

VILLAGE BOARD MINUTES
MONDAY, APRIL 26, 2021
6:30 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

Call to Order
Roll Call

Present: Trustees Anson, Dorau, Meyers, Wallschlager, Ludtke, Conner, President Pfannerstill

Others Present: Administrator Rhode (zoom), Finance Director Bailey (zoom), Clerk Igl, Fire Chief Jambretz, Police Captain Kelsey, Craig Eisenhut, Utility Operations Supervisor Felkner, Rec Director Yogerst, Tim Hallquist, Lee Bromberger, Peg Moede, Bob Rosch, Laura Myrah, Janet Schmitt, Tim Langer, Bryan Lindgren, Jane Maahs, Gail Albert Ruby, Jessie Senglaub, Jim Siepman, John Siepman, Connie Van Gilder, Darryl Carlson, Michelle Haider, Steve Berg, Bill Koch, Val Wisniewski, residents.

Pledge of Allegiance – Trustee Anson

Public Comments: Please be advised the Village Board will receive comments from the public related to any item(s) on the agenda for a three-minute time period per person, with time extensions per the Village President's discretion.

Peggy Moede and Derek Clark, representing the Swallow School Board, commented on concerns related to the potential sale of the Vilter farm and requested that the 42 acre parcel be rezoned for single family dwellings only due to traffic concerns and declining enrollment. Mr. Clark asked that sidewalks be considered in the future for the increasing foot traffic to the school.

Connie Van Gilder also asked that the Vilter farm be zoned for single family residential. She also asked that the Village be cautious to preserve green space.

Jane Maahs, 338 Merton Ave., commented on the conceptual Neumann development asking that the Village look at the area as a cohesive development and stated that it was hoped that a road would come through the area with a controlled intersection due to the traffic volume on Merton Ave.

Gay Albert Ruby, Town of Delafield, provided comments related to Janet Schmitt's service on the Hartland Library Board. Ms. Ruby stated she had previously service on the Hartland Library Board as well as the Waukesha County Federated Library System Board. She urged the Village Board to reappoint Janet Schmitt to the Hartland Library Board.

Clerk Igl performed the swearing in of Newly Elected Village President and Village Trustees Wallschlager, Ludtke and Conner.

1. Motion (Meyers/Dorau) to approve Village Board minutes of April 12, 2021. Carried (7-0).
2. Consideration of a motion to approve vouchers for payment.

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Trustee Wallschlager raised questions related to two items on the list that had been coded incorrectly. Additionally, she asked whether the invoices for R & M related to projects are for amounts included in the budget. Finance Director Bailey stated that engineering fees are included in budgeted amounts for projects. He stated that additionally the Village is billed for general fees including items such as the Penbrook Park trail extension.

Motion (Wallschlager/Anson) to approve vouchers for payment in the amount of \$384,030. Carried (6-0). Meyers abstained.

3. Consideration of actions related to Licenses and Permits.
 - a. Consideration of a motion for a Special Events Permit for bike race to be held on June 22, 2021.

President Pfannerstill stated that the event is planned for June 23 rather than June 22. Michelle Haider (BID) and Steve Berger (Beer Snobs) representing BID presented the plans for the event. It was stated that this would be the first time this event would be in Hartland and that they are working in conjunction with Jim Cope. It was stated that the roads would close at 9 a.m. and reopen about 10:00 p.m. It was stated that the event has a sponsor so would cost BID nothing. BID representatives stated that they would be asking for police involvement for closing the streets. It was stated that volunteer (or group) would be assisting at the corners of the race course and along the route. It was stated that an email had gone out to business along the route and BID staff is working with the event organizer to address concerns.

Trustee Dorau stated concerns that some businesses are not aware of the event and she would feel more comfortable with signatures being collected. Clerk Igl stated that the new Special Events Permit Application was utilized per Administrator Rhode. It was stated that the new code requires a copy of the notification, a list of those notified and an affidavit of mailing being provided prior to the event. Trustee Dorau stated that she disagreed with that process as the ordinance changes are not yet in place. President Pfannerstill stated that he would like to hear from business owners prior to the Village Board taking action. Jessie Senglaub, owner of Birch & Banyan, stated that while the event will have an impact on businesses, she believes the challenges can be worked through. Trustee Wallschlager agreed that since the ordinance change is not yet approved, she felt the old form requiring signatures should be used and that those are required first. Trustee Conner stated that the board represents the businesses and they need reassurance that everyone to be impacted by the event is comfortable with it. Val Wisniewski, Avalon Graphics, stated that more residents will be affected than businesses.

Bill Koch, Dairyland, stated that this is their 12th year of operation. He stated that the race is brought within the barricades and generally utilizes 3-4 officers at the "pinch" points. He stated that an ideal course is a mixture of business and residential areas, bringing visibility to the community.

Captain Kelsey stated that the department will have minimal staffing so the event would create overtime. She stated that a meeting is scheduled for staff to discuss the event. It was stated that Dairyland had been looking to announce the event by April 14. Trustee Anson commented that he felt the group should go through the property procedure with the current application form and that the item should be held to the next meeting. Administrator Rhode stated that the

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amended ordinance eliminates the signature requirement and requires a notification instead. Motion (Anson/Conner) to postpone this item to the next Village Board meeting with the stipulation that they get feedback from businesses and residents along the route. Carried (7-0).

Recessed at 7:36 p.m., reconvene at 7:45 p.m.

4. Consideration of a motion to adopt on third reading an Ordinance repealing §10-206 through §10-232 of the Village of Hartland Code of Ordinances regulating Public Dances and Concerts.

Motion (Dorau/Anson) to postpone consideration of adoption of the ordinance to the May 10 Village Board meeting for further review. Carried (7-0).

5. Consideration of a motion to adopt on third reading an Ordinance amending §78-56 through §78-62 of the Village of Hartland Code of Ordinances regulating Street Use Permits.

Motion (Conner/Anson) to postpone consideration of adoption of the ordinance to the May 10 Village Board meeting for further review. Carried (7-0).

Items referred from the Park & Recreation Board meeting

6. Consideration of a motion to affirm the Park and Recreation Board approval of the use of Fine Arts Center & Shelter #4 for No Better Friend Corp. event.

Rec Director Yogerst and Darryl Carlson stated that the veteran focused event scheduled on July 16 will be open to the public. All applications have been submitted and the event was recommended for approval by the Park & Recreation Board. Mr. Carlson stated that the primary focus of the event is to share information with veterans related to services available.

Motion (Meyers/Ludtke) to affirm the Park and Recreation Board approval of the use of Fine Arts Center & Shelter #4 for No Better Friend Corp. event. Carried (7-0).

Items referred from the April 19, 2021 Plan Commission meeting

7. Consideration and possible action, as follows, regarding Sandhill East Multifamily, a proposed PUD development ("Project") whose approval and rezoning is being sought from RS-1 to RM-3 by Siepmann Realty Corporation on property tax key HAV0388 989 001 located east of CTH KE and north of CTH K. The project is proposed to be 33 two family buildings and 11 four family buildings within a PUD with limited public improvements and private utilities and private roads.
 - a. Review of rezoning petition and proposed draft planned Unit Development Agreement and related exhibits.

Administrator Rhode stated that the Plan Commission gave a positive recommendation to the project and recommended the Public Hearing be set as a Joint Plan Commission and Village Board meeting. Village President Pfannerstill stated that there are two sites in that area owned by Siepmann Realty. He stated that was the recommendation of the Village Attorney and Village Engineer that the well site identified on one of the sites be secured before granting this rezoning request.

Administrator Rhode stated that the identified well site is located on the 40 acre undeveloped property adjacent to this proposed development. He stated that the Village had identified future well sites and originally there was discussion that the developer would grant the well site as part of this development. He stated that the County has not yet finalized the location of the "S" curve on KE but that it is hoped that this can be worked through before May 17.

Trustee Anson stated that he believes that the Village needs the well site secured before moving forward as he doesn't want to go through the eminent domain process and believes the existing zoning should remain in place until the well site is secured legally.

Mr. Siepmann stated that as he had told Administrator Rhode, he would agree to put the well site into the PUD agreement to legally clarify. Mr. Siepmann asked the Village Board to be allowed to put the well site into the PUD agreement and promised to have it done before Phase 3 if not sooner, as he is working with the County to get the alignment determined. Motion (Anson/Ludtke) not to proceed until the agreement is in place securing the well site. Carried (7-0).

Mr. Siepmann asked whether the Village Board is expecting the well site to be given to the Village. It was stated that the Village would purchase the property. Siepmann stated that he could get the site issued resolved before the public hearing. Trustee Anson requested reconsideration of his motion. Vote taken to reconsider the motion; the Village Board allowed.

- b. Consideration of a motion by the Village Board to schedule a Public Hearing on the recommendation of the Plan Commission for Monday, May 17th, 2021, during a joint meeting of the Joint Architectural Board/Plan Commission and the Village Board, which will occur in segments.

Motion (Anson/Ludtke) to set the Public Hearing for Monday, May 17, 2021 but to postpone action on the PUD and request that Siepmann work on getting documents in order to secure the well site prior to the Public Hearing. Carried (7-0).

8. Consideration of a motion to approve an Extraterritorial Certified Survey Map for the property located at N46W28542 Willow Brook Ct. in the Town of Delafield.

President Pfannerstill stated that the Plan Commission had recommended approval. Motion (Conner/Meyers) to approve an Extraterritorial Certified Survey Map for the property located at N46W28542 Willow Brook Ct. in the Town of Delafield. Carried (7-0).

Other Items for Consideration

9. Discussion and consideration of a conceptual plan for development of vacant property west of the end of Badger Drive and Eagle Pass by Neumann Developments, Inc.

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Bryan Lindgren, Neumann Developments, presented a proposal for "infill" properties in the Village. The two parcels included in the conceptual plan include one located off of Merton Avenue and the other is the Hammer property. He stated that over all there are challenges with the development of the site. He stated that they had approached property owners and made offers to purchase. He stated that the Hammer property is currently zoned RS-1. He stated that they had looked at the concerns raised by adjacent property owners and stated that they had no objections to following the existing homeowner's association rules. He stated that Eagle Pass would become a cul-de-sac with a couple of lots and Badger Drive would extend internal to provide future development options. He asked the Village Board to consider whether this is consistent with the smart growth plan and if this is something the Village would like to see move forward.

Trustee Wallschlager stated that she would prefer to see a development of only four homes as she believes this is too many homes in the area and feels this proposal is not in the best interest of the Village. Mr. Lindgren stated that the proposal is well within the current zoning density. Village President Pfannerstill stated that he is concerned that it land locks property and is not systematic. Trustee Ludtke stated that she understands this is a difficult parcel to develop but is concerned about traffic on Merton Ave. She stated that she appreciates that the proposal is for single family homes and that Neumann was trying to fit within the plan parameters.

Motion (Wallschlager/Conner) to not send the conceptual plan for development of vacant property west of the end of Badger Drive and Eagle Pass by Neumann Developments, Inc. as proposed to the Plan Commission for consideration. Carried (7-0).

10. Consideration of a motion to approve Contractor's Application for Payment No. 1 in the amount of \$130,809 .62 to All-Ways Contractors, Inc. for the 2021 Utilities Program.

Utility Operations Supervisor Felkner stated that this work was budgeted for in the CIP. Staff recommended payment as requested. Motion (Meyers/Wallschlager) to approve Contractor's Application for Payment No. 1 in the amount of \$130,809 .62 to All-Ways Contractors, Inc. for the 2021 Utilities Program. Carried (7-0).

11. Consideration of a motion to confirm Board, Commission and Committee appointments.

President Pfannerstill stated that there are two positions that are changing. He stated that Ralph Redlin has indicated he no longer wishes to serve on the Police & Fire Commission. Secondly, he stated that he is appointing Dr. Dawn Nelson to the Library Board for a three year appointment rather than reappointing Janet Schmitt.

Janet Schmitt, currently serving as Library Board President, stated that no reason was provided to her why she is not being reappointed. President Pfannerstill stated that she had served for thirty year for which the Village is grateful and that he wants to open the position up to more voices during this transition.

Ann Grievenkamp, 618 Renson Road, stated that she wants to understand why Janet Schmitt is being removed. President Pfannerstill stated that she is not being removed but rather she is not being reappointed as it is time to open the opportunity for others allowing different people to

provide input. Janet Schmitt asked that the appointment be reconsidered. Motion (Ludtke/Connner) to approve appointments for committee as follows:

2021 Board of Review - Jeffrey Pfannerstill, Robyn Ludtke, Michael Meyers, Ryan Bailey, Darlene Igl

Del-Hart - Donna Dorau, Jeff Anson, Michael Meyers, Robyn Ludtke, Jeffrey Pfannerstill (alternate) with terms to expire 5/31/2022

Hartland Library Board – Lee Bromberger and Dr. Dawn Nelson with terms to expire April 30, 2024

Joint Arch. Bd./Plan Commission – David de Courcy Bower with a term to expire April 30, 2023, Ann Wallschlager and Jeffrey Pfannerstill with terms to expire April 30, 2022

Park & Recreation Board – Randy Ferrell and Curt Gundrum with terms to expire April 30, 2024

Police & Fire Commission – Trevor Deboer with a term to expire April 30, 2026

Environmental Corridor and Open Space Committee – Michael Meyers and Linda Hallquist with terms to expire April 30, 2024

Carried (7-0).

12. Discussion and action on the two requests for Arrowhead’s School District annexation petitions dated September 29, 2020.

President Pfannerstill stated that a letter rescinding the annexation petitions had been received from Arrowhead High School. Motion (Ludtke/Dorau) to accept the request to withdraw the annexation petitions. Carried (7-0).

Arrowhead School Board President Bob Rosch thanked the Village for the opportunity to close the door on the matter. He stated that the marketing strategy is moving forward. Additionally he stated that AHS would propose to continue discussing the partnership on the connector road. He stated that they will be selling the 42 acres farm but will not give up land on the main campus for homes.

13. 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.

Utility Operations Supervisor Felkner stated that the downtown paving project is ahead of schedule and will begin milling a week early. Trustee Ludtke thanked R & M for providing update communications on the project.

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Trustee Dorau congratulated the Police Department as they were recognized at the Kudo's dinner.

14. Adjournment

Motion (Dorau/Conner) to adjourn at 8:45 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk