



## **MEETING MINUTES – VILLAGE BOARD (Regular)**

**Date/Time: Tuesday October 6, 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:**

The meeting was called to order by Rich Heidel at 6:02pm. Roll call: Rich Heidel, David Dillenburg, Ed Kazik, and Debbie Schumacher were present. Tim Carpenter was excused.

**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 with the modification that item 11-G be heard immediately after 11-A. The motion passed unanimously.

**3. Pledge of Allegiance:**

Those present recited the Pledge of Allegiance.

**4. PUBLIC HEARINGS**

**A. Consider a request to have a portion of parcel HB-640-11 (noted as ‘Lot 1’ on the approved CSM) rezoned from A-1: Agricultural District to ER: Estate Residential District**

Public hearing opened at 6:04.

Michael Hennig – 423 Oakridge Drive – Michael was looking to gain a little more background on what ER zoning means in terms of how many possible homes could be built. Todd Gerbers, Director of Planning and Code Compliance, informed Michael that there is only one additional parcel being created with a minimum lot size of 2.5 acres.

Diane Tappa – 430 Oakridge Drive – Diane is concerned that a large amount of foliage would be removed on the lot. Rich Heidel, Village President, informed Diane that the village cannot speak on behalf of the plans of the landowner.

Public hearing closed at 6:11.

**B. ACTION on aforesaid agenda item – Ordinance 2020-07 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN)**

Motion by Ed Kazik, second by Rich Heidel, to approve Ordinance 2020-07 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN). The motion passed unanimously.

**5. CONSENT AGENDA (These items may be approved on a single motion and vote due to their routine nature or previous discussion. Please indicate to the Board President if you would prefer separate discussion and action.)**

**A. Payment of Invoices**

**B. VILLAGE BOARD: Minutes of September 15, 2020**

**C. SITE REVIEW COMMITTEE: Minutes of July 7, 2020**

**D. APPOINTMENT: Kevin Gannon to serve on the Public Works & Utilities Advisory Committee (alternate), replacing Kyle Schmitz to complete a three-year term, expiring April 30, 2022.**

Motion by Dave Dillenburg, second by Debbie Schumacher, to approve the items listed on the consent agenda as presented. The motion passed unanimously.

**6. ITEMS REMOVED FROM CONSENT AGENDA**

No items were removed.

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

None.

**8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS**

**A. UPDATE – Capital Projects Update**

The road work for the year is nearly completed. While a few projects went slightly over budget due to road conditions, these will be addressed when the capital budget is amended later this year.

**B. Plan Commission –** There will be a planning and zoning commission meeting next week.

**C. Broadband Update –** Rich, Aaron, and Erica met with a private company that is looking to obtain a grant to provide high-speed internet service to rural areas of Hobart. They are requesting that Hobart partner with the grant application to allow our community a better chance of receiving funds.

**9. COMMITTEE REPORTS AND ACTIONS**

**A. UPDATE – Proposed 32 Square Foot Freestanding Monument Sign (Rivers of Life Ministries, 522 Orlando Drive, HB-314)**

Rivers of Life Ministries is proposing to remove their existing non-illuminated freestanding sign along Orlando Dr. and replace it with an internally illuminated monument sign to be constructed in the same location as the existing sign. The proposed sign will be an internally illuminated cabinet mounted within a new brick structure to provide a much greater appearance than the existing post and panel style sign. The proposed sign with structure will have an overall height of 8' with an overall width of 10' and a sign area of 32 square feet per side. These measurements comply with the Village code for religious establishments which permits a maximum of 50 square feet per side of sign and a maximum of 10' in overall height. (Site Review Committee)

**B. UPDATE – Proposed Wall and Freestanding Monument Sign (LaserForm LLC, 3750 Packerland Drive, HB-950-6)**

Laser Forms, LLC is currently in the process of having a new 72,800 square foot manufacturing facility constructed at 3750 Packerland Dr. (northwest corner of Packerland Dr. and Camber Ct.). During the site plan approval for the overall site back on August 21, 2019, signage was not included in that review at that time and was required to come back to the committee at a later date. The owner and sign company have now finalized the plans for both a freestanding monument sign to be located along Packerland Dr. along with a wall sign to be mounted on the front (east) elevation of the building. (Site Review Committee)

**C. UPDATE – Proposed Wall and Freestanding Directional Signs (Exclusive Use Express, 3794 Packerland Drive, HB-950)**

Exclusive Use Express is currently in the process of having a new 125,000 square foot warehouse facility constructed at 3794 Packerland Dr. (southwest corner of Packerland Dr. and Camber Ct.). During the site plan approval for the overall site back on December 18, 2019, signage was not included in that review at that time and was required to come back to the committee at a later date. The owner and sign company have now finalized the plans for both three freestanding directional signs to be located along Packerland Dr. and Camber Ct. (1 adjacent to each driveway and 1 near the intersection) along with a wall sign to be mounted on the front (east) elevation of the building. (Site Review Committee)

**D. UPDATE – Proposed new 14,965 sf Sports Training Facility and associated site improvements (Team 1848 Development)**

This proposed development is for a new 14,965 square foot building to function as an indoor sports training facility to be constructed along Centerline Dr. on a newly created parcel adjacent to the Village Water Tower. This project came before the committee back in July 2020 for review of the site layout as a conceptual only along with the building architecture so the building could be ordered as there was a several week delay on receiving the building once it was ordered. During that several week timeframe, the developer and their agents were able to complete the final details for the full development and submit for final review. (Site Review Committee)

## **10. OLD BUSINESS**

None.

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

### **A. DISCUSSION AND ACTION – Allocation of Unused CARES Act funding to local school districts**

School districts and municipalities have each been allotted CARES funds. There are a number of municipalities around the state who have funds they cannot use and have the ability to direct that to the school districts. Dennis Krueger, the superintendent of the West De Pere School District, was present to discuss their interest in receiving a portion of Hobart's unexpended CARES Act allocation. The school is looking for assistance in purchasing computers and cameras for students to help facilitate virtual learning. Motion by Debbie Schumacher, second by Ed Kazik, to approve the allocation of up to \$40,000 of unallocated CARES Act funds towards the purchase of document cameras and chromebooks for the West De Pere School District. The motion passed unanimously.

### **G. DISCUSSION – Ordinance 2020-09 (AN ORDINANCE TO CREATE A SECTION OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN , SPECIFICALLY SECTION 38 (VILLAGE PARTICIPATION IN IMPROVEMENTS ON PRIVATE PROPERTY) OF ARTICLE III (STORMWATER MANAGEMENT UTILITY) OF CHAPTER 150 (EROSION CONTROL AND STORMWATER MANAGEMENT))**

The purpose of this Ordinance is to create a procedure to govern the possible participation of the Village's Stormwater Fund in stormwater improvements on private property within the Village. This is a first reading of the ordinance. A second reading of the ordinance will be done at a future meeting.

Motion by Rich Heidel, second by Dave Dillenburg, to suspend the rules to allow the public to speak during the meeting. The motion passed unanimously.

Mark Vandenhouten – 1031 Heyerdahl Heights – Mark believes the ordinance is well written, however, he is concerned as they are the lowest lot on Heyerdahl Heights and is concerned with only one homeowner paying for reparations that are caused by newer, surrounding development. He is hoping there could be a modification that would allow greater accountability for those developments that create the issues. Rich Heidel is concerned with who would be making the determination as to what properties would be contributing to the issue, and who would be financially responsible for improvements.

Rich Heidel would like the Village staff to explore the avenue for Special Assessments to be assessed to cover costs for necessary improvements. Specifically, what would the requirements be, and what possible repercussions would follow.

Motion by Rich Heidel, second by Ed Kazik, to return the meeting to normal order. The motion passed unanimously.

### **B. DISCUSSION AND ACTION – Brown County Electronics Record Program Software Sub-License and Service Agreement**

This agreement is between Brown County and several area municipalities for the shared-use of the records program for the Police Department. The annual cost to the Hobart-Lawrence Police Department is \$11,638.00. Motion by Rich Heidel, second by Ed Kazik, to approve the Brown County Electronics Record Program Software Sub-License and Service Agreement for the annual amount of \$11,638.00. The motion passed unanimously.

**C. DISCUSSION – FY 2021 Budget Discussions**

Staff presented a small business and general tax relief proposal to be implemented by lowering the stormwater fees and alcohol and operators' fees for the 2021 fiscal year. The proposal also allows for allocation of annual surplus money to allow for future expenses. Lastly, the proposal outlines a salary increase of 2% for those employees not already in an approved contract, which is the average increase amongst our surrounding communities. The village board advised staff to proceed with including these items in the 2021 budget.

**D. DISCUSSION AND ACTION – Amended 2020 General Fund Budget**

Staff presented an amended 2020 General Fund Budget. The village has not been greatly affected by the pandemic and the overall budget outcome is within 1% percent of the original 2020 Budget. Motion by Ed Kazik, second by Dave Dillenburg, to approve the Amended 2020 General Fund Budget as presented. The motion passed unanimously.

**E. DISCUSSION AND ACTION – Review and discuss proposed reorganization of police department to include supervision with a Captain's position (second in charge) and a Sergeant's (road) position**

The Police Chief recommends approval of this Captain position to fulfill a necessary police structure (2nd in charge) management position and a work /probationary period that could form the natural progression to chief of police in the future. The Sergeant position would be a position as a first line supervisor and promoted from within the department. This position would alleviate the huge strain on the officers, having their own supervisor, go to person for the day to day calls and questions associated with the patrol officers' duties. Motion by Rich Heidel, second by Dave Dillenburg, to approve a Sergeant position with a base pay of \$34.00/hour to be promoted from within the department and appointed by the police commission with a 6 month probationary period. The motion passed unanimously.

**F. DISCUSSION AND ACTION – Continuity of Election Operations Plan (Brown County), Memorandum of Understanding**

The Clerks from several Brown County municipalities have agreed to assist each other in preparation for the Election and on Election Day in the event that one or more of these Clerks is unable to perform the statutory duties of his or her office due to exposure or infection of COVID-19 or mandated quarantine. Motion by Rich Heidel, second by Ed Kazik, to approve Hobart's participation in the Continuity of Elections Operations Plan for Brown County. The motion passed unanimously.

**H. DISCUSSION AND ACTION – Amending Previous Motion to Bury Overhead Power Lines on North Overland Road**

On August 4th, the Board approved the following motion: To approve the Village's payment of \$81,000 to Wisconsin Public Service for the burial of the 3-phase overhead line along North Overland Road, with the funds to come from the TID # 29-VV Interchange escrow account. The actual cost for the project is \$102,855.49. This is \$21,855.49 above the approved amount of the August 4th Board action. Motion by Debbie Schumacher, second by Ed Kazik, to amend the August 4th motion to approve the Village's payment of \$81,00 to Wisconsin Public Service for the burial of the 3-phase overhead line along North Overland Road, with the funds to come from the TID #1 20-VV Interchange escrow account, to \$102,855.49. The motion passed unanimously.

**I. DISCUSSION AND ACTION – Establish a Public Hearing to Consider Conditional Use Permit allowing excavation of a rear yard pond (HB-291-2, 422 Orlando Drive)**

Motion by Dave Dillenburg, second by Debbie Schumacher, to schedule a public hearing to consider a conditional use permit allowing excavation of a rear yard pond at HB-290-2, 422 Orlando Drive, for the November 4th board meeting. The motion passed unanimously.

**J. DISCUSSION AND ACTION – Establish a Public Hearing to Consider Conditional Use Permit for a second accessory building of additional 240 square feet (HB-556-4, 4625 Crooked Creek Lane)**

Motion by Rich Heidel, second by Ed Kazik, to schedule a public hearing to consider a conditional use permit for a second accessory building of an additional 240 square feet at HB-556-4, 4525 Crooked Creek Lane, for the November 4th board meeting. The motion passed unanimously.

**K. DISCUSSION - Items for future agenda consideration or Committee assignment**

None.

**L. ADJOURN to CLOSED SESSION:**

- 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, Tribal Affairs and Oneida Nation v. Village of Hobart litigation; Highway 29-County VV Interchange
- 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
- 3) Under Wisconsin 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: Personnel

Motion by Rich Heidel, second by Ed Kazik, to go into closed session at 8:40pm. Motion approved unanimously.

**M. CONVENE into open session**

Motion by Rich Heidel, second by Ed Kazik, to convene into open session at 9:15pm. Motion approved unanimously.

**N. ACTION from closed session**

MOTION 1: Motion by Ed Kazik, second by Debbie Schumacher, to approve the hiring of Susan Davis as Utility Clerk. The motion passed unanimously

MOTION 2: Motion by Rich Heidel, second by Ed Kazik, to approve the resignation of Paul Gehrke as Public Works & Utility Crew Member, effective October 16<sup>th</sup>, and approve the posting of the position to accept applications for employment to fill the vacated position. The motion passed unanimously.

MOTION 3: Motion by Rich Heidel, second by Ed Kazik, to approve the Development Agreement with Bayland Buildings, Inc., for the development of 65.7 acres of property in Centennial Centre, recently acquired by the Village of Hobart, and the development of said property over the next ten (10) years in partnership with the Village.

**12. ADJOURN**

Motion by Dave Dillenburg, second by Ed Kazik, to adjourn at 9:18pm. Motion approved unanimously.