Chief Misko, Park Board Chair Tim Hallquist, Library Director Gest, Zachary Bell and family/guests, Jessie Puzach, Val Wisniewski, Ann Grievenkamp, Ann Charlesworth, members of the Hartland Police Department, Lisa Arenas, Tamara Lindmeyer, Kathryn Baganz , Troy Ludtke, Adam Pfeiffer and guests.

Pledge of Allegiance – Trustee Ludtke

Swearing in of Officer Zachary Bell

President Pfannerstill conducted the swearing in of Officer Zachary Bell. Comments were received from Chief Misko and Officer Bell.

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

Val Wisniewski thanked the Village Board for discussing handicapped parking in the Village. She also commented that she had noted that the exemption for parades from the signature requirement was not included in the draft of the special events ordinance. Additionally, she commented that she knew of at least three residents that were interested in the vacant Village Trustee seat. She asked that the Village Board consider hearing from the interested candidates or hold a special election.

Ann Charlesworth commented on recent social media posts and stated that it is not enough to just not be racist but that we need to be anti-racism. She asked that the Village Board considers the goal of the community, valuing every individual and start by considering citizens of diverse background when making appointments.

Ann Grievenkamp commented that she had expressed interest in the vacant seat and questioned the process that was used to select the candidate. She questioned whether the process was the best practice stating that she felt that this was not transparent or open government.

Lisa Arenas, 423 Renson Road, voiced concerns about the volume of trees that were taken down near St. Charles to make room for a road that is now not going to be there. She stated that she would like to see trees included in the landscaping in the area as the sound from Hwy 16 is very loud.

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Troy Ludtke thanked the DPW for the work done on the Centennial Park as the fields were immaculate.

1. Motion (Meyers/Ludtke) to approve Village Board minutes of August 23, 2021. Carried (6-0).
2. Consideration of a motion to approve vouchers for payment in the amount of \$697,822.29.

Interim Administrator Bailey stated that there was an error in the voucher list and that the total should be \$679,873.74. Interim DPW Director Felkner stated that the voucher list included a payment to Musson Brothers to close out the 2020 utility project on Sunnyslope. Motion (Wallschlager/Ludtke) to approve vouchers for payment in the amount of \$679,873.74. Carried (6-0).

3. Consideration of actions related to Licenses and Permits.
 - a. Motion (Dorau/Wallschlager) to approve Operator's (Bartender's) Licenses. Carried (6-0).
 - b. Consideration of a motion to approve a Street Use Permit
Trustee Ludtke asked where the lineup would take place. Tamara Lindmeyer, AHS, stated that the lineup would be on Church St. Trustee Ludtke commented that Hartland North gets out at 3:45 and traffic including buses would be heavy at that time. It was stated that the time of the lineup would be moved to 4:00 p.m. to avoid traffic issues. It was also stated that participants in the parade are asked to park at Arrowhead and walk to the lineup unless pulling a trailer. Trustee Wallschlager asked that the parade route map be sent to the Village Board. Motion (Meyers/Ludtke) to approve the Street Use Permit for the AHS Homecoming Parade. Carried (6-0).
 - c. Consideration of a motion to approve a Fireworks Permit
Kathryn Baganz, Lake Country Lutheran High School Principal, introduced herself. Trustee Ludtke asked what protocol is in place for fireworks. Pete Walker, HFD, stated that generally there is an ambulance present for the football game. Motion (Ludtke/Wallschlager) to approve a Fireworks Permit for Lake Country Lutheran High School. Carried (6-0).
4. First reading of Ordinance repealing §10-206 through §10-232 of the Village of Hartland Code of Ordinances regulating Public Dances and Concerts.

Interim Administrator Bailey stated that staff will ask that language exempting parades from requiring signatures be added to the draft. He stated that the language allows the Village Board to hold a public hearing if desired. This item will be placed on the next Village Board agenda for a second reading.

5. First reading of Ordinance amending §78-56 through §78-62 of the Village of Hartland Code of Ordinances regulating Street Use Permits.

Interim Administrator Bailey stated that this ordinance is intended to regulate events such as neighborhood block parties. This item will be placed on the next Village Board agenda for a second reading.

6. Consideration of a motion to adopt on third reading "An Ordinance amending §82-4 of the Village of Hartland Code of Ordinances Regulating Parking Limitations".

Police Chief Misko commented that Trustee Wallschlager had questioned which sign would supersede if two signs are in place. He stated that language had been added to the ordinance stating that a reserved pickup parking sign supersedes all other posted parking regulations except handicapped parking spot designations. Motion (Meyers/Ludtke) to adopt on third reading "An Ordinance amending §82-4 of the Village of Hartland Code of Ordinances Regulating Parking Limitations". Carried (6-0).

7. Consideration of a motion to approve Resolution No. 09/13/2021 "A Resolution Pledging That The Village Board Of The Village Of Hartland Will Expend Funds Necessary For The Hartland Public Library To Exempt The Village From The Waukesha County Library Levy".

Library Director Gest stated that this resolution states that the Village will meet the minimum standards for funding and will exempt Village residents from paying a Waukesha County library tax. Motion (Ludtke/Dorau) to approve Resolution No. 09/13/2021 "A Resolution Pledging That The Village Board Of The Village Of Hartland Will Expend Funds Necessary For The Hartland Public Library To Exempt The Village From The Waukesha County Library Levy". Carried (6-0).

8. Consideration of a motion to approve a contract for the Bark River Field Reconstruction.

Interim DPW Director Felkner stated that he had requested proposals from four companies but only two responded. Staff recommended awarding the contract to Midwest Athletic Fields with the work to be done in October. Motion (Ludtke/Dorau) to approve a contract with Midwest Athletic Fields for the Bark River Park baseball field reconstruction in the amount of \$16,630. Carried (6-0).

9. Discussion related to handicap parking stalls in the downtown area.

Interim DPW Director Felkner stated that concerns had been raised by a resident as to whether there was adequate handicap parking. He stated that R & M had reviewed and identified 9 public parking ADA stalls and 13 private parking ADA stalls. He stated that consideration would have to be given to the amount of space required and other requirements such as having no signs, table, flowers pots, etc. on the sidewalk in the area of a handicap parking stall. He added that all parking spaces in the downtown are 8 feet wide as required.

President Pfannerstill asked whether businesses had been asked whether they wanted a handicapped parking space in front of their business. It was stated that if marked as handicap parking, the spaces cannot be used for any other purpose. Trustee Wallschlager raised concerns related to the handicap parking behind Senor Tomas as it would be difficult to push someone in a wheelchair up the hill. She stated that she would like to see something more accessible. After discussion, it was agreed that more information was needed, and that the location of the handicap parking stalls be verified and updated on the map. President Pfannerstill asked business owner Jessie Puzach if she would get the work out to businesses to see if a business is interested in having a handicap stall in front of their business. This item will be placed on the next meeting agenda for further discussion.

10. Consideration of a motion to approve an extension of the Merton Fire/Ambulance contract deadline.

Interim Administrator Bailey stated that the Town of Merton had requested an extension for their Fire and Ambulance service. The deadline to notify the Village is September 1. He stated that he had granted a temporary extension to Sept. 14 so that the Board could consider extending the deadline to Oct. 1. Motion (Ludtke/Conner) to approve an extension of the Merton Fire/Ambulance contract deadline until Oct. 1. Carried (6-0).

11. Consideration of a nomination for an appointment to fill the vacant Village Trustee seat.

President Pfannerstill stated that he was nominating Adam Pfeiffer to fill the vacant Trustee seat. He stated that the law provides guidelines and that the Village has historically made an appointment. Candidate Adam Pfeiffer introduced himself stating that he is a lifelong resident of Lake County and has lived in the Village since 2016. Trustee Dorau congratulated him on his nomination and asked whether he had concerns about meeting attendance. Mr. Pfeiffer stated that he had made the decision to step away from certain other commitments. Trustee Meyers commented that he support the Village President making an appointment to fill the seat and stated that the Village needs someone that will be involved. He also stated that he does not want to see the Village spend money to hold a special election. Trustee Conner agreed that it would not make sense to hold a special election and stated he felt Mr. Pfeiffer was a good candidate. Trustee Ludtke stated she had no questions for the candidate but asked President Pfannerstill what the qualifying questions were when considering candidates. President Pfannerstill stated that the candidate had to be at least 18 years old, live in the Village and be able to remain neutral. He further stated that all parties interested would have been excellent in the position.

Trustee Dorau asked that a discussion of the process for filling a vacant seat be placed on an upcoming agenda rather than to continue to do things based on history. Trustee Ludtke and President Pfannerstill agreed that the Village Board should discuss the process and possible draft an ordinance to place the process in the code.

Motion (Dorau/Ludtke) to appoint Adam Pfeiffer to fill the vacant Village Trustee seat. Carried (6-0). The ceremonial swearing in will take place at the Sept. 27 Village Board meeting.

12. 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.

Trustee Dorau commented that she is impressed with the beauty of the Village's parks and thanked the DPW.

Trustee Meyers stated that work has been done to open up the trail in Penbrook Park.

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Interim Administrator Bailey stated that the fire department had flown the flag on 9/11 near Sendik's and received positive comments.

President Pfannerstill commented that the position of Village President had recently been called into question regarding perceived racism. He stated that he is not a racist, that racism is unacceptable, he does not tolerate it and that racism is to be stopped when seen.

13. Consideration of a motion to recess to closed session pursuant to State Statutes §19.85 (1)(g) to confer with legal counsel regarding a proposed settlement in Hartland Riverwalk v Village of Hartland, Waukesha County Case Number 19CV1760. (Roll call vote)

Motion (Ludtke/Wallschlager) to recess to closed session pursuant to State Statutes §19.85 (1)(g) to confer with legal counsel regarding a proposed settlement in Hartland Riverwalk v Village of Hartland, Waukesha County Case Number 19CV1760. Roll call vote taken: all ayes. Recessed to closed session at 7:46 p.m.

14. Consider and take any action deemed appropriate pursuant to the previously held closed session.

Reconvene in open session at 8:04 p.m. Motion (Conner/Ludtke) to accept the settlement agreement as recommended b legal counsel. Carried (6-0).

15. Adjournment.

Motion (Dorau/Ludtke) to adjourn at 8:05 p.m. Carried (6-0).

Respectfully submitted,

Darlene Igl
Village Clerk