

VILLAGE BOARD MINUTES
MONDAY, JUNE 26, 2017
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

Roll Call

Pledge of Allegiance – Trustee Wallschlager

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

Others: Administrator Cox, DPW Director Einweck, Police Chief Bagin, Fire Chief Dean, Clerk Igl, Linda Hansen, Fred Kelly Grant, Mark Block, Ryan Amtmann, Maureen McBroom

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.)

- Daniel Hammer, regarding his property north of 1112 Lisbon Ave. – Mr. Hammer stated that he has posted his property at 1112 Lisbon Ave. with no trespassing signs.
1. Motion (Stevens/Swenson) to approve Village Board minutes of June 12, 2017. Carried (7-0).
 2. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$139,787.72. Trustee Meyers asked for clarification on invoices related to street sweeping. Carried (7-0).
 3. Consideration of actions related to Licenses and Permits
 - a. Actions related to the consideration of the issuance of Class "B" Beer/"Class C" Wine Licenses for the Nixon Park Beer Garden (Patrick Endter, Agent)
 - i. PUBLIC HEARING – President Pfannerstill opened the Public Hearing at 7:10 p.m. No comments were made. The Public Hearing was closed at 7:12 p.m.
 - ii. Motion (Compton/Wallschlager) to approve issuance of Class "B" Beer/"Class C" Wine Licenses for the Nixon Park Beer Garden with terms ending June 30, 2017 and June 30, 2018 Carried (7-0).
 - b. Consideration of applications for Operator's (Bartender) Licenses
 - i. Motion (Landwehr/Swenson) to approve Operator's License with a term ending June 30, 2018. Carried (7-0).
 - ii. Motion (Compton/Stevens) to deny an Operator's License application for Mike Orth. Carried (7-0).
 - c. Consideration of other licenses and permits

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- i. Motion (Stevens/Wallschlager) to approve Temporary Operator's (Bartender) Licenses related to the Annual Street Dance, Saturday, July 15, 2017 – Chamber of Commerce. Carried (7-0).
- ii. Motion (Stevens/Swenson) to approve Temporary Operator's (Bartender) Licenses related to the Hometown Celebration, June 30, 2017 – Hartland Kiwanis. Carried (7-0).

Item referred from the June 19, 2017 Plan Commission meeting

4. Consideration of a motion to approve a request to amend the site plan for Blue Ribbon Flooring, 475 Cardinal Lane.

Administrator Cox explained that the original approval by the Plan Commission for this project called for all driving surfaces to be paved. The owner has asked for reconsideration to allow the driving area used primarily for turning around of the semi-trailers to be unpaved (gravel). Two reasons for the request were cited. Maintenance of gravel will be easier as asphalt will tear when under lateral stress. Also, some infiltration is achieved through the gravel. The Plan Commission agreed that it would be acceptable to allow gravel provided that the owner continues to maintain it as he has done in the past.

Motion (Stevens/Swenson) to approve a request to amend the site plan for Blue Ribbon Flooring, 475 Cardinal Lane to allow gravel as requested. Carried (7-0).

Other Items for Consideration

5. Update from Hearing Officer Fred Kelly Grant regarding the FDA Coordination effort.

Mr. Grant provided an update as well as suggestions regarding next steps. Draft language for a follow up letter to Health and Human Services and the Food and Drug Administration was presented for discussion. He proposed that a second discussion take place to address three points critical to the understanding and application of the Deeming Regulations.

The first point discussed is one of deterring young people from experimentation with traditional tobacco as well as vaping products. It was stated that determining a protocol and method for developing and presenting a preventative program based on examples of human experimentation should be discussed. It was suggested that this effort include existing non-governmental organizations dedicated to youth health, lung health and anti-smoking to develop and present programs to discourage use these products.

A second topic of discussion is that based on the findings, the regulations impose an adverse impact on local businesses. It was suggested that a protocol be developed to determine the actual costs of preparing and submitting an application for approval to provide a better understanding of the burden.

Thirdly, it was suggested that a cost analysis be conducted before issuance of the regulations. The profile of a cost analysis recommended include a three dimensional view of revenue losses including every element of the business: manufacturer, retail seller, transportation, users, and all incidentals.

It was discussed that officials from Health and Human Services and Food and Drug Administration be invited to visit Hartland to meet with the Village Board to discuss the coordination effort.

