



MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday, May 17, 2022 (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, Vanya Koepke, and Tammy Zittlow were present. Tim Carpenter was excused.

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

Motion by Dave Dillenburg, second by Vanya Koepke, 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. To Consider the Rezoning Request for 1260 S. Pine Tree Road (HB-362-5) from A-1: Agricultural District to R-1: Residential District:

The public hearing was opened at 6:05pm.

The application was introduced by Director of Planning & Code Compliance, Todd Gerbers.

No comment from the public.

The public hearing was closed at 6:07pm.

B. Ordinance 2022-05 (An Ordinance Amending the Zoning Ordinance of the Municipal Code of the Village of Hobart, Brown County, Wisconsin):

Motion by Dave Dillenburg, second by Tammy Zittlow, to approve Ordinance 2022-05 (An Ordinance Amending the Zoning Ordinance of the Municipal Code of the Village of Hobart, Brown County, Wisconsin) to amend the zoning of HB-362-5 from A-1: Agricultural District to R-1: Residential District. The motion passed unanimously.

5. CONSENT AGENDA:

A. Payment of Invoices

B. Village Board: Minutes of May 3, 2022

C. Public Works and Utilities Advisory Committee: Minutes of March 14, 2022

D. Planning & Zoning Commission: Minutes of April 13, 2022

Motion by Rich Heidel, second by Dave Dillenburg, to approve the consent agenda as presented. The motion passed unanimously.

6. ITEMS REMOVED FROM CONSENT AGENDA:

None.

7. CITIZEN COMMENTS, RESOLUTIONS, AND PRESENTATIONS:

John Mahan – 1035 Butternut Lane – Requesting change of current ordinance prohibiting constricting snakes.
BJ – 3118 Pioneer Drive – Requesting a wheelchair accessible porta-potty.

A. Swearing in of Randy Radloff to the new Sergeant Position for the Hobart-Lawrence Police Department:

Captain Renkas provided Officer Radloff's background qualifications and presented him to the Village Board. Village Clerk, Erica Berger, swore in Officer Radloff as a Sergeant for the Hobart-Lawrence Police Department.

B. 2021 Audit Presentation:

Aaron Kramer (Village Administrator), Elizabeth McMasters (Clifton Larsen Allen), and Brian Ruechel (Hobart Financial Consultant) presented the final 2021 audit.

C. 2021 Audit Approval:

Motion by Rich Heidel, second by Vanya Koepke, to approve the 2021 Financial Statements as presented by roll call vote. Dave Dillenburg, aye; Rich Heidel, aye; Vanya Koepke, aye; Tammy Zittlow, aye. The motion passed unanimously.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS:

A. 2022-2023 Liquor Licenses:

The Village Board was provided a list of applicants for beer, liquor, and cigarette licenses for the 2022-2023 license year. These will be presented to the board for action at the June 21st board meeting.

B. Investment of 2022 General Obligation Proceeds:

The Village Board was provided an estimate of interest earnings from the recent investment of the 2022 General Obligation proceeds.

9. COMMITTEE REPORTS AND ACTIONS:

A. Consider Final Plat for North Autumn Joy Subdivision, HB-362-5 (1260 S Pine Tree Road):

Motion by Dave Dillenburg, second by Rich Heidel, to approve a 7 lot CSM separating HB-362-5 into 6 new single-family lots and 1 new out lot as presented with the following conditions:

1. Payment of the Park Fee of \$1800.00 (\$300.00 per lot, excluding existing developed lot and outlot)

The motion passed unanimously.

B. Consider Preliminary and Final Plat for South Autumn Joy Subdivision, HB-362 (1244 S Pine Tree Road):

Motion by Rich Heidel, second by Vanya Koepke, to approve the preliminary and final 7-lot plat for the South Autumn Joy Subdivision (HB-362) as presented with the following conditions:

1. Securing the necessary rezoning of the parcel and newly proposed lots.
2. Payment of the Park Fee of \$1800.00 (\$300.00 per new lot)
3. Any changes or modifications during the drafting and recording of the final plat will be required to come back for review and approval at a later meeting.

The motion passed unanimously.

C. Consider 4-Lot CSM for HB-314 (522 Orlando Drive):

Motion by Dave Dillenburg, second by Vanya Koepke, 4-Lot CSM at HB-314 (522 Orlando Drive) as presented with the following conditions:

1. Securing the necessary rezoning of the proposed Lots 1 & 2 of the submitted CSM.
2. Payment of the Park fee of \$900.00 (\$300 per new lot)

3. Approval of a Conditional Use Permit for continuation of religious institution on proposed Lot 1 of submitted CSM.

The motion passed unanimously.

D. Drainage Concern, Options, and Cost at 1074 Riverdale Drive:

Motion by Rich Heidel, second by Tammy Zittlow, to approve the expenditure not to exceed \$18,500 to install catch basin and storm lateral at 1074 Riverdale Drive and to award the project to Directional Drilling Services, Inc. The motion passed unanimously.

E. Drainage Concern, Options, and Cost on Ponce De Leon Blvd:

Motion by Rich Heidel, second by Vanya Koepke, to suspend the rules and open the meeting to the public at 7:13pm. The motion passed unanimously.

Michelle Rehn – 1782 Berkshire Drive – Disagrees with the determination of the Public Works and Utilities Advisory Committee.

Mark Vandenhouten – 1031 Heyerdahl Heights – Disagrees with the determination of the Public Works and Utilities Advisory Committee.

Motion by Rich Heidel, second by Vanya Koepke, to return the meeting to normal order at 7:55pm. The motion passed unanimously.

Motion by Vanya Koepke to approve the expenditure not to exceed \$10,700 to install a storm sewer piping and catch basin. The motion was not seconded.

Motion by Rich Heidel, second by Vanya Koepke, to postpone the agenda item to the June 21st Village Board Agenda at which time the Village Staff will present a recommended plan and plan to implement correction. The motion passed unanimously.

F. Speed and Traffic Concerns on S Pine Tree Road:

The Public Works and Utilities Advisory Committee recommends no change to the speed limit at this time following a speed and traffic count study. The Village will continue to monitor the street as further development is implemented in the immediate area.

G. Converting Old Fire Department Tender into Flatbed Truck for Public Works:

Motion by Rich Heidel, second by Vanya, to approve the converting of the old fire department tender into a flatbed truck for the public works department with the cost not to exceed \$20,801 for the project to come from the public works equipment capital reserve fund. The motion passed unanimously.

10. OLD BUSINESS:

A. Ordinance 2022-04 (An Ordinance Amending the Zoning Ordinance of The Municipal Code of the Village of Hobart) to amend the Zoning of HB-550-3 (4758 Forest Rd) from A-1: Agricultural District to R-6: Multi-Family Residential District:

Motion by Rich Heidel, second by Vanya Koepke, to suspend the rules and open the meeting to the public at 8:17pm. The motion passed unanimously.

Jennifer Koss – 4690 Forest Road – Comments on rural versus urban designations and opposition to the rezoning.

Patricia Salo – 4643 Forest Road – Questions on location of right-of-way acquisition in question and on status of traffic count studies.

Rhonda DeRuyter – 1079 Butternut Lane – Comments on traffic concerns from development.

Karl & Barb Schwiesow - 4689 Forest Road – Concerns with proposed development from the rezoning.

John Mahan – 1035 Butternut Lane – Expressed opposition to the multi-family designation.

Motion by Rich Heidel, second by Dave Dillenburg, to return to normal order at 8:51pm. The motion passed unanimously.

Motion by Vanya Koepke, second by Rich Heidel, to deny the rezoning request. The motion passed unanimously.

B. Ordinance 2022-06 (An Ordinance to Amend the Municipal Code of the Village of Hobart, Specifically Section 5 (Loud and unnecessary Noise Prohibited) of Chapter 221 (Peace and Good Order)):

Motion by Rich Heidel, second by Dave Dillenburg, to suspend the rules and open the meeting to the public at 9:07pm.

The board recognized the statement that was emailed in by the Hieronimczaks.

Mike Lenarduzzi spoke on behalf of D2's restaurant and the lack of public presence during the planning stages of the restaurant and the measures the developers took to alleviate the negative impacts to the community. He requested the end time on Friday and Saturday to be 11:00pm.

Motion by Rich Heidel, second by Tammy Zittlow, to approve Ordinance 2022-06 (An Ordinance to Amend the Municipal Code of the Village of Hobart, Specifically Section 5 (Loud and unnecessary Noise Prohibited) of Chapter 221 (Peace and Good Order)) with the following modifications:

1. Section 1 (B) ending hours to be as follows: Sunday – Thursday 10:00pm; Friday and Saturday 11:00pm.

The motion passed unanimously.

C. Ordinance 2022-07 (An Ordinance to Amend the Municipal Code of the Village of Hobart, Specifically Section 10 (Boards, Commissions, and Committees) of Chapter 5 (Administration of Government; Organization of Village)):

Motion by Dave Dillenburg, second by Vanya Koepke, to approve Ordinance 2022-07 (An Ordinance to Amend the Municipal Code of the Village of Hobart, Specifically Section 10 (Boards, Commissions, and Committees) of Chapter 5 (Administration of Government; Organization of Village)) as presented. The motion passed unanimously.

11. NEW BUSINESS:

A. Establish a Public Hearing to Consider the Rezoning of HB-362 (1244 S Pine Tree Road) from A-1: Agricultural District to R-1: Residential District and R-2-R: Residential District:

Motion by Rich Heidel, second by Vanya Koepke, to establish a public hearing to consider the rezoning of HB-362 (1244 S Pine Tree Road) from A-1: Agricultural District to R-1: Residential District and R-2-R: Residential District for June 21, 2022 at 6:00pm. The motion passed unanimously.

B. Establish a Public Hearing to Consider Rezoning HB-314 (522 Orlando Drive) from R-2: Residential to ER: Estate Residential and R-2-R: Residential District:

Motion by Dave Dillenburg, second by Tammy Zittlow, to establish a public hearing to consider the rezoning of HB-314 (522 Orlando Drive) from R-2: Residential to ER: Estate Residential and R-2-R: Residential District for June 21, 2022 at 6:00pm. The motion passed unanimously.

C. Establish a Public Hearing to Consider Modifications/Amendments to the Zoning Ordinance, Chapter 295, Section 295-187, Conditional Uses Pertaining to Religious Institutions:

Motion by Rich Heidel, second by Vanya Koepke, to establish a public hearing to consider modifications/amendments to the zoning ordinance, Chapter 295, Section 295-187, Conditional Uses Pertaining to Religious Institutions for June 21, 2022 at 6:00pm. The motion passed unanimously.

D. Establish a Public Hearing to Consider a CUP for a Religious Institution Located at HB-314 (522 Orlando Drive):

Motion by Rich Heidel, second by Tammy Zittlow, to establish a public hearing to consider a CUP for a Religious Institution Located at HB-314 (522 Orlando Drive) for June 21, 2022 at 6:00pm. The motion passed unanimously.

E. Establish a Public Hearing to Consider a CUP for a Faith-Based Residential Recovery Facility for Substance and Alcohol Abuse Residents located at HB-579-4 and HB-580-6 (1071 Hill Drive):

Motion by Rich Heidel, second by Dave Dillenburg, to establish a public informational meeting at the June 8th Planning & Zoning Commission meeting and establish a public hearing to consider a CUP for a Faith-Based Residential Recovery Facility for Substance and Alcohol Abuse Residents located at HB-579-4 and HB-580-6 (1071 Hill Drive) for June 21, 2022 at 6:00pm. The motion passed unanimously.

F. Items for future agenda consideration or committee assignment:

None.

The Board did not adjourn to closed session.

G. ADJOURN TO CLOSED SESSION:

- i. 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
- ii. 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

H. CONVENE INTO OPEN SESSION:

N/A

I. ACTION FROM CLOSED SESSION:

None.

12. ADJOURN

Motion by Rich Heidel, second by Vanya Koepke, to adjourn at 9:26pm. The motion passed unanimously.