

VILLAGE BOARD MINUTES
MONDAY, MARCH 28, 2022
6:30 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD

Call to Order
Roll Call

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

Others Present: Interim Administrator Bailey, Clerk Igl, Interim DPW Director Felkner, Police Chief Misko, Fire Chief Jambretz, Ann Grevenkamp, Steve Berger, Judge Kay, Greg Johnson (Ehlers).

Pledge of Allegiance – Trustee Dorau

Swearing in of Officer Kayla Nelson by President Pfannerstill. Chief Misko welcomed Officer Nelson to the department, Officer Nelson introduced her guests and there was a ceremonial badge pinning by Kayla's father. Officer Nelson thanked the Village for the opportunity to serve.

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. No comments heard.

1. Comments from Municipal Judge Timothy Kay regarding the Lake Country Municipal Court.

Judge Kay presented the annual report of the Lake Country Municipal Court. He stated that the court had projected a loss of over \$45,000 in 2021 but ended with a surplus of over \$11,000. He stated that ticket volume has returned to a normal volume. In addition, there were decreases in payroll and benefit expenses in 2021. He stated that Donald Wiemer has assumed the role of Administrator. The court has enrolled in a program that is intended to provide an additional method to get fines paid and it is anticipated that the court will have a surplus going forward.

2. Motion (Meyers/Conner) to approve Village Board minutes of March 14, 2022. Motion carried. Ludtke abstained.
3. Motion (Wallschlager/Pfeiffer) to approve vouchers for payment in the amount of \$214,862.96. Motion carried. Meyers abstained.
4. Consideration of actions related to Licenses and Permits.
 - a. Motion (Dorau/Wallschlager) to approve Operator's (Bartender) Licenses as read. Motion carried.
5. Consideration of Second 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".

Motion (Meyers/Conner) to suspend the rules. Motion carried. Motion (Meyers/Wallschlager) to adopt Ordinance No. 03/14/2022 "An Ordinance to Amend Chapter 10 of the Village of

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Hartland Municipal Code Pertaining to Amusement Devices”. It was stated that this code amendment provides establishments licensed by the state as breweries the ability to hold an amusement device license. Motion carried.

6. Consideration of a motion to approve Resolution 03-28-2022 “Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 6, Village of Hartland, Wisconsin”.

Greg Johnson with Ehlers and Interim Administrator Bailey provided background on the proposed amendment stating that the expenses of the two properties purchased in TID 4 would be transferred to TID 6. This transfer will put TID 4 in a stronger financial position. TID 6 will absorb these costs but is still projected to close early. It was stated that the Plan Commission recommended approval of the amendment. It was stated that the Joint Review Board held the initial meeting to discuss the proposed amendment and there were no objections. If approved the amendment would go back to the Joint Review Board for final consideration.

President Pfannerstill clarified that if the expenses were left in TID 4 and the costs weren’t recovered, the Village taxpayers would have had to cover \$350,000. He stated that the Village Board would be saving the taxpayers from having to pay the balance by taking this action or the district would have to stay open for additional years. He stated that TID 6 benefited from the land purchase and that the costs should have been in TID 6 originally as the costs were eligible under the original plan.

Motion (Dorau/Ludtke) to approve Resolution 03-28-2022 “Resolution Approving an Amendment to the Project Plan of Tax Incremental District No. 6, Village of Hartland, Wisconsin”. Motion carried. It was clarified that the total actual costs of TID 6 including reimbursable costs plus administrative/professional services were \$2,637,302.

7. Presentation: Police Department 2021 Annual Report

Chief Misko provided a high-level overview of the 2021 Annual Report and activity. He highlighted cooperative efforts, municipal court operations and the medical collection program. He stated that the department created ownership zones for officers to look for quality of life issues and stay proactive. He stated that the zones were expanded to include sex offender zones and schools with an officer assigned to the schools. The Citizens Academy session have resumed. The activity report indicated that 2021 reports of sexual assault were high. Chief Misko explained that there was a change to the retention schedule for evidence related to those cases requiring maintenance of the evidence for 50 years. Chief Misko outlined ongoing difficulties in dealing with the mental health system which leads to the use of resources in the department. He stated that the department had received one complaint and 45 compliments

Trustee Ludtke asked whether ownership zones include businesses. Chief Misko confirmed that the nine zones include businesses, residential and schools. Trustee Ludtke asked whether the activity statistics include our officers assisting other agencies outside the Village. Chief Misko responded that assisting other agencies is included in the calls for service numbers but are not listed as an activity in the detailed listing.

Chief Misko stated that traffic accidents went up significantly in 2021, many due to inexperienced drivers or lack of understanding right of way. Trustee Dorau commented and Chief Misko confirmed that road tests for getting driver's licenses had been temporarily waived due to COVID. Teens were allowed to get their license by having the parents sign a waiver.

Trustee Meyers asked what can be done about delivery trucks parking in roadways. Chief Misko stated that this is a difficult issue as they are short term contacts. He stated that the department works with business owners when possible if there is a safety issue. Trustee Meyers stated that delivery trucks are a big concern and commended the department on handling the issue on Industrial Drive.

Trustee Conner commended the department, commenting on the increase in compliments received. Chief Misko stated that he has a great team that works well together.

8. Consideration of a motion to approve the Waukesha County Department of Emergency Preparedness Joint Powers Agreement, County 911 Emergency System.

Chief Misko stated that this annual agreement is required by State Statute. Motion (Conner/Dorau) to approve the Waukesha County Department of Emergency Preparedness Joint Powers Agreement, County 911 Emergency System. Motion carried.

9. Discussion of a Facility Planning Study.

Chief Misko stated that staff has been working with R & M on an impact fee study and the consideration of a substantial remodel to increase space in the Police Department has been discussed. He stated that there is a particular problem with the space used for the evidence room. He stated that there may be the opportunity to utilize impact fees for this and to plan for future development and growth. He stated that he had talked to an architect firm to discuss options, but the needs should be determined as the first step. He stated that the firm had provided a range of \$20,000 - \$25,000 to conduct a facility planning study and would meet with the appropriate parties involved to determine needs. He stated that there would be a bidding process to select a company to conduct the study.

Interim Administrator Bailey stated that the building is very dated facing many issues and that a facility planning study would provide an opportunity for all departments to get a needs analysis. He stated that he feels there is an opportunity to expand the current location. He stated that the land and facilities that the Village currently has should be reviewed to determine how we can best utilize what we currently have for expansion.

Trustee Dorau stated that she appreciated staff considering future needs, so the Village is better prepared to meet the needs in the future. Trustee Ludtke asked whether all departments will be included in the study. Chief Misko stated that the study could be of a larger scope but would be at a higher cost. Interim Administrator Bailey stated that the DPW has land that could be used for expansion as does the Fire Department. Trustee Ludtke stated that she is in favor of using operational money for the future and is in favor of bringing in an expert to assist in making decisions and budgeting appropriately for expansion.

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Chief Misko stated that he will prepare a request for proposals and see quotes from firms that provides these studies. Detailed information will be presented to the Village Board at a future meeting.

10. Discussion and consideration of a motion to approve the purchase and installation of a new DPW garage furnace from RZ Heating and Cooling Systems in the amount of \$15,565.

Interim DPW Director Felkner stated that three proposals were received. The project was in the budget for \$17,000 and it was recommended that the quote be accepted. Motion (Pfeiffer/Ludtke) to approve the purchase and installation of a new DPW garage furnace from RZ Heating and Cooling Systems in the amount of \$15,560. Motion carried.

11. Discussion and consideration of a motion to approve the reconstruction of the Penbrook Park tennis/pickle ball courts by Frank Armstrong Enterprises, Inc. in the amount of \$78,976.

Interim DPW Director Felkner stated that this project was in the budget for \$80,000 and that three proposals were received. He stated that restoration is not included in the proposal as DPW staff will perform those tasks. Motion (Dorau/Pfeiffer) to approve the reconstruction of the Penbrook Park tennis/pickle ball courts by Frank Armstrong Enterprises, Inc. in the amount of \$78,976. Motion carried. Trustee Conner asked what the proposal was from the previous year. Interim DPW Director Felkner stated that it was originally bid at \$68,000 but petroleum products/asphalt prices have increased.

12. Consideration of a motion to approve the submittal to Wisconsin Department of Natural Resources of the MS4 Annual Stormwater report.

Interim DPW Director Felkner stated that the Village has to control and inspect what is discharged into the waterways. He stated that the outreach portion of the report is to bring awareness to residents and the report will be posted on the Village website. He stated that there are 31 outfalls that the Village inspects and any construction sites over 1 acre. The report includes street sweeping which are collected in a bunker in the recycling yard, so the material doesn't bleed off into the marsh. He stated that 110 tons of debris was removed from the streets last year. He stated that there are 331 catch basins which are cleaned every spring with 12 tons of material removed in 2021. The report also includes information about salt usage. He stated that a total of 1,364 ton of salt was used from October to the end of March.

Interim DPW Director Felkner stated that pond inspections will be completed over the next four years. President Pfannerstill confirmed that the Village is responsible for testing private ponds and if there is an issue, the property owner must fix it. Felkner confirmed stating that one business recently had to redo their ponds at their expense.

Trustee Ludtke noted that Triad is listed on the inventory. Felkner stated that it is now Medline and will correct the list. Motion (Meyers/Ludtke) to approve the submittal to Wisconsin Department of Natural Resources of the MS4 Annual Stormwater report. Motion carried.

13. Discussion and consideration of a motion to approve the purchase and installation of bollard lights in Nixon Park.

Interim DPW Director Felkner stated that the proposal is to install bollards along the Bark River in the public parking area behind Senor Tomas, along the riverwalk east of the library and along the pathways in Nixon Park. Three proposals were received with the lowest quote from JD Electric in the amount of \$86,350. It was stated that the bollards will be placed every 30 feet. Trustee Meyers stated that it is beneficial that the electricity is at a higher level in the area of the warming house in Nixon Park. Felkner stated that he looked at installing bollards along all of our paths but that there is not enough power in some areas. Motion (Meyers/Pfeiffer) to approve the purchase and installation of bollard lights in Nixon Park in the amount of \$86,350. Motion carried.

Trustee Wallschlager asked whether the area behind Senor Tomas is considered a park. Felkner responded that it is greenspace. Trustee Ludtke asked whether the path behind Bark River path near the Fire Department would ever need to be lit. Felkner responded that there is not enough power in that area to facilitate the bollards.

Interim Administrator Bailey asked whether this would impact the reconstruction of the municipal parking lot. Felkner responded that it will not adding that the items are being order but that the bollards are 2-3 months out.

14. Discussion and consideration of a motion to approve the purchase of a replacement electric gate for the DPW garage.

Interim DPW Director Felkner stated that this item had been placed in the budget for \$42,000. Three proposals were received with the lowest at \$30,640 which includes the gate, motor, electronic eyes, call system and new remotes. Motion (Pfeiffer/Conner) to approve the purchase of a replacement electric gate for the DPW garage as proposed. Motion carried.

15. Discussion related to the creation of a food truck ordinance.

Administrator Bailey stated that this item had been removed from consideration previously for further review by the Village Board. Trustee Dorau stated that the first draft of an ordinance was clear, however felt timing should be revisited as some events go until 11:00 p.m. She also stated that she didn't feel that a business owner should be allowed to have food trucks constantly particularly if selling to the public to profit their business. Interim Administrator Bailey stated that he would like to see an ordinance enacted regulating food trucks prior to summer.

President Pfannerstill suggested that perhaps food truck permits be treated similar to liquor licenses by offering a temporary license for one day or a seasonal license. An actual license would be issued and posted in the food truck. He stated that he felt that food trucks should be allowed in the parks for events. He stated that he felt food trucks should not be allowed on public streets and would like to see the ordinance be extremely restrictive. Interim Administrator Bailey stated that the policy could be made simpler including not allowing food trucks on public streets and restricting them to private events in the parks as approved by the Village Board. Trustee Ludtke suggested that food trucks be allowed for neighborhood parties

on a case-by-case basis. President Pfannerstill stated that the rules would still need to apply to businesses and perhaps have food trucks listed in a business plan of operation.

Trustee Ludtke provided an example that if a food truck is brought to a business to provide a free lunch for employees paid for by the business that would be acceptable. But if a food truck is brought in to receive funds, a permit would be necessary which would require Village Board approval. Interim Administrator Bailey suggested a \$75 one day permit to have a food truck. He stated that he will work on simplifying the draft ordinance for review at the next Village Board meeting.

Steve Berger, Beer Snobs, 122 Cottonwood, stated that it is very important to him to make sure that this is a good ordinance but that the process/ordinance may also be built upon as it goes forward if necessary. He stated his appreciation for the Village Board addressing this difficult issue and feel they are going the right direction. He stated that he has spoken to other restaurant owners, and they support his efforts to provide input to the Village Board on the ordinance.

Ann Grevenkamp, 618 Renson Rd., stated that it may be helpful for some business owners to have a food truck present for staff that may have a limited lunch break and limited lunch options. She asked that the board consider this scenario when creating the ordinance.

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.

Trustee Ludtke raised concerns about the area near St. Charles as a school bus was struggling to get through on Ash Wednesday. She asked for an update on what is planned to address parking/traffic issues on Easter. Interim DPW Director Felkner stated that he didn't want to put up permanent signage as once the project is complete, the entrance will be where the baseball field was. He stated that many of the adjacent streets would be marked as no parking on one side of the street but open for parking on the other side. Trustee Ludtke asked whether there was a plan to notify the residents of the plan. Felkner responded that a notification would be distributed door to door and placed on the Village website. Chief Misko stated that there are continual parking issues in that area and that the department has been citing vehicles with a zero-tolerance policy.

Chief Misko stated that the new squads had arrived earlier than expected and that equipment will be installed at the beginning of April. He stated that based on the exhaust issues with one squad, he believes the four-year replacement plan seems to be appropriate. Chief Misko stated that interviews are scheduled for the Police Officer and Administrative Assistant positions. He also stated that a grant had been received in the amount of \$21,021 to be used for training and equipment needs.

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President Pfannerstill stated that in-person absentee voting is taking place at Village Hall for the election on Tuesday, April 5 with polls open from 7 am to 8 pm. In-person absentee voting is available during normal office hours through the deadline of April 1 at 5:00 pm.

17. Adjournment.

Motion (Dorau/Conner) to adjourn at 8:51 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk