



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 May 7th 2019 at 6:00 P.M. at the Hobart Village Office. NOTICE OF POSTING: Posted this 3rd day of May, 2019 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday May 7th 2019 (6:00 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call. Meeting called to order by Rich Heidel at 6:00pm. Roll call: Tim Carpenter, 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 Ed Kazik second by Debbie Schumacher, to approve the agenda. 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-851-1, 3500 block of West Mason)

The applicant is seeking a conditional use permit to allow for a 32-unit contractor storage condo development. Rich Heidel opened the hearing at 6:03pm. The CUP for the project was reviewed. Neighbors spoke regarding the hours of operation, overnight parking, and noise issues. Todd Gerbers stated that the developer is in agreement to have Haven Drive being a small vehicle entrance/exit only. Signage will be added “NO TRUCK EXIT” AND “NO TRUCK ENTRANCE” to the driveway off of Haven DOT has not considered a turn lane at this time for Highway 54. The CUP will be reviewed in one (1) year from the date of issuance. The Hearing was closed at 7:30.

B. ACTION on aforesaid agenda item: Motion made by Rich Heidel second by Ed Kazik, to approve the CUP allow for a 32-unit contractor storage condo development with the recommended changes to the CUP permit. The motion passed unanimously. CUP included in these minutes.

A Conditional Use Permit is hereby granted for Contractor Storage Condo Units to be located at 3500 Block W. Mason St., Hobart, Wisconsin 54155 (HB-851-1) as approved by the Village Board on May 7, 2019. This Permit is subject to the following Limitations and Conditions:

Limitations:

- Units shall contain only those uses that are listed as permitted uses in the I-1: Limited Industrial District in addition to storage warehousing.

Conditions:

1. Condo units may be accessed twenty-four (24) hours a day;
2. Compliance with Site Review Committee conditions of approval;
3. There shall be no exterior storage;
4. There shall be not more than one vehicle and/or one trailer parked/stored in any driveway area during the hours of business operation and no parking/storing of vehicles or trailers outdoors for more than twenty-four (24) consecutive hours;
5. There shall be no parking allowed on private roadway;
6. 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 7:00 am and 8:00 pm;
7. Permanent restroom facilities shall be accessible to all tenants/employees/patrons at all times any building is occupied;
 8. Implementation of restrictive covenants by developer;
 9. No business operations may commence until compliance with applicable regulations, including but not limited to Building Codes and Village Occupancy Permit ordinance has been secured;
 10. Conditional Use Permit shall be brought back to the Village Planning and Zoning Committee and Village Board for review prior to any transfer in land ownership of the parent/overall land parcel;
 11. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and revocation if the activities of the operation results in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws;
 12. Maximum of 32 individual units;
 13. No structure (including any mechanical equipment) shall exceed 25 feet in height from grade;
 14. Driveway access from Haven Place shall be signed as "NO TRUCK EXIT" and "NO TRUCK ENTRANCE". Refuse / recycling trucks are exempt from this condition. The following vehicles shall be prohibited from accessing Haven Place:
 - A. Motor vehicles requiring a license which exceeds 10,000 pounds;
 - B. Motor vehicle equipped or used for auto salvage, commonly referred to as a "wrecker";
 - C. Trailers requiring a license to be operated on highways, streets or roadways in the state;
 - D. Vehicles commonly referred to as a "semitrailer";
 - E. Vehicles commonly referred to as a "semi-tractor";
 - F. Vehicles requiring an apportioned license.
 15. No outdoor activity relative to the individual businesses shall be permitted;
 16. This Conditional Use Permit shall be brought back to the Village Board for a review no later than one year from issuance.

5. CONSENT AGENDA: Motion made by Tim Carpenter second by Debbie Schumacher, to approve the items on the consent agenda. The motion passed unanimously.

A. Payment of Invoices

B. VILLAGE BOARD: Minutes of April 16th 2019 and Minutes of April 22nd 2019 (Special Meeting)

C. COMMUNITY DEVELOPMENT AUTHORITY: Minutes of March 27th 2019

D. ALCOHOL AND OPERATORS LICENSES (if any)

E. LIQUOR LICENSE APPLICATIONS FOR 2019-2020

6. ITEMS REMOVED FROM CONSENT AGENDA: none.

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS (NOTE: Please limit citizens' comments to no more than three minutes):

Mr. Rather asked about the fencing at the N. Overland Storage. He said that it doesn't look very nice. He also asked when the landscaping was going to go in. Weather permitting, the landscaping will be in as soon as possible. He questioned the setback for the project, Todd Gerbers told him that it does comply with the ordinance.

Mr. Jordan from Aviator Ct, asked the Board about enforcement of restrictive covenants. He said that there is a shed going up in the subdivision and it is against the covenants. He was told that the Village can

not enforce the covenants and may not withhold a permit if it is applied for. The neighbors will have to take the civil action up if they want the covenants enforced.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS:

A. UPDATE – Administrator's Report: Mr. Kramer gave the Board updates on the following.

- Request for Proposals (Development of County Property west of Brown County Golf Course): development of the property was discussed.
- Business Retention & Expansion Mid-year Report (Greater Green Bay Chamber – Advance Economic Development): Use of the airport owned lands were discussed.
- Legislative Update: Funding for the 29 Interchange. The project is on schedule and the DOT will be holding Informational hearings. They are anticipating land acquisition in the fall of 2019.

9. COMMITTEE REPORTS AND ACTIONS: Planning and Zoning met 5/8/19, the CUP for Mason Storage Condos was discussed and approval was recommended. The subdivision on Trout Creek is being planned for 60 lots, 10 lots to be condos. Public Works will hold meeting on May 13th. Site Review will meet on the 15th. Board of Review is May 16th from 8am – 10am.

10. OLD BUSINESS: None.

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

A. DISCUSSION AND ACTION – Change Order for Hobart Water Tower Project

This change order would enlarge the Hobart lettering on the tower. Costs for the proposed increased letter size have not been received at this time. There is a deduct of \$1,062 for the project thus far. Motion made by Ed Kazik, second by David Dillenburg, to approve the change order not to exceed \$3,200.00 The motion passed unanimously.

B. DISCUSSION AND ACTION – Ordinance 2019-07 (AN ORDINANCE TO AMEND THE CODE OF THE VILLAGE OF HOBART, BY DELETING CHAPTER 102, ARTICLE III, SECTION 14 (MAD OR VICIOUS DOGS PROHIBITED) AND RE-CREATING CHAPTER 102, ARTICLE IV (VICIOUS ANIMALS PROHIBITED; PIGEONS)

This Ordinance allows for better guidance and definition as to what animals could be declared vicious and why. It also clearly defines the steps in the process for declaring whether an animal would have to be removed from the Village or destroyed in certain circumstances. The Village also desires to regulate the placement of animals here that are deemed vicious in another community.

Police Chief, Randy Bani spoke with the Board about the Ordinance. He said the reason for the update is to give better guidance and delimitations in the ordinance for officers. These changes make it easier for residents and officers to understand and enforce.

Motion made by Tim Carpenter, second by Debbie Schumacher, to approve Ordinance 2019-07 and waive the second reading. The motion passed unanimously.

C. DISCUSSION AND ACTION – Establishing a Public Hearing on a Conditional Use Permit request (HB-1489-1, 807 Sunbeam Circle)

The current property owners Robert and Jodi Linz are proposing to operate an in home day care and as part of the state licensing, they are required to construct a minimum 4 foot high fence around an outdoor activity area. Village ordinance permits a maximum height of 3 feet for a fence located in the required front yard which in this R-2 zoning district is 40 feet from the street right-of-way. Staff recommends that the public hearing be held at the June 4th Board meeting. Motion made by Rich Heidel, second by Ed Kazik, to set the hearing for June 4, 2019. The motion passed unanimously.

D. DISCUSSION - Items for future agenda consideration or Committee assignment.

E. 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) (c): Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (RE: Public Works compensation; Public Works position)

2) 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)

3) 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: Tim Carpenter, aye, David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye The Board moved into closed session at 8:20pm. NOTE: Tim Carpenter left the meeting at 9:50PM.

F. CONVENE into open session 10:03PM: Motion made by Ed Kazik, second by David Dillenburg, to return to open session. Vote: 4-0

G. ACTION from closed session: None.

12. ADJOURN: Motion made by Rich Heidel second by David Dillenburg, to adjourn. The motion passed unanimously. Meeting adjourned at 10:04PM.