

VILLAGE BOARD MINUTES
MONDAY, JUNE 22, 2015
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

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

Others Present: Administrator Cox, Clerk Igl, DPW Director Einweck, Interim Fire Chief Dean, Finance Director Bailey, Police Chief Rosch, Jim Mann, Bill Taibl, Jim Siepmann, Steve Martinez, Lynn Minturn, Donna Dorau, Reporter from Waukesha Freeman.

Roll Call

Pledge of Allegiance – Trustee Wallschlager

Public Comments: (Please be advised the Village Board will receive information from the public for a three minute time period per person, with time extensions per the Village President's discretion. 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 Village Board minutes of June 8, 2015. Carried (6-0). Wallschlager abstained.
2. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$554,837.98. 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
 - f. "Class C" Wine

President Lamerand opened the Public Hearing at 7:02 p.m. The listing of applicants for renewal liquor licenses was presented. No comments being heard, the Public Hearing was closed at 7:05. Motion (Landwehr/Swenson) to approve the following license renewals:

CLASS "B" BEER/"CLASS B" LIQUOR

1. El Pueblo Inc., dba Café El Sol & Senor Tomas, 150 North Ave., Marco Alarcon, Agent
2. Flanagan-Dorn Legion Post #294, 231 Goodwin Ave., William T. Lay, Jr. Agent
3. KNP Enterprises, Inc., dba Phoenix, 129 Cottonwood Ave., Nancy Fetkenhauer, Agent

VILLAGE BOARD MINUTES

MONDAY, JUNE 22, 2015

7:00 PM

PAGE 2

4. Lake Country Racquet and Athletic Club, Inc. dba Lake Country Racquet Club, 560 Industrial Dr., Trudy Gebhard, Agent
5. Margrit Meier, dba Hartland Inn, 110 Cottonwood Avenue, Margrit Meier, Individual
6. Palmer's Steakhouse, LLC, dba Palmer's Steakhouse, 122 E. Capitol Dr., Jerome Arenas, Agent
7. Endter's Sports Grill, LLC, dba Endter's Sports Grill, 300 Cottonwood Ave., Patrick Endter, Agent
8. Saloon 247 LLC, dba Saloon 247, 247 W. Capitol Drive, David Marklund, Agent
9. The Legend at Bristlecone Pines, LLC, dba The Legend at Bristlecone, 1500 E. Arlene Dr., Jack Gaudion, Agent,
10. JC Bogars, LLC, dba JC Bogars, 352A Cottonwood Ave., Juan C. Montano, Agent
11. Beer Snobs, Inc., dba Beer Snob Eats & Ales, 122 Cottonwood Ave., Steve Berger, Agent

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

1. Bin One Eleven, LLC, dba Bin One Eleven Wine Store & Tasting Bar, , 111 E. Capitol Dr., Justin Jackson, Agent
2. Hartland Hospitality Group, LLC, dba Zesti, 130 E. Capitol Dr., Maricela Feker, Agent

CLASS "A" BEER

1. Cardinal Service, Inc., dba Cardinal Service, 805 Cardinal Lane, Michael Jungbluth, Agent
2. Stop-N-Go of Madison, Inc., dba Stop-N-Go #273, 101 E. Capitol Dr., Andrew Bowman, Agent

CLASS "A" BEER/CLASS "A" LIQUOR

1. Fox Brothers Piggly Wiggly, Inc., dba Piggly Wiggly, 505 Cottonwood Ave., Patrick Fox, Agent
2. Walgreen Co., dba Walgreens #09365, 423 Merton Ave., Jacqueline Wagner, Agent
3. Sendik's Hartland, LLC, dba Sendik's Food Market, 600 Hartbrook Drive, Theodore Balistreri, Agent
4. Hartland Village Mart, Inc., dba Hartland Village Mart, 301 E. Capitol Dr., Moyez T. Badani, Agent

"CLASS B" BEER

1. Hartland Athletic Advancement Association, Inc., H.A.A.A. Bark River Canteen, David Godgluck, Agent
2. Hartland Athletic Advancement Association, Inc., H.A.A.A. Nixon Park Canteen, Peter Ludtke, Agent
3. Endter's Sports Grill, LLC, dba Endter's Sports Grill, Nixon Park Fine Arts Center Concession Stand, Patrick Endter, Agent
4. Board & Brush, LLC, dba Board & Brush Creative Studio, 110 W. Capitol Dr., Julie Selby, Agent

