



MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday, October 5, 2021 (6:00 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call:

The meeting was called to order by Rich Heidel at 6:03pm. Rich Heidel, David Dillenburg, Ed Kazik, Tim Carpenter (via phone), and Debbie Schumacher were present.

2. Certification of the open meeting law agenda requirements and approval of the agenda:

Motion 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. Consider Conditional Use Permit Reducing Lot Area on Parcels HB-3184 (1043 Coronado Court) & HB-3813 (1045 Coronado Court) and Amend Existing Planned Development Overlay for the Polo Point, Polo Point 1st Addition, and Polo Point 2nd Addition Subdivision Plats Relating to Lot Frontages and Total Lot Area:

The public hearing was opened at 6:05pm. The Director of Planning & Code Compliance summarized the application. No comment from the public. The public hearing was closed at 6:07pm.

B. ACTION on aforesaid agenda item:

Motion by Rich Heidel, second by Debbie Schumacher, to approve the conditional use permit reducing lot area on parcels HB-3184 (1043 Coronado Court) and HB-3813 (1045 Coronado Court) and amend existing planned development overlay for the Polo Point, Polo Point 1st Addition, and Polo Point 2nd Addition Subdivision Plats relating to lot frontages and total lot area. The motion passed unanimously.

C. Consider Rezoning 3500 Block West Mason Street/Haven Place (HB-851-1) from I-1: Limited Industrial District to R-3: Residential District:

The public hearing was opened at 6:08pm. The Director of Planning & Code Compliance summarized the application. No comment from the public. The public hearing was closed at 6:10pm.

D. ACTION on aforesaid agenda item:

Motion by Ed Kazik, second by Dave Dillenburg, to rezone HB-851-1 from I-1: Limited Industrial District to R-3: Residential District. The motion passed unanimously.

E. Consider Final Plan Review on a Request for a PDD Overlay located at 3500 Block W. Mason St./Haven Pl. (HB-851-1):

The public hearing was opened at 6:12pm. The Director of Planning & Code Compliance summarized the application. Gary Owen (1070 Haven Place) asked questions about the

landscape and septic plan. Ray Diederich (1820 S Overland) asked the distance to sewer and water. The public hearing was closed at 6:29pm

F. ACTION on aforesaid agenda item:

Motion by Dave Dillenburg, second by Ed Kazik, to approve a Planned Development District Overlay located at HB-851-1 to allow up to 32 building sites for “garage/live/work units” with a private roadway at a minimum width of 22 feet and the following conditions:

1. There shall be no exterior storage;
2. No business shall be operated from any unit that does not comply with the Village Home Occupation codes;
3. There shall be no parking allowed on the private roadway;
4. Waste and recycling materials and containers shall be stored inside of buildings unless a common element collection area is constructed within the development to be utilized by all tenants and is constructed to comply with Village Ordinances and such materials shall be collected only on non-holiday weekdays and between the hours of 7:00am and 8:00pm;
5. Implementation of restrictive covenants by developer;
6. Maximum of 32 individual units;
7. No structure (including any mechanical equipment) shall exceed 20 feet in height from grade;
8. 10 trees (arborvitaes) will be planted equally spaced along the north property line;
9. 60 trees (arborvitaes) will be planted equally spaced along the east property line.

The motion passed unanimously

G. Consider a Request to Rezone Parcels HB-409, HB-419, HB-420, HB-421, HB-422, and HB-424 from A-2: Exclusive Agricultural District to A-1: Agricultural District:

The public hearing was opened at 6:39pm. The Director of Planning and Code Compliance summarized the application. Mike Baeten (511 Nathan Drive) asked what the proposed future land use would be. Bob Vandenberg (Geneva Road) asked about the procedure for land use permits. Ray Diederich (1820 S Overland) asked what the timeframe was for future land use. The public hearing was closed at 6:52pm.

H. ACTION on aforesaid agenda item:

Motion by Rich Heidel, second by Debbie Schumacher, to postpone action on this item until the November 2nd board meeting. The motion passed unanimously.

Motion by Rich Heidel, second by Dave Dillenburg, to move item 11. E. to this point in the agenda. The motion passed unanimously.

11. NEW BUSINESS

E. DISCUSSION AND ACTION – To Establish a Public Hearing to Consider a Conditional Use Permit to Operate a Quarry on Parcels HB-409, HB-419, HB-420, HB-421, HB-422, and HB-424 (County Line Rd., Nathan Rd, & S. Overland Rd.):

Motion by Rich Heidel, second by Ed Kazik, to establish a public hearing to consider a conditional use permit to operate a quarry on parcels HB-409, HB-419, HB-420, HB-421, HB-422, and HB-424 at the board meeting on November 2, 2021. The motion passed unanimously.

5. CONSENT AGENDA:

A. Payment of Invoices

B. Village Board: Minutes of September 21, 2021.

Motion by Dave Dillenburg, second by Ed Kazik, to approve the payment of invoices. The motion passed unanimously.

Motion by Ed Kazik, second by Debbie Schumacher, to approve the minutes of September 21, 2021. Rich Heidel and Tim Carpenter recused themselves from the vote. The motion passed unanimously.

6. ITEMS REMOVED FROM CONSENT AGENDA:

None.

7. CITIZEN COMMENTS, RESOLUTIONS, AND PRESENTATIONS:

None.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS:

A. UPDATE – Appointment of Phil Danen to the NEW Water Board of Commissioners:

Since February of 2021, 13 NEW Water municipal customers comprised of villages, towns, and sanitary districts joined to create the “New Water Municipal Committee.” This committee was tasked with recruiting, vetting, and recommending an individual to the Brown County Executive for consideration to be nominated for a seat on NWBOC. The committee recommended appointment of Phil Danen to the NWBOC.

B. UPDATE – Committee/Commission Schedule:

Planning & Zoning Commission will meet October 13th. Site Review Committee will meet on October 20th. Public Works & Utilities Committee will meet on October 11th.

C. UPDATE – Redistricting:

Staff provided the Village Board with the proposed new Village voting ward layout based on the census requirements. Staff is recommending a special board meeting be held prior to October 18th to review and approve the new ward map. The board scheduled a special meeting for 4pm on October 7th.

9. COMMITTEE REPORTS AND ACTIONS:

See Agenda Item 8.B.

10. OLD BUSINESS:

None.

11. NEW BUSINESS:

A. DISCUSSION – FY2022 BUDET TIMETABLE:

- October 26th – Presentation of Police Staffing Requests
- November 2nd – Presentation of General Fund, Capital and Debt Service Budgets
- November 9th – Budget Meeting (IF necessary)
- November 16th – Public Hearing and Adoption of FY2022 General Fund, Capital and Debt Service Budgets. Action on 2022 Fee Schedule and Ordinance establishing the Property Tax Levy for 2022.
- December 7th – Presentation of TID #1, TID #2, Water, Sanitary Sewer, Storm Water and Parks and Recreation Budgets
- December 21st – Adoption of TID #1, TID #2, Water, Sanitary Sewer, Storm Water and Parks and Recreation Budgets

B. DISCUSSION AND ACTION – Awarding of Bid for 2021 Packerland Drive Water Main Loop (Project 2320-21-03):

Bids were opened to complete the water main loop from Lear Lane to Orlando Drive down Packerland Drive. Bids were received from nine (9) contractors, ranging in cost from \$218,905 to \$343,300 for the base bid. The low bidder was Jossart Brothers (De Pere). Motion by Ed Kazik, second by Rich Heidel, to award the bid for project 2320-21-03 (Packerland Drive Water Main Loop) to Jossart Brothers for \$218,905.00. The motion passed unanimously.

C. DISCUSSION AND ACTION – Evergreen Infrastructure Partners Buyout Proposal:

Everest Infrastructure Partners has offered to buy out the remainder of the recently approved lease with Nsightell Wireless for \$290,000 in a lump sum payment. Revenue projections on the current lease are \$316,598.32. Motion by Rich Heidel, second by Ed Kazik, to decline the offer from Evergreen Infrastructure Partners to purchase the lease with Nsightell Wireless, which expires in 2031. The motion passed unanimously.

D. DISCUSSION AND ACTION – Ordinance 2021-15 (An Ordinance to Amend the Code of the Village of Hobart, Specifically Subsection C (Appointments) of Section 10 (Boards, Commissions, and Committees) of Chapter 5 (Administration of Government; Organization of Village):

The purpose of this ordinance is to create a procedure for and time limitations on the appointment of Board members on a temporary basis to fill vacancies on commissions and committees. Motion by Rich Heidel, second by Dave Dillenburg, to approve Ordinance 2021-15 (An Ordinance to Amend the Code of the Village of Hobart, Specifically Subsection C (Appointments) of Section 10 (Boards, Commissions, and Committees) of Chapter 5 (Administration of Government; Organization of Village). The motion passed unanimously.

E. Move to immediately after Item 4.

F. DISCUSSION AND ACTION – Joint Meeting with Lawrence Town Board:

A joint meeting between the Hobart Village Board and Lawrence Town Board is being requested to discuss police operations. Motion by Ed Kazik, second by Dave Dillenburg, to reschedule the October 19th board meeting to October 26th contingent upon date approval by the Lawrence Town Board. The motion passed unanimously.

G. DISCUSSION – Items for future agenda consideration or committee assignment:

None.

Motion by Rich Heidel, second by Ed Kazik, to recess for 10 minutes at 7:43pm. The motion passed unanimously.

Tim Carpenter left the meeting at 7:44pm.

H. ADJOURN TO CLOSED SESSION:

- i. Under Wisconsin State Statute 19.85 (1) (c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility RE: Village Administrator
- ii. 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
- iii. 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: Tribal Affairs

Motion by Rich Heidel, second by Ed Kazik, to adjourn to closed session at 8:00pm. The motion passed unanimously.

I. CONVENE INTO OPEN SESSION:

Motion by Dave Dillenburg, second by Debbie Schumacher, to reconvene into open session at 9:31pm. The motion passed unanimously.

J. ACTION FROM CLOSED SESSION:

Motion by Dave Dillenburg, second by Ed Kazik, to approve the amended development agreement with AJ Hobart Building, LLC for the construction of a dental clinic in Centennial Centre (TID #1). The motion passed unanimously.

12. ADJOURN

Motion by Dave Dillenburg, second by Rich Heidel, to adjourn at 9:32pm. The motion passed unanimously.