

**VILLAGE BOARD MINUTES**  
**MONDAY, MAY 22, 2023**  
**6:30 PM**  
**BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD**

Call to Order

Roll Call

Present: Trustees de Boer, Truttschel, Pfeiffer, Wallschlager, Conner, Hallquist and President Pfannerstill

Others Present: Village Manager Bailey, Deputy Clerk Bushey, DPW Director Felkner, Police Chief Misko, Recreation Director Rennekamp, Tom Jenson, Ann Grevenkamp, Carol Landwehr, Tabitha McBride, Chris Rebholz, Trevor de Boer, Steve Berger, Ed Adams, Brady Clemmensen, and Eric Rahmel.

Pledge of Allegiance – Trustee Conner

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

No comments

1. Proclamation – Police Chief Misko read the Proclamation for Susan Loppnow's 26 years of service to the Village of Hartland and presented the Proclamation to her family.
2. Motion (Conner/Pfeiffer) to approve the Village Board minutes of May 8, 2023. Motion carried.
3. Items related to Vouchers –
  - a. Motion (Pfeiffer/Hallquist) to approve Contractor payment #1 to DF Tomasini for utility repairs. Motion carried.
  - b. Motion (Truttschel/Wallschlager) to approve final payment to American Pavement Solutions, Inc for 2023 Crack Sealing Program. Motion carried.
  - c. Motion (Wallschlager/Conner) to approve vouchers for payment in the amount of \$741,572.02. Motion carried.
4. Actions related to Licenses and Permits
  - a. Consideration of Operator's (Bartender) Licenses.

Motion (Pfeiffer/Truttschel) to approve Operator's licenses for Nolan Patrick Masterson, Joy Lynn Massie, Anna Kathryn Waltz, Katherine Declore, and Mollie Brooke Johnson. Motion carried.
  - b. Consideration of Licenses and Permits related to St. Charles Fall Fest Sept. 8-10, 2023.

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- i. Temporary Class Operator's license.

Motion (Pfeiffer/Hallquist) to approve Temporary Operator's for Keith J. Van De Laarschot. Motion carried.

Motion (Conner/Hallquist) to approve Temporary Operator license for Hometown Celebration for Sara Rennekamp and David Felkner. Motion carried.

- ii. Temporary Class "B"/"Class B" Retailers license-

Motion (Pfeiffer/Truttschel) to approve Temporary Class "B"/"Class B" license for St. Charles Fall Fest Sept. 8-10, 2023.

- c. Consideration of Restricted Species permits –

Ed Adams – request for 6 chickens. Hallquist asked if his property abuts up to school property. Mr. Adams said it does, but there are trees there that create a barrier.

Motion (Pfeiffer/Hallquist) to approve Restricted Species permit for 6 chickens. Motion carried.

Brady Clemmensen – request for 4 chickens. This is his first-time having chickens.

Motion (Pfeiffer/Hallquist) to approve Restricted Species permit for 4 chickens. Motion carried.

Eric Rahmel – request for 4 dogs. He said he has a restricted species permit for 3 dogs, a family member passed away and he is the only one that could take the dog in. Chief Misko commented that there have been previous complaints regarding barking, but the Rahmels take corrective action when the complaint is called in to the Police Department. Dogs are no longer allowed to use door to come in and out on their own.

Motion (Pfeiffer/Conner) to approve Restricted Species permit for 4 dogs. Motion carried.

- 5. Consideration of Ordinance No. 04/24/2023 "An Ordinance Creating Substitute Amendment of the Village of Hartland Code of Ordinances Regulating Residency Restrictions for Sex Offenders".

President Pfannerstill said they have been working on this a long time. Trustee Pfeiffer said it is great to see an ordinance on the books. Pfannerstill pointed out this vote will end the enforcement of a moratorium on sex offenders moving into the Village, but it will go in the direction that we want to go.

Motion (Pfeiffer/Conner) to approve No. 04/24/2023 "Ordinance Creating Substitute Amendment of the Village of Hartland Code of Ordinances Regulating Residency Restrictions for Sex Offenders. Motion carried.

Chief Misko said one piece of correspondence he didn't get until late Friday so it couldn't be included in the packet, and it doesn't have any bearing on passing of the ordinance, but it is something they typically do to insure we are in compliance and its state statutes through the Lake

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Country Municipal Court, is that we have to have our bond schedule always approved by the court and the judge. He said that can always be done after the fact, the problem there is if they have an issue we have to go back and fix that. He said we mirrored some municipalities that already use the Lake Country Court so he is very confident that it would work since it already had in other communities. He said he received a letter from the Judge saying he approves of the Bond schedule for the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> offenses and more in its entirety. He said the map will be available at the Village Hall and the Police Department. He said once the ordinance is approved that is something that will be on our website.

6. Consideration of a First Reading of Bill for an Ordinance No. 05/22/2023-01 "An Ordinance to Amend Chapter 70-3 of the Village of Hartland Municipal Code Pertaining to Park Hours with Penalty".

Public Works Director Felkner said it was noticed that it is outdated and last updated in 1991 and 2005. He said now that we have lit paths people want to know if they can access them after hours. It was taken to Park board, staff, Police and Fire. He said what was added was that Nixon Park hours shall be established and posted from time to time which may be different than hours of other applicable parks. He said all parks hours are sunup to sundown with the exception will be the lit path. He said under subtitle 5, there needs to be a fine if violated so that is the only thing that was added. Pfannerstill asked about the Ice Age Trail. It was stated that the Ice Age Trail path is not Village property. Chief Misko said officers do have discretion and if someone has a reasonable explanation.

7. Consideration of a First Reading of Bill for an Ordinance No. 05/22/2023-02 "An Ordinance to Amend Chapter 70-4 of the Village of Hartland Municipal Code Pertaining to Posting of Notices".

Felkner said the verbiage was wrong and this one went back to 1991 as well, and there minor verbiage changes from Superintendent to Director and his or her designee.

8. Consideration of a First Reading of Bill for an Ordinance No. 05/22/2023- 03 "An Ordinance to Amend Chapter 70-5 of the Village of Hartland Municipal Code Pertaining to allowing the sale of fermented malt beverages within specific land areas".

Felkner said under 70-5, under subtitle 2 refers to how you get a permit, you come to the village hall get a permit, a background check is done by Police Department. And subtitle 3 refers to the Beer Garden, as there was never anything added for the Beer Garden.

Item referred from the May 15, 2023, Plan Commission Meeting

9. Consideration of construction of a gazebo shelter for playground area, 1280 Bristlecone Drive.

Hallquist commented that this was approved at Plan Commission, and it is replacement to make it look nicer.

Motion (Wallschlager/Conner) to approve a gazebo shelter for playground area, 1280 Bristlecone Drive. Motion carried.

Other Items for Consideration

10. Discussion and Consideration of an application for a Special Events Permit for Tabi's Anniversary Celebration July 29<sup>th</sup>, 2023, 111 E. Capitol Drive-

Tabatha McBride was present and said this is Tabi's 5<sup>th</sup> Anniversary. Wallschlager asked if the band stage will be facing her business and she said yes. She said she is adding a fundraiser for a charity this year but has not picked the charity yet.

Motion (Pfeiffer/Conner) to approve the Special Event Permit for Tabi's Anniversary Celebration, July 29<sup>th</sup>, 2023. Motion carried.

11. Discussion and Consideration of an application for a Special Events Permit for St. Charles Fall Fest, Sept. 8 - 10, 2023.

Rennekamp said there is no change this year for this event except the time on Friday is being changed to noon.

Motion (Hallquist/Wallschlager) to approve the Special Event Permit for St. Charles Fall Fest Sept 8-10, 2023. Motion carried.

12. Presentation of Business Improvement District Marketing Study.

Michael Stumpf from Place Dynamics gave a presentation of the Marketing Study.

13. Consideration of appointment to the Business Improvement District.

Motion (Hallquist/ Conner) to approve the appointment of Bob Wisniewski to the Business Improvement District. Motion carried.

14. Discussion and Consideration of awarding Hartbrook pedestrian bridge construction.

Public Works Director Felkner said in 2021 it was determined that the Hartbrook Pedestrian Bridge needed replacement. He said the walk bridges and vehicle bridges are inspected every 2 years. He said there was a complete failure to the underside of the framing of that bridge, so they put it in the 2023 budget for 205,000.00. He said they sent it out for permitting and soil testing. He said the soil testing came back bad and so which deemed they needed to make a longer span and bridge to increase the labor costs, the DNR permitting so through that soil boring it also stated that our footings would have to be pounded 30 feet deep in concrete pylons for the abutment support of this bridge. He went on to say it's likely that the path will have to be replaced on the west side for ADA compliance which will include once all the dump trucks are pulled back there to put in fill, they will destroy the whole path so it will have to be paved all the way to North Avenue. He said there is an alternative which may back that down a bit, he said we are 100,000.00 under budget for our 23 paving projects so if we have to replace the path, we could use some of that money for paving the path so that will bring that number down. He said the whole proposal was put out to 3 companies to bid on and Zenith Tech, Inc bid came in at 294,936.64. He said this is only for the

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abutments and the path repair, the bridge is already constructed so this came in a lot higher than we thought. Pete from R&M said when we first upped the budget to 205,000 we had not received the soil investigations back yet and we had an original quote from Wheeler for the bridge structure. He said with the poor soils that came back Wheeler essentially gave us a new quote because we also wanted to take the bridge from it currently 45 ft long we were originally planning 50 ft but for permitting purposes if you keep it outside the wetlands that are adjacent to the river it's a lot shorter of a permit process like 60 days of review vs could be 9 months of review and we didn't want to delay this so we got a higher quote back from Wheeler and then when they did their design for the abutments they said on each side there needed to be three 30 ft deep cast in place concrete pilings. He said all this work has to get done from the east side of the river because you can't take a crane for driving those pylons onto the west side of the river so with the constraints that we have, the bid obviously came back a lot higher than we originally anticipated. He said we believe the right path is to still move forward with the bridge and that is what our recommendation is. Bailey said the office gets calls weekly about the bridge and wanting it to be open, it one bridge that really used around town. Felkner said he reached out to Wheeler and asked if we should push it off and bid next year. Felkner said he was told you shouldn't do that, because all the state bridges are opening up their bids for construction next year and all 3 of the companies that bid will be busy and will pick and choose and it could go by the wayside.

Pfannerstill commented on the original total 294,936.64 and the additional amount. Mr. Gesch said there was the \$71,000.00 change from Wheeler, the R&M costs for design, permitting, the bidding and spot checking for construction administration. He said on page 2 of the memo is the total of everything combined which is the 432, 037.64. Pfannerstill asked if an adjustment was needed to the overall budget since it was such a large number. Gesch said our recommendation is to award the project and that award is the 294, 936.64 then for Zenith Tech and then everything combined would be the 432,036.64.

Wallschlager asked why we are just now getting the information about the soil testing and abutments; shouldn't this have been done and then a bid submitted to us. Gesch said at the time it was put in the CIP, in 2021 it came forward that the bridge needed replacement and that was about the time that budgeting was done so soil investigation had not been done. Hallquist said there was 205,000 that was budgeted, and he asked Felkner if the amount that he said that could reallocated was 100,000. Gesch commented that the amount was probably closer to \$150,000.00 Felkner said the paving of the path is about 50,000.00. Hallquist said so it is not exactly 227,000, it will be less than that then. Pfannerstill said he doesn't see it coming down any and he spoke with Felkner that going forward to do soil samples right away when work needs to be done by the river. Felkner said this is the last bridge over the river that needs to be replaced. They reached out to the IATA to help with the cost and they had zero interest.

Motion (Truttschel/ Conner) to approve the awarding of the Hartbrook Pedestrian Bridge construction to Zenith-Tech in the amount of \$294,936.64, plus the cost of the bridge, permitting, design for a total of \$432,037.64. Carried.

Gesch said the permits are ready and once this is awarded it is about a month for the contract signing and depending on their schedule, the deadline on the project is to be done by the time school starts again.

15. Consideration of Authorization of surplus of 2003 F350 to sell on Wisconsin Surplus or Facebook Market Place.

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Bailey said Chief Jambretz approached him about using Wisconsin Surplus or Facebook Market Place, and Jambretz had stated that Wisconsin Surplus has fees that the buyer has to pay that it may be better off to use Facebook Market Place. Pfannerstill that has come up before and they have always stayed with Wisconsin Surplus. Brief discussion on the two sites.

Motion (Conner/Pfeiffer) to authorize the sale of the 2003 F350 on Wisconsin Surplus. Motion carried.

16. 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.

Chief Misko – said there has been a report of 12 vehicles entered or attempted entered. Surrounding areas have had cars stolen as well, so he reminded everyone to keep their vehicles locked.

There will be security enhancements to the Waukesha County Tower.

Rec Director Rennekamp – 1<sup>st</sup> week of T-ball which continues over the next several weeks. Still need volunteers for Hometown Celebration.

Trustee Wallschlager – Memorial Day ceremony at the American Legion at 10:30am on Memorial Day. There will also be a service for MIA – POW's.

Village Manager Bailey – Staff will be seeing legislators tomorrow.

President Pfannerstill – asked everyone to keep the Loppnow family in their thoughts.

17. Adjournment.

Motion (Pfeiffer/Truttschel) to adjourn at 7:58 p.m.

Respectfully submitted,

Deidre Bushey  
Village Deputy Clerk