

**VILLAGE OF HARTLAND  
VILLAGE BOARD MINUTES  
MONDAY, AUGUST 10, 2015  
7:00 PM**

**BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

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

Others Present: DPW Director Einweck, Interim Fire Chief Dean, Police Chief Rosch, Clerk Igl, and Administrator Cox. Village Attorney de la Mora was also present.

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 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. (See Veterans Memorial Project at the end of the Announcement section. Applicant did not speak at this time)

1. Public Comment Follow Up: Chris Miller, Developer of the Sanctuary of Hartland will update the Board on the status of concerns expressed by a resident at the July 27 Board Meeting regarding the condition of Outlot 1 in the Subdivision.

This item was taken second.

Chris Miller explained that Outlot 1 was used last winter as a borrow pit where they mined some material. When they were done, it was backfilled and restored. Upon review it was regraded, redressed with top soil and reseeded. There has been concern from the neighbors about the length of the planted grass. That area was meant to be a native area and not intended to be cut.

Lee Bromberger, 140 Maple Avenue, addressed Chris Miller's explanation. He stated that when the area neighbors attended meetings before the actual development of the Sanctuary, they were told that Outlot 1 would be lawn. When they looked at the topographical drawings, there was no such depiction as it being a natural area. The neighbors saw flat green, with berms and trees. At this point there are no trees.

Mr. Bromberger stated that he felt this area is still in great need of grading. The problems that he identified two weeks ago include standing water, to the point where there are several little ponds, mosquitoes, ground bees, and frogs that inhabit these ponds. One of the neighbors went back there on his own to start to fill them in. The neighbors have been unable to enjoy summer in their backyards because of the mosquito problem. A neighbor started to weed-wack that area to try to maintain it.

Mr. Bromberger stated that the neighbors were told that the area would be maintained as lawn, not natural grass. One person has had five mice and eight voles in his house since this high grass grew. There was a never rodent issue in the past with 40 acres of woods behind our yards. Mr. Bromberger has lived there since 1991.

He further stated that the ruts need to be regraded and banked so that the water goes toward the drainage pit. The work done today is not satisfactory. Mr. Bromberger asked the Hartland Village Board members to come out and take a look at the area. The ground is so hard it's like asphalt. Even with the lack of rain, there is still standing water. The neighbors have been left with nothing but problems since the project began. That's why he made the call to Administrator Cox on June 24. Mr. Cox called him back on June 26 and said nothing was going to happen that day. Mr. Bromberger came in person on July 27 and still nothing had happened. "Today we had what I would call a superficial attempt "get it right." It's not right. I was out there today from 4:00 to 4:30 with Mike Einweck. It needs to be done right. If I have to come every two weeks and talk to the board, I will. I don't like the fact that we are being told something different from last year on how Outlot 1 is supposed to be finished and maintained. None of us would have accepted natural grass that is four feet high, standing water and animals".

Mr. Miller stated that the area has been redressed with top soil. Until the roots take hold and the grass starts to grow, the drainage may not be good. Mr. Miller thought the idea was to maintain the natural look of the land. The amount of cut trees was reduced and the excess buckthorn was taken out. It was always the intent to keep it natural. With the northeast path not going in, a minor detention pond is now removed. Workers haven't been able to get in there for the last week and a half because Maple Avenue was torn up. The soonest they could get in was today.

Mr. Bromberger was out there at 4:00 PM today. There are still huge ruts and it is not level. It was level before the project was started. Because it is going to significantly affect our quality of life, it needs to be addressed properly.

President Lamerand asked DPW Director Einweck if the developer is following the plans and if he is watching to make sure they are complying with the plans as the Village approved them.

Mr. Einweck stated that the majority of the work has been associated with the roadway and utilities. It's just recently they started working on the outlot areas for restoration. We have not checked those per plans at this point. He did meet Mr. Bromberger and his neighbor, Scott, out there today and there is some minor rutting. He did bring that to the attention of the developer about three months ago. There was some rutting that was holding water and some low-lying areas. A trench was put in to try to get the water to flow toward the detention pond. Unfortunately, it seems to be blocked off right now. Tree landscaping has not been done because it's a bad time to plant trees with the heat and dryness.

President Lamerand stated that he had envisioned the grassland would be taller grass.

Chris Miller added that once the electric and sidewalks are in, they can come back and restore some areas.

The ditch was a temporary drainage area that was put in for the winter in case there was a runoff event. That will get filled in. Some of the berms are temporary for water retention over the winter. There is still a lot of work to be done.

A lot of the seeding that was done was to stabilize the area so there would not be as much runoff. Mr. Einweck will work with Chris on the length of the grass.

In the past the neighbors mowed the grass behind their lot lines to extend their lots. The land was flat and the grass was short. There wasn't any trouble with rodents or standing water.

Mr. Lamerand stated that Mike Einweck will look at the situation and come up with a better mix as to what that neighborhood should look like and he will keep us informed.

2. Introduction of Firefighters and EMTs and swearing in of new Fire Department members.

Item 2 was taken first.

Clerk Igl swore in the following Fire Department/EMT members:

Logan Groshek - EMT B  
Jill Pfitzinger - EMT B  
Dustin Kummer - EMT B  
Kajil Sharp -Paramedic  
Nick Shimel -FF1  
Alex Konen -AEMT  
Mitchel Lewis -FF1  
Ricky Dominguez-Critical Care Paramedic  
Nate Lutze -Passed Paramedic Class, but still needs to do ride alongs

3. Motion (Meyers/Wallschlager) to approve the Village Board minutes of July 27, 2015. Carried (7-0).
4. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$222,606.91. Carried (6-0-1). Wallschlager abstained.
5. Motion (Swenson/Landwehr) to approve Operator (Bartender) Licenses with terms ending June 30, 2016. Carried (7-0).
6. Consideration of a motion to approve a Relocation Assistance Agreement with Lake Country Bed Barn related to the Riverwalk development.

The previous and new spaces are roughly the same size, with the new space being slightly larger. The building is just studs right now. The new location is the eastern portion of the building at 122 Cottonwood Avenue where Beer Snobs is going into. The Village will be paying about two-thirds of the construction cost. Whatever they have inside their existing facility, they will bring with them. Because the Village has told Lake Country Bed Barn that they have to move to another downtown location, the Village planned for that and is helping them financially to relocate including refurbishing the location they chose. The amount has been budgeted and it is covered under the TIF. The Village has had similar conversations with Social Life Dance Studio. They have similar build-out costs where they would likely go to accommodate their dance floor. Pink Mocha has been more difficult to relocate because of the need for a kitchen. We put \$150,000 in the TIF to assist in the relocation of these businesses, not only the physical relocation, but the development of their spaces because we are asking them to move on our schedule, not their own.

Motion (Landwehr/Swenson) to approve a Relocation Assistance Agreement with Lake Country Bed Barn related to the Riverwalk development. Carried (7-0).

7. Discussion of potential future development in the area northeast of the Village and consideration of actions related to future roadways.

Administrator Cox reported there has been discussion with potential developers of land in the area northeast of the Village between Mary Hill and the conceptually-approved Homestead subdivision. During those discussions, it has become evident that the matter of disagreement between the Village's future roadway plans and the County's plans as it relates to the relocated County Highway KE may need to be resolved in order for future development to move forward.

Both the Village and the County agree that as development occurs in this area and traffic increases, the currently-existing "jog" in CTH KE at CTH K should be removed in order to improve safety at the intersection.

One of the most significant issues with the relocation of the roadway as the County currently plans is the hill on which the Village's water tower is located. In order to provide safe sight lines for increased traffic at the future intersection near Bristlecone Pines, the County would plan to cut the hill at the water tower down by approximately 12 feet. Further, the design anticipates some filling of the area of the intersection to flatten the entire stretch of road. Overall, an enormous amount of excavation would significantly impact the area properties and would need to be considered in designing utilities in the area.

When the matter has been discussed in the past, outside parties, including SEWRPC, evaluated the situation and suggested that the County planned route is significantly more costly due to the needed excavation; perhaps as much as \$1 million more. However, the County determined that their route was preferred at that time.

While the Village did not force the issue during the Windrush subdivision review and, in fact, did not require the owners to show a potential future roadway on the Plan on the outlot in the northwest portion of the site, Administrator Cox believes we need to make a decision on this matter now in order to determine how the Village will proceed. If the County will adjust their plan, then Hartland's comprehensive plan is valid and can be easily used for development in the area. If the County route remains the future planned location of the road, then Hartland should adjust its own plans, including the Land Use Plan, to reflect the change.

The Village Board was asked to consider whether it wishes to request the County to adjust its plan for CTH KE to meet our plan or if the Village will amend our plan. Either way, the matter needs to be put to rest and the two plans should coincide.

John Siepmann was present and was asked if he had an opinion as a developer. He stated that the County Board looked at this numerous times and has voted upon it three times. The North configuration only affects one home. The intersection has not met the accident level that would have the County put it on their Capital Improvement Plan. The southern route would go very close to a number of lots on the west side of Windrush subdivision, which most homeowners would not prefer.

With the potential for more development in the northeast corner of the Village, we need to ask the County to make a decision about the road and get in on their schedule to build the road. That could take three to five years.

Motion (Landwehr/Stevens) to pursue the southern route for HWY KE. Carried (6-1).  
Wallschlager – no.

8. Motion (Meyers/Swenson) to approve a reduction in the Letter of Credit for the Windrush Subdivision.

Discussion: The work has been progressing very satisfactorily.

Motion carried (7-0).

John Siepmann stated that he is a little disappointed in the vote for the southern route for HWY KE. It may have an impact on the sale of lots in Windrush and also the future Parade of Homes.

9. Consideration of a motion to approve a WE Energies Gas Distribution Easement at Bark River Greenway

WE Energies is requesting an easement from the Village in order to complete the third and final part of the gas distribution system upgrade project to provide Advanced Disposal with an alternative fuel source for their disposal truck fleet. A new 8 inch gas line would be placed along our pathway in the Bark River Greenway. This route will avoid conflicts with utilities in Lawn Street and a crossing of the large culverts just north of this location.

The new gas line will be from 3' to 5' in depth and will avoid the proposed improvements associated with the Riverwalk Development project. As part of the Village granting the easement, WE Energies will restore the Village land and provide funds to install two trees along the Greenway. WE Energies would like to commence the work in the very near future in order to avoid conflicts when school is in session and the upcoming Riverwalk Development project. They will approach an adjacent property on Lawn Street for a five foot easement to gain some extra room. They will have to follow the permitting regulations with the DNR.

Motion (Meyers/Swenson) to approve a WE Energies Gas Distribution Easement at Bark River Greenway.

Discussion: What happens if there is problem with what goes under the river five or ten years from now? Mike Einweck answered that WE Energies would have to repair it; however, there is no chance that it would affect the river. It's a solid high-density polyethylene pipe. There are no joints that could come apart under the river.

Motion Carried (7-0).

10. 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.

Ann Wallschlager reported that last Saturday was a good time at Lake Country Caring celebrating the years that they have been serving the community.

Ron Reichle, a history teacher at Arrowhead High School, wanted to propose a new Veterans project. He would like to re-design the memorial near the outfield fence at Nixon Park. He would like to open up a contest for every child in every grade, K – 12 in the Arrowhead District, to submit proposals to redesign the Hartland Veterans Memorial. It would replace the existing one outside the center field fence. We would choose a Board that would get together and choose five to seven of the better proposals. Those proposals would go to different businesses in the area for a week or so, the community could look at them, and vote online. The Board would choose the winner. The winning memorial would be built with no taxpayer expense. The high school would raise the money. The current stone that is there for WWII veterans would stay. There would be a disclaimer on the applications that if the Board does not like any of the submittals, they don't have to choose one. Then you could leave the current memorial as is or try again next year. He plans to get the American Legion involved in some way.

On the Arrowhead website home page, under Community, there is a link to the current Veterans display.

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Motion (Lamerand/Meyers) to support the Veterans project proposed by Ron Reichle. Carried (7-0).

Mr. Reichle will send a brochure for the contest when it is ready.

11. Consideration of a motion to recess to closed session pursuant to SS 19.85 (1)(g), Conferring 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 regarding licensing, personnel matters and a tax claim and to adjourn thereafter without reconvening into open session pursuant to SS 19.95 (2).

Motion (Stevens/Wallschlager) to recess to closed session. Roll Call Vote was taken. All Ayes. Carried (7-0).

Meeting recessed at 8:20 PM.

Respectfully submitted by  
Recording Secretary,

Lynn Meyer  
Deputy Clerk