

7-18-2006 Village of Hobart Board Meeting

1. Rich Heidel called meeting to order at 6:15 pm. Those present were invited to stand and recite the Pledge of Allegiance. Roll call was taken and all board members were present
2. *Motion to modify the agenda by moving items regarding the purchase of a fire truck and the zoning hearing findings for Ashwaubenon up to 7 (A) and (B) by Phil Lehl, second by Debbie Schumacher, Motion Carried; none opposed.*
3. *Motion to approve of July 5, 2006 Village Board Minutes, July 5, 2006 Hearing for 6.004 Minutes and June 30, 2006 OTI & Board Meeting Minutes by Ed Kazik, second by Debbie Schumacher. Motion Carried; none opposed.*
4. Communications: Joe Helfenberger gave a report on DOT HWY 29 Meeting and Metro Leaders Meeting. Joe discussed the various plans for Highway 29 and 41. He stated that the state favors the simplest approach to the intersections and not the more complicated "Chicago" style interchanges. There would be a local frontage road to keep the long distance traffic away from the local traffic. At the Metro Leaders meeting there were talks on consolidation of Police, and Fire services. Green Bay was also offering to discuss shared weights and measures services.
5. Committee/Commission Reports:
 - A. Water & Sewer Advisory: Mr. Reeners reported that the committee reviewed the Ashwaubenon agreement for water purchases, the engineering report made on the back up water system and took a another look at the agreement for emergency backup water. They also reviewed the debt service.
 - B. Public Works: Joe Helfenberger reported that the crack sealing and the roadwork on Edgar and Jonas are completed and that the shouldering will be redone so it is correct on those two roads. The Storm Water Utility was discussed as well as the mandate to have something in place by 2008 regarding storm water.
 - C. HALO: Debbie Schumacher reported that the Veterans Memorial Dedication was set with a preliminary date of October 7, 2007. There were discussions of the Public Safety Building in Ashwaubenon as well as the Special Olympic Memorial Ride for Bob Etter and Stephanie Markins on Saturday July 22, 2006.
 - D. Finance: The committee reviewed the modified variance reports and monitoring expenses monthly. They are reviewing the debt service and the long-term budget. There was discussion of purchasing a fire engine to replace the 1974 relay. The committee recommended that if it were just financial considerations they would wait until 2007 but if it is a safety issue then 2006 would be acceptable.
6. Staff Reports: Fire Chief: Chief VandeHey gave the board the information on the truck. Reedsville ordered it and it was painted the wrong color. We could take the 1974 Relay Truck out of service and then the 1980 tanker with leaks and break problems could be retired. Pumper #1 is a 1987 and can be used as a backup if turned into a tender. We can use the hose from the Relay truck if we buy the new pumper that Reedsville is refusing. Bob said that the truck is fully equipped and that a decision would need to be made as soon as possible in order to take possession of the truck.
7. (A) Discussion / action re: Purchase of fire truck: *Motion to approve the purchase of the fire engine and obtain financing that the village will be able to have a more favorable rate at the start of the term so that the payments can be balanced with debt for other trucks by Ed Kazik, second by Debbie Schumacher; Motion Carried; none opposed*
7. (B) Discussion / action re: Findings from public hearing regarding rezoning of Parcel # HB-942 from Ag to R-6 with a PUD with apartments, public safety facility, and park uses for the Village of Ashwaubenon. Hearing was held at 5:30 pm this evening on the request. There were concerns over Ashwaubenon owning land in Hobart however, the Well #7 is already owned by Ashwaubenon. This is not uncommon. Mr. Steve Kubacki, Administrator for the Village of Ashwaubenon presented the plan for the apartments, public safety building, soccer fields and training area. The apartments on the property will be taxable and will add to the tax base. The Public Safety facility will not be taxable but will be a benefit if Hobart should determine that space is needed within the facility for our Village. A portion of the development is within the crash zone and will not be able to have any apartments homes on it. This area will be will be used for parking garages. The soccer fields and training fields are also in areas where no building can take place. Motion to suspend the rules by Rich Heidel, second by Tim Carpenter; Motion Carried; none opposed. Several residents spoke on their concerns over Village involvement with private developments and the need for a fire / rescue station in this portion of Hobart for Ashwaubenon. Mr. Steve Kubacki explained that this was to cover the south and western portions of Ashwaubenon where the other stations cover the North and eastern portions of the village. The location makes sense with the Cornerstone Development and the other apartments in the area.

There are grants being applied for as well as money is being asked for from the state from some of the gaming revenues. The water and sewer will be supplied from Ashwaubenon and Hobart. The board wanted to know if for some reason the agreement with Mr. Murphy did not come to pass what the use of the property would be. Mr. Kubacki said there were other developers interested in the site for development. *Motion to approve the change of zoning for HB:942 from Ag to R-6 with PUD for apartments, public safety building and park uses by Tim Carpenter, second by Ed Kazik; Motion Carried; none opposed.*

8. Meeting Announcements: August calendar available at Village Office

9. New Business:

A. Administration

- i. Findings from public hearing regarding rezoning of part of Parcel #HB-314 from R-2 to R-2-R for the 1.1 acre parcel on the proposed CSM on S Overland Rd and Orlando Dr. for Rivers of Life Ministries. Hearing held this evening on this request. No one spoke against the change of zoning *Motion to approve the change of zoning from R-2 to R-2-R, by Tim Carpenter, second by Ed Kazik Motion Carried; none opposed.*
- ii. 4-Lot CSM on S. Overland Rd and Orlando Dr for Rivers of Life Ministries upon successful rezoning. *Motion to approve the 4-lot CSM for Rivers of Life Ministries, as presented by Debbie Schumacher, second by Tim Carpenter; Motion Carried; none opposed.*
- iii. 2-Lot CSM on Main Ave/ Layden Dr for the Village of Ashwaubenon: *Motion to approve the 2-lot CSM on Main Ave / Layden Drive for the Village of Ashwaubenon by Tim Carpenter, second by Phil Lehl; Motion Carried; none opposed.*
- iv. Desjardins Developers Agreement: Motion to suspend the rules by Rich Heidel, second by Ed Kazik, Motion Carried; none opposed rules were suspended to allow input from those present. The zoning request applies to both HB:726 and HB:723 the attorney has approved the agreement as well as Mr. and Mrs. Desjardins. Planning and Zoning Commission approved the change of zoning. Concerns were voiced about fuel sales and the traffic and neighbor considerations. Some want the business located on J not on FF. Motion to return to regular session by Rich Heidel, second by Phil Lehl, Motion Carried; none opposed. Concern from Phil Lehl regarding traffic, congestion on the corner of J and FF and other safety issues. President Heidel asked if the board was prepared to vote on this request at this time, Ed Kazik asked for a little more time to review the document presented. More discussion on the request and the area took place. *Motion to approve the developers agreement as executed by Mr. Desjardins by Rich Heidel, second by Tim Carpenter; vote taken Rich Heidel yes, Tim Carpenter no, Phil Lehl no, Ed Kazik no, Debbie Schumacher no. Motion failed 4 opposed, 1 for.* Debbie Schumacher said she would like to see anything B-2 in that area because it is neighbor friendly.
- v. Water Conservation Measures: Public Works Director Rick Kinney reported that the average usage is running between 150,000 to 500,000 gallons per day and this is below last years amount when the conservation measures were invoked. He would not recommend placing any limits on at this time but would review daily to watch the usage and revisit the issue in 2-weeks.
- vi. Resolution 2006-06 Sponsoring the Jerabek Run: *Motion to adopt Resolution 2006-06 by Ed Kazik, second by Debbie Schumacher; Motion Carried; none opposed.*
- vii. Veterans Memorial Dedication: no action necessary but reporting that the October 7, 2006 date looks like it will be the day for the dedication. We are still awaiting confirmation from the Pulaski Band.
- viii. Bridge Aid for 2007 for Levy: *Motion to not raise any additional funds for the Bridge Fund at this time by Debbie Schumacher, second by Ed Kazik; Motion Carried; none opposed.*
- ix. Findings of State seismograph test of Braun's concrete reclamation operation: The state set up the equipment on July 11, 2006 to measure crushing operation vibrations and noise levels at Mrs. Smets home. The vibrations do not meet the federal threshold of damage. The party interested in purchasing the property is willing to work with the village in correcting problems and will work on conditions for use with the village. They are operating in compliance with Chapter 39, WI Admin Code 7 and the provisions within Hobart ordinances at this time.
- x. Ordinance 05-2006 Election Workers: *Motion to approve Ordinance 05-266 by Debbie Schumacher, second by Ed Kazik; Motion Carried; none opposed.*

