

VILLAGE BOARD MINUTES
MONDAY, MARCH 27, 2017
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

Roll Call

Pledge of Allegiance – Colin Menz (Boy Scout)

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

Others: Administrator Cox, Finance Director Bailey, DPW Director Einweck, Chief Bagin, Clerk Igl, Fire Chief Dean, Mike Laguna, Jeff Anson, Cindy Gardner, Attorney Thomas Hofbauer, several Pawling Ave. residents, tenants and representatives of Miller/Marriott

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.)

Trustee Landwehr stated that he feels residents do not understand how TIF districts work and asked that President Lamerand provide an explanation including how the two parcels that the Village had purchased were used for the redevelopment.

President Lamerand stated that in a tax incremental financing district once properties to be included are designated, their value and taxes get frozen at that level. The taxes continue to go to taxing jurisdictions as if they were not in the TIF district. Once a district is created, the municipality is looking for development to increase the value in the district. President Lamerand provided used TIF 5 as an example which is the site of Culver's. For the parcel to be developed, it needed utilities and roads constructed which were cost prohibitive. Through the TIF district, money was advanced for those purposes. Prior to development the land had a value of approximately \$100,000 which was frozen but after the restaurant was built, the value went to approximately \$3,000,000. The additional taxes generated by new value go to repay the TIF debt. After a period of time, the debt is repaid to the TIF, there is no expense to the taxpayers and the municipality has the ability to realize some additional monies that go back to the taxing jurisdictions.

President Lamerand provided a summary of the Village's TIF Districts and the improvements made in each. He stated that at the end of TIF 2 & TIF 3 there was a surplus with the Village's portion approximately \$800,000. The Village put those dollars aside in corporate reserves. As the Village went through the planning process, it was determined that the downtown would need redevelopment. It was agreed at that time that those funds would be used for that purpose when needed.

As the two parcels became available which later became part of the Riverwalk development, the Village purchased the properties at market value and had the structures razed as these properties had been

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identified during planning as potential acquisitions to be used in redevelopment of the downtown. The Village held the properties at a value of approximately \$143,000.

TIF 4 was created as a large district covering much of the downtown to assist in building the Emanuele building. The market then dropped after the value was frozen and three years later the value of TIF 4 had dropped significantly. No dollars would be coming from the TIF until the value exceeded the original value. To rectify the situation, the Village had to reduce the size of TIF 4 and that put the TIF into a positive increment position to allow for repayment of the debt. He stated that part of the debt of TIF 4 was the acquisition of the two parcels of land. Because of the change in the economy and losing value, while the TIF will be positive when it expires at the end of its life, there will still be a balance left. It is anticipated that the excess that will come from TIF 6 will more than cover the shortfall in TIF 4. President Lamerand stated that it was made clear throughout the entire process that the parcels would be used to encourage development. Village plans had included residential housing in the downtown area along with some additional commercial development. President Lamerand stated that he felt that the Board and Plan Commission were transparent throughout the entire process and that the downtown development would have not happened without TIF funding.

President Lamerand responded to criticisms related to the chimney swift roost stating that the Village had not wasted funds in his opinion. He stated that the Village now has an \$87,000 asset as a result of joint efforts which is located in a park that is main access to environment corridor. He stated that the majority of the board had voted in favor of the project. ¹

1. President Lamerand read and presented a proclamation honoring Mike Laguna on his retirement from the Village after 30 years of service.
2. Motion (Meyers/Compton) to approve the Village Board minutes of March 13, 2017. Carried (7-0).
3. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$370,035.70. Carried (6-0). Meyers abstained.
4. Consideration of actions related to Licenses and Permits
 - a. Motion (Landwehr/Swenson) to approve applications for Operator's (Bartender) Licenses with a term ending June 30, 2018. Carried (7-0).
 - b. Motion (Compton/Meyers) to approve a renewal application for a restricted species permit for Duane Grimm, 311 Woodlands Ct., to allow four chicken hens. Carried (7-0).
 - c. Motion (Landwehr/Swenson) to approve a Street Use Permit for Beer Snobs Ale & Eats for an outdoor event to be held on June 17, 2017 including approval that music be allowed until midnight as requested. Carried (7-0).
 - d. Consideration and action regarding a request from the owners of Hogger's Pub requesting additional time to begin operation.

¹ Trustee Meyers requested at the April 10, 2017 Village Board meeting that the remaining unpaid balance of \$11,606.34 for the Chimney Swift Roost be noted in the March 27, 2017 minutes.

Jeff Anson, owner of Hogger's Pub, was present to request an extension to allow the establishment to open by May 20. A liquor license had previously been issued to Hogger's subject to an agreement which required that the business be in operation by March 30, 2017. He stated that he is working on renovations and has run into unanticipated issues. Motion (Swenson/Landwehr) to grant an extension for the opening of Hogger's Pub to May 20. Carried (7-0).

5. Consideration of bill for an Ordinance No. 03/13/2017-01, An Ordinance to Amend Article 22, Section 30-28 of the Village of Hartland Code of Ordinances Regarding Fines and Forfeitures of the Municipal Court.

Following the first reading of the proposed ordinance, it was determined by the Court's attorney that the entire code section needs to be updated. The complete updated ordinance was not yet available. Motion (Swenson/Compton) to suspend the rules. Motion (Swenson/Lamerand) to adopt Ordinance No. 03/13/2017-01. All opposed; bill defeated.

6. Consideration of actions related to various insurance matters:
 - a. Consideration of a motion to approve various liability, workers compensation and automobile insurance coverage through League of Wisconsin Municipalities Mutual Insurance (LWMMI) and other underwriters for the term of April 1, 2017 to April 1, 2018 with a combined annual premium of \$193,229.50.

Finance Director Bailey stated that there is a slight increase over last year due to the workers comp mod increasing based on an increase in claims last year. Trustee Meyers asked for clarification on the rates for workers comp for various departments. Finance Director Bailey explained that rates for volunteer paid on call fire personal are paid differently than other departments as they are based on population served rather than salary.

Motion (Swenson/Landwehr) to approve various liability, workers compensation and automobile insurance coverage through League of Wisconsin Municipalities Mutual Insurance (LWMMI) and other underwriters for the term of April 1, 2017 to April 1, 2018 with a combined annual premium of \$193,229.50. Carried (7-0).

- b. Consideration of motion to accept proposal for property and equipment insurance coverage from Municipal Property Insurance Company for the policy term of May 1, 2017 to May 1, 2018 with an annual premium of \$23,436.

Finance Director Bailey stated that this covers property in the open and all Village facilities. Motion (Compton/Stevens) to accept proposal for property and equipment insurance coverage from Municipal Property Insurance Company for the policy term of May 1, 2017 to May 1, 2018 with an annual premium of \$23,436.

Items referred from the March 20, 2017 Plan Commission meeting

7. Items related to a request to construct a secured self-storage facility located at 840 Rose Drive for Benchmark Secured Storage of Hartland LLC.
 - a. Consideration of a motion to approve site and building plans

President Lamerand stated that the Plan Commission has recommended approval with contingencies. Concerns related to security were raised. The representative from Benchmark stated that there will be perimeter fencing, security cameras, alarms, etc. as it will be a fully secure facility. Motion (Swenson/Stevens) to approve site and building plans as presented including the contingencies specified by the Plan Commission. Carried (7-0).

- b. Consideration of a motion to approve a Conditional Use Permit

Administrator Cox stated that the conditions modified by the Plan Commission include that the final site grading and stormwater is acceptable to the village engineer. Another issue is related to the establishment of the fire lane that the property owner is responsible for maintaining (including plowing) and that the Village and property must come to an agreement regarding how that is to be surfaced. Lastly, screening on the west side of the property will be addressed if it becomes an issue with neighbors. Administrator Cox stated that the conditional use permit is permanent as long as ownership remains the same with a review required after two years.

Motion (Swenson/Meyers) to approve a Conditional Use Permit with conditions recommended for Benchmark Secured Storage. Carried (7-0).

8. Consideration of a motion to approve revised site and building plans for an addition to Midwest Composite Technologies, 1050 Walnut Ridge Drive.

Administrator Cox stated that this is a revised plan from what was approved previously by the Board. Motion (Landwehr/Swenson) to approve revised site and building plans for Midwest Composite Technologies as presented. Carried (7-0).

Others items for consideration

9. Motion (Meyers/Swenson) to approve the Stormwater Management Program Annual Report to the DNR. Carried (7-0).
10. Consideration of a Proposed No Parking Designation on Pawling Avenue at Prospect Avenue.

Administrator Cox stated that based on concerns raised about congestion in this area he had asked staff to review options. Staff recommended an area be designated as no parking. Tenants and ownership of the Hartland Station are not satisfied with the proposed parking option. It was stated that mail delivery to residents in the area had become problematic as

parked cars block mailboxes. Options for designating an area as no parking were discussed. It was stated that there is a driveway at Hartland Station for delivery drivers to pull into rather than blocking traffic in the street.

Attorney Tom Hofbauer, tenant of Hartland Station, commented that he was excited to move into the new facility on Pawling where angle parking was originally proposed but learned recently that now no parking is being considered. He stated that he is concerned with the parking situation as it is difficult to ask clients to park down the street. He stated that he will ask that employees park in the lot down the street. It was discussed that Village staff could be directed to issue a letter to the owners of Hartland Station that they provide to tenants asking that all employees utilize the municipal lot. Another tenant of Hartland Station spoke in support of one way parking in the area but asked that a long term solution be provided.

Trustee Meyers asked how this project was approved by the Plan Commission without parking being addressed as parking is already a problem in the Village. Administrator Cox stated that the original plans for Hartland Station included a parking lot but when the Plan Commission reviewed the project it was found that angle parking was proposed for the area in planning documents. The Plan Commission approved the project to include on-street parking rather than constructing an off street parking lot based on that review. Administrator Cox stated that he had believed that the Village would have more time to get the angle parking designed and constructed. He stated that staff will have to implement the angle parking plan sooner rather than later. It was stated that the road will need to be widened to allow for the angle parking. It was stated that the developer of Hartland Station had paid \$18,000 to the Village toward constructing 21 angle parking spots.

It was requested that this item be placed on the agenda for the April 10 meeting for an update on the project. Motion (Swenson/Landwehr) to designate no parking from west of the driveway to the residence on the north side of Pawling to the corner of Prospect Ave. Carried (7-0).

11. Consideration of a motion to replace the Village Engineer position on the Plan Commission with a citizen member and to appoint resident Tim Fenner to the Plan Commission for a term ending April 30, 2020

Trustee Meyers expressed concerns about removing the engineer from the Plan Commission and replacing with a citizen member. President Lamerand explained that the village engineer will go from being a voting member to being a non-voting member but will still be required to attend the Plan Commission meetings.

Motion (Landwehr/Swenson) to replace the Village Engineer position on the Plan Commission with a citizen member and to appoint resident Tim Fenner to the Plan Commission for a term ending April 30, 2020. Carried (7-0).

12. 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

Fire Chief Dean stated that the 5th annual extrication fundraising event was successful. He stated that the Hartland Fire Dept. has been invited to the Milwaukee crash lab on April 21 to participate in a mock accident to be filmed by the discovery channel. He stated that the Village will be limited to 55 attendees and that a bus to shuttle attendees is available.

President Lamerand introduced and welcomed newly appointed Police Chief Bagin. Chief Bagin thanked the Board and all who attended for supporting Chief Rosch's retirement event.

President Lamerand reminded viewers of the April 4th Spring Election which will be held at the Community Center with the polls open from 7 a.m. to 8 p.m.

13. Adjournment

Motion (Stevens/Landwehr) to adjourn at 8:15 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk