

**VILLAGE OF HARTLAND
VILLAGE BOARD MINUTES
MONDAY, JUNE 12, 2024 • 6:30 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD**

The Village President called the meeting to order at 6:30 pm

Present: President Pfannerstill, Trustee Truttschel, Pfeiffer, Wallschlager, Conner

Excused: Trustees de Boer, Hallquist

Others Present: Village Manager Bailey, Clerk Policello, Police Lieutenant DeBarge, Fire Chief Jambretz, DPW Interim Director Jenson, DPW Supervisor Jungbluth, Ryan Amtmann-Ruekert Mielke, Michelle Walter-Baker Tilly

Pledge of Allegiance – Trustee Truttschel

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.

Jack Tomkiewicz, 675 Rae Drive, Hartland. His neighbor at 655 Rae Drive also appeared. They are appreciative to the Board and the Police Department for their help with the dog walking issue on that section of the Ice Age Trail. The problem has improved.

1. Consideration of Village Board minutes of May 13, 2024.

Motion (Wallschlager/Truttschel) to approve the May 13, 2024 minutes. All were in favor, **motion carried.**

2. Items related to vouchers

- a. Consideration of vouchers for payment in the amount of \$ 2,168,792.11

Motion (Truttschel/Conner) to approve vouchers in the amount of \$ 2,168,792.11.

Trustee Wallschlager asked why the 5 Bugle Consulting invoice was paid from General Administration. Village Manager Bailey said it is coded to be paid out of the Community Relations account. Bailey said that is the total amount for services rendered.

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

3. Actions related to Licenses and Permits

- a. Consideration of Restricted Species Permit Application, Shawn Hoppe, 320 Prospect Avenue

Shawn Hoppe, 320 Prospect Avenue, appeared in person. He requests a permit for chickens for the eggs. He would like 3 chickens for now.

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Motion (Wallschlager/Conner) to approve the restricted species permit for 320 Prospect Ave. All were in favor, **motion carried.**

- b. Review and possible action of Special Event Application, Farmers Market, Greg and Wendy Adams, June 23, 2024 – October 20, 2024.

Greg and Wendy Adams have taken over the Farmer's Market this year. They are looking to go in the same place on Pawling. Village Manager Bailey said other locations have been discussed. The Village Hall lot was considered, but there are cars that park overnight that may be a problem. Greg said Nixon has not worked out in the past.

Trustee Wallschlager asked if the vendors on the map are going to be there every week. Greg said for the most part they will be. They have 15 commitments now for the season.

Motion (Pfeiffer/Truttschel) to approve the Farmer's Market Special Event Application for June 23 through October 20, 2024. All were in favor, **motion carried.**

- c. Review and possible action of Special Event Application, Palmer's Tent Event Gala, 122 E. Capitol Drive, September 8, 2024.
 - i. Extension of liquor license premise

Jerome Arenas, Palmers 122 E. Capitol Dr. appeared in person and said it is the same event they have had for years. They close the street from Goodwin to Tabi's. They have had this event for 17 years and have raised 2.9 million to date with events that included road closure. They appreciate the support of the community in allowing them to shut down the road. Last year they raised \$310,000, which goes to a variety of charities. Chief Misko noted on the application that he wants cars used between the barricades. President Pfannerstill asked if he needs anything from DPW, Arenas said in the past they have dropped off the barricades the day before. Trustee Conner said the application says 8 am – 10 pm, on the narrative it says 7 am. Arenas said the start time is 8 am.

Motion (Truttschel/Conner) to approve the Palmers Tent Event Gala at 122 E. Capitol Drive September 8, 2024. All were in favor, **motion carried.**

Motion (Wallschlager/Pfeiffer) to extend Palmer's liquor license to include the event area for this Special Event. All were in favor, **motion carried.**

- d. Consideration of Operator's (Bartender) Licenses

Motion (Conner/Pfeiffer) to approve renewal bartender licenses. All were in favor, **motion carried.**

Motion (Pfeiffer/Truttschel) to approve the new operator (bartender) license for Lauren Bialas. All were in favor, **motion carried.**

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- e. Consideration of Operator's License recommended for denial
Shelli Dupras appeared in person. Lt. DeBarge referred to Chief Misko's memo dated May 9, 2022 that addressed Ms. Dupras' bartender application dated May 2, 2022; that application was denied. There was a pending OWI 3rd offense that was not disclosed on that's application. In March, 2024 she applied for a bartender license; she was on probation at that time and her agent indicated her restrictions would not allow for it and she withdrew the application. Chief Misko's memo dated June 3, 2024 indicates that Dupras has three convictions for OWI in 2011, 2017, 2022, which may classify her as a habitual offender regarding alcohol related crimes under state law. Also, not much time has passed since her most recent offense. Misko recommends Dupras submit another application for consideration in 12 months if she has not committed another crime. Chief Misko recommends denial of this application.

Dupras appeared with the agent and owner for The Phoenix, Sheri Fetkenhauer. She realizes she has screwed up. She is 26 months sober. She continues to have the breathalyzer in her car and she will continue to do so. She holds a bartender license in Genesee Depot with no issues. She would like to continue to work at The Phoenix. Fetkenhauer said Dupras is an asset to the team and it would be devastating to lose her. William Redford agreed. He said they try to give back to the community and Dupras is a part of that team. He asked the Board to allow her to have a license; she has worked for then for 10+ years.

President Pfannerstill asked if Dupras is working at another place now. Duprad said she has been working in Genesee Depot for 11 years. Trustee Truttschel asked if Dupras is working under the supervision of another licensed bartender now. Dupras confirmed that she is.

Motion (Wallschlager/Conner) to deny the bartender license for Shelli Dupras.

President Pfannerstill acknowledged the accomplishment of not having alcohol for a long period of time. He understands the Police Chief's recommendation. He said it might be nice to meet in the middle and offer for her to re-apply in 6 months, she would be 32 months sober at that time.

Trustee Truttschel said 26 months sober is significant and acknowledged it.

Pfannerstill called the question: Vote to approve motion to deny 4 – 1, Truttschel – Nay.

Motion carried.

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- f. Consideration of the annual renewal of Licenses and Permits for period July 1, 2024 to June 30, 2025.
 - i. Class “B” Beer/“Class B” Liquor
 - ii. Reserve Class “B” Beer/“Class B” Liquor
 - iii. “Class A” Liquor
 - iv. Class “A” Beer/“Class A” Liquor
 - v. Class “B” Beer
 - vi. “Class C” Wine

Motion (Conner/Pfeiffer) to approve liquor license renewals. All were in favor, **motion carried.**

- g. Consideration of the annual renewal of all other Licenses expiring June 30, 2024
 - i. Arcade License
 - ii. Amusement Device Licenses
 - iii. Cabaret Licenses
 - iv. Cigarette Licenses
 - v. Weights and Measures Licenses

Motion (Pfeiffer/Truttschel) to approve all other licenses. All were in favor, **motion carried.**

Items referred from the June 3, 2024 Park & Recreation Board meeting

- 4. Discussion and possible consideration of Park Mobile Food Vendor application for Dough Nation Mini Donuts to sell donuts in Nixon Park

Chris and Amy Fanning appeared in person. They are looking for approval to be in Nixon Park for 8 dates on Thursdays; June 20, 27, August 8, 22, 29, September 5, 12 and 19th. Village Manager Bailey said Little Dipperz has been previously approved to sell ice cream in Village parks. DPW Interim Director Jenson said at the Park Board meeting last week they were approved with a recommended fee of \$150 if an annual fee has not been established. The fee for a single date is \$75. The only opposition that was voiced at the Park Board meeting was to have a higher fee for businesses that do not have a brick and mortar in the Village.

Motion (Truttschel/Conner) to approve Dough Nation for sales at Nixon Park for the dates specified. Conner added that Dough Nation donates 10% of their proceeds. All were in favor, **motion carried.**

Other Items for Consideration

- 5. Audit Presentation

Michelle Walter, Senior Manager at Baker Tilley appeared in person. She reviewed the annual audit for 2023. The objective of the audit is to render an opinion on the financial statements. For 2023 they were able to issue a clean, unmodified opinion, which is the highest level of assurance that is obtainable from an auditor. There are no material weaknesses or deficiencies that were identified.