- xi. Ordinance 04-2006 Chargeback's for services provided by Village: this ordinance follows state statutes on chargeback's. The village has corrected drainage issues that are not benefiting the village as a whole and yet the cost is born by the taxpayers. This ordinance would allow the village to charge those residents who directly benefit from any services not given to the entire village. *Motion to table by Phil Lehl, second by Ed Kazik; Motion Carried; none opposed.*
- xii. Revision of Park Ordinance regarding fees: *Motion to set hearing for September 5, 2006 at 5:30 by Rich Heidel, second by Ed Kazik; Motion Carried; none opposed..*
- xiii. Set meeting with Lawrence regarding Bain Brook Drainage Issue: Meeting will be set in August to discuss joint issues.

The board took a 10-minute break here at 9:45 pm
Back into session at 9:55 pm

- xiv. Fern Gully estates and over sizing of sanitary sewer line: Presentation by Tom Juza on options for servicing his Fern Gully property. He stated that he does not need the 18-inch line to serve his property. He can obtain sewer and water from Fonda Fields which would be gravity fed. The village needs to optimize the money spent on the interceptor and would need the 18-inch lint to get to the village owned property. Mr. Juza needs to move ahead at this point and is asking the village what they want to do at this time. The village will need to know the levy impact if the 18-inch line is constructed. Mr. Juza will give this same presentation to the Water Sewer Advisory Committee.
10. Motion to approve the invoices as presented by Tim Carpenter, second by Ed Kazik; Motion Carried; none opposed.
 11. Motion to move into closed session pursuant to WI Statutes Section 19.85 (1) (g), WI Statutes Section 19.85 (1)(c), and WI Statutes Section 19.85 (1)(e) to discuss:
 - A. The Transfer station lawsuit
 - B. The O'Hare Lawsuit
 - C. The Oneida Service Agreement
 - D. Storm water Utility
 - E. Substitute Building Inspection
 - F. Sale and Study of Village-owned Property
 - G. Thornberry Creek Foreclosure matter
 - H. Personnel matters
 - I. Committee Appointments

By Tim Carpenter, second by Phil Lehl; Roll Call Vote Taken: Tim Carpenter,aye; Rich Heidel,aye; Ed Kazik,aye; Phil Lehl, aye;Debbie Schumacher, aye;.board moved into closed session at 11:00 pm Motion to return to regular session by Debbie Schumacher, second by Ed Kazik; Roll Call Vote Taken: Tim Carpenter,aye; Rich Heidel,aye; Ed Kazik,aye; Phil Lehl, aye;Debbie Schumacher, aye;. Board returned to regular session at 12:05 am.

12. Open Session
 - A. Transfer station lawsuit: no action
 - B. O'Hare Lawsuit: no action
 - C. Oneida Service Agreement: no action
 - D. Storm water Utility: no action
 - E. Substitute Building Inspection: no action
 - F. Sale and Study of Village-Owned Property: no action
 - G. Thornberry Creek Foreclosure matter: no action
 - H. Personnel Matters: Report by Joe Helfenberger that the Union was certified by the State on July 10, 2006 discussion on a labor negotiation committee. Nomination of Ed Kazik and Tim Carpenter to the committee. *Motion to appoint Ed Kazik and Tim Carpenter to the labor negotiation committee by Rich Heidel, second by Phil Lehl ; Motion Carried; none opposed. 2- abstained, Ed Kazik and Tim Carpenter.*
 - I. Committee appointments: no action
13. Motion to adjourn by Tim Carpenter, second by Phil Lehl, Motion Carried; none opposed. Meeting adjourned at 12:10 pm.