



Village of Hobart

Village Office 2990 S. Pine Tree Rd, Hobart, WI
www.hobart-wi.org - www.buildinhobart.com

Notice is hereby given according to State Statutes that the VILLAGE BOARD of the Village of Hobart will meet on Tuesday March 17th 2020 at 6:00 P.M. at the Hobart Village Office. **NOTICE OF POSTING:** Posted this 13th day of March, 2020 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village website.

MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday March 17th 2020 (6:00 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call. Rich Heidel called the meeting to order at 6:00pm. Roll call: David Dillenburg, Rich Heidel, Ed Kazik and Debbie Schumacher were present.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by Rich Heidel second by Ed Kazik, to approve the agenda as presented. The motion passed unanimously.
3. Pledge of Allegiance: Those present recited the Pledge of Allegiance

4. PUBLIC HEARINGS

A. PUBLIC HEARING – Conditional Use Permit, HB-622-4, 225 Shady Drive – 2,112 square feet of additional accessory building on property. The current property owner Nick DeNoble is proposing to construct a second accessory building of an additional 2,112 square feet on his property. Being that the property currently has a 768 square foot (24'x32') accessory building (detached garage), this request would consist of a Conditional Use Permit as the new accessory building would not conform to the requirements identified in the zoning code. The three conditions that would require the CUP would be the request for a second such accessory building on the same lot, the increase in maximum total accessory building square footage to 2,880 (380 square feet greater than the maximum noted in the ordinance), and the overall height to be at 25 feet which would exceed the height of the principal dwelling which is at 18 feet, but would still meet the maximum allowed by ordinance of 25 feet. Rich Heidel opened the hearing and called for public comments either for or opposed to the request. 3-calls for comments, no comments were given. Todd Gerbers, Director of Code Compliance spoke with the Board regarding the project. The Planning & Zoning Commission were favorable toward the project and recommended approval. Rich Heidel closed the hearing.

B. ACTION on aforesaid agenda item: Motion made by David Dillenburg second by Ed Kazik, to approve the CUP for the accessory building for Mr. De Noble. The motion passed unanimously.

C. PUBLIC HEARING - Consider Conditional Use Permit allowing excavation of a rear yard pond, HB-622-4, 225 Shady Drive: Rich Heidel opened the hearing for the CUP HB-622-4 for Pond.

The current property owner Nick DeNoble is proposing to construct a pond of approximately 1/8 acre in surface area in the rear yard of his property. Mr. DeNoble has submitted information as required in Zoning Ordinance Article XXIX Man-Made Bodies of Water. Staff has reviewed the information submitted and has identified the information demonstrates compliance with the ordinance requirements. Mr. Heidel called for public comments 3-times. No comments were given. Todd Gerbers spoke to the Board about the Planning & Zoning Commission findings. He also spoke about the overflow drain requirements and the elevation documents that were submitted as a part of the conditions from Planning & Zoning. Planning & Zoning recommended approval. there will be 6-spruce trees planted along the Shady Drive side to help screen the property. The owner told Mr. Gerbers the Spruce trees would be 10' tall for the Shady Road side. No further comments, Rich Heidel closed the hearing.

D. ACTION on aforesaid agenda item: Motion made by Ed Kazik second by Debbie Schumacher, to approve the CUP for a rear yard pond on HB-622-4, and the planting of 6-10' Spruce trees along the Shady side of the property. The motion passed unanimously.

E. PUBLIC HEARING - Proposed Changes to the Zoning Code: Rich Heidel opened the hearing on proposed zoning code changes and called for comments. The purpose of this Ordinance is to amend the current Zoning Code to include requirements and regulations to promote pedestrian and bicycle usage, safety and connectivity. Aaron Kramer, Administrator spoke about the Pedestrian Plan and how the village is going to incorporate the changes for future subdivisions to make more connectivity within the village. There were no public comments. Rich Heidel closed the hearing.

F. ACTION on aforesaid agenda item (Ordinance 2020-02): Motion made by Debbie Schumacher second by Ed Kazik, to approve Ordinance 2020-02. The motion passed unanimously.

G. PUBLIC HEARING - Proposed Changes to the Zoning Code: The purpose of this Ordinance is to amend the current Zoning Code to amend the regulations for the placement of temporary construction signs, including, but not limited to, the size of said signs, the length of time a sign may be displayed, and the process for appeal. Rich Heidel opened the public hearing and called for comments. No comments from residents were given. Todd Gerbers explained that the Sign Ordinance has some outdated sections and this will update those sections. The new Ordinance will also give the Site Review Committee some flexibility when dealing with signs along Highway 29. The changes will allow some larger wall signs and free-standing signs when necessary. Rich Heidel closed the hearing.

H. ACTION on aforesaid agenda item (Ordinance 2020-03): Motion made by Ed Kazik second by Debbie Schumacher, to approve Ordinance 2020-03. The motion passed unanimously.

I. PUBLIC HEARING – Consider Proposed Changes to the Zoning Code: The purpose of this Ordinance is to amend the current Zoning Code to create a new zoning designation (I-3: Airport Industrial) to address future development adjacent to Austin Straubel Airport. Rich Heidel opened the hearing and called for comments from those present. No comments were given. Todd Gerbers spoke about the new district requirements and that it is only meant for lands adjacent to the airport. The businesses would include airport terminals, freight transportation businesses, government offices, parcel services as examples. Planning & Zoning approved the changes. No further comments were given. Rich Heidel closed the hearing.

J. ACTION on aforesaid agenda item (Ordinance 2020-04): Motion made by David Dillenburg second by Ed Kazik, to approve Ordinance 2020-04. The motion passed unanimously.

5. CONSENT AGENDA: Motion made by David Dillenburg second by Rich Heidel, to approve the items on the Consent Agenda. The motion passed unanimously.

A. Payment of Invoices

B. VILLAGE BOARD: Minutes of March 3rd (Regular) March 10th (Special) 2020

C. PLANNING AND ZONING COMMISSION: Minutes of February 19th 2020

D. ALCOHOL AND OPERATORS LICENSES (1)

6. ITEMS REMOVED FROM CONSENT AGENDA: No items were removed.

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATION: A resident asked about plans for Election Day, addressing the lines and traffic. He also stated he feels the County has not treated the village very well in regard to planning for the interchange. Rich Heidel addressed the interchange and Aaron Kramer, addressed the election plans.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS: Aaron Kramer, Administrator spoke about the Continuity of Government Ordinance that the Board passed in 2019. The 4-phase planning for keeping our office and departments open and functioning. The traffic flow issues for voting will be addressed again with the Police Chief and Public Works to determine best practices.

9. COMMITTEE REPORTS AND ACTIONS

A. DISCUSSION AND ACTION - Consider Preliminary Plat for Blackberry Ridge Subdivision, HB-689, HB-683, & HB-688 (Planning and Zoning Commission): Gigot Properties, LLC proposed a 32-lot single-family plat with one thru roadway from Melanie Dr. on the north to Trout Creek Rd. on the south and one small cul-de-sac near the middle of the subdivision. This request is for the preliminary plat at this time with the review for the final plat will be brought back at a future meeting. It was requested to have the road straightened out a bit giving additional building space to several of the lots. The entrance for the road is along the lot lines so the lights of cars will not shine directly into the homes across the road as much as possible. Planning & Zoning has approved this preliminary plat with the amendment to the roadway. Motion made by Rich Heidel, second by Ed Kazik, to approve the preliminary plat with the amendments to the roadway. The motion passed unanimously.

B. DISCUSSION AND ACTION - RE: Consider Preliminary Plat for Southwind Estates Planned Unit Development, HB-2892, HB-359-1, & HB-359 (Planning and Zoning Commission)
Lexington Homes, Inc. proposed a 46-lot plat that would have 45 single-family lots and 1 larger lot for the construction of multi-family buildings. This request is for the preliminary plat at this time with the review for the final plat will be brought back at a future meeting. The road name will stay Copilot Way. The second road Autumn Joy Drive will remain as a proposed road. Motion made by Rich Heidel, second by David Dillenburg, to approve the Southwind Estates preliminary plat. The motion passed unanimously.

10. OLD BUSINESS:

A. DISCUSSION AND ACTION - POLICY 2020-1 (VILLAGE OF HOBART MUNICIPAL SPONSORSHIP (NON-PROFIT ORGANIZATIONS AND EVENTS)): The purpose of this policy is to establish a formal procedure and criteria for the sponsorship of special events with non-profit organizations in the Village of Hobart. Motion made by Ed Kazik second by Rich Heidel, to approve Policy 2020-1. The motion passed unanimously. The next policy to be discussed will be for Village sponsored events.

11. NEW BUSINESS (Including items for future agenda consideration or Committee assignment):

A. DISCUSSION AND ACTION – To Establish a Public Hearing on Ordinance 2020-05 (Operator's Licenses): The purpose of this Ordinance is to amend the current code regarding the issuance of operators' licenses, in accordance with 2019 Wisconsin Act 166, which allows a municipal governing body to delegate authority to issue operator's licenses (commonly referred to as "bartender's licenses") to a designated municipal official, which will reduce the waiting time for licenses to be issued. Staff would recommend a public hearing at the April 8th Board meeting. Motion made by Rich Heidel second by Ed Kazik, to schedule hearing for April 8, 2020. The motion passed unanimously.

B. DISCUSSION AND ACTION – To Establish a Public Hearing on Ordinance 2020-06 (Nuisances):
The purpose of this Ordinance is to amend the current code regarding the nuisances to address such issues as property inspection, abatement costs, and unmanned aircraft, among others. Staff would recommend a public hearing at the April 8th Board meeting. Motion made by Ed Kazik second by David Dillenburg, to schedule hearing for April 8, 2020. The motion passed unanimously.

C. DISCUSSION AND ACTION – To Establish a Public Hearing to Consider a Conditional Use Permit, HB-1491-F-11, 4629 Clear View Ln. – 2,283 square foot accessory building on property.

The current property owner Kevin Wilke is proposing to construct a detached accessory building of 2,283 square feet on his property. Staff would recommend a public hearing at the April 8th Board meeting. Motion made by Rh second by Ed Kazik, to schedule the April 8, 2020 hearing. The motion passed unanimously.

D. DISCUSSION AND ACTION – Resolution 2020-02 (A RESOLUTION AUTHORIZING THE RE-ALLOCATION OF \$93,112.29 IN TID #2 BOND PROCEEDS TO THE SOUTHWIND ESTATES PROJECT):

The Village borrowed money in 2016 to provide for infrastructure in Tax Increment District #2, specifically the Tailwind Crossing First Addition , and there remains \$93,112.29 in unexpended proceeds from the 2016 borrowing Staff is recommending those unspent proceeds be allocated to the development of the Southwind Estates development, pursuant to a development agreement signed and executed on February 3rd 2020.

The project is closed and the balance of the escrow paid by the Village may only be used within the TID #2. Motion made by Debbie Schumacher second by Ed Kazik, to approve Resolution 2020-02 reallocation of \$93,112.29 in TID #2 Bond Proceeds to the Southwind Estates Project.

The motion passed unanimously.

E. DISCUSSION AND ACTION – Awarding of Bids for 2020 Centennial Centre Boulevard Water Main Loop project (Contract 2320-20-03):

Bids were opened on March 4th for the project. Bids were received from ten (10) contractors, ranging in cost from \$598,883.00 to \$798,325.00 for the base bid. The low bidder was David Tenor Corporation (Green Bay) with a bid of \$598,883.00, which was under the Engineer’s estimated amount of \$627,000. Staff would recommend awarding the bid. Dave Tenor indicated that he plans to begin work in early to mid-June with a completion date of September – October 2020. Motion made by Rich Heidel second by Debbie Schumacher, to approve the award of bid to David Tenor Corporation for the bid of \$598,883.00. The motion passed unanimously.

F. DISCUSSION AND ACTION - Policy 2020-2 (CONTAGIOUS/INFECTIOUS RESPONSE POLICY):

The purpose of this policy is to establish a formal procedure to address any contagious or infectious outbreak, to ensure the safety of the Village staff, and to ensure the continuous operation of the Village government. Discussion of the policy and recommendation to appoint a temporary Local Health Officer. Motion made by Ed Kazik second by Debbie Schumacher, to appoint Police Chief Randy Bani as Temporary Health Officer. The motion passed unanimously. Motion made by Ed Kazik, second by Debbie Schumacher, to approve policy 2020-2 Contagious/Infectious Response Policy. The motion passed unanimously.

G. DISCUSSION - Items for future agenda consideration or Committee assignment: Firefighters will come to a future meeting to show the Board and public the new SCBA equipment.

The Board took a break at this time prior to closed session 7:27pm.

H. ADJOURN to CLOSED SESSION: Motion made by Rich Heidel second by Ed Kazik, to move into closed session pursuant to the following:

- 1) Under Wisconsin State Statute 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. RE: Fee-to-trust issues, Abandoned railroad R-O-W, Brown County Service Agreement and Oneida Nation v. Village of Hobart litigation

2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Projects/Development Agreements

Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. The Board moved into closed session at 7:37pm.

I. CONVENE into open session: Motion made by Debbie Schumacher second by Ed Kazik, to return to open session. 7:57pm.

J. ACTION from closed session: Motion made by Rich Heidel, second by Ed Kazik, to approve the agreement with NEW Water and the Town of Lawrence to extend services to the Hemlock Creek Fifth Addition. Vote 4-0 Carried.

12. ADJOURN: Motion made by Rich Heidel second by Ed Kazik, to adjourn. The motion passed unanimously. Meeting adjourned at 7:58pm