"CLASS C" WINE

1. Board & Brush, LLC, dba Board & Brush Creative Studio, 110 W. Capitol Dr., Julie Selby, Agent

4. Consideration of other Licenses not requiring a Public Hearing:

a. Motion (Compton/Wallschlager) to approve **Amusement Device Licenses**:

Endter's Sports Grill LLC, 300 Cottonwood Avenue
Flanagan-Dorn Legion Post #294, 231 Goodwin Avenue
KNP Enterprises, Inc. (The Phoenix), 129 Cottonwood Avenue
Saloon 247, 247 W. Capitol Drive
Sun Laundries, LLC, 515 Cottonwood Avenue

Carried (7-0).

b. Motion (Landwehr/Swenson) to approve **Bartender (Operator's) Licenses** as presented.

Carried (7-0)

c. Motion (Landwehr/Swenson) to approve **Cabaret Licenses**:

Maricela Feker, Zesti, 130 E. Capitol Drive
Justin Jackson, Bin One Eleven, 111 E. Capitol Drive
Jack Gaudion, The Legend at Bristlecone Pines, 1500 E. Arlene Drive
Kenneth L. Zilisch, Flanagan Dorn Post 294 American Legion, 231 Goodwin Avenue
Margrit Meier, Hartland Inn, 110 Cottonwood Avenue
Endter's Sports Grill LLC, 300 Cottonwood Avenue

Carried (7-0).

d. Motion (Compton/Wallschlager) to approve **Cigarette Licenses**

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

Carried (7-0).

e. Motion (Swenson/Meyers) to approve a **Taxi Cab License** to Lake Country Cares Cab, Inc. Carried (7-0).

f. Motion (Landwehr/Swenson) to approve a **Temporary Bartender (Operator's) License** to Daniel Bird. Carried (7-0).

- g. Motion (Meyers/Swenson) to approve **Weights and Measures Licenses**

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
Sun Laundries, LLC, 515 Cottonwood Avenue
Wisconsin Cement Co., 701 W. Capitol Drive
Walgreen's, 423 Merton Avenue

5. Proclamation Honoring the Hartland Chamber of Commerce on its 65th Anniversary.

President Lamerand read the Proclamation honoring the Chamber on its 65th anniversary into the record and presented it to Chamber Director Lynn Minturn and Chamber President Donna Dorau.

6. Consideration of actions related to the proposed Tax Incremental District No. 4 Project Plan and Boundary Amendment and Tax Incremental District No. 6 Creation.
- a. Review of proposed amendment to Tax Incremental District No. 4 and creation of Tax Incremental District No. 6

Jim Mann from Ehlers stated the proposed second amendment to TIF #4 would shrink the territory of the district down to encompass just the two properties that have had positive value development since the creation of the tax increment district. It will essentially shut the district down for any further projects going forward. It will put the overall district in a positive tax increment standpoint where it will start generating tax increments to be utilized to offset the advances that have been made to the district. It is anticipated that when the district closes it would not be in a position where it pays off the entire amount but it is believed that the district is not going to develop any additional dollars to cover any of the costs that it has incurred.

Also proposed is the creation of a single site tax increment district as a mixed unit district for the express purpose of constructing approximately 77 residential units, 3,000 square feet of commercial space on properties fronting on Capitol Drive and extending north to include two residential properties abutting Lawn Street. Currently the property has a mixed use. All existing structures on the property will be torn down. Three new buildings will be constructed comprised of rental housing structures and a commercial structure with residential space located above. The project does meet the Village's

VILLAGE BOARD MINUTES

MONDAY, JUNE 22, 2015

7:00 PM

PAGE 5

overall master plan. Staff has been negotiating with the developer for quite some time and terms of an agreement are in position but not yet finalized. Based on the cash flow analysis the anticipated value to be generated will be between \$8 and \$10 million. It is anticipated that the district would have a life cycle of about 17 years.

Trustee Wallschlager asked whether plans had been changed to address concerns related to parking. It was stated that no changes had been made to the plans.

- b. Motion (Landwehr/Swenson) to adopt Resolution 06/22/2015-01 "Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 4, Village of Hartland, Wisconsin." Carried (7-0).
 - c. Motion (Meyers/Swenson) to adopt Resolution 06/22/2015-02 "Resolution Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 6, Village of Hartland, Wisconsin." Carried (6-1) Wallschlager opposed.
7. Consideration of a motion to approve a Planned Unit Development and Tax Incremental District Agreement with JD McCormick Company, LLC regarding the Riverwalk Development conditioned on final JRB approval of TIF District #6.

President Lamerand stated that this item is not yet complete. Motion (Swenson/Landwehr) to table the item. Carried (7-0).

Items referred from the June 15, 2015 Plan Commission meeting

8. Consideration of a motion to approve an amendment to the Conditional Use Permit recently issued for Hartland Service to allow the second wash unit to be unattended and available 24 hours per day.

Administrator Cox stated that this item was reviewed by the Plan Commission. Hartland Service is moving toward creating final plans for its expansion and has requested that the conditional use permit that was issued related to providing automotive service in that zoning district be amended to allow that the second unit can be an unattended 24 hour a day facility. The petitioner indicated at the Plan Commission that while the equipment is more efficient the impact will be a reduction in the number of vehicles that he can run through per day. In addition, it was stated that the floor level of the revised wash bay would be about 4 inches lower, mitigating some of the headlight traffic leaving the site.

In addition, an amendment was made to the permit to describe that if excessive complaints related to noise occur, the Village may consider modification or revocation of the permit. Motion (Meyers/Wallschlager) to approve an amendment to the Conditional Use Permit recently issued for Hartland Service to allow the second wash unit to be unattended and available 24 hours per day.

VILLAGE BOARD MINUTES

MONDAY, JUNE 22, 2015

7:00 PM

PAGE 6

Trustee Stevens stated that he has concerns related to any machinery with moving parts being unattended. He stated he would like to see supervision or some type of automatic shut off. It was stated that there are similar businesses open 24 hours that are unattended in the Village currently. Motion carried (6-1). Stevens opposed.

9. Items related to consideration of the Final Plat, Recreation Center, Entry Monument Sign and Final Landscaping Plan for the Windrush Subdivision.
 - a. Consideration of a motion to approve the Final Plat for the Windrush Subdivision.

Trustee Landwehr asked whether there is an outlet to the east. Mr. Siepmann stated that there is an outlet to properties in the Town of Lisbon.

Motion (Landwehr/Swenson) to approve the Final Plat for the Windrush Subdivision. Carried (7-0).

- b. Consideration of the site and plans for a proposed monument entry/subdivision sign.

Administrator Cox stated that an addendum to the development agreement has been drafted which addresses the monument entry/subdivision sign stating that the developer agrees to change their declarations of restriction so that the homeowners association absorbs liability for the monument sign and also the responsibility for repair or replacement of the sign even if the Village has to have it removed to gain access to the sanitary sewer or water system located below it.

Motion (Meyers/Wallschlager) to approve the site and plans for a proposed monument entry/subdivision sign. Carried (7-0).

10. Motion (Landwehr/Meyers) to approve a Final Extraterritorial Plat for the Woodridge Estates II Subdivision in the Town of Delafield. Carried (7-0).

Others items for consideration

11. Consideration of a motion to approve an Advanced Life Support Intercept Agreement with the Lisbon Fire Department.

Interim Fire Chief Dean stated that this agreement is intended to formalize a handshake agreement with the Town of Lisbon for mutual assistance in providing Advanced Life Support. The agreement provides details related to billing of these calls and should eliminate billing problems for these calls.

Motion (Meyers/Wallschlager) to approve an Advanced Life Support Intercept Agreement with the Lisbon Fire Department. Carried (7-0).

VILLAGE BOARD MINUTES

MONDAY, JUNE 22, 2015

7:00 PM

PAGE 7

12. Motion (Swenson/Wallschlager) to approve a reduction to standby letter of credit for Sanctuary of Hartland, LLC. Carried (7-0).
13. Consideration of actions related to the Hartland Business Improvement District.
 - a. Motion (Meyers/Swenson) to approve the Hartland Business Improvement District 2014 Annual Report. Carried (7-0).
 - b. Motion (Compton/Landwehr) to approve the Hartland Business Improvement District 2015 Operating Plan. Carried (7-0).
14. 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 encouraged residents to vote in the Special Partisan Primary election on June 23.

Residents were reminded of the Hometown Celebration events planned for June 26 – June 28.

15. Adjourn.

Motion (Stevens/Wallschlager) to adjourn. Carried (7-0). Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk