



MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday May 18th 2021

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 6:04 pm. Rich Heidel, David Dillenburg, Tim Carpenter and Debbie Schumacher were present. Ed Kazik was excused.
2. Certification of the open meeting law agenda requirements and approval of the agenda – MOTION: Heidel SECOND: Schumacher VOTE: 4-0
3. Pledge of Allegiance - Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS

A. PUBLIC HEARING – Request to Rezone 700 Block Nathan Road (HB-391-1 & HB-456) from ER: Estate Residential District & A-1: Agricultural District to R-1: Residential District – Heidel opened the public hearing at 6:06 PM. Todd Gerbers (Director of Planning and Code Compliance) explained that Tosa Development is proposing a single-family plat creating 53 new single-family lots with 31 lots being located within the Village of Hobart and 23 lots being located within the Town of Lawrence. Of the lots within Hobart, they will be located on parcels currently identified as HB-391-1 and HB-456. These two parcels will need to be rezoned as the proposed final plat has reduced lot sizes similar to those of a R-1: Residential District and the current property zoning is ER: Estate Residential and A-1: Agricultural District. Being that these two parcels will be made part of new subdivision, the new lots will need to be rezoned into a zoning district where the new lots will comply with the proposed lot sizes and widths. With these lots also being served by municipal sewer and water, the best zoning district that would apply to the new layout would be R-1: Residential District. This request is to rezone parcels HB-391-1 & HB-456 from ER: Estate Residential District & A-1: Agricultural District to R-1: Residential District. No one from the public spoke. Heidel closed the public hearing at 6:08 PM.

B. ACTION on aforesaid agenda item – Ordinance 2021-05 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN) – ACTION: To approve Ordinance 2021-05 MOTION: Heidel SECOND: Carpenter VOTE: 4-0

C. PUBLIC HEARING - Consider Conditional Use Permit, Artificial Lake (HB-314-2 - 1570 South Overland Road) – Heidel opened the public hearing at 6:09 PM. Gerbers explained that the current property owners, Philip & Leigh Bolender, are proposing to construct an artificial lake of approximately 0.6 acre (25,800 square feet) towards the rear of their property. In the R-2 zoning district, an artificial lake is listed as a Conditional Use. The owners have 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. The owners plan to build a new single-family dwelling on the property in the near future and is planning to use the fill removed for the excavation of the artificial lake for fill around the foundation of the proposed dwelling. Philip Bolender was present to answer questions from the Board. Ray Diedrich (901 Mooren Acre Court, De Pere), who owns property north of the proposed CUP, expressed concern over the water flow in the area and what future owners could do with the pond. Lou Ann Ambrosius (630 Orlando Drive) expressed similar concerns about the artificial lake. Gerbers said the storm water flow in the area would not be altered by the artificial lake, and the CUP runs with the property, and would be in place if there were no owners. Heidel closed the public hearing at 6:20 PM.

D. ACTION on aforesaid agenda item – ACTION: To approve the Conditional Use Permit, Artificial Lake (HB-314-2 - 1570 South Overland Road) MOTION: Dillenberg SECOND: Schumacher VOTE: 4-0

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 May 4th 2021 (Regular); C. PARK AND RECREATION COMMITTEE: Minutes of April 8th 2021; D. PLANNING AND ZONING COMMISSION: Minutes of April 14th 2021; E. ALCOHOL LICENSE BEVERAGE APPLICATIONS – ACTION: To approve the Consent Agenda MOTION: Dillenberg SECOND: Carpenter VOTE: 4-0

6. ITEMS REMOVED FROM CONSENT AGENDA – No items were removed from the consent agenda.

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

A. PRESENTATION – Proposed Improvements at Four Seasons Park - Levi Diedrich presented his plans to construct five (5) benches and five (5) pet waste systems for the Village of Hobart at Four Seasons Park, as an Eagle Scout project.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS

A. UPDATE – Funding under American Rescue Plan – Village Administrator Kramer outlined the latest details on the ARP. According to the most recent estimates, the Village is expected to receive approximately \$966,000 as part of the American Rescue Plan. The law requires that the funds be fully expended by December 31, 2024 and any remaining funds will be returned to the federal government. Kramer said that the staff has no specific recommendations for the spending of the stimulus funds. He also provided an update on the request to Brown County Sheriff Todd Delain to provide costs and details of the Sheriff's Department taking over policing operations in Hobart. He also stated that the Site Review Committee will meet next week.

9. COMMITTEE REPORTS AND ACTIONS - None

10. OLD BUSINESS - None

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

A. DISCUSSION AND ACTION – Intergovernmental 2021-2022 Property Tax Bill, Mailing and Collection Agreement - Staff is recommending that the Village collect the annual property taxes, beginning this winter. No action was taken on the agreement.

B. DISCUSSION AND ACTION – Establish Public Hearing to Rezone the following parcels (HB-47, HB-49, HB-49-1, HB-53, HB-54, HB-55, HB-58, HB-59, HB-60, HB-61, HB-62, HB-63, HB-65, HB-71, HB-73, HB-156, HB-157, HB-158, HB-159, HB-160, HB-161, HB-162, HB-164, HB-164-1-1, HB-167, HB-168, HB-168-1, HB-169, HB-169-1, HB-170, HB-171, HB-172, HB-172-1, HB-173-1, HB-173-2, HB-173-3, HB-174, HB-175, HB-176, HB-179, HB-180, HB-181, HB-182, HB-183, HB-184, HB-185, HB-186, HB-187, HB-187-1, HB-190, HB-203-1, HB-205-1, HB-206, HB-207, HB-208, HB-209, HB-211-1, HB-215, HB-318, HB-866, HB-867, HB-868, HB-869, HB-901, HB-902, HB-924, HB-925, HB-941) from A-1: Agricultural District to I-3: Airport Industrial District, and the following parcels (HB-136, HB-155, HB-218, HB-226-1) from I-1: Limited Industrial District to I-3: Airport Industrial District – ACTION: To hold the public hearing on June 15th MOTION: Heidel SECOND: Carpenter VOTE: 4-0

C. DISCUSSION AND ACTION – Establish a Public Hearing to consider an Ordinance Amending the Zoning Ordinance of the Municipal Code of the Village of Hobart, Brown County, Wisconsin, Specifically Section 295-30 (Conditional Uses) of Article VI (R-1: Residential District) of Chapter 295 (Zoning), Section 295-42 (Conditional Uses) of Article VII (R-2: Residential District) of Chapter 295 (Zoning), and Section 295-55 (Conditional Uses) of Article VIII (R-3: Residential District) of Chapter 295 (Zoning) - ACTION: To hold the public hearing on June 15th MOTION: Dillenberg SECOND: Schumacher VOTE: 4-0

D. DISCUSSION AND ACTION – Establish a Public Hearing to Consider Conditional Use Permit for An Accessory Building (HB-829-10, 3360 Belmar Road) - ACTION: To hold the public hearing on June 15th MOTION: Heidel SECOND: Dillenberg VOTE: 4-0

E. DISCUSSION - Items for future agenda consideration or Committee assignment - None

F. ADJOURN to CLOSED SESSION (7:06 PM) – ACTION: To go into 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; How Landscaping Services vs. Village of Hobart et al litigation; Highway 29-County VV Interchange, and 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
MOTION: Heidel **SECOND:** Carpenter **VOTE:** 4-0

G. CONVENE into open session (8:35 PM) – MOTION: Heidel **SECOND:** Carpenter **VOTE:** 4-0

H. ACTION from closed session - None

12. ADJOURN (8:36 PM) – MOTION: Dillenberg **SECOND:** Carpenter **VOTE:** 4-0

Submitted by Aaron Kramer, Village Administrator