

VILLAGE BOARD MINUTES
MONDAY, OCTOBER 11, 2021
6:30 PM
MEETING ROOM, HARTLAND PUBLIC LIBRARY, 110 E. PARK AVENUE

Call to Order
Roll Call

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

Excused: Trustee Conner

Others Present: Interim Administrator Bailey, Clerk Igl, Interim DPW Director Felkner, Police Chief Misko, Park Board Chair Tim Hallquist, Fire Chief Jambretz, Val Wisniewski, Ann Grevenkamp, Lynn Minturn (Chamber), Greg Johnson (Ehlers), Stacey Smith, Joann Steuber, other interested parties.

Pledge of Allegiance – Trustee Wallschlager

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. Chamber Director Lynn Minturn presented President Pfannerstill with gifts of a book and cherry liqueur from the city of Zadar in Croatia. She stated that these gifts were given while on the recent trip with the Chamber as it was learned that Zadar is a "sister city".

1. Motion (Meyers/Wallschlager) to approve Village Board minutes of September 27, 2021.
Motion carried. Dorau abstained.
2. Motion (Wallschlager/Pfeifer) to approve vouchers for payment in the amount of \$940,738.00.
Motion carried. Meyers abstained.
3. Consideration of a motion to adopt on third reading "An Ordinance Repealing §10-206 through §10-232 of the Village of Hartland Code of Ordinances Regulating Public Dances and Concerts and Creating an Ordinance Regulating the Issuance of Special Event Permits".

Interim Administrator Bailey stated that the current draft included the changes discussed by the Village Board. Police Chief Misko stated that his recommendation was that there is only a notification required, not approval of affected parties. He suggested that each address affected be notified which could be just dropping off a pamphlet at the address. President Pfannerstill commented that the event coordinator could sign the application that they had made a good faith effort to contact affected parties. Trustee Dorau raised concerns that if only the property owner is notified, they often do not pass along the information to the renter (business). Chief Misko suggested that when the person applying for the permit makes notifications for the event, that a statement be on the form that the application will be reviewed by the Village Board on a specific date. Trustee Dorau agreed that the date of the Village Board consideration of the event be added to the petition form. There was discussion of whether the notice being

provided two weeks prior should remain in the language. Additionally, it was discussed that the petition be eliminated and only require notification. It was noted that the language states that the property list is to be provided to the applicant. It was discussed that the notification requirement should also include tenants. Trustee Ludtke reiterated that she felt that notice should be provided not just to businesses but those tenants that live above businesses as well.

Interim Administrator Bailey stated that the Village Board could alter requirements based on a specific event. It was agreed that the draft ordinance language would be revised and brought back to the Village Board for further consideration.

4. Consideration of a motion to adopt on third reading "An Ordinance Amending §78-56 through §78-62 of the Village of Hartland Code of Ordinances Regulating Street Use Permits".

Interim Administrator Bailey stated that the change had been made as requested in line 36 to include "or tenants which occupy the properties". Motion (Dorau/Pfeiffer) to adopt "An Ordinance Amending §78-56 through §78-62 of the Village of Hartland Code of Ordinances Regulating Street Use Permits". Motion carried.

5. Consideration of a motion to approve Resolution No. 10/11/2021 "A Resolution Adopting the Compliance Maintenance Annual Report (CMAR)".

Interim DPW Director Felkner summarized the report that was submitted to the WI Department of Natural Resources. Motion (Meyers/Ludtke) to approve Resolution No. 10/11/2021 "A Resolution Adopting the Compliance Maintenance Annual Report (CMAR)". Motion carried. Village Board members thanked the Department of Public Works for their work on the report.

6. Items related to the Sale of General Obligation Corporate Purpose Bonds
 - a. Initial Resolution Authorizing \$2,415,000 General Obligation Bonds for Street Improvement Projects
 - b. Initial Resolution Authorizing \$370,000 General Obligation Bonds for Sewerage Projects
 - c. Initial Resolution Authorizing \$315,000 General Obligation Bonds for Parks and Public Grounds Projects
 - d. Initial Resolution Authorizing \$495,000 General Obligation Bonds for Parking Lot Projects
 - e. Initial Resolution Authorizing \$3,255,000 General Obligation Refunding Bonds
 - f. Resolution Providing for the Sale of \$6,850,000 General Obligation Corporate Purpose Bonds, Series 2021A.

