

**VILLAGE BOARD MINUTES**  
**MONDAY, JUNE 23 2014**  
**7:00 PM**  
**BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

Present: Trustees Stevens, Meyers, Compton, Landwehr, Swenson, Wallschlager and President Lamerand

Others: Administrator Cox, Finance Director Bailey, Clerk Igl, DPW Director Einweck, Police Chief Rosch, and Fire Chief Wilde

Roll Call

Pledge of Allegiance – President Lamerand

Public Comments: (Please be advised the Village Board will receive information from the public for a three minute time period, with time extensions per the Village President's discretion, per person. Be it further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.) NONE

1. Motion (Meyers/Stevens) to approve the Village Board minutes of June 9, 2014. Carried (7-0).
2. Motion (Landwehr/Wallschlager) to approve the vouchers for payment in the amount of \$202,549.99. Carried (7-0).
3. **Public Hearing** and Consideration of the Annual Renewal of Licenses and Permits for:
  - a. Class "B" Beer/"Class B" Liquor
  - b. Reserve Class "B" Beer/"Class B" Liquor
  - c. Class "A" Beer
  - d. Class "A" Beer/Class "A" Liquor
  - e. "Class B" Beer

declared open by President Lamerand. All applicants are current with payments to the Village and the notice of renewals was published as required.

Motion (Landwehr/Swenson) to approve the liquor licenses to the following applicants as listed below. Carried (7-0).

CLASS "B" BEER/"CLASS B" LIQUOR

- El Pueblo Inc., dba Café El Sol & Señor Tomas, 150 North Ave., Marco Alarcon, Agent
- Flanagan-Dorn Legion Post #294, 231 Goodwin Ave., William T. Lay, Jr. Agent
- G & G Hartbrook Inc., dba Hartbrook Lanes, 550 Hartbrook Dr., Gary Peters, Agent
- KNP Enterprises, Inc., dba Phoenix, 129 Cottonwood Ave., Nancy Fetkenhauer, Agent
- Lake Country Racquet and Athletic Club, Inc. dba Lake Country Racquet Club, 560 Industrial Dr., Trudy Gebhard, Agent
- Lauer Enterprises, Inc. dba Slugger's, 1272 E. Capitol Dr., Mark Lauer, Agent

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- Margrit Meier, dba Hartland Inn, 110 Cottonwood Avenue, Margrit Meier, Individual
- Ordway's Corner, Inc., dba Ordway's Corner Tap, 375 Cottonwood Ave., Margaret Ordway, Agent
- Palmer's Steakhouse, LLC, dba Palmer's Steakhouse, 122 E. Capitol Dr., Jerome Arenas, Agent
- Endter's Sports Grill, LLC, dba Endter's Sports Grill, 300 Cottonwood Ave., Patrick Endter, Agent
- Saloon 247 LLC, dba Saloon 247, 247 W. Capitol Drive, David Marklund, Agent
- The Legend at Bristlecone Pines, LLC, dba The Legend at Bristlecone, 1500 E. Arlene Dr., Jack Gaudion, Agent
- JC Bogars, LLC, dba JC Bogars, 352A Cottonwood Ave., Juan C. Montano, Agent

RESERVE CLASS "B" BEER/"CLASS B" LIQUOR

- Bin One Eleven, LLC, dba Bin One Eleven Wine Store & Tasting Bar, 111 E. Capitol Dr., Justin Jackson, Agent

CLASS "A" BEER

- Cardinal Service, Inc., dba Cardinal Service, 805 Cardinal Lane, Michael Jungbluth, Agent
- Hartland Village Mart, Inc., dba Hartland Village Mart, 301 E. Capitol Dr., Moyez T. Badani, Agent
- Stop-N-Go of Madison, Inc., dba Stop-N-Go #273, 101 E. Capitol Dr., Andrew Bowman, Agent

CLASS "A" BEER/CLASS "A" LIQUOR

- Fox Brothers Piggly Wiggly, Inc., dba Piggly Wiggly, 505 Cottonwood Ave., Patrick Fox, Agent
- Walgreen Co., dba Walgreens #09365, 423 Merton Ave., Jacqueline Wagner, Agent
- Sendik's Hartland, LLC, dba Sendik's Food Market, 600 Hartbrook Drive, Theodore Balistreri, Agent

"CLASS B" BEER

- Hartland Athletic Advancement Association, Inc., H.A.A.A. Bark River Canteen, David Godgluck, Agent
- Hartland Athletic Advancement Association, Inc., H.A.A.A. Nixon Park Canteen, Peter Ludtke, Agent
- Endter's Sports Grill, LLC, dba Endter's Sports Grill, Hartbrook Park Concession Stand, Patrick Endter, Agent
- Endter's Sports Grill, LLC, dba Endter's Sports Grill, Nixon Park Fine Arts Center Concession Stand, Patrick Endter, Agent

4. Licenses not requiring a Public Hearing:

Motion (Compton/Swenson) to approve Amusement Device licenses to expire June 30, 2015 to the applicants listed below. Motion carried.

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- Endter's Sports Grill LLC, 300 Cottonwood Avenue
- Fox Bros. Piggly Wiggly, 505 Cottonwood Avenue
- Hartbrook Lanes (G & G Hartbrook, Inc.), 650 Hartbrook Drive
- KNP Enterprises, Inc. (The Phoenix), 129 Cottonwood Avenue
- Saloon 247, 247 W. Capitol Drive
- Sun Laundries, LLC, 515 Cottonwood Avenue
- Slugger's, 1270 E. Capitol Drive

Motion (Landwehr/Swenson) to approve Bartender (Operator's) licenses to expire June 30, 2016 to the applicants as presented. Carried (7-0).

Motion (Meyers/Wallschlager) to approve a cabaret licenses to expire June 30, 2015 to the applicants listed below. Carried (7-0).

- Jack Gaudion, The Legend at Bristlecone Pines, 1500 E. Arlene Drive
- Kenneth L. Zilisch, Flanagan Dorn Post 294 American Legion, 231 Goodwin Avenue
- Mark Lauer, Slugger's, 1272 E. Capitol Drive
- Gary Peters, Hartbrook Lanes, 550 Hartbrook Drive
- Margrit Meier, Hartland Inn, 110 Cottonwood Avenue
- Margaret Ordway, Ordway's Corner Inc., 375 Cottonwood Avenue
- Endter's Sports Grill LLC, 300 Cottonwood Avenue

Motion (Compton/Wallschlager) to approve a cigarette licenses to expire June 30, 2015 to the applicants listed below. Carried (7-0).

- BAJB Services, LLC, dba Colburn's Car Wash, Over the Counter
- Cardinal Service, Inc., 805 Cardinal Lane, Over the Counter
- Fox Bros Piggly Wiggly, 505 Cottonwood Avenue, Over the Counter
- Hartland Village Mart, Inc., 301 E. Capitol Drive, Over the Counter
- Sendik's Hartland LLC, 600 Hartbrook Drive, Over the Counter
- Stop N Go, 101 E. Capitol, Over the Counter
- The Legend at Bristlecone Pines, 1500 E. Arlene Drive, Over the Counter
- Walgreen's #9365, 423 Merton Avenue, Over the Counter

Motion (Meyers/Swenson) to approve a taxi cab license to expire June 30, 2015 to Lake Country Cares Cab, Inc. Carried (7-0).

Motion (Landwehr/Swenson) to approve a Temporary Bartender (Operator's) license to Donna Dorau for the Hartland Street Dance. Carried (7-0).

Motion (Landwehr/Swenson) to approve weights and measures licenses to expire June 30, 2015 to the applicants listed below. Carried (7-0).

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- Aurora Pharmacy #065, 109 E. Capitol Drive
  - BAJB Services, LLC, dba Colburn's Car Wash, 700 Hartbrook Drive
  - Biebel's True Value, 480 Hartbrook Drive
  - Cardinal Service, Inc., 805 Cardinal Lane
  - Fox Bros. Piggly Wiggly, 505 Cottonwood Avenue
  - Hartland Village Mart, Inc., 301 E. Capitol Drive
  - Health & Happiness, 230 Pawling Avenue
  - Sendik's Hartland LLC, 600 Hartbrook Drive
  - Stop N Go #273, 101 E. Capitol Drive
  - Wisconsin Cement Co., 701 W. Capitol Drive
  - Walgreen's, 423 Merton Avenue
5. Consideration of Second Reading of Bill for an Ordinance No. 06/09/2014-01 "An Ordinance Amending Section 66-3 of the Hartland Code of Ordinances Relating to Firearms"

Carried over to the next Village Board meeting.

6. Consideration of Second Reading of Bill for an Ordinance No. 06/09/2014-02 "An Ordinance To Amend Article II Of Chapter 2 Of The Village Of Hartland Municipal Code Pertaining To Village Board"

Administrator Cox stated that the draft language is pending modification by the Village Attorney to clarify funding for the cemeteries.

Items referred from the June 16 Plan Commission Meeting

7. Motion (Landwehr/Swenson) to approve site and building plans for an exterior deck at 111 E. Capitol Drive (Bin 111), subject to the deck extending to the east building line. Carried (7-0).
8. Motion (Meyers/Compton) to approve site and building plans for construction of a brat stand, grill area and canopy at 505 Cottonwood Ave. (Piggly Wiggly). Carried (7-0).
9. Motion (Landwehr/Swenson) to approve installation of a exterior air-cooled condenser at 1130 James Drive (PDC Midwest/Aquatech). Carried (7-0).

Other items for consideration

10. Motion (Meyers/Stevens) to approve the plan of operation and the use of the Pawling Avenue Municipal Parking Lots for a weekly Farmer's Market.

The Farmer's Market is scheduled to open on July 6<sup>th</sup> and will run through Sept. 7<sup>th</sup> on Sundays from 10:00 a.m. to 1:00 p.m. The eastern lot will be utilized initially but if additional room is necessary the market could expand into the second parking lot as well.

11. Actions related to the proposed Chimney Swift Roost at the Cottonwood Wayside

Administrator Cox stated that the Chimney Swift Roost at the Cottonwood Wayside is estimated to cost \$46,000 and is expected to take three weeks to construct. It is intended that the Riveredge Nature Center will hold the contract for the project. As a 501(c)3 organization, all donations to the Riveredge Nature Center for the project are tax deductible.

It was stated that approximately \$9,000 has been raised with an additional \$5,000 in pledges made to fund the project. It was suggested that the Village finance the project for a period of one year with no interest while fund raising efforts continue. Concerns were raised that the loan may not be paid back and it was suggested that a formal plan for repayment of the loan should be required.

Motion (Landwehr/Compton) to provide a renewable no interest loan to the project fund from the Village to advance the cost of the construction. Roll call vote: Stevens, no; Meyers, no; Compton, yes; Landwehr, yes; Swenson, yes; Wallschlager, no; Lamerand, yes. Motion carried (4-3).

The roost design and plan had been reviewed and was recommended for approval by the Plan Commission.

Motion (Landwehr/Swenson) to approve the structure and site plans for the Chimney Swift Roost at the Cottonwood Wayside, 901 Cottonwood Avenue. Motion carried (7-0).

- a. Consideration of a motion to approve award of a contract to MSI General for construction of the Chimney Swift Roost in the amount of \$25,000 including a five percent contingency.

12. Motion (Compton/Landwehr) to approve award of a contract to H.I.S. Corporation of Hartford, WI for the construction of restrooms at Centennial Park in the amount of \$166,000 including a five percent contingency. Carried (7-0).

13. Consider continuation of electronic recyclable program and determination regarding collection of Freon-containing items.

It was stated that the County had notified the Village that the current electronic recycling contractor was not going to renew their contract. A new vendor has been selected and the Village will now collect revenues of 4 cents per pound for collected computers, monitors, cd/dvd players and televisions. They will also collect large white goods but will not pay the Village for those items. One significant change is that the Village would be charged \$25 for Freon containing items such as refrigerators, coolers, freezer and air conditioners. As an alternative, residents could make arrangements with Advanced Disposal to have these items picked up curbside for a fee of \$25.

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Motion (Swenson/Meyers) to conditionally approve the continuation of the electronic recycling program for items without Freon and to authorize staff to contract with 5R Processors of Ladysmith, WI. Carried (7-0).

14. Motion (Stevens/Meyers) to deny the claim from State Farm Mutual Automobile Insurance Company regarding vehicle damage. The Village does not own or maintain the road on which the incident occurred.
15. Motion (Stevens/Landwehr) to direct that new signage be installed 75' east of Maple Ave. on north side of Hartwood Lane indicating "No Parking Here To Corner". Carried (7-0).
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.

President Lamerand reminded the public that the Hometown Celebration is this coming weekend with fireworks on Friday at dusk and the parade on Sunday at 1:30.

17. Adjourn

Motion (Swenson/Compton) to adjourn. Carried (7-0). Meeting adjourned at 7:50 p.m.

Respectfully submitted,

Darlene Igl  
Village Clerk

**Addendum to Village Board Minutes – June 23, 2014**  
**Approved by Village Board July 28, 2014**  
**Expansion of Item #11**

Actions related to the proposed Chimney Swift Roost at the Cottonwood Wayside

An update on fundraising efforts for the Chimney Swift Roost project was provided by students involved. It was stated that information is available through websites [indiegogo.com](http://indiegogo.com) and [savetheswifts.com](http://savetheswifts.com).

The plans for the project were discussed. It was questioned whether a traditional chimney cap would be placed on the top of the structure. It was stated that a cap will not be placed on the top as this will be a roosting site and access to the top will not be restricted. A simple open capstone will be placed on the top instead. It was stated that the DPW will have the key to the access door on the chimney. The

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bottom of the chimney will be a lighter color split face block with the top being red brick. The structure will be constructed at the Cottonwood Wayside on the south end of the parcel.

Administrator Cox stated that there had been a misunderstanding of the total cost to construct the chimney. It was initially believed that the cost would be \$25,000 however it had been clarified that the estimate was for materials only. After further review it was determined that the actual cost would be closer to \$46,000. Ways to construct the chimney at a lower cost were considered and economies that were possible were taken advantage of. It is expected to take three weeks to construct the chimney.

It was stated that the Village will not award the contract for the project. Riveredge Nature Center had graciously agreed to undertake the contract for construction of the chimney. As a 501(c)3 organization, all donations to the Riveredge Nature Center for the project are tax deductible. Riveredge Nature Center will continue to accept donations which will be used to pay for the cost of the project.

It was stated that approximately \$9,000 has been raised with an additional \$5,000 in pledges made to fund the project. The Village Board was asked to consider extending funds for the project to ensure that the chimney is constructed before the August 1<sup>st</sup> "need date." The loan, which could be as much as \$30,000, would be for a period of one year with no interest while fund raising efforts continue. It was stated that the funds could be expended from undesignated funds in the community relations account in the budget.

Concerns were raised about making the loan in the first place and that the loan may not be paid back. Some Trustees were concerned about whether fund raising would continue and if some sort of guarantee could be received for payback. It was suggested that a formal plan for repayment of the loan should be required. It was questioned whether this project will add value to the Village. President Lamerand stated that he felt that the project would be an asset to the Village similar to the Fine Arts Center and Splash Pad. It was stated that the Village had financially assisted other organizations such as the Rotary Club and Kiwanis so these projects could proceed. During those projects, concerns over fundraising existed and Village funds were used to bridge temporary gaps in funding or to support the project. It was questioned whether organizations which received financing for previous projects may have been more established organizations. However, some Trustees felt the Board had a duty to support the students in this project. Other Trustees were concerned about the amount of the intended loan. It was suggested that perhaps a business plan should be submitted for this project outlining the intended fundraising process.

It was suggested that the Village consider matching fundraising efforts dollar for dollar. There were concerns raised as to whether fundraising efforts would continue after construction is complete. It was suggested that this project should not be considered from a business perspective but rather as a community project to enhance and beautify the Village and that fundraising would continue until the loan had been repaid. While lauding the accomplishments of the students, concerns were again raised about using public funds. This loan was likened to TIF funding in that it, too, is an investment in the community with the expectation that it will be recovered. It was asked whether a TIF district could be created for this project but it was stated that this does not meet the requirements. It was discussed whether funding this project would bring back additional revenue to the community. In response, it was

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noted that it would not bring direct revenue but is an amenity much like the Splash Pad, Fine Arts Center and Library. Concerns lingered for some of the Trustees that the funds would not be returned.

Motion (Lamerand/Compton) to provide a one year renewable no interest loan up to \$30,000 from the Village to advance the cost of the construction of the project. Roll call vote: Stevens, no; Meyers, no; Compton, yes; Landwehr, yes; Swenson, yes; Wallschlager, no; Lamerand, yes. Motion carried (4-3).

The roost design and plan had been reviewed and was recommended for approval by the Plan Commission.

Motion (Landwehr/Swenson) to approve the structure and site plans for the Chimney Swift Roost at the Cottonwood Wayside, 901 Cottonwood Avenue. Motion carried (7-0).