

VILLAGE BOARD MINUTES
MONDAY, MARCH 14, 2022
6:30 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD

Call to Order

Roll Call

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

Excused: Ludtke

Others Present: Interim Administrator Bailey, Deputy Clerk Bushey, Interim DPW Director Felkner, Police Chief Misko, Park Board Chair Tim Hallquist, Fire Chief Jambretz, Val Wisniewski, Ann Grevenkamp, Julie Antonneau and Tari Stetler.

Pledge of Allegiance – Trustee Meyers

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 511 Renson Road – asked who is monitoring the size of the political yard signs in Hartland. She said she looked up in the Municipal Code Ordinance that the signs shall not exceed 16 sq feet. She said there is one sign in particular on Capitol that she was pretty sure exceeds what is allowed. Bailey said Chief Misko would be down shortly and maybe he could give some answers to that.

1. Motion (Dorau/Connor) to approve the Village Board minutes of February 14th. Motion carried. Motion (Dorau/Connor) to approve the Joint Village Board and Joint Architectural Board/Plan Commission minutes of February 14th. Motion carried (6-0).
2. Motion (Wallschlager/Pfeiffer) to approve vouchers for payment in the amount of \$5,152,029.43. Motion carried (5-0). Meyers abstained.

Interim-Administrator said that 4.5 million of the 5.1 million is tax levy amounts we pay to the other taxing jurisdictions and those jurisdictions are Arrowhead High School, Lake Country, Merton School District, Swallow School, Waukesha County, and Waukesha County Technical College. Trustee Meyers commented on the refund Medline is getting and asked if that money has been taken out of the amount that we are paying to the different schools in different areas or is that later. Bailey responded that is later, he said so under the state requirements we have to give the refund to Medline then this week he will be submitting a pc201 to the state of Wisconsin Department of Revenue, he said at that point they will review that and give a charge back to all the other school districts. He said they have until March of 2023 to repay us. Meyers said the state will bill the schools to pay us back. Bailey said correct, we won't get paid they will send something to the schools saying that you owe the Village 'x' amount because of this tax refund, and they get to pay that by 2023. Bailey said he has until October to file the paperwork and he will submit right away.

3. Consideration of actions related to Licenses and Permits.
 - a. Motion (Dorau/Pfeiffer) to approve Operator's (Bartender's) License for Andrew Mills. Carried (6-0).
4. Consideration of First Reading of Bill for an Ordinance No. 03/14/2022 "An Ordinance to Amend Chapter 10 of the Village of Hartland Municipal Code Pertaining to Amusement Devices".

Interim-Administrator Bailey explained that under the Village's Ordinance only certain establishments are allowed to have an Amusement Device License within the Village. He said Melms' Brewery approached the Village about Amusement devices at their location. Bailey said Clerk Igl looked at the State of Wisconsin and there are other municipalities that allow this. He said she talked to the Village attorney and the State, and it is simply adding this last sentence to this. He said we brought the reading forward because it was brought forward from Melm's, this is just an update to our ordinance so again this would go through the three readings and the Board will give this an up or down if they have the desire to do this or not. Pfannerstill said part of the reason that this is on there also is because our ordinance says you have to have a liquor license issued by Hartland and Melm's Brewery license is issued by the State of Wisconsin. Wallschlager asked if their license is just to serve their beer and for takeout. Bailey said that is correct and Robert Barris one of the owners of Melms Brewery 418 Merton Ave said to clarify their license is not only to sell their beer but to sell Craft beer. Bailey said the next reading would be March 28th and April 11th unless the rules are suspended at the next meeting.

5. Discussion and consideration of a conceptual review for an events venue at 415 W. Capitol Dr-

Tari Stetler was present and gave an overview of the conceptual events venue. She said her and her husband purchased the property. She said they are residents of the Lake Country Area and have been business owners in the community for 16 years. She said everyone had a copy of their documents and asked if anyone has questions or concerns. Bailey said this is a concept review. He said it would be a wedding and event space at Zion Church and it is a little different than the last applicant. He said the church would be used for the ceremonies and the old school building behind it would be used as a reception area. Bailey said there will also be no outdoor music. Ms. Stetlers architect said the main component of this piece would be the renovation of the old school building as well as a small addition to the east side of that will be for bathrooms and mechanical space. He said the goal is to get 175 seats in the existing school building and they will be doing that by demoing some of the walls. He said there will also be some upgrades to the exterior. He said they are looking to have 77 stalls and they are not asking for any on street parking. He said they are extending the new parking lot north and east a little farther to get some added stalls. He said they like the smaller patio area and that will be more of a breakout space during nice weather. Ms. Stetler said mostly for cocktails or hors d'oeuvres in the early evening. The subject of the house was brought up and Ms. Stetler said they own the house as well and are in the process of remodeling it. She said how it interacts with the property, they were looking for some feedback from the Board and if the Board would like to have both parcels combined. Bailey said yes, the Building Inspector thought was it would be tough if someone purchased that house and if there were ever disagreements down the road with events or weddings. Bailey reminded everyone this is just a concept. He said the parking

and details would get hammered out in Plan Commission but just wanted to bring the plan in front the Village Board to get everyone's thoughts on it.

6. Consideration of a motion to approve a Special Events Permit for Swallow Education Foundation's Run Your Socks Off Event, May 14, 2022.

Recreation Director Yogerst said that she has been working with the petitioner for the 5k. She said the Hartland Police Dept does supply 2 squads for traffic control at both entrances of Four Winds. She said Waukesha County Sheriff department assists with one squad for traffic control on KE, the Merton Fire Department does provide an ambulance for the event, Hartland DPW supplies barricades to block off the road. She said everyone was copied on the map of the route and the petitioner has handed in all necessary paperwork. Meyers asked about food vendors and Becky Anderson representing the event said they have had Kona Ice and it will be on school grounds. Wallschlager asked if the school is in Merton why are Hartland resources being used and Ms. Anderson said because everywhere the race goes is in Hartland.

Motion (Conner/Dorau) to approve the Special Events Permit for Swallow Education Foundation's Run Your Socks Off event, May 14, 2022. Carried (6-0).

Items referred from the February 21, 2022 Plan Commission meeting

7. Consideration of a motion to approve a Conditional Use Permit for the operation of a secured self-storage facility for FreeUp Storage of Hartland, LLC, 840 Rose Drive.

Interim-Administrator Bailey said this was approved unanimously by the Plan Commission, this is just new owners, and the business has a new name. Brief discussion.

Motion (Conner/Pfeiffer) to approve the Conditional Use Permit for the operation of a secured self-storage facility for FreeUp Storage of Hartland, LLC, 840 Rose Drive. Carried (6-0).

Other Items for Consideration

8. Discussion and consideration of a motion to approve a banner for Kiwanis and BID for the Bark River Bash.
 - a. If approved, consideration of a motion to add the annual event to the banner policy.

Interim-Administrator Bailey said this event was a huge success last year and they are bringing it back this year plus if approved to also add the annual event to the banner policy.

Motion (Dorau/Pfeiffer) to approve a banner for Kiwanis and BID for the Bark River Bash. Carried (6-0).

Motion (Dorau/Conner) to approve to the list of events of annual events, with the understanding they do still need to bring the banner to the Village Board every year for approval. Carried (6-0).

9. Discussion and consideration of a request to allow yarn bombing in downtown Hartland.

Julie Antonneau was present and explained the request to allow yarn bombing. She said they represent the Lake Country Free Clinic which is a non-profit medical and dental facility located in Oconomowoc. She said they started the yarn bombing in Oconomowoc about 6 years ago to bring awareness to the clinic's availability to uninsured and underinsured people who live in Waukesha County. She said they branched out to Delafield, and it was very successful, and they are surprised how many people have no idea there is something like this in their back yard. She said they take yarn items and wrap them around trees or poles and use yarn and zip ties to attach them. She said they put the items up in August a month before their biggest fundraiser which is a gala in September. She said they take them down after the gala which is the second week of September. Trustee Meyers asked how they get donations. Ms. Antonneau said all the items have laminated tags which gives information about the Lake Country Free Clinic along with an email address they can go to and make a donation. Ms. Antonneau said there are no staples used to attach the items to trees, she said they whip stitch them together on the tree or post. She said they also ask businesses if they are willing to display them. Trustee Dorau asked if they put some of the items up at a Hartland Park, and Ms. Antonneau said yes, they were asked to put some up for a special event in the park. Wallschlager asked if there was any damage to the trees from the fiber and Ms. Antonneau said no, they are made of a natural fiber. DPW supervisor Felkner asked if there is a contact number on the tags in case they fall or slide down and she said yes.

Motion (Pfeiffer/Conner) to approve the request for yard bombing from August 12th-September 12th. Carried (6-0).

10. Discussion and consideration of a motion to approve a 2021 budget amendment and publication of the budget amendment.

Interim-Administrator Bailey said this is one of those rare things that I have to bring, the last time we brought it was 2016 or 2017. He said we budget very conservatively, he said for example we are over budget in 2021 due to inspections. He said our overall expenditures are over \$265,335.74 and our revenues are over \$557,640.00, but he said it is one of those things where if we over expend our expenditures, we come back asking for a budget amendment. He said I'm asking for that budget amendment for inspection permits because we had a budget of \$137,000 and he is asking to increase it up to 364,000 to cover essentially everything so he said he is asking for attachment A to be approved. He said he would mail it to the paper to be published. Bailey said all it does, is this goes in our audit report and just shows an amended budget, so we have an original budget in the financial statements and an amended budget. He said we will still be over budget on revenues.

Motion (Meyers/Conner) to approve a 2021 budget amendment and publication of the budget amendment. Carried (6-0).

11. Discussion and consideration of a motion to approve Change Order #1 and Final Payment for the 2021 Slurry Seal Program.

Public Works Interim-Director Felkner said Fahrner Asphalt Sealers LLC is seeking payment for the 2021 Slurry Seal. He said we have asked them multiple times for their final bill, and we just finally received it. He said part of the project close-out is there's a change order part. He said

that change order was minus \$27,000 because we took the Woodlands Cul-de-Sac out because it wasn't in too bad of shape so that's on the paving project you will hear about shortly. He said staff recommends payment to Fahrner Asphalt Sealers, LLC for the sum of \$37,392 for the 2021 seal program.

Motion (Meyers/Conner) to approve Change order #1 and Final Payment for the 2021 Slurry Seal Program. Carried (6-0).

12. Discussion and consideration of a motion to award a contract for Well #2 Rehabilitation.

Public Works Interim-Director Felkner said during the budget process we put in there to rehab Well house #2 up on Sunnyslope. He said the DNR recommends that be done appropriately every 10 years and we are year 11. He said they found some wear and vibration in the pump shaft, so we decided not to wait, and we received 3 proposals. He said CTW came in low at \$19,000 and that is \$1000 under our budget allotment so we are recommending seeking the work being done by CTW Corp for the sum of \$19,000.

Motion (Pfeiffer/Conner) to award the contract for Well #2 rehabilitation to CTW Corp. Carried (6-0).

13. Discussion and consideration of a motion to approve installation of outdoor street lighting by WE Energies at 700 Lisbon Road.

Public Works Interim-Director Felkner said this was brought to our attention from a few residents of the Four Winds Subdivision. He said there is a crosswalk that goes across Lisbon and then it leads into a dark trail then into the parking lot in Centennial Park. He said he attached a map that shows where the light would go. He said he contacted WE Energies to do a light analysis and they said it will cover the crosswalk and our path. He said it is not in the budget because this was brought up after the budget was done. He said for WE Energies to install it, it will cost \$5107.53 and then also it would be \$8.78 a month for electricity that would be attached to Centennial Park existing light poles. Meyers asked if they are LED lights and Felkner said yes. Meyers asked why this if for public and not that housing development. Felkner said this is actually located in our park and this would be attached to the streetlights we already have in Centennial and up that access road that leads into River Meadow. Pfannerstill asked if Merton had been contacted to see if they wanted to see if they want to assist in the safety of citizens walking across the crosswalk. Felkner said this isn't Merton this is the County and we have dealt with the County with a crosswalk sign on Sunnyslope and Merton, he said 3 months later we were still getting complaints because they did not respond so we decided to put up the crosswalk signs ourselves. He said they reimbursed us 2 months later after they finally got back to us, so it took 5 months.

Motion (Dorau/Pfeiffer) to approve installation of outdoor street lighting by WE Energies at 700 Lisbon Road. Carried (6-0).

14. Discussion and consideration of a motion to award the 2022 Utilities Program to Wood Sewer and Excavating, Inc. in the amount of \$330,792.

Public Works Interim-Director Felkner said this was also part of the 2022 budget process, we do utilities 2 years prior to paving of roads, we made our inspections, and we made a list of utilities that need to be repaired and put it out for bid. He said we got 4 proposals, he said the fortunate thing is we budgeted for \$332,000 and it came in at \$330,792. He said if approved we are asking for approval to order fire hydrants and there's one structure that needs to be pre-ordered before the attorney goes through the contract. He said the reason is that fire hydrants used to be 2-3 weeks out and they are now 2-3 months out and since it is taking that long, it will hamper our paving projects.

Motion (Pfeiffer/Dorau) to award the 2022 Utilities Program to Wood Sewer and Excavating Inc., in the amount of \$330,792. Carried (6-0).
Felkner asked if in that motion he can order the structures and fire hydrants. Pfeiffer said he was under the assumption it was all in the motion.

15. Discussion and consideration of a motion to award the 2022 Paving Program to Payne & Dolan, Inc. in the amount of \$1,046,972.70.

Public Works Interim-Director Felkner said again this was part of the 2022 budget process, and the streets being paved this year are all of Mary Hill Subdivision, Tenny Ave, E. Imperial, the Woodlands Subdivision, the Village Hall administration lot in back and the path goes along the river by the library, that is part of the paving program this year. He said we received 3 proposals and Payne and Dolan came in low at 1,480,972.70. He said staff recommends we go with Payne and Dolan bids. Bailey pointed out the number on the agenda is incorrect, the actual number is 1,480,972.70. Meyers commented on the original roads not having the right base and it cost the Village hundreds of thousands of dollars to replace it and asked if there is enough in there to contingency to make sure we are going deep enough that we don't have to replace it. Felkner said we learned our lesson from the Hartridge debacle. He said on every road you'll see bid tabs that there's undercutting in there so if we go a little over on one street, we are hoping the undercutting equals out. Wallschlager commented on the little cave-in on the main street going into Mary Hill and asked if they will be redoing the entire thing where the road is cracked in the crosswalk. Felkner said no he didn't think so, he said the main road will stay the same, and it will be crack sealed which is what they do every 1-2 years. Pfannerstill asked if it is possible on Southern Oak where it dead ends, to fix the bad area and then Slurry Seal it. Felkner said no, because we looked over that and the water can't get off that road where the asphalt meets the concrete it is all hollowed out. Felkner said we changed the way we do roads, we used to do it at 1% and now we do it at 2% crown, so water runs off to the curb and doesn't stay in the middle.

Motion (Meyers/Wallschlager) to award the 2022 Paving Program to Payne and Dolan, Inc. in the amount of \$1,480,972.70. Carried (6-0).

16. Discussion and consideration of a motion to approve a contract with Jefferson Fire for the purchase of an ambulance.

Fire Chief Jambretz was present and explained the purchase of the ambulance. He said after the last meeting he was instructed to get more quotes for ambulances for their 2023 purchase. He said he spoke to 4 manufacturers, he said 2 supplied quotes, 1 company sent him an email and

said they no longer are building them this year and won't give him a quote because they didn't know what their price increase would be. He said the other one when he sent him the spec, he said he didn't want to quote him, and he wasn't going to put it in writing. He said received quotes from Foster Coach sales for a Horton ambulance for \$337,550. He said the other was from Everest Emergency Vehicles for a road rescue ambulance for \$347,000 and a quote for the demo from Jefferson Fire for a lifeline ambulance for 299,819.00. He said they had a demo by the Striker Cot, and they have a new co that came that's why he did an amendment. He said the new cot has better hydraulics and a few other safety things for my personnel and for patients they can carry them a lot lower where they don't have to carry them up so high, so people don't have to bend over. He said that was the addendum he put in for \$8,000 so that is why the price up on the lifeline ambulance.

Trustee Conner asked out of the 3 does he feel confident of the quality from Jefferson because the price increase is substantial, and he said yes. Trustee Dorau asked if it is apples to apples, and Jambretz said yes comparing what they had through lifeline. He said the only different was talking about the placement of cabinets. Dorau asked about the quote from the Lifeline one which is a spec one and we are going to have the same type as we did with the Fire Truck as we know from the fire truck, it came with a lot of bells and whistles that were not needed and cost the Village a lot of money for repairs. She said she wonders if we need all the things that are in that ambulance. Jambretz said everything is pretty much our spec that we have used on previous ambulances. He went on to say we reconfigured some of the cabinets because of the safety standards that every person in the back that is not a patient has to be in a 4-point harnessed in a seat, so they are not able to get up and move around to get to the cabinets, so they had to be reconfigured. Jambretz explained more specific details on the new cot system. Dorau said she did some research on ambulances in the area and said we do not hold our ambulances as long as some other ones hold theirs. She also said what they pay for them is quite a bit less for some of the recent ambulances got, so that is why she questioned the extra things like the fire truck had. Jambretz responded it is the same spec they have used except for the way the seating is and things have changed. He said he couldn't tell her about other municipalities because there are a lot of different ambulances, and he doesn't know what their specs are. Dorau said she is just asking if it had any little extras like the fire truck and he said the only difference is the cot upgrade and a bigger bumper. Trustee Pfeiffer commented from his perspective on the hours of operation that the trucks run. President Pfannerstill commented on the mileage on the first line and the spec. He asked if Lifeline set the spec or if the Village does and Jambretz said the Village sets the spec. Jambretz commented on the onboard cooler for the frontline medications they need to use, that is the only other thing that is different. Pfannerstill said at the trajectory we are going; it is unsustainable to purchase things for the fire department and what is Jambretz suggestions on that. Jambretz said we can replace things, oil changes, DOT inspections and push them out a little further. There was more discussion on the ambulance

Motion (Pfeiffer/Wallschlager) to approve the contract with the Jefferson Fire Department for the purchase of an ambulance as stated in the documents provided by Lifeline ambulance. Carried (4-2). Trustees Conner and Dorau voted no.

Break taken at 7:49
Resumed at 7:21

17. Discussion and consideration of a motion to deny a claim for unlawful tax for properties located in Paradise Trails-

Interim-Administrator Bailey gave a brief background and said we were served with all of these claims which state in the second paragraph that the real property improvements were included in this, he said it is not – it is land value only. He said himself and the Village Attorney reached out to this law firm with that statement and with that question neither of us received any response. He said they did confirm with Grota it is land value only. He said Attorney de La Mora would recommend denial of all of these. He said he will submit a letter tomorrow denying all of these. He said if they wanted to at that point go to the state or something but there are no property improvements value in any of these.

Motion (Dorau/Pfeiffer) to deny a claim for unlawful tax for properties located in Paradise Trails. Carried (6-0).

18. 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.

Recreation Director said sign-up for T-Ball is in place and as of Friday there were over 200 participants. The late fee for T-Ball signup is now \$125. She is still looking for summer camp counselors. Ice Rink is officially closed for the season.

Interim DPW Director Felkner reported that a 20-year-old snowplow truck that cost \$72,000 was listed for sale on Wisconsin Surplus and sold for \$55,000.

Chief Misko commented on Val Wisniewski's comment regarding political signs. He said it is in the ordinance regarding the size and there is a difference between commercial and residential. The 2 squads are back from transmission issues and appear to be working fine now. 2 new squads came in and have appointment to get decals added. Once those are in service the old squads will be up for auction. New Officer Taylor Nelson starts Thursday. Nora Santella is retiring May 2nd and the posting for her position closed today. The annual report will be on the next agenda.

Chief Jambretz said they had 97 calls in February and 223 calls to date. April 30th is their Hartland Extrication Fundraiser at the Rustic Manor and it begins at 5pm.

Interim-Administrator Bailey said the Food Truck policy will come back on a less busy agenda. He said the last meeting was cancelled due to Tom Brass' funeral who lost his battle with cancer. Tom Brass was on the Chamber and the BID.

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19. Adjournment.

Motion (Pfeiffer/Dorau) to adjourn at 8:00 p.m.

Respectfully submitted,

Deidre Bushey
Village Deputy Clerk