Interim Administrator Bailey stated that any changes to the CIP plan would impact this borrowing and introduced Greg Johnson with Ehlers.

Trustee Wallschlagel stated that due to money spent on other projects recently including the Village Board room remodel and funds that being needed elsewhere, she stated she would like to see the Nixon parking lot project moved to 2024 where it had initially been in the plan. Trustee Meyers stated that the Village would be adding 36 spaces at Nixon and that every major event is held at that park. He stated additionally that there is equipment that needs replacement at Nixon Park and that safety of children near the splash pad needs to be

considered. Trustee Wallschlager added that she felt the project could be held off a year or two as DPW has been maintaining the park well and she feels the parking lot at Nixon Park is an unnecessary expense at this time. Trustee Pfeiffer commented that the Village is doing a lot of other good things in the park and feels it beneficial to keep up the momentum.

Trustee Dorau asked Park Board Chair Hallquist to speak to the issue. He stated that when the parking lot and drive are realigned, an additional pavilion will be built which will be an additional revenue source for the Village. He stated that there are concerns about a child running out near the splash pad and the project would eliminate traffic near the splash pad. Interim DPW Director Felkner stated that permits and design work would be necessary before moving the project forward so would not likely be constructed until 2023. Trustee Ludtke commented that she hears that there is inadequate parking including from groups that are paying fees to use the fields. President Pfannerstill stated that he feels that the amount of people using Nixon Park over the weekends has increased significantly.

It was stated that there is a significant water project of approximately \$1.2 million in a future year which is not included in the borrowing at this time as staff is considering alternative ways to fund the project. Mr. Johnson with Ehlers provided the preliminary financing plan overview to the Village Board including a summary of existing debt and a detailed list of capital projects included. It was stated that State Statutes require the adoption of separate resolutions for each type of project being funded. The Village Board was reminded that the funds must be used for the stated purpose for bonds. Additionally, the plan includes refinancing existing 2012 bonds that are outstanding. It was stated that the debt limit cannot exceed 5% of the Village's equalized value and that the Village still has \$55 million of debt capacity available. Interim Administrator Bailey stated that Ehlers reviews the Village's debt frequently to identify savings. The bond sale is set for November 8.

Motion (Ludtke/Dorau) to approve the Initial Resolutions Authorizing General Obligation Bonds as listed on the agenda as items 6a -6f. Trustee Wallschlager asked how she should proceed if she did not want to vote favorably on all of the resolutions. President Pfannerstill stated that she could vote no or make an amendment to the motion if desired. Motion carried. Wallschlager opposed.

7. Discussion and consideration of a motion to install handicap parking stall(s) in the downtown area.

Interim DPW Director Felkner stated that it had been determined that there are 18 private handicap parking stalls and 9 public handicap parking stalls. It had been discussed that one could be added in front of the BMO Harris Bank on E. Capitol Drive. He stated that he had spoken to staff at the bank and they relayed information on an incident that took place when a van was pulling out of that space and nearly hit individuals on bikes. Interim DPW Director Felkner stated that it was his recommendation to leave the handicap parking status quo at this time. President Pfannerstill commented that this issue can be revisited at any time if requested in the future.

8. Discussion related to creation of a food truck ordinance.

Interim Administrator Bailey stated that he had received copies of food truck ordinances from neighboring communities that have them and provided them to the Village Board members. President Pfannerstill commented that he doesn't believe the Village wants food trucks on the streets. Trustee Dorau stated that she would like to see a policy created to regulate food trucks on public streets and private property and to require a fee for a food truck application. Additionally, she stated that the ordinance should include different levels based on frequency. Trustee Meyers stated that a certificate or sticker should be required which will indicate that a license has been issued by the Village but felt that no license should be required for a food truck on private property. There was general discussion on fees and whether this ordinance should be included in the section regulating solicitor's permits. It was clarified that a food truck permit would not be required when used for catering purposes.

Trustee Meyers raised concerns that the language should protect businesses by including some limitations. Joann Steuber, 315 Prospect, commented that she feels that food trucks should be allowed on public streets but not too close to existing food related businesses. Val Wisniewski, 511 Renson Road, stated that Hartland is not the first municipality having this discussion and asked whether the board has looked at what other municipalities are doing. Interim Administrator Bailey stated that he had provided that information to the Village Board as stated earlier in the conversation.

Trustee Ludtke stated that there are specific designated areas in other municipalities policies and questioned whether the Village could designate a food truck area in a municipal lot. She further stated that she is very protective of existing businesses.

Staff was asked to consider comments received by the Village Board and bring back the updated draft ordinance in a month.

9. Discussion related to creation of a process or ordinance for filling a vacant Village Trustee seat.

Trustee Dorau stated that she had requested this item be placed on the agenda for the board to consider creating some sort of policy or ordinance to address. She stated that she felt it important to have something written including that people interested should be contacted as a part of a process to fill the vacancy. President Pfannerstill stated that he feels the process used in the Village has worked well. Trustee Meyers stated that he wouldn't want to see filling a vacancy turn into a personality situation. Further he stated that if someone wants to be on the board, they should run for the seat in the election cycle. He stated that in his opinion the Village President has to have authority as well.

Ann Grevenkamp, 618 Renson Road, commented that in some cases, interest in being on the Village Board is gained later than during the most recent election cycle. President Pfannerstill stated that he followed the process that had been done before and that the President can nominate but the board can vote against the nomination.

Trustee Ludtke stated that the process used was adopted in 1950, the community started growing significantly in 1980 and now the Village is a more motivated and interested community. She stated that while individuals always have the opportunity to run for a seat, when a packet comes out with only one nominee, a trustee doesn't know what the interview

questions were or how the decision was made. She further stated that perhaps it should be an interview process and that it would be worth looking at as the process followed in this situation began so long ago. It was stated that discussion of the topic is healthy as the current process made it awkward for the President, Trustees and the public. It was stated that the individual appointed to fill a vacancy only fills the seat until the election. President Pfannerstill commented that he likes the process in place and believe the public is happy with it as well.

Trustee Dorau stated that she felt the board should look at options to fill a vacancy. Staff was asked to begin to prepare options for discussion at a future Village Board meeting.

10. 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.

Interim Administrator Bailey stated that he received information from CP Rail that the train will be virtual again this year. He stated that Clerk Igl will be heading up the food drive for the two food pantries this year.

Fire Chief Jambretz stated that about 300 people were served at the pancake breakfast. Additionally, he stated that he had received notification that the department did not receive the grant for the equipment purchase.

11. Consideration of a motion to recess to closed session pursuant to State Statutes §19.85 (1)(e), deliberating of or negotiating for the purchase of public properties, investment of public funds, or conduct of other specified public business, whenever competitive or bargaining reasons require closed session regarding the Town of Merton Fire/Ambulance contract. [ROLL CALL VOTE]

Motion (Ludtke/Dorau) to recess to closed session pursuant to State Statutes §19.85 (1)(e), deliberating of or negotiating for the purchase of public properties, investment of public funds, or conduct of other specified public business, whenever competitive or bargaining reasons. Roll call vote taken: all ayes. Motion carried. Recessed to closed session at 8:36 p.m.

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

Motion (Ludtke/Pfeiffer) to continue with auto renewal contract between the Village of Hartland and the Town of Merton for fire and ambulance services based on the wellbeing and safety of the Village of Hartland residents and residents in neighboring communities. Motion carried.

13. Adjournment.

Motion (Dorau/Ludtke) to adjourn at 9:19 p.m. Motion carried.

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Respectfully submitted,

Darlene Igl
Village Clerk