6. Actions related to the Village's Storm Water Management and TMDL Plan Update.
 - a. Presentation of the Hartland Storm Water Management and TMDL Plan Update.

Village Engineer Ryan Amtmann presented a summary of the Storm Water Plan Update. He stated that the plan is available on the Village's website for the public. The Village has had a DNR MS4 permit since 2006 which regulates the Village's stormwater drainage system. The initial study in 2008 revealed that the Village met the permit requirements to reduce the Total Suspended Solids (TSS) in storm sewer discharges by 20%. In 2011, the Rock River Basin Total Maximum Daily Load (TMDL) was developed which identified the amount of pollution waterways can receive and meet standards. He stated that the Village received a grant from WDNR to fund 50% of the cost for a long-term strategy to meet more strict pollution control requirements in the Rock River Basin.

Ruekert-Mielke assessed current/potential storm water treatment practices to meet the stricter requirements in 2015-2017. The findings indicate that the Village has made tremendous progress during the last eleven years. It was found that the Village has reduced TSS by 51%. Dozens of private stormwater best management practices have been installed such as rain gardens, underground storage/infiltration cells, bioretention ponds, and wet ponds/infiltration basins. In addition, the Village has installed five stormwater projects as well. The Village has also performed three streambank stabilization projects. Mr. Amtmann stated that the climate has adapted to these stormwater requirements over the last ten years.

Mr. Amtmann stated that the Village has received three planning grants and five constructions grants for its efforts. He stated that these efforts allow for cleaner water to discharge to the Bark River and more substantially, more water is infiltrating into the ground to recharge the Village's aquifer. It was stated that the new goal for TSS reduction is 66% leaving a gap of 19%. Mr. Amtmann stated that phosphorous is now being regulated with a goal of 77% reduction in the TMDL with the Village currently at 38%.

Mr. Amtmann stated that Ruekert-Mielke used a cautious approach to prioritize new storm water treatment practices. The report focused on TSS reductions and allowed time for new technologies and DNR guidance on phosphorus reductions. The report

includes revising existing storm water programs to be more effective including leaf collection, storm water practice maintenance, TSS and phosphorous requirement for new and redevelopment projects and continuing to remove sediment from Nixon Park Pond. In addition, it was recommended to link new storm water practices with scheduled road reconstruction projects and capital improvements to save money.

The report identified a primary list of storm water practices for implementation over the next 10 – 15 years. The cost of these projects is approximately \$806,559. The primary projects recommended are the St. Charles Church infiltration basin, Progress Drive grass swales, Medline Industries infiltration basin, 900 Walnut Ridge Drive biofilter, Mill Place Subdivision biofilter and Hartridge Subdivision infiltration basin.

A secondary set of projects is included in the plan which when added to the primary projects will allow the Village to reach the 66% TSS reduction goal. However, these projects are significantly more expensive with a total cost of \$2,380,320. Alternatives should be explored further to find cost-effective and efficient ways to improve water quality.

The next steps identified include CIP planning for projects that make sense during the next 6 year time frame, updating the ordinance to incorporate performance standards, and Village staff reaching out to businesses with stormwater systems to perform inspections. It was stated that the 2019-2023 permit period starts in March 2018.

- b. Consideration of a motion to accept and adopt the Hartland Storm Water Management and TMDL Plan Update.

Motion (Landwehr/Stevens) to accept and adopt the Hartland Storm Water Management and TMDL Plan Update to be submitted to the DNR by the end of June. Carried (7-0).

7. Consideration of a motion to approve granting of an easement to WE Energies to install facilities on the south ten feet of the Village-owned property at 901 Manchester Ct.

Motion (Swenson/Landwehr) to approve granting of an easement to WE Energies to install facilities on the south ten feet of the Village-owned property at 901 Manchester Ct. Carried (7-0).

8. 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.

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Residents were reminded of the Hometown Celebration events scheduled for June 30 through July 2.

Chief Dean stated that a reception in honor of Chuck Delsman is scheduled for June 30 from 7-10 pm at the Ironwood Golf Course. He stated that a fund is being created for the community to raise funds to pay for youth sports related expenses for the under-resourced.

9. Motion (Stevens/Compton) to adjourn at 8:44 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk