



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 Wednesday February 20th 2019 at 6:00 P.M. at the Hobart Village Office. NOTICE OF POSTING: Posted this 15th day of February, 2019 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Wednesday February 20th 2019 (6:00 P.M.)

Location: Village Office, 2990 South Pine Tree Road

NOTE: This meeting has been rescheduled from Tuesday February 19th 2019 due to the Spring Primary Election.

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. Tim Carpenter attended by telephone.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by Ed Kazik second by Debbie Schumacher, to approve the agenda as presented / modified. The motion passed unanimously.
3. Pledge of Allegiance. Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS:

A. PUBLIC HEARING - Implementing the GBMSD Local Annual Adjustment Policy and Establishing the 2019 Sewer Volume Rates. Rich Heidel opened the hearing and called for comments from the public. Rich Heidel opened the hearing at 6:05pm and called for any comments from the public. There were no comments give. Mr. Heidel called a second and third time for any comments, being none, he closed the hearing.

B. DISCUSSION AND ACTION – Resolution 2019-02 (A RESOLUTION IMPLEMENTING THE GBMSD LOCAL ANNUAL ADJUSTMENT POLICY AND ESTABLISHING 2019 SEWER VOLUME RATES FOR THE HOBART SEWER UTILITY): Staff proposed a 1 percent increase to \$7.13 per 1,000 gallons to cover the increased charges due to the pass-through charges from GBMSD. This Resolution will take effect for the first quarter billing in 2019. Motion made by David Dillenburg second by Ed Kazik, to approve Resolution 2019-02. The motion passed unanimously.

5. CONSENT AGENDA: Motion made by David Dillenburg second by Ed Kazik, to approve the items listed on the consent agenda. The motion passed unanimously.

A. Payment of Invoices

B. VILLAGE BOARD: Minutes of February 5th 2019 – comments below.

C. ETHICS COMMITTEE: Minutes of January 14th 2019

D. SITE REVIEW COMMITTEE: Minutes of December 19th 2018

E. PLANNING AND ZONING COMMISSION: Minutes of January 9th 2019

F. ALCOHOL AND OPERATORS LICENSES (1 submitted)

Discussion on the Consent Agenda items. At the last Board meeting February 2, 2019, Mr. Dave Lewis came and asserted that he had not been paid by the village back in 2012 and 2013 for property involved in a condemnation process. The Village Clerk researched the issue, found that one check was issued April of 2012 and the other check was paid in August 2013, both checks were sent to the Attorney for Mr. Lewis as directed and cashed by that firm to be placed in the trust account for Mr. Lewis. The Village has paid its debt and nothing is outstanding.

6. ITEMS REMOVED FROM CONSENT AGENDA: None.

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS: None.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS: Aaron Kramer, Administrator spoke with the Board and reported on the Brown County Homebuilders meeting he attended. Discussion took place on the "gang type mailboxes" in many subdivisions. Question is who owns them; who is responsible for the replacing of these mail boxes if they are damaged; and who is liable if someone is injured while retrieving mail from the mailbox? From preliminary research, it appears that the developer is the responsible party. Mr. Kramer will work with the League of Wisconsin Municipalities and other communities to determine a course of action for the village regarding these types of mail boxes. There will be a meeting on Tuesday February 26th of the Interchange committee. The Board meeting scheduled for Tuesday April 2nd is moved due to the Election to Wednesday April 3rd.

9. COMMITTEE REPORTS AND ACTIONS:

A. DISCUSSION AND ACTION - Policy 2019-02 (VILLAGE OF HOBART ETHICS CODE) (Ethics Committee) The purpose of this policy is to amend the current Code of Ethics for Village employees and elected officials. The Ethics Committee did meet in January and then this month to discuss updates and changes. The Committee recommend approval of the proposed changes. Motion made by Debbie Schumacher second by Rich Heidel, to approve the amendments to the Ethics Code. The motion passed unanimously.

10. OLD BUSINESS: None.

11. NEW BUSINESS:

A. DISCUSSION AND ACTION - Creation of Personnel Policy Review Committee:

One of the Administration goals for 2019 is the establishment of a committee to do the following: 1) Review and update of current Personnel Policy Handbook and any other related personnel policies, and 2) Make recommendations to the Village Board for action on any possible changes. The original Handbook was created in 2013. Aaron Kramer, Administrator spoke with the Board regarding the committee makeup and plans to move forward. The Committee shall consist of the following Village Personnel. Paul Gehrke (Public Works Department), Randy Radloff (Police Department), Erica Berger (Village Office Staff), Bobbie Skalecki (Village Office Staff and Aaron Kramer (Village Administrator). This committee is an advisory committee. Motion made by to approve the formation of the committee, its charge and the named members by Rich Heidel, second by Ed Kazik. The motion passed unanimously.

B. DISCUSSION AND ACTION - Creation of Village Pedestrian-Bicycle Master Plan

Advisory Committee: Earlier this year, the Village contracted with Brown County Planning Commission/Green Bay Metropolitan Planning Organization (MPO) to develop a Pedestrian-Bicycle Master Plan. As part of the evaluation process, an Advisory Committee needs to be created as part of the process. Members of this committee will be; Aaron Kramer, Administration; Jerry Lancelle, Public Works; Erica Berger, Administration; Dan VanLanen, Enforcement; Debbie Schumacher, Village Board / CDA; David Konshak, Resident; Peter Zobro, Resident; James Petitjean, Oneida Community Development Area Manager; Daniel Diederich, Resident; Mike Hoeft, Resident; Jennifer Popek, Resident and Tom Dennee, Planning & Zoning / Resident. This committee gives a good cross section of the village residents. While the work is being discussed there will be an interactive map that residents may sue to give their comments as well. The link for this map will be on our website and sent out in the Headlines so all residents may comment if they wish. Those residents, who

do not have computer access, may come into the office and give their comments if they wish. Motion made by David Dillenburg second by Debbie Schumacher, to approve formation and the members of the Pedestrian-Bicycle master Plan Advisory Committee. The motion passed unanimously.

C. DISCUSSION AND ACTION – Establishing a Public Hearing (Amending the Official Village Street Map): Per Ordinance 60-4 (c), the Board must hold a public hearing to amend the official Village Street map. Staff recommended the public hearing be held on Tuesday March 19th. Motion made by Rich Heidel second by Ed Kazik, to set the hearing for March 19, 2019. The motion passed unanimously.

D. DISCUSSION AND ACTION – Establishing a Public Hearing (Rezoning - HB-851-1, 3500 block of West Mason, A-1 Agricultural to I-1 Limited Industrial): The property owner, Chad Roffers Properties, requested the rezoning to allow for a 37-unit contractor storage condo units development. Staff recommended the public hearing be held on Tuesday March 19th. Motion made by Rich Heidel second by Ed Kazik, to set the hearing for March 19, 2019. The motion passed unanimously.

E. DISCUSSION AND ACTION – Establish Public Hearing for Conditional Use Permit (HB-851-1, 3500 block of West Mason, A-1 Agricultural to I-1 Limited Industrial): The applicant is seeking a conditional use permit to allow for a 37-unit contractor storage condo development. Staff would recommend the public hearing be held on Tuesday March 19th. Motion made by David Dillenburg second by Rich Heidel, to set the hearing for March 19, 2019. The motion passed unanimously.

F. DISCUSSION AND ACTION – Approval of contracts with Technology Architects: Staff requested authorization to sign two (2) contract with Technology Architects. One (\$10,000) is to purchase support time; the other (\$18,474.24) is to upgrade our current server. The upgrade for the hardware would be completed this year and then next year the software rotation will start. Alternating the hardware and software needs, the costs are kept more manageable within the budget. The updates are to keep our system safe by updating the antivirus and programs. Motion made by Ed Kazik second by Debbie Schumacher, to approve both contracts with Technology Architects. The motion passed unanimously.

G. DISCUSSION AND ACTION - Appointment by Village Board President:
The Board President, with approval of the Board, submitted the following for Board action:

- Appointment of Kyle Schmitz to the Public Works and Utilities Advisory Committee, to a term expiring May 1st 2022. Motion made by Rich Heidel second by Ed Kazik, to approve the appointment of Kyle Schmitz to the Public Works and Utilities Advisory Committee. The motion passed unanimously.

H. DISCUSSION AND ACTION – Proposed Continuity of Government Ordinance:
The intent of this proposed Ordinance is to provide a procedure and policies to ensure the continued functioning of the Village government, and the delivery of services, in the event of a man-made or natural disaster. Aaron Kramer discussed the ordinance with the Board. This ordinance will provide directives on how the village will continue to operate during a catastrophic event. The ordinance will be brought back to the March meeting.

I. DISCUSSION AND ACTION - Proposed Snow and Parking Emergency Ordinance:
At times, due to anticipated weather conditions, the Village may desire to issue an order prohibiting parking on all Village streets and roadways as part of a Snow Emergency Declaration. The main purposes of such declaration are twofold; (1) to maximize the ability of plowing crews to clear roadways for travel, and (2) to prevent residents from having to dig

their vehicles out of large walls of snow created by plow vehicles as they move around vehicles left on the street. The Village may also wish to issue a Parking Emergency in the event of (1) non-winter weather event (flood, tornado, etc.) to maximize the ability of emergency relief efforts, and (2) man-made events (plane crash, mass casualty incident, etc.) At this time, we have the no-overnight parking ordinance, however, this would apply to all hours of the day and night. This ordinance will come back for action in March.

J. DISCUSSION AND ACTION - Proposed Change to Presiding Officer Ordinance:

At present, the Village does not have a clear procedure for continuing day-to-day municipal operations in the absence of the Village President. In addition, when the President has been unavailable to sign legal documents, bills and invoices, a Board member has done so in the past, without clear municipal code or statutory authority. The proposed changes to the existing Ordinance would address these issues, and formally codify the procedures. This ordinance will be brought back for action in March.

K. DISCUSSION AND ACTION – Approval of Pre-Employment Agreement (Hobart/Lawrence Police Department):

This proposed agreement would help with retention and provide for reimbursement to both municipalities in the event that a probationary Officer leaves after being fully trained and uniformed. The new officer would pay a portion of his wage into a non-interest-bearing account to offset a portion of the cost of equipment and training for that officer. At the end of the 3-year period they would receive the funds they had withheld. Motion made by David Dillenburg second by Ed Kazik, to approve the Pre-Employment Agreement for the HLPD. The motion passed unanimously.

L. DISCUSSION AND ACTION – Resolution 2019-03 (A RESOLUTION EXPRESSING THE DESIRE OF THE VILLAGE OF HOBART TO SEEK REQUESTS FOR PROPOSALS, AND WORK IN PARTNERSHIP WITH BROWN COUNTY, FOR THE DEVELOPMENT OF COUNTY-OWNED PROPERTY ADJACENT TO THE BROWN COUNTY GOLF COURSE):

The Village is partnering with Brown County to seek Request for Proposals for the development of the following parcels - HB-774 (20.18 acres), HB-777 (15.89 acres), HB-778-1 (13.00 acres) and HB-1421 (20.00 acres), totaling 69.07 acres. This Resolution will be sent to the County and both Brown County and the Committee will have to agree on the partnership. Once all parties are in agreement, an intergovernmental agreement will be considered. Motion made by Ed Kazik second by Debbie Schumacher, to approve Resolution 2019 – 03 The motion passed unanimously.

M. DISCUSSION - Items for future agenda consideration or Committee assignment:

Ordinances will be brought back for Board action in march as well as the 2019 Road Projects being proposed.

Short break at this time just prior to going into closed session. NOTE: At this time, the phone connection with T. Carpenter was disconnected, per ordinance, and he did not participate in the Closed session.

N. ADJOURN to CLOSED SESSION: Motion made by Rich Heidel second by Ed Kazik, to move into Closed Session. Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye.

- 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, and Special event permit 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

O. CONVENE into open session (9:50 PM): MOTION: Kazik SECOND: Dillenberg VOTE: 4-0

P. ACTION from closed session:

- 1) ACTION: That the Village of Hobart does hereby accept a contribution of \$28,449.05 from the United States Department of Interior's Bureau of Indian Affairs pursuant to Title IV of the Indian Self-Determination and Education Assistance Act (P.L. 93-638) through the Oneida Tribe as the Tribe does not have its own fire department and relies on local municipalities to provide fire protection, with said contribution to be utilized for the purchase of extrication equipment, and any balance remaining thereof to be used for staff training. MOTION: Kazik SECOND: Schumacher VOTE: 4-0
- 2) ACTION: To approve the Development Agreement with between KDMJG, LLC (LaserForm LLC) which allows the developer to purchase approximately 10.536 acres of real estate within Tax Increment District #2 for the purpose of relocating their business from Ashwaubenon and construct an estimated 70,000-square foot, \$7 million manufacturing facility in Hobart MOTION: Kazik SECOND: Dillenberg VOTE: 4-0
- 3) ACTION: To approve the Development Agreement with SCR Properties, LLC (Emerald Bay Retirement Community) to facilitate the construction of an estimated \$4.2 million, 29,510 square foot addition to their current facility, consisting of a new wing which will contain 28 units. MOTION: Dillenberg SECOND: Heidel VOTE: 4-0
- 4) ACTION: To approve the Development Agreement with Centennial Centre Marketplace LLC to facilitate the construction of an estimated \$750,000 addition to their current commercial building. MOTION: Kazik SECOND: Heidel VOTE: 4-0

12. ADJOURN (9:53 PM): – MOTION: Dillenberg SECOND: Kazik VOTE: 4-0