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Trustee Truttschel asked about the sewer utility net position of \$400,000 and if that amount fluctuates year to year. Walter said that it can vary, it depends on what happens with the given rates and expense activity. Village manager Bailey said a water main replacement costs \$1 – 2 million and we are trying to get to a position where we can pay for those expenses with cash on hand, instead of borrowing. He said we try to do small increases, so we don't have to do a large increase. No action taken on this item.

6. Review and consideration of awarding STH 83 Water Main Rehabilitation contract to the low bidder, Mid City Corporation, for the amount of \$2,313,825.00 and use of ARPA funds to offset a portion of the contract cost.

DPW Interim Director Jenson said the Hwy 83 water main is a critical 2,100 ft. section that supplies the southwest business park. In the last 10 years there have been 4 leaks that have been expensive to repair, due to the water main being located in a marsh and under the Bark River. The poor condition of the pipe, the corrosive fittings and fasteners for this main have all been contributing factors in the four breaks. The CIP lining was brought forward in our budgeting. The Village has allocated \$1,055,214.53 of ARPA funding for the project. The proposal received from Mid-City was \$2,313.825. Staff recommends awarding the Hwy 83 water main rehab project to Mid City for the amount of \$2,313.825. Village Manager Bailey said the initial quotes were \$1.2 million. The quotes for dewatering and other expenses are significantly higher. There are ARPA funds available that need to be earmarked by the end of 2024 or it will need to be returned. Bailey said other options have been looked at, but none can be used. \$1.3 million would come from water funds cash on hand or we will get a State Trust Fund or clean water fund loan, with \$1.055 million of ARPA funds.

Ryan Amtmann-Reukert Mielke, said the issues with the breaks cost \$50,000 - \$75,000 to repair each break. The water in the marsh adds to the complexity and expense of the repairs. Some modeling and testing with Village staff with businesses in that part of the business park, changing the pipe to a smaller size and pull a pipe through will not work. They looked at another option of a spray in liner, which the state won't approve. Amtmann said a flexible liner will be used. They will need to lower the water level of the marsh. Multiple contractors walked the site and had higher estimates than what they told us it would be, given this specialty and high risk project. Amtmann believes this is the right team to do the project. It will add 75+ years of life to the pipe. The current pipe is 40 years old.

Trustee Wallschlager asked during lining process what if there is a crack in the pipe? Amtmann said they will scrub and televise the pipe and repair it first.

Motion (Pfeiffer/Wallschlager) to award contract for \$2,313,825.00 and use of ARPA funds to offset a portion of the contract cost. All were in favor, **motion carried.**

Trustee Pfeiffer asked if the old bolts are being replaced. Amtmann said many of the fittings will be removed, which means a lot of the bolts will be removed.

7. Consideration to award the 2024 sanitary sewer televising to Visu Sewer, total project not to exceed \$30,000.

DPW Interim Director Jenson said we do sanitary sewer televising every year as part of the sewer maintenance program which is done two years out from street projects. It has been recommended by Ruekert & Mielke to have this done on the Hwy 83 sanitary sewer line that's directly next to that water main, and the interceptor that starts in Hartridge. The difference in pricing is due to the difficulty in access. This is an agreement not to exceed \$30,000.

Motion (Truttschell/Pfeiffer) to approve the Visu Sewer 2024 televising, not to exceed \$30,000. All were in favor, **motion carried.**

8. Review and consideration of T-Mobile Tower Contract Renewal

Village Manager Bailey said the contract is expiring this year and the renewal has been reviewed by Attorney de la Mora. This is for \$38,413 per year, with the rate increasing 15% every 5 years.

Motion (Pfeiffer/Wallschlager) to approve the T-Mobile Contract Renewal. All were in favor, **motion carried.**

9. Review and consideration of Water Utility Simplified Rate Increase

Village Manager Bailey said he does an annual report that determines whether we are meeting our requirements under our previous study. If we are not, we are allowed to do a simplified rate increase. We don't have to, but if we don't we will have to do a larger increase in the future. He recommends smaller increases. The increase will be effective December 16th.

Motion (Conner/Pfeiffer) to approve the Water Utility Simplified Rate Increase. All were in favor, **motion carried.**

10. Review and consideration of Cemetery fees

Clerk Policello said the Cemetery Rules were reviewed and approved at the last meeting. Staff also reviewed Cemetery fees and gathered information from surrounding cemeteries. Our fees are lower than most. Staff recommends implementing a deed transfer fee of \$40. There are 15 graves in Section A that are small in size that will not accommodate a full body burial that staff recommends making available for infant/young child burials at no cost to the family. The family would be responsible for the excavating fee.

Trustee Wallschlager recommends a transfer fee of \$100. Trustee Conner thinks \$40 may be too low. Trustee Truttschell suggested a compromise of \$75. Pfannerstill agrees with a \$100 transfer fee; he doesn't think the infant/young child graves should be given away at no charge. The Clerk said this is something that was found in the City of Waukesha pricing. He was leaning

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toward pricing the infant/young child graves at \$750 and increase the others to \$1200. He said people do bury cremains. Jungbluth said this section is next to the current infant/young child section.

Motion (Pfeiffer/Wallschlager) to approve the adjustment and the increase in the cost of graves to \$1200, fee for deed transfer set at \$100 and to leave the 15 graves to be used at no charge infant and young child burials with no residency restriction. All were in favor, **motion carried.**

11. Announcements: The following individuals will be given an opportunity to make announcements at the meeting in regard 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 Manager or other Village Staff members.

DPW Interim Director Jenson said Cody Lauersdorf has been hired, he is a returning employee that was gone for 1 year. Jenson thanked all that helped with The Wall That Heals, it was a good event, Police, Fire, DPW, Recreation. There was good attendance. Average attendance for other communities is 7000, we had 7200 on Friday alone.

Chief Jambretz said in May there were 104 calls for service. We are now 10 calls ahead of last year at this time. The new pick-up truck is being outfitted with equipment. Hose testing is this month. Tomorrow he is meeting with Keller for the facility study. He has four people coming to the PFC for interviews tomorrow. Jambretz said there are 3 members, including 1 full-time employee that have been called up for service; 2 for 13 months and 1 for 4 month, with the full full-time employee gone until November. The Fire Department provided an escort for Arrowhead baseball on their way to state competition in Appleton. The department participated with The Wall That Heals.

Police Lt. DeBarge said part-time administrative assistant Kirstie Ewing left for family reasons. She hopes to return if the opportunity presents itself. They have received 3 applications for the detective position; interviews will take place June 13th. The position will be filled in July when Officer Suther completes road training.

Trustee Conner said The Wall That Heals was fantastic and thanked volunteers.

Trustee Wallschlager thanked Lynn Minturn for her and the Chamber's work for their work on The Wall That Heals. Hartland will now be an example for how other communities plan for The Wall That Heals.

Trustee Pfeiffer was present for the opening ceremony of The Wall That Heals, it was a powerful ceremony. He thanked everyone involved.

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Trustee Truttschel visited The Wall That Heals with his wife, it was awesome. Nothing but high marks from those that attended.

President Pfannerstill gave kudos to Lynn and Chamber of Commerce, Kent Rice. It showcased Hartland. Nixon Park looked perfect. Hometown parade and celebration is June 28 – 30. Parade is on the 30th.

12. Consideration of a motion to move into closed session pursuant to sec. 19.85(g) to confer with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved, specifically LMRK DI PROPCO LLC v. Village of Hartland, 2023CV001534, and sec. 19.85(1)(c), Wis. Stats., considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically regarding the Village Manager, and to reconvene into open session pursuant to sec. 19.85(2) for the purpose of considering any action as may be necessary and appropriate (ROLL CALL VOTE).

Motion (Pfeiffer/Conner) to go into closed session. Roll call vote taken. All were in favor, **motion carried.**

The Board went into closed session at 7:59 pm with a recess first taken until 8:04 pm.

Motion (Truttschel/Conner) to return to open session. All were in favor, **motion carried.**

Return to open session at 8:17 pm.

Motion (Pfeiffer/Truttschel) to approve the tax settlement agreement as presented. All were in favor, **motion carried.**

Motion (Pfeiffer/Wallschlager) to approve the Village Manager contract as presented. All were in favor, **motion carried.**

13. Adjournment

Motion (Pfeiffer/Wallschlager) to adjourn the meeting at 8:19 pm. All were in favor, **motion carried.**

Respectfully submitted,

Sandee Policello
Village Clerk