

VILLAGE OF HARTLAND
VILLAGE BOARD MINUTES
MONDAY, FEBRUARY 26, 2024 · 6:30 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD

The Village President called the meeting to order at 6:31 pm

Present: President Pfannerstill, Trustees de Boer, Truttschel, Pfeiffer, Wallschlager, Conner, Hallquist

Others Present: Clerk Policello, Police Chief Misko, Fire Chief Jambretz, DPW Operations Leadman Jenson, DPW Operations Manager Jungbluth, Village Attorney Hector de la Mora, Judge Timothy Kay, Manvir Singh, Troy Mleziva, Director of Real Estate for Kwik Trip, Andy Gehl, Steve Burger – BID, Jeff Luetschwager-Arrowhead, students - Pat Davis, Nicole Badura and Matthew Schmeeding

Pledge of Allegiance – Trustee de Boer

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. This meeting will be recorded and will be available online through the Village's website.

William Boettcher, 635 Briarcliff Ct. Hartland resident spoke regarding a registered sex offender that moved back to their parent's home after the moratorium was in place. Mr. Boettcher passed out a diagram of where children live in relation to the subject property. The numbers on the diagram indicate the number of minor children in each household. Chief Misko said Mr. Boettcher spoke with Deputy Chief Collura today and he understands his frustration with the situation. Mikso said the moratorium was in place and Mr. Pickens was grandfathered into the moratorium. In the sex offender ordinance there is an exception called Original Domicile. Misko read that provision which allows a convicted sex offender to return to the Village if they resided in the Village at the time of the most recent conviction. This subject was moved out of state for a while and has returned. He is no longer on probation/parole and remains on the sex offender registry and has relocated back to the Village; this is for the offense that was committed her in Hartland in 2010. Misko said he falls under the original domicile provision, which is in almost all sex offender ordinances across the state. There is no provision to force him to move. Misko said the Village has child safety zones and the offender resides just within a child safety zone – across the street from him is outside of the child safety zone.

1. Annual Update by Judge Kay for Lake Country Municipal Court

Judge Kay provided his annual update. He distributed his annual letter. The City of Delafield recently joined as the 21st member of Lake Country Municipal Court.

2. Consideration of Village Board minutes of February 12, 2024.

Motion (Conner/Hallquist) to approve the Village Board minutes of February 12, 2024. All were in favor, **motion carried**.

3. Items related to vouchers

a. Consideration of final application for payment to Payne & Dolan, Inc. for final closeout of the 2022 Paving Program until present in the amount of \$26,224.32.

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Tom Jenson said Payne & Dolan had a software issue. The roads have been inspected by DPW and our engineering firm. Staff recommends payment.

Motion (Wallschlager/Truttschel) to approve the final application for payment to Payne & Dolan, Inc. for final closeout of the 2022 Paving Program until present in the amount of \$26,224.32. All were in favor, **motion carried.**

- b. Consideration of vouchers for payment in the amount of \$152,180.78.

Motion (Wallschlager/Conner) to approve vouchers. All were in favor, **motion carried.**

4. Actions related to Licenses and Permits

- a. Consideration of "Class A" Beer/Liquor License – SD Hartland Inc., 805 Cardinal Lane
i. Public hearing – President Pfannerstill opened the public hearing at 6:50 pm.

Business owner, Manvir Singh, appeared in person. He moved to Wisconsin six months ago. He would like to continue the same liquor licensing that was previously in place at this location.

President Pfannerstill closed the public hearing at 6:52 pm.

- ii. Consideration of action related to issuance of a "Class A" Beer/Liquor License – SD Hartland Inc.

Motion (Truttschel/Hallquist) to approve the "Class A" license for SD Hartland Inc.

Chief Misko explained to the applicant that video gambling machines are not legal at a Class A business. Mr. Singh said he understands this and that they have changed their operation to be open 24/7. They do have plans to add a kitchen and will contact our building inspector.

President Pfannerstill said the communities around us sell beer until midnight. He asked if the Police Chief had any opposition. Misko said on its face he doesn't have any concerns.

All were in favor, **motion carried.**

Items referred from the January 19, 2024 Plan Commission meeting

5. Consideration of an Extraterritorial Certified Survey Map for the Roy property, W298N2808 Shady Lane, Town of Delafield.

Motion (Hallquist/Conner) to approve an Extraterritorial Certified Survey Map for the Roy property, W298N2808 Shady Lane, Town of Delafield. All were in favor, **motion carried.**

6. Review and consideration of public art plan by Arrowhead High School students and Hartland BID.
Steve Burger with the BID introduced the project. Jeff Luetschwager, Arrowhead High School Manufacturing & Engineering teacher, said that two classes have been working on this project. The students appearing tonight have put a lot of work into this project. Approximately 35 juniors and seniors have had input into the concept.

Student, Pat Davis a junior at Arrowhead, spoke to the design of the art piece. They are requesting that the Village provide the cement and mounting supplies along with the site prep.

Student, Nicole Badura a senior at Arrowhead, presented the site options. They believe site 2 is the best for pictures and the safest option. There are low power lines in that area.

Matthew Schmeeding a senior at Arrowhead, said the project brings together the work of the students and shares it with the community. From 14' away the structure can be captured with a phone camera.

President Pfannerstill said the BID would like to be included in the location decision. He likes the design.

Village Manager Bailey said the goal is to approve the design so the students can start working on it. The decision on the location will be discussed and decided at a later date.

Trustee Wallschlager asked who will do the installation. DPW is on board and will do the installation.

Motion (Truttschel/Wallschlager) to approve public art plan by Arrowhead High School students and Hartland BID.

Police Chief Misko said site 1 is located at an odd intersection.

All were in favor, **motion carried.**

7. Review and consideration of a request for Conditional Use Permit and Business Occupancy for Performance Pickleball of Wisconsin, 528 E. Industrial Drive.

Motion (Hallquist/Conner) to approve request for Conditional Use Permit and Business Occupancy for Performance Pickleball of Wisconsin, 528 E. Industrial Drive. All were in favor, **motion carried.**

8. Village Board third reading and consideration of Kwik Trip, a proposed PUD development ("Project") whose approval and rezoning are being sought by Kwik Trip on property tax key HAV0730950 located at Highway 83 & W. Capitol Drive. The Village Board will consider:
 - a. Proposed site and building plans

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- b. Proposed certified survey map
- c. Proposed rezoning to B-2 in conjunction with a PUD Agreement for the Project

Troy Mleziva, Director of Real Estate for Kwik Trip appeared in person. He thanked the Village staff for all their work. They plan to start construction in April and be open for business in September. Kwik Trip has been working with Three Leaf and will take the lead on the road improvements.

Village attorney, Hector de la Mora said Kwik Trip will upgrade the roadway. A draft agreement is being worked on between Kwik Trip and Three Leaf. Final numbers are pending and will be put into the agreement.

Attorney de la Mora handed out a resolution document. He said the PUD language is complete. He said plans for roadwork are reaching finalization between Three Leaf and Kwik Trip with a cost sharing of the expense. The roadwork will commence and be finished probably well before the Quarry starts construction. Attorney de la Mora recommends adoption of the resolution.

Attorney de la Mora said the PUD Agreement incorporates all the instruments, so by passing the resolution you are authorizing the execution of this agreement, which in turn has attached to it a number of exhibits which detail the work. The only components that are missing are the final design details of the roadwork. It does not include any agreement between Kwik Trip and Three Leaf. President Pfannerstill asked what the reasoning is for the resolution in addition to the PUD. Attorney de la Mora said it is best practice and it includes the process of approval for the project including all the Plan Commission recommendation dates and the Board approval dates, it is comprehensive.

Motion (Pfeiffer/Hallquist) to approve items a, b and c along with the resolution and the contingencies that include the punch list that will be worked on with staff. All were in favor, **motion carried.**

9. Conceptual review of Gideon Farms on property currently in the Town of Merton.

Andy Gehl presented the concept for Gideon Farms. He said his father, John Gehl, has been involved with conservation of farmland. He owns the property and the goal is to keep the majority of the land farmland. He has been in contact with his neighbors to be sure it is something they are happy with. They are working with the County, who helped design the ingress and egress. He would like to annex into the Village for access to sewer and water. The land is leased to a farmer who brings his cattle to graze from spring through fall. They have not had any complaints regarding odor. They will not be growing crops, so will not need fertilizer.

President Pfannerstill said the plan was well received by the Plan Commission. It includes retail and restaurant space.

Village Manager Bailey said this is conceptual only and is a 10 year plan. It will be a very walkable area and 80% of it will remain agricultural. Gehl has looked at similar projects across the country. They plan to have cows and sheep on the property.

Trustee Pfeiffer said he is in favor of the project. Pfannerstill would like an informal vote. Trustee Wallschlager said a vote could not be taken because it was not on the agenda for possible consideration. Pfannerstill said this is a non-binding motion for the record.

Motion (Conner/Pfeiffer) to approve the presented conceptual review, which is non-binding, but for the record. All were in favor, **motion carried.**

10. Consideration of a motion to approve revised plans for an addition of an attached garage and storage area on St. Charles Congregation property, 313 Circle Drive.

This went to the Plan Commission and the revised design passed unanimously.

Motion (Truttschel/Wallschlager) to approve revised plans for an addition of an attached garage and storage area on St. Charles Congregation property, 313 Circle Drive. All were in favor, **motion carried.**

11. Consideration of Second Reading, with possible waiving of the third reading, of Bill for an Ordinance No. 02/12/2024 “An Ordinance to Create §78-9 of the Village of Hartland Municipal Code Regulating Wireless Telecommunications Facilities in Public Right-of-Way”.

Village Manager Bailey said the state governs what we can and cannot do for the wireless repeaters. This is part of the 5G network. This is something that will be installed in all municipalities.

Motion (Pfeiffer/Truttschel) to suspend the rules. All were in favor, **motion carried.**

Motion (Pfeiffer/Hallquist) to approve Bill for Ordinance No. 02/12/2024 An Ordinance to Create §78-9 of the Village of Hartland Municipal Code Regulating Wireless Telecommunications Facilities in Public Right-of-Way.

Trustee Wallschlager asked if this gives telecommunication companies the right to put a pole by anyone’s house. DPW Operations Leadman Jenson said notification is required for residences within 300’ of the installation and we can work with the installer regarding placement. Jenson said there are several in the Village that are on existing poles and they will try to use existing poles before installing new ones. This just gives them the right to put up a new pole if needed.

All were in favor, **motion carried.**

12. Announcements

DPW Operations Leadman Jenson said with the warm weather the recycling yard has opened early and will be open every Friday from 9 am – 3 pm for yard waste.

Recreation Director Rennekamp said we have our first presenting sponsor for the Hometown Celebration, Culvers has donated \$15,000. She said we are fortunate that they do a lot for our community. T-ball has 126 enrollees with another month of enrollment.

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Chief Jambretz said there have been two fires the last two weekends. Summit Lakes had a kitchen fire and the Town of Delafield had a fire we assisted with on North Shore Drive.

Chief Misko said there is a sex offender notification for Briarcliff Ct., which was covered earlier. on Briarcliff Ct. He is working through the conditional offer process with the latest recruit; the last step is the psychological exam which was done today and he expects to extend a final offer.

Trustee Hallquist congratulated Recreation Director Rennekamp for receiving the most recent Chamber of Commerce award.

President Pfannerstill congratulated the Park Board members for being recognized by the Chamber at the Kudos Award fundraiser. The Vietnam Moving Wall planning is progressing and volunteers can now sign up. This Wednesday the Village Board will meet with staff to discuss space needs. He said it is highly likely that the Village will be moving forward with some new facilities that are much needed.

13. Adjournment

Motion (Pfeiffer/Conner) to adjourn at 7:44 pm. All were in favor, **motion carried.**

Respectfully submitted,

Sandee Policello
Village Clerk