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|  <p>VILLAGE OF HOBART GREATNESS IS GROWING Village of Hobart Village Office 2990 S. Pine Tree Rd, Hobart, WI www.hobart-wi.org - www.buildinhobart.com</p> | <p>Notice is hereby given according to State Statutes that the VILLAGE BOARD of the Village of Hobart will meet on Tuesday April 18th 2023 at 6:00 P.M. at the Hobart Village Office. NOTICE OF POSTING: Posted this 14th day of April, 2023 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village website.</p> |
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MEETING NOTICE – VILLAGE BOARD (Regular)

Date/Time: Tuesday April 18th 2023 (6:00 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call.
2. Certification of the open meeting law agenda requirements and approval of the agenda
3. Pledge of Allegiance

4. PUBLIC HEARINGS

A. PUBLIC HEARING – To consider an ordinance creating the PI: Public Institutional District zoning district for lands that are intended more for public structures and uses (Page 4)

The purpose of this Ordinance is to create a new zoning district (PI Public Institutional District) in the Zoning Chapter of the Municipal Code to provide for a district for public and civic buildings and large institutional uses that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose.

B. ACTION on aforesaid agenda item – Ordinance 2023-06 (AN ORDINANCE CREATING ARTICLE XXXV (PI PUBLIC INSTITUTIONAL DISTRICT) IN CHAPTER 295 (ZONING) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN) (Page 5)

C. PUBLIC HEARING – To consider changes to the Floodplain Zoning Ordinance (Chapter 290) (Page 8)

The purpose of this ordinance is to replace Chapter 290 to make it compliant with Wisconsin Department of Natural Resources regulations and state statutes.

D. ACTION on aforesaid agenda item – Ordinance 2023-07 (AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 290 (FLOODPLAIN ZONING) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN) (Page 9)

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 (Page 48); B. VILLAGE BOARD: Minutes of April 5th 2023 (Regular) (Page 55); C. POLICE COMMISSION: Minutes of January 30th 2023 (Page 57); D. PUBLIC WORKS AND UTILITIES ADVISORY COMMITTEE: Minutes of March 13th 2023 (Page 58) and April 10th 2023 (Page 59); E. PLANNING AND ZONING COMMISSION: Minutes of March 8th 2023 (Page 60); F. COMMITTEE APPOINTMENTS (Page 62); G. COMMITTEE APPOINTMENT: Ron Hieronimczak to the Public Works and Utilities Advisory Committee (Alternate) for a term expiring May 1st 2026.

6. ITEMS REMOVED FROM CONSENT AGENDA

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

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS

A. INFORMATION

1. 2023 Sanitary Survey Report for the Four Water Service Areas Serving the Village of Hobart and Notice of Non-Compliance (Page 64) - There are six (6) noted deficiencies noted in this report, but none are deemed critical, and some have already been remedied.
2. March 2023 Hobart-Lawrence Police Department Monthly Report (Page 79)

- 3. Village Investment Report (Page 93)
- 4. 2023 Budget Update – First Quarter (Page 95)
- 5. League of Municipalities – Legal Update (Page 101)

9. COMMITTEE REPORTS AND ACTIONS

10. OLD BUSINESS

A. DISCUSSION AND ACTION – Ambulance Service Agreement (2023-2040)

Copies of the agreement will be presented at the meeting. This agreement between the Village and Aegis Group (dba County Rescue Services) would replace the current agreement, and extend the service through December 31st 2040. It also reduces the current payment for ambulance service, and is projected to have a lesser impact on the Village budget than the current formula. Action on this item was postponed at the April 5th Board meeting.

B. DISCUSSION AND ACTION – Premises Use Agreement

Copies of the agreement will be presented at the meeting. This agreement between the Village and Aegis Group (dba County Rescue Services) would allow for the placement of an ambulance unit in the new Fire Station in Hobart, starting in 2024. The Village will receive a credit toward its annual service agreement fee for the ambulance utilizing the space. Action on this item was postponed at the April 5th Board meeting.

11. NEW BUSINESS

A. DISCUSSION AND ACTION – Ordinance 2023-08 (AN ORDINANCE TO AMEND SECTION 12 (NUMBER OF ANIMALS LIMITED) OF ARTICLE III (LICENSING AND REGULATION OF ANIMALS) OF CHAPTER 102 (ANIMALS) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN (Page 105)

The purpose of this ordinance is to amend the Municipal Code to create a process for a resident, on a parcel of less than 2 ½ acres, to exceed the current limit of two dogs in the Municipal Code.

B. DISCUSSION AND ACTION – Policy 2023-03 (CASH MANAGEMENT POLICY) (Page 107)

The purpose of this policy is to update and amend the previous policy governing the cash management policy of the Village. It mainly adds a section allowing for the Village to liquidate investments in the event of market volatility and a conflict of interest clause.

C. DISCUSSION AND ACTION - 2023 Street and Drainage Improvements; Contract 2320-23-01 (Page 110)

Staff would recommend awarding the bid to MCC, Inc. (Appleton) for the following projects this year: Trout Creek Road Improvements (Hidden Trail to County Highway J, - 5,438 feet), Copilot Way and Gulfstream Court Final Paving, Belmar Road Culvert Replacement, Berkshire Drive (curb and gutter installation), and North and South Overland Road – Miscellaneous Patching.

D. DISCUSSION AND ACTION – Authorization to Bid Out the Gateway Estates Infrastructure Project (Page 114)

This project will consist of the installation of roads, sanitary sewer, watermain and storm sewer for the proposed Gateway Estates subdivision (located in Tax Increment District #2). Funding will come from the recent 2023A Bond issuance.

E. DISCUSSION AND ACTION – Consider a two lot CSM dividing one parcel into two separate parcels of 3.00 acres and 2.00 acres (4313 Hillcrest Dr., HB-583-2) (Page 115)

The property owner currently has one parcel of 5.00 acres and is proposing a two lot Certified Survey Map (CSM) that would create one additional new lot. This proposed CSM will establish two separate parcels of 3.00 acres and 2.00 acres respectively. The property is currently developed with a dwelling on proposed Lot 1 and has a property zoning of R-1: Residential District. This existing 5-acre parcel is currently zoned R-1 which requires a minimum lot size of 12,000 square feet per parcel and minimum lot frontage of 100 feet. Both proposed lots meet or exceed these minimum requirements as proposed.

F. DISCUSSION AND ACTION – To schedule a Public Hearing to consider the Rezoning of Parcels HB-579-3 & HB-579-6 (4482 Forest Road) from R-2: Residential District to R-2-R: Rural Residential District

Staff would request the Public Hearing be held at the May 16th meeting.

G. DISCUSSION AND ACTION – To schedule a Public Hearing to consider an ordinance amending Chapter 295-143 (Legal Description) of the PDD #2 - Zoning District of the Village Municipal Code

Staff would request the Public Hearing be held at the May 16th meeting.

H. DISCUSSION AND ACTION – Personnel Manual Changes (Page 124)

After reviewing our employee manual, there are several sections that are outdated and need updating.

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

J. ADJOURN to CLOSED SESSION:

1. 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: Sale of Property/TID Projects/Development Agreements
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: Tribal Affairs; Potential Litigation

K. CONVENE into open session

L. ACTION from closed session

12. ADJOURN

Aaron Kramer, Village Administrator

Village Board of Trustees: Richard Heidel (President), Tim Carpenter, David Dillenburg, Vanya Koepke, Tammy Zittlow

UPCOMING BOARD MEETINGS

Tuesday May 2nd 2023 (6:00 PM) – Regular Board Meeting at Village Office

Tuesday May 16th 2023 (6:00 PM) – Regular Board Meeting at Village Office

Tuesday June 6th 2023 (6:00 PM) – Regular Board Meeting at Village Office

NOTE: Page numbers refer to the meeting packet. All agendas and minutes of Village meetings are online: www.hobart-wi.org. Any person wishing to attend, who, because of disability requires special accommodations, should contact the Village Clerk-Treasurer's office at 920-869-1011 with as much advanced notice as possible. Notice is hereby given that action by the Board may be considered and taken on any of the items described or listed in this agenda. There may be Board members attending this meeting by telephone if necessary.



TO: Planning & Zoning Commission

RE: Ordinance creating Article XXXV (PI: Public Institutional District) in Chapter 295 Zoning Code of the Village of Hobart

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: March 8, 2023

ISSUE: Consider an ordinance creating the PI: Public Institutional District zoning district for lands that are intended more for public structures and uses

RECOMMENDATION: Staff recommends approval

GENERAL INFORMATION

Village Staff is proposing the creation of a new zoning district in chapter 295 of the Village of Hobart Zoning Code that establishes a PI: Public Institutional District for lands with structures and uses that are publicly oriented.

BACKGROUND

With the proposed construction of the new Village Fire Station in the very near future, Village Staff is proposing the creation of a new zoning district to be known as PI: Public Institutional District. By creating this new zoning district, the Village establishes a specific zoning for such buildings as fire, police, public works, government office, schools, parks, and other similar land uses that are generally owned and maintained by a government agency to be located in a more fitting property zoning. This would not exclude a private school or a botanical garden that is privately owned from utilizing this zoning, it allows the availability for such a development without having to always go through the conditional use process. As the Commission is aware, the goal is to reduce the number of conditional uses through the zoning code wherever possible, as it makes for a cleaner and more clear zoning code for various Village land uses. Should this new zoning district be approved and adopted into the Village Zoning Code, Village Staff will review several parcels throughout the Village and begin bringing these parcels before the Commission for possible rezonings. The majority of the parcels are governmentally owned with a few that may be privately owned where we will discuss the option with that property owner prior to bringing it before the Commission. Essentially, it would be the best for all parties to eliminate such developments as a fire station of community park in an A-1: Agricultural District or a public school in a R-1: Residential District along with requiring a CUP to do so.

Attached is the proposed ordinance with the exact verbiage proposed.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the proposed ordinance creating the new PI: Public Institutional District and inserting it into the Village Zoning Code as submitted.



ORDINANCE 2023-06

AN ORDINANCE CREATING ARTICLE XXXV (PI PUBLIC INSTITUTIONAL DISTRICT) IN CHAPTER 295 (ZONING) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

Purpose: The purpose of this Ordinance is to create a new zoning district (PI Public Institutional District) in the Zoning Chapter of the Municipal Code to provide for a district for public and civic buildings and large institutional uses that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: That Article XXXV (PI Public Institutional District) of Chapter 295 (Zoning) of the Municipal Code shall be created to read as follows:

§ 295-375. Purpose.

The Public Institutional District (PI) is intended to provide for a district for public and civic buildings and large institutional uses that otherwise may not fit into other zoning districts because of their specialized land use needs and public purpose. This designation serves as a notice to those owning or buying land in proximity to publicly-owned land, which is not ordinarily subject to the regulations of this chapter.

§ 295-376. Permitted uses.

The following uses are permitted in the PI District:

- A. Community Center
- B. Public Library
- C. Museums, Art Galleries, Art Centers
- D. Public – Park, Playground, Recreation Center, Square
- E. Schools, Preschool, Elementary, or Secondary
- F. Government Offices
- G. Emergency / Public Safety Service Facility (EMS, Fire, Police)
- H. Government Maintenance, Storage, and Distribution Facility
- I. Post Office
- J. Community Garden
- K. Arboretum of Botanical Garden
- L. Conservancy
- M. Public Parking Lot
- N. Public Parking Structure
- O. Crops
- P. Storm Water Management Facility/Structure

§ 295-377. Permitted accessory uses.

The following are permitted accessory uses in the PI District:

- A. Satellite dish antennas less than 38 inches in diameter
- B. Telephone, cable television, electrical power, and similar public utility installations

§ 295-377. Conditional uses.

The following are conditional uses in the PI District:

- A. Cemetery, Columbaria, Mausoleum
- B. College, University, Vocational/Trade School
- C. Religious Institutions
- D. Public Utility and Service Uses as Follows:
 - (1) Substations
 - (2) Gas Regulator Stations
 - (3) Railroad Right-Of-Way but not including railroad yards and shops, other than for passenger purposes
 - (4) Telephone exchange, transmission equipment buildings, and microwave relay towers

§ 295-378. Lot requirements per use.

- A. Area: 19,000 square feet minimum.
- B. Zoning Lot Frontage: 120 feet minimum.

§ 295-379. Height regulations.

Principal structures: 60 feet maximum, except as provided by § 295-13, Height regulations.

§ 295-379. Building Setbacks

| | Principal Structure | Accessory Buildings | Driveways |
|-------------------|-----------------------------------|-----------------------------------|--|
| Front yard | 40 feet minimum from right-of-way | 40 feet minimum from right-of-way | 10 feet from property line |
| Side yard | 15 feet minimum | 15 feet minimum | 10 feet from property line |
| Rear yard | 20 feet minimum | 20 feet minimum | 10 feet from property line |
| Corner Lot | 40 feet minimum from right-of-way | 40 feet minimum from right-of-way | 75 feet from center line of intersection |

§ 295-380. Parking.

Parking shall conform to the requirements as set forth in Article XXVIII, Off-Street Parking Requirements.

§ 295-381. Signs.

Signs shall be regulated as set forth in § 295-361, Regulation of signs.

§ 295-382. Other requirements.

A. Structures and buildings allowed in the PI Public Institutional District shall meet the regulations of this district and the other articles of this chapter, as determined by the Village Director of Planning and Code Compliance and approved by the Site Review Committee.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3. This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this 18th day of April, 2023.

Richard Heidel, Village President

Attest:

Aaron Kramer, Village Administrator

I, Katrina Bruecker, am the duly qualified and acting Village Clerk of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on April 18th 2023.

(Seal)

Katrina Bruecker, Village Clerk-Treasurer



TO: Planning & Zoning Commission

RE: Ordinance replacing Chapter 290 (Floodplain Zoning) of the Village Municipal Code

FROM: Todd Gerbers, Director of Planning and Code Compliance

DATE: April 12, 2023

ISSUE: Consider an ordinance to replace Chapter 290 – Floodplain Zoning of the Village Municipal Code to make it compliant with FEMA regulations and state statutes.

RECOMMENDATION: Staff recommends approval

GENERAL INFORMATION

Village Staff has been working with WDNR to modify and update Chapter 290 – Floodplain Zoning ordinance of the Village of Hobart to be compliant with federal mandates. FEMA occasionally updates or establishes new requirements relating to floodplains, which in turn requires each municipality to make the required amendments in their Floodplain Zoning ordinance.

BACKGROUND

The Floodplain Zoning ordinance was last amended back in 2021 and FEMA has again required some new modifications to the requirements for areas located within floodplain areas. The majority of the changes happen to be centered around campgrounds and camping units with some minor tweaking to the definitions section. Other than these two areas, there is some minor alterations to the formatting of various ordinance sections. Overall, upwards of 95% of the existing floodplain zoning ordinance remained the same.

Being that this ordinance amendment is on a tight timeframe, must be approved and adopted by the Village Board and submitted to WDNR for their review and approval prior to May 9th, this same ordinance is scheduled to go before the Village Board at a public hearing on April 18, 2023, for action. Since this ordinance is mandated by FEMA, and proposed changes will need WDNR approval to be included in the new ordinance.

Attached is the proposed ordinance with the exact verbiage proposed.

RECOMMENDATION/CONDITIONS

Staff recommends approval of the proposed ordinance amending Chapter 290 – Floodplain Zoning and inserting it into the Village Zoning Code as submitted.



ORDINANCE 2023-07

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 290 (FLOODPLAIN ZONING) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

Purpose: The purpose of this ordinance is to replace Chapter 290 to make it compliant with Wisconsin Department of Natural Resources regulations and state statutes.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: That Chapter 290 (Floodplain Zoning) of the Municipal Code shall be repealed and recreated to read as follows:

§ 290-1. Statutory authorization; finding of fact; purpose; title and general provisions.

A. Statutory Authorization. This ordinance is adopted pursuant to the authorization in s. 61.35 and 62.23, for villages and cities and the requirements in s. 87.30, Stats.

B. Finding of Fact. Uncontrolled development and use of the floodplains and rivers of this municipality would impair the public health, safety, convenience, general welfare and tax base.

C. Statement of Purpose. This ordinance is intended to regulate floodplain development to:

- (1) Protect life, health and property;
- (2) Minimize expenditures of public funds for flood control projects;
- (3) Minimize rescue and relief efforts undertaken at the expense of the taxpayers;
- (4) Minimize business interruptions and other economic disruptions;
- (5) Minimize damage to public facilities in the floodplain;
- (6) Minimize the occurrence of future flood blight areas in the floodplain;
- (7) Discourage the victimization of unwary land and homebuyers;
- (8) Prevent increases in flood heights that could increase flood damage and result in conflicts between property owners; and
- (9) Discourage development in a floodplain if there is any practicable alternative to locate the activity, use or structure outside of the floodplain.

D. Title. This ordinance shall be known as the "Floodplain Zoning Ordinance for the Village of Hobart, Wisconsin."

E. General Provisions.

(1) Areas to be regulated. This ordinance regulates all areas of special flood hazard identified as zones A, AO, AH, A1-30 or AE on the Flood Insurance Rate Map. Additional areas identified on maps approved by the Department of Natural Resources (DNR) and local community may also be regulated under the provisions of this ordinance, where applicable.

(2) Official Maps and Revisions. Special Flood Hazard Areas (SFHA) are designated as zones A, A1-30, AE, AH or AO on the Flood Insurance Rate Maps (FIRMs) based on flood hazard analyses summarized in the Flood Insurance Study (FIS) listed in subd. (a) below. Additional flood hazard areas subject to regulation under this ordinance are identified on maps based on studies approved by the DNR and listed in subd. (b) below. These maps and revisions are on file in the office of the Village of Hobart Planning and Code Compliance Officer, Village of Hobart.

(a) Official Maps: Based on the Flood Insurance Study (FIS):

1. Flood Insurance Rate Map (FIRM), panel numbers 55009C0130F, 55009C0135G, 55009C0140F, 55009C0141G, 55009C0142G, 55009C0143G, 55009C0144G, 55009C0161F, 55009C0227F, 55009C0231F, 55009C0233F, 55009C0234F, 55009C0239F, 55009C0242F, 55009C0243F, 55009C0251F, and 55009C0253F, dated 08/18/2009;

2. Flood Insurance Study (FIS) for Village of Hobart (Brown County) 55009CV001C, 55009CV002C, 55009CV003C, and 55009CV004C, dated 05/09/2023.

3. Letter of Map Revision:

a. 21-05-0115P-550626 (effective date 09/06/2021)

b. 22-05-0903P-550626 (effective date 12/19/2022)

Approved by: The DNR and FEMA

(b) Official Maps: Based on other studies. Any maps referenced in this section must be approved by the DNR and be more restrictive than those based on the FIS at the site of the proposed development.

(3) Establishment of floodplain zoning districts. The flood hazard areas regulated by this ordinance are divided into districts as follows:

(a) The Floodway District (FW), is the channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional floodwaters, within AE Zones as shown on the FIRM, or within A Zones shown on the FIRM when determined according to s. 290-5 E.

(b) The Floodfringe District (FF) is that portion of a riverine special flood hazard area outside the floodway within AE Zones on the FIRM, or, when floodway limits have been determined according to s. 290-5 E, within A Zones shown on the FIRM.

(c) The General Floodplain District (GFP) is those riverine areas that may be covered by floodwater during the regional flood in which a floodway boundary has not been delineated on the FIRM and also includes shallow flooding areas identified as AH and AO zones on the FIRM.

(4) Locating floodplain boundaries. Discrepancies between the exterior boundaries of zones A1-30, AE, AH, or A on the official floodplain zoning map and actual field conditions may be resolved using the criteria in subd (a) or (b) below. If a significant difference exists, the map shall be amended according to

§ 290-8 Amendments. The Village of Hobart Planning and Code Compliance Officer can rely on a boundary derived from a profile elevation to grant or deny a land use permit, whether or not a map amendment is required. The Village of Hobart Planning and Code Compliance Officer shall be responsible for documenting actual pre-development field conditions and the basis upon which the district boundary was determined. Disputes between the Village of Hobart Planning and Code Compliance Officer and an applicant over the district boundary line shall be settled according to § 290-7 C. (3) and the criteria in (a) and (b) below. Where the flood profiles are based on established base flood elevations from a FIRM, FEMA must approve any map amendment or revision pursuant to § 290-8 Amendments.

(a) If flood profiles exist, the map scale and the profile elevations shall determine the district boundary. The regional or base flood elevations shall govern if there are any discrepancies.

(b) Where flood profiles do not exist for projects, including any boundary of zone A or AO, the location of the boundary shall be determined by the map scale.

(5) Removal of lands from floodplain.

(a) Compliance with the provisions of this ordinance shall not be grounds for removing land from the floodplain unless it is filled at least two feet above the regional or base flood elevation, the fill is contiguous to land outside the floodplain, and the map is amended pursuant to § 290-8 Amendments.

(b) The delineation of any of the Floodplain Districts may be revised by the community where natural or man-made changes have occurred and/or where more detailed studies have been conducted. However, prior to any such change, approval must be obtained from the Wisconsin Department of Natural Resources and Federal Emergency Management Agency. A completed Letter of Map Revision is a record of this approval. The floodplain administrator shall not sign a community acknowledgement form unless all criteria set forth in the following paragraphs are met:

1. The land and/or land around the structure must be filled at least two feet above the regional or base flood elevation;
2. The fill must be contiguous to land outside the floodplain;
3. Applicant shall obtain floodplain development permit before applying for a LOMR or LOMR-F.

(c) Removal of lands from the floodplain may also occur by operation of §87.30(1)(e), Wis. Stat. if a property owner has obtained a letter of map amendment from the federal emergency management agency under 44 C.F.R. 70.

(6) Compliance.

(a) No structure or use within areas regulated by this ordinance shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged, or altered without full compliance with the terms of these regulations and all other applicable regulations that apply to uses within the jurisdiction of these regulations.

(b) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with § 290-9 Enforcement and Penalties.

(c) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications, or amendments thereto if approved by the Floodplain Administrator. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with § 290-9 Enforcement and Penalties.

(7) Municipalities and state agencies regulated. Unless specifically exempted by law, all cities, villages, towns, and counties are required to comply with this ordinance and obtain all necessary permits. State agencies are required to comply if s. 13.48(13), Stats., applies. The construction, reconstruction, maintenance and repair of state highways and bridges by the Wisconsin Department of Transportation is exempt when s. 30.2022, Stats., applies. Although exempt from a local zoning permit and permit fees, DOT must provide sufficient project documentation and analysis to ensure that the community is in compliance with Federal, State, and local floodplain standards. If a local transportation project is located within a Zone A floodplain and is not a WisDOT project under s. 30.2022, then the road project design documents (including appropriate detailed plans and profiles) may be sufficient to meet the requirements for issuance of a local floodplain permit if the following apply: The applicant provides documentation to the Floodplain Administrator that the proposed project is a culvert replacement or bridge replacement under 20' span at the same location, the project is exempt from a DNR permit under s. 30.123(6)(d), the capacity is not decreased, the top road grade is not raised, and no floodway data is available from a federal, state, or other source. If floodway data is available in the impacted area from a federal, state, or other source that existing data must be utilized by the applicant in the analysis of the project site.

(8) Abrogation and greater restrictions.

(a) This ordinance supersedes all the provisions of any municipal zoning ordinance enacted under s. 61.35 for villages or s. 87.30, Stats., which relate to floodplains. A more restrictive ordinance shall continue in full force and effect to the extent of the greater restrictions, but not otherwise.

(b) This ordinance is not intended to repeal, abrogate or impair any existing deed restrictions, covenants or easements. If this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

(9) Interpretation. In their interpretation and application, the provisions of this ordinance are the minimum requirements liberally construed in favor of the governing body and are not a limitation on or repeal of any other powers granted by the Wisconsin Statutes. If a provision of this ordinance, required by ch. NR 116, Wis. Adm. Code, is unclear, the provision shall be interpreted in light of the standards in effect on the date of the adoption of this ordinance or in effect on the date of the most recent text amendment to this ordinance.

(10) Warning and disclaimer of liability. The flood protection standards in this ordinance are based on engineering experience and research. Larger floods may occur, or the flood height may be increased by man made or natural causes. This ordinance does not imply or guarantee that non-floodplain areas or permitted floodplain uses will be free from flooding and flood damages. This ordinance does not create liability on the part of, or a cause of action against, the municipality or any officer or employee thereof for any flood damage that may result from reliance on this ordinance.

(11) Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

(12) Annexed areas for cities and villages. The Brown County floodplain zoning provisions in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements of ch. NR

116, Wis. Adm. Code and 44 CFR 59-72, National Flood Insurance Program (NFIP). These annexed lands are described on the municipality's official zoning map. County floodplain zoning provisions are incorporated by reference for the purpose of administering this section and are on file in the office of the municipal Village of Hobart Planning and Code Compliance Officer. All plats or maps of annexation shall show the regional flood elevation and the floodway location.

§ 290-2. General standards applicable to all floodplain districts.

The community shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding and assure that all necessary permits have been received from those governmental agencies whose approval is required by federal or state law.

(1) If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall:

- (a) be designed and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (b) be constructed with flood-resistant materials;
- (c) be constructed by methods and practices that minimize flood damages; and
- (d) Mechanical and utility equipment must be elevated to or above the flood protection elevation.

(2) If a subdivision or other proposed new development is in a flood-prone area, the community shall assure that:

- (a) such proposed subdivision or other proposed new development is consistent with the need to minimize flood damage within the flood-prone area;
- (b) public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
- (c) adequate drainage is provided to reduce exposure to flood hazards

All subdivision proposals (including manufactured home parks) shall include regional flood elevation and floodway data for any development that meets the subdivision definition of this ordinance and all other requirements in § 290-7 A (2).

A. Hydraulic and hydrologic analyses.

(1) No floodplain development shall:

- (a) Obstruct flow, defined as development which blocks the conveyance of floodwaters by itself or with other development, causing any increase in the regional flood height; or
- (b) Cause any increase in the regional flood height due to floodplain storage area lost.

(2) The Village of Hobart Planning and Code Compliance Officer shall deny permits if it is determined the proposed development will obstruct flow or cause any increase in the regional flood height, based on the officially adopted FIRM or other adopted map, unless the provisions of § 290-8 Amendments are met.

B. Watercourse Alterations.

(1) No land use permit to alter or relocate a watercourse in a mapped floodplain shall be issued until the local official has notified in writing all adjacent municipalities, the Department and FEMA regional offices, and required the applicant to secure all necessary state and federal permits. The standards of § 290-2 (A) must be met and the flood carrying capacity of any altered or relocated watercourse shall be maintained.

(2) As soon as is practicable, but not later than six months after the date of the watercourse alteration or relocation and pursuant to s. 290-8 Amendments, the community shall apply for a Letter of Map Revision (LOMR) from FEMA. Any such alterations must be reviewed and approved by FEMA and the DNR through the LOMC process.

C. Chapters 30, 31, Wis. Stats., development. Development which requires a permit from the Department, under chs. 30 and 31, Stats., such as docks, piers, wharves, bridges, culverts, dams and navigational aids, may be allowed if the necessary permits are obtained and amendments to the floodplain zoning ordinance are made according to § 290-8 Amendments.

D. Public or private campgrounds. Public or private campgrounds shall have a low flood damage potential and shall meet the following provisions:

(1) The campground is approved by the Department of Agriculture, Trade and Consumer Protection;

(2) A land use permit for the campground is issued by the Village of Hobart Planning and Code Compliance Officer;

(3) The character of the river system and the campground elevation are such that a 72-hour warning of an impending flood can be given to all campground occupants;

(4) There is an adequate flood warning procedure for the campground that offers the minimum notice required under this section to all persons in the campground. This procedure shall include a written agreement between the campground owner, the municipal emergency government coordinator and the chief law enforcement official which specifies the flood elevation at which evacuation shall occur, personnel responsible for monitoring flood elevations, types of warning systems to be used and the procedures for notifying at-risk parties, and the methods and personnel responsible for conducting the evacuation;

(5) This agreement shall be for no more than one calendar year, at which time the agreement shall be reviewed and updated - by the officials identified in Subsection 4 above - to remain in compliance with all applicable regulations, including those of the state Department of Agriculture, Trade and Consumer Protection and all other applicable regulations;

(6) All mobile recreational vehicles placed on the site must meet one of the following:

(a) Only Be fully licensed, if required, and ready for highway use; or

(b) Not occupy any site in the campground for more than 180 consecutive days, at which time the recreational vehicle must be removed from the floodplain for a minimum of 24 hours; or

(c) Meet the requirements in either s. 290-3, 290-4 or 290-5 A for the floodplain district in which the structure is located;

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

(7) All camping units that remain on site for more than 30 days shall be issued a limited authorization by the campground operator, a written copy of which is kept on file at the campground. Such authorization shall allow placement of a camping unit for a period not to exceed 180 days and shall ensure compliance with all the provisions of this section;

(8) The municipality shall monitor the limited authorizations issued by the campground operator to assure compliance with the terms of this section;

(9) The campground shall have signs clearly posted at all entrances warning of the flood hazard and the procedures for evacuation when a flood warning is issued; and;

(10) All service facilities, including but not limited to refuse collection, electrical service, gas lines, propane tanks, sewage systems and wells shall be properly anchored and placed at or floodproofed to the flood protection elevation; and

(11) Standards for structures in a campground:

(a) All structures must comply with section 290-2 D. or meet the applicable requirements in ss. 290-3, 290-4 or 290-5 for the floodplain district in which the structure is located.

(b) Deck / landing-a portable landing may be allowed for a camping unit for each entry provided that the landing is not permanently attached to the ground or camping unit, is no more than 200 square feet in size, shall be portable, contain no walls or roof, and can be removed from the campground by a truck and/or trailer. Sections of such portable landings may be placed together to form a single deck not greater than 200 square feet at one entry point. Provisions for the removal of these temporary landings during flood events must be addressed within the written agreement with the municipality compliant with section 290-2 D.(4). Any such deck/landing structure may be constructed at elevations lower than the flood protection elevation but must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(c) Decks/patios that are constructed completely at grade may be allowed, but must also comply with applicable shoreland zoning standards.

(d) Camping equipment and appurtenant equipment in the campground may be allowed provided that the equipment is not permanently attached to the ground or camping unit, is not used as a habitable structure, and must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood. Provisions for the removal of this equipment during flooding events shall be addressed within the written agreement with the municipality compliant with section 290-2 D.(4).

(e) Once a flood warning in the written agreement has been issued for the campground, the campground owner or the designated operator shall ensure that all persons, camping units, decks, camping equipment and appurtenant equipment in the campground shall be evacuated within the timelines specified within the written agreement with the municipality compliant with section 290-2 D.(4).

(12) A land use permit shall be obtained as provided under 290-7 A.(2) before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated.

§ 290-3. Floodway District (FW)

A. Applicability. This section applies to all floodway areas on the floodplain zoning maps and those identified pursuant to § 290-5 (E).

B. Permitted Uses. The following open space uses are allowed in the Floodway District and the floodway areas of the General Floodplain District, if:

- they are not prohibited by any other ordinance;
- they meet the standards in § 290-3 (C) and § 290-3 (D);
- and all permits or certificates have been issued according to § 290-7 A.

(1) Agricultural uses, such as: farming, outdoor plant nurseries, horticulture, viticulture and wild crop harvesting.

- (2) Nonstructural industrial and commercial uses, such as loading areas, parking areas and airport landing strips.
- (3) Nonstructural recreational uses, such as golf courses, tennis courts, archery ranges, picnic grounds, boat ramps, swimming areas, parks, wildlife and nature preserves, game farms, fish hatcheries, shooting, trap and skeet activities, hunting and fishing areas and hiking and horseback riding trails, subject to the fill limitations of § 290-3 (C) (4).
- (4) Uses or structures accessory to open space uses or classified as historic structures that comply with § 290-3 (C) and § 290-3 (D).
- (5) Extraction of sand, gravel or other materials that comply with § 290-3 (D).
- (6) Functionally water dependent uses, such as docks, piers or wharves, dams, flowage areas, culverts, navigational aids and river crossings of transmission lines, and pipelines that comply with chs. 30 and 31, Stats.
- (7) Public utilities, streets and bridges that comply with § 290-3 (C) (3).
- (8) Portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code.
- (9) Public or private wells used to obtain potable water for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code.
- (10) Wastewater treatment ponds or facilities permitted under s. NR 110.15(3)(b), Wis. Adm. Code.
- (11) Sanitary sewer or water supply lines to service existing or proposed development located outside the floodway that complies with the regulations for the floodplain area occupied.

C. Standards for developments in the floodway.

(1) General.

- (a) Any development in the floodway shall comply with § 290-2 and have a low flood damage potential.
- (b) Applicants shall provide an analysis calculating the effects of this proposal on the regional flood height to determine the effects of the proposal according to § 290-2 (A) and § 290-37 (A) (2) (c). The analysis must be completed by a registered professional engineer in the state of Wisconsin.
- (c) Any encroachment in the regulatory floodway is prohibited unless the data submitted for § 290-3 (C) (1) (b) above demonstrates that the encroachment will cause no increase in flood elevations in flood events up to the base flood at any location or removes the encroached area from the regulatory floodway as provided in § 290-1 (E) (5).

- (2) Structures. Structures accessory to permanent open space uses, including utility and sanitary facilities, or functionally dependent on a waterfront location may be allowed by permit if the structures comply with the following criteria:

(a) Not designed for human habitation, does not have a high flood damage potential and is constructed to minimize flood damage;

(b) Shall either have the lowest floor elevated to or above the flood protection elevation or shall meet all the following standards:

1. Have the lowest floor elevated to or above the regional flood elevation and be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and completely dry to the flood protection elevation without human intervention during flooding;

2. Have structural components capable of meeting all provisions of § 290-3 (C) (2) (g) and;

3. Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with § 290-3 (C) (2) (g).

(c) Must be anchored to resist flotation, collapse, and lateral movement;

(d) Mechanical and utility equipment must be elevated to or above the flood protection elevation; and

(e) Must not obstruct flow of flood waters or cause any increase in flood levels during the occurrence of the regional flood.

(f) For a structure designed to allow the automatic entry of floodwaters below the Regional Flood Elevation, the applicant shall submit a plan that meets § 290-3 (C) (2) (a) through § 290-3 (C) (2) (e) and meets or exceeds the following standards:

1. The lowest floor must be elevated to or above the regional flood elevation;

2. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

3. the bottom of all openings shall be no higher than one foot above the lowest adjacent grade; openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters, otherwise must remain open.

4. The use must be limited to parking, building access or limited storage.

(g) Certification: Whenever floodproofing measures are required, a registered professional engineer or architect shall certify that the following floodproofing measures will be utilized, where appropriate, and are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regional flood:

1. Reinforcement of floors and walls to resist rupture, collapse, or lateral movement caused by water pressures or debris buildup;

2. Construction of wells, water supply systems and waste treatment systems so as to prevent the entrance of flood waters in such systems and must be in accordance with provisions in § 290-3 (D) (4) and § 290-3 (D) (5);

3. Subsurface drainage systems to relieve external pressures on foundation walls and basement floors;
4. Cutoff valves on sewer lines or the elimination of gravity flow basement drains; and
5. Placement of utilities to or above the flood protection elevation.

(3) Public utilities, streets and bridges. Public utilities, streets and bridges may be allowed by permit, if:

- (a) Adequate floodproofing measures are provided to the flood protection elevation; and
- (b) Construction meets the development standards of § 290-2 (A).

(4) Fills or deposition of materials. Fills or deposition of materials may be allowed by permit, if:

- (a) The requirements of § 290-2 (A) are met;
- (b) No material is deposited in navigable waters unless a permit is issued by the Department pursuant to ch. 30, Stats., and a permit pursuant to s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and all other requirements have been met;
- (c) The fill or other materials will be protected against erosion by riprap, vegetative cover, sheet piling or bulkheading; and
- (d) The fill is not classified as a solid or hazardous material.

D. Prohibited Uses. All uses not listed as permitted uses in § 290-3 (B) are prohibited, including the following uses:

- (1) Habitable structures, structures with high flood damage potential, or those not associated with permanent open space uses;
- (2) Storing materials that are buoyant, flammable, explosive, injurious to property, water quality, or human, animal, plant, fish or other aquatic life;
- (3) Uses not in harmony with or detrimental to uses permitted in the adjoining districts;
- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and ch. SPS 383, Wis. Adm. Code;
- (5) Any public or private wells which are used to obtain potable water, except those for recreational areas that meet the requirements of local ordinances and chs. NR 811 and NR 812, Wis. Adm. Code;
- (6) Any solid or hazardous waste disposal sites;
- (7) Any wastewater treatment ponds or facilities, except those permitted under s. NR 110.15(3)(b), Wis. Adm. Code; and
- (8) Any sanitary sewer or water supply lines, except those to service existing or proposed development located outside the floodway which complies with the regulations for the floodplain area occupied.

§ 290-4. Floodfringe District (FF)

A. Applicability. This section applies to all floodfringe areas shown on the floodplain zoning maps and those identified pursuant to § 290-5 (A) (5).

B. Permitted Uses. Any structure, land use, or development is allowed in the Floodfringe District if the standards in § 290-4 (C) are met, the use is not prohibited by this or any other ordinance or regulation and all permits or certificates specified in § 290-7 A. have been issued.

C. Standards for development in the flood-fringe. § 290-2 shall apply in addition to the following requirements according to the use requested. Any existing structure in the floodfringe must meet the requirements of § 290-6 Nonconforming Uses;

(1) Residential Uses. Any structure, including a manufactured home, which is to be newly constructed or moved into the floodfringe, shall meet or exceed the following standards. Any existing structure in the floodfringe must meet the requirements of § 290-6 Nonconforming Uses;

(a) All new construction, including placement of manufactured homes, and substantial improvement of residential structures, shall have the lowest floor elevated to or above the flood protection elevation on fill. The fill around the structure shall be one foot or more above the regional flood elevation extending at least 15 feet beyond the limits of the structure. No area may be removed from the floodfringe district unless it can be shown to meet § 290-1 (E) (5).

(b) Notwithstanding § 290-4 (C)(1)(a), a basement or crawlspace floor may be placed at the regional flood elevation if the basement or crawlspace is designed to make all portions of the structure below the flood protection elevation watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. No floor of any kind is allowed below the regional flood elevation;

(c) Contiguous dryland access shall be provided from a structure to land outside of the floodplain, except as provided in Subsection (d) below.

(d) In developments where existing street or sewer line elevations make compliance with Subsection (c) above impractical, the municipality may permit new development and substantial improvements where roads are below the regional flood elevation, if:

1. The municipality has written assurance from police, fire and emergency services that rescue and relief will be provided to the structure(s) by wheeled vehicles during a regional flood event; or

2. The municipality has a DNR-approved emergency evacuation plan that follows acceptable hazard mitigation planning guidelines.

(2) Accessory structures or uses. In addition to § 290-2, new construction and substantial improvements of Accessory structures shall be constructed on fill with the lowest floor at or above the regional flood elevation.

(3) Commercial Uses. In addition to § 290-2, any commercial structure which is erected, altered or moved into the floodfringe shall meet the requirements of § 290-4 (C)(1). Subject to the requirements of § 290-4 (C)(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(4) Manufacturing and industrial uses. In addition to § 290-2, any manufacturing or industrial structure which is erected, altered or moved into the floodfringe shall have the lowest floor elevated to or above the flood protection elevation or meet the floodproofing standards in § 290-7 E. Subject to the

requirements of § 290-4 (C)(5), storage yards, surface parking lots and other such uses may be placed at lower elevations if an adequate warning system exists to protect life and property.

(5) Storage of Materials. Materials that are buoyant, flammable, explosive, or injurious to property, water quality or human, animal, plant, fish or aquatic life shall be stored at or above the flood protection elevation or floodproofed in compliance with § 290-7 E. Adequate measures shall be taken to ensure that such materials will not enter the water body during flooding.

(6) Public utilities, streets and bridges. All utilities, streets and bridges shall be designed to be compatible with comprehensive floodplain development plans; and

(a) When failure of public utilities, streets and bridges would endanger public health or safety, or where such facilities are deemed essential, construction or repair of such facilities shall only be permitted if they are designed to comply with § 290-7 E.

(b) Minor roads or non-essential utilities may be constructed at lower elevations if they are designed to withstand flood forces to the regional flood elevation.

(7) Sewage Systems. All sewage disposal systems shall be designed to minimize or eliminate infiltration of flood water into the system, pursuant to § 290-7 E.(3), to the flood protection elevation and meet the provisions of all local ordinances and ch. SPS 383, Wis. Adm. Code.

(8) Wells. All wells shall be designed to minimize or eliminate infiltration of flood waters into the system, pursuant to § 290-7 E.(3), to the flood protection elevation and shall meet the provisions of chs. NR 811 and NR 812, Wis. Adm. Code.

(9) Solid waste disposal sites. Disposal of solid or hazardous waste is prohibited in floodfringe areas.

(10) Deposition of materials. Any deposited material must meet all the provisions of this ordinance.

(11) Manufactured homes.

(a) Owners or operators of all manufactured home parks and subdivisions shall provide adequate surface drainage to minimize flood damage, and prepare, secure approval and file an evacuation plan, indicating vehicular access and escape routes, with local emergency management authorities.

(b) In existing manufactured home parks, all new homes, replacement homes on existing pads, and substantially improved homes shall:

1. have the lowest floor elevated to the flood protection elevation; and
2. be anchored so they do not float, collapse or move laterally during a flood.

(c) Outside of existing manufactured home parks, including new manufactured home parks and all single units outside of existing parks, all new, replacement and substantially improved manufactured homes shall meet the residential development standards for the floodfringe in § 290-4 (E)(1).

(12) Mobile recreational vehicles. All mobile recreational vehicles must be on site for less than 180 consecutive days and be either:

(a) fully licensed and ready for highway use; or

(b) shall meet the elevation and anchoring requirements in § 290-4 (E)(11)(b) and § 290-4 (E)(11)(c).

A mobile recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect utilities and security devices and has no permanently attached additions.

§ 290-5. Other Floodplain Districts.

A. General Floodplain District (GFP)

B. Applicability. The provisions for the General Floodplain District shall apply to development in all floodplains mapped as A, AO, AH, and in AE zones within which a floodway is not delineated on the Flood Insurance Rate Maps identified in § 290-1 (E)(2)(a).

C. Floodway Boundaries. For proposed development in zone A, or in zone AE within which a floodway is not delineated on the Flood Insurance Rate Map identified in § 290-1 (E)(2)(a), the boundaries of the regulatory floodway shall be determined pursuant to § 290-5 (A)(5). If the development is proposed to encroach upon the regulatory floodway, the development is subject to the standards of § 290-3. If the development is located entirely within the floodfringe, the development is subject to the standards of § 290-4.

D. Permitted Uses. Pursuant to § 290-5 (A)(5) it shall be determined whether the proposed use is located within the floodway or floodfringe. Those uses permitted in the Floodway (§ 290-3 (B)) and Floodfringe (§ 290-4 (B)) Districts are allowed within the General Floodplain District, according to the standards of § 290-5 (A)(5) provided that all permits or certificates required under § 290-7 A. have been issued.

E. Standards for development in the General Floodplain District. § 290-3 applies to floodway areas, determined to pursuant to § 290-5 (A)(5); § 290-4 applies to floodfringe areas, determined to pursuant to § 290-5 (A)(5).

(a) New construction and substantial improvement of structures in zone AO shall have the lowest floor, including basement, elevated:

1. To or above the depth, in feet, as shown on the FIRM above the highest adjacent natural grade; or
2. If the depth is not specified on the FIRM, to or above two (2) feet above the highest adjacent natural grade.

(b) New Construction and substantial improvement of structures in zone AH shall have the lowest floor, including basement, elevated to or above the flood protection elevation.

(c) In AO/AH zones, provide adequate drainage paths to guide floodwaters around structures.

(d) All development in zones AO and zone AH shall meet the requirements of § 290-4 applicable to flood fringe areas.

F. Determining floodway and flood-fringe limits. Upon receiving an application for development within zone A, or within zone AE where a floodway has not been delineated on the Flood Insurance Rate Maps, the Village of Hobart Planning and Code Compliance Officer shall:

(a) Require the applicant to submit two copies of an aerial photograph or a plan which shows the proposed development with respect to the general floodplain district limits, stream channel, and existing floodplain developments, along with a legal description of the property, fill limits and elevations, building floor elevations and flood proofing measures; and the flood zone as shown on the FIRM.

(b) Require the applicant to furnish any of the following information deemed necessary by the Department to evaluate the effects of the proposal upon flood height and flood flows, regional flood elevation and to determine floodway boundaries.

1. A Hydrologic and Hydraulic Study as specified in § 290-7 A.(2)(c).

2. Plan (surface view) showing elevations or contours of the ground; pertinent structure, fill or storage elevations; size, location and layout of all proposed and existing structures on the site; location and elevations of streets, water supply, and sanitary facilities; soil types and other pertinent information;

3. Specifications for building construction and materials, floodproofing, filling, dredging, channel improvement, storage, water supply and sanitary facilities.

§ 290-6. Nonconforming Uses.

A. General.

(1) Applicability.

(a) The standards in this section shall apply to all uses and buildings that do not conform to the provisions contained within a floodplain zoning ordinance or with s. 87.30, Stats. and §§ NR 116.12-14, Wis. Adm. Code and 44 CFR 59-72., these standards shall apply to all modifications or additions to any nonconforming use or structure and to the use of any structure or premises which was lawful before the passage of this ordinance or any amendment thereto. A party asserting existence of a lawfully established nonconforming use or structure has the burden of proving that the use or structure was compliant with the floodplain zoning ordinance in effect at the time the use or structure was created.

(b) As permit applications are received for additions, modifications, or substantial improvements to nonconforming buildings in the floodplain, municipalities shall develop a list of those nonconforming buildings, their present equalized assessed value and a list of the costs of those activities associated with changes to those buildings.

(2) The existing lawful use of a structure or its accessory use which is not in conformity with the provisions of this ordinance may continue subject to the following conditions:

(a) No modifications or additions to a nonconforming use or structure shall be permitted unless they comply with this ordinance. The words "modification" and "addition" include, but are not limited to, any alteration, addition, modification, structural repair, rebuilding or replacement of any such existing use, structure or accessory structure or use. Maintenance is not considered a modification; this includes painting, decorating, paneling and other nonstructural components and the maintenance, repair or replacement of existing private sewage or water supply systems or connections to public utilities. Any costs associated with the repair of a damaged structure are not considered maintenance.

The construction of a deck that does not exceed 200 square feet and that is adjacent to the exterior wall of a principal structure is not an extension, modification or addition. The roof of the structure may extend over a portion of the deck in order to provide safe ingress and egress to the principal structure.

(b) If a nonconforming use or the use of a nonconforming structure is discontinued for 12 consecutive months, it is no longer permitted and any future use of the property, and any structure or building thereon, shall conform to the applicable requirements of this ordinance;

(c) The municipality shall keep a record which lists all nonconforming uses and nonconforming structures, their present equalized assessed value, the cost of all modifications or additions which have been permitted, and the percentage of the structure's total current value those modifications represent;

(d) No modification or addition to any nonconforming structure or any structure with a nonconforming use, which over the life of the structure would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with § 290-4 (C) (1). The costs of elevating the lowest floor of a nonconforming building or a building with a nonconforming use to the flood protection elevation are excluded from the 50% provisions of this paragraph;

(e) No maintenance on a per event basis to any nonconforming structure or any structure with a nonconforming use, the cost of which would equal or exceed 50% of its present equalized assessed value, shall be allowed unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with § 290-4 (C) (1). Maintenance to any nonconforming structure, which does not exceed 50% of its present equalized assessed value on a per event basis, does not count against the cumulative calculations over the life of the structure for substantial improvement calculations.

(f) If on a per event basis the total value of the work being done under (d) and (e) equals or exceeds 50% of the present equalized assessed value the work shall not be permitted unless the entire structure is permanently changed to a conforming structure with a conforming use in compliance with the applicable requirements of this ordinance. Contiguous dry land access must be provided for residential and commercial uses in compliance with § 290-4 (C) (1).

(g) Except as provided in subd. (h), if any nonconforming structure or any structure with a nonconforming use is destroyed or is substantially damaged, it cannot be replaced, reconstructed or rebuilt unless the use and the structure meet the current ordinance requirements. A structure is considered substantially damaged if the total cost to restore the structure to its pre-damaged condition equals or exceeds 50% of the structure's present equalized assessed value.

(h) For nonconforming buildings that are substantially damaged or destroyed by a nonflood disaster, the repair or reconstruction of any such nonconforming building shall be permitted in order to restore it to the size and use in effect prior to the damage event, provided that the following minimum requirements are met and all required permits have been granted prior to the start of construction:

1. Residential Structures

a. Shall have the lowest floor, including basement, elevated to or above the flood protection elevation using fill, pilings, columns, posts or perimeter walls. Perimeter walls must meet the requirements of § 290-7 E.(2).

b. Shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy and shall be constructed with methods and materials resistant to flood damage.

c. Shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

d. In A Zones, obtain, review and utilize any flood data available from a federal, state or other source.

e. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in § 290-5 (A) (4).

f. In AO Zones, shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

2. Nonresidential Structures

a. Shall meet the requirements of § 290-6 A.(2) (h) 1a-f.

b. Shall either have the lowest floor, including basement, elevated to or above the regional flood elevation; or, together with attendant utility and sanitary facilities, shall meet the standards in § 290-7 E.(1) or (2).

c. In AO Zones with no elevations specified, shall have the lowest floor, including basement, meet the standards in § 290-5 (A) (4).

(3) A nonconforming historic structure may be altered if the alteration will not preclude the structure's continued designation as a historic structure, the alteration will comply with § 290-3 (C) (1), flood resistant materials are used, and construction practices and floodproofing methods that comply with § 290-7 E. are used. Repair or rehabilitation of historic structures shall be exempt from the development standards of § 290-6 (A) (2) (h) (1) if it is determined that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure.

(4) Notwithstanding anything in this chapter to the contrary, modifications, additions, maintenance, and repairs to a nonconforming building shall not be prohibited based on cost and the building's nonconforming use shall be permitted to continue if:

(a) Any living quarters in the nonconforming building are elevated to be at or above the flood protection elevation;

(b) The lowest floor of the nonconforming building, including the basement, is elevated to or above the regional flood elevation;

(c) The nonconforming building is permanently changed to conform to the applicable requirements of § 290-2; and

(d) If the nonconforming building is in the floodway, the building is permanently changed to conform to the applicable requirements of § 290-3 (C) (1), § 290-3 (C) (2) (b) through (e), § 290-3 (C) (3), § 290-3 (C) (4), and § 290-6 (B). Any development that adds additional fill or

creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 290-5 E. If the encroachment is in the floodway it must meet the standards in section 290-3 C.(4);

(e) If the nonconforming building is in the floodfringe, the building is permanently changed to conform to the applicable requirements of § 290-4 (C) and § 290-6 (C).

(f) Repair or reconstruction of nonconforming structures and substantial improvements of residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation;

(g) Repair or reconstruction of nonconforming structures and substantial improvements of non-residential buildings in zones A1-30, AE, and AH must have the lowest floor (including basement) elevated to or above the base flood elevation, or (together with attendant utility and sanitary facilities) be designed so that below the base flood elevation the building is watertight with walls substantially impermeable to the passage of water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy:

i. Where a non-residential structure is intended to be made watertight below the base flood elevation, a registered professional engineer or architect must develop and/or review structural design, specifications, and plans for the construction, and must certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of s. 290-6 A. (4)(g) above.

ii. The community must maintain a record of such certification including the specific elevation to which each such structure is floodproofed;

(h) Fully enclosed areas below the lowest floor of repair or reconstruction of nonconforming structures and substantial improvements in zones A1-30, AE, and AH that are usable solely for parking of vehicles, building access, or storage, must be designed to adequately equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Subsequent improvements to repaired or reconstructed nonconforming structures must not increase the degree of their nonconformity. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet the following criteria:

i. A minimum of two openings into each enclosed area must be located below the base flood elevation and provide a total net area of not less than one square inch for every square foot of enclosed area.

ii. The bottom of all openings must be no higher than one foot above the adjacent grade.

iii. Openings may be equipped with screens, louvers, valves, or other coverings if they permit the automatic entry and exit of floodwaters;

(i) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;

(j) Manufactured homes that are placed or substantially improved within zones A1-30, AE, and AH on existing sites in an existing manufactured home park that is not undergoing expansion and on which a manufactured home has not incurred substantial damage as a result of flood must be elevated so that either the lowest floor of the manufactured home is at or above the base flood elevation, or the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement;

(k) Recreational vehicles placed on sites within zones A1-30, AH, and AE must either:

i. Be on site for fewer than 180 consecutive days; or

ii. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

iii. Meet the elevation and anchoring requirements for manufactured homes in s. 290-6 A.(4)(i) above;

(l) In a regulatory floodway that has been delineated on the FIRM in zone A1-30 or AE, encroachments, including repair or reconstruction of nonconforming structures, substantial improvement, or other development (including fill) must be prohibited unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

(m) In zone A, the community must obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring repair or reconstruction of nonconforming structures, substantial improvement, and other development to meet ss. 290-6 A. (4)(f) through (i) (inclusive) above. Any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 290-5 E. If the encroachment is in the floodway, it must meet the standards in section 290-3 C.(4). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

(n) In zones A1-30 or AE where a regulatory floodway has not been delineated on the FIRM, repair or reconstruction of nonconforming structures, substantial improvement, or any development that adds additional fill or creates an encroachment in the floodplain from beyond the original nonconforming structure's 3-D building envelope must determine the floodway in accordance with section 290-5 E. If the encroachment is in the floodway, it must meet the standards in section 290-3 C.(4). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity;

(o) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified). Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity; or

(p) In zone AO, repair or reconstruction of nonconforming structures and substantial improvements of nonresidential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified), or (together with attendant utility and sanitary facilities) be structurally dry-floodproofed to that level according to the standard specified in s. 290-6 A. (4)(g) above. Subsequent improvements to repair or reconstructed nonconforming structures must not increase the degree of their nonconformity.

B. Floodway District.

(1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use in the Floodway District, unless such modification or addition:

- (a) Has been granted a permit or variance which meets all ordinance requirements;
- (b) Meets the requirements of § 290-6 (A);
- (c) Shall not increase the obstruction to flood flows or regional flood height;
- (d) Any addition to the existing structure shall be floodproofed, pursuant to § 290-7 E., by means other than the use of fill, to the flood protection elevation; and
- (e) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;

2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;

3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and

4. The use must be limited to parking, building access or limited storage.

(2) No new on site sewage disposal system, or addition to an existing on site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing on site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances, § 290-7 E. (3) and ch. SPS 383, Wis. Adm. Code.

(3) No new well or modification to an existing well used to obtain potable water shall be allowed in the Floodway District. Any replacement, repair or maintenance of an existing well in the Floodway District shall meet the applicable requirements of all municipal ordinances, § 290-7 E. (3) and chs. NR 811 and NR 812, Wis. Adm. Code.

C. Floodfringe District

(1) No modification or addition shall be allowed to any nonconforming structure or any structure with a nonconforming use unless such modification or addition has been granted a permit or variance by the municipality and meets the requirements of § 290-4 (C) except where § 290-6 (C) (2) is applicable.

(2) Where compliance with the provisions of subsection (1) would result in unnecessary hardship and only where the structure will not be used for human habitation or be associated with a high flood damage potential, the Board of Adjustment/Appeals, using the procedures established in § 290-7 C., may grant a variance from those provisions of subsection (1) for modifications or additions using the criteria listed below. Modifications or additions which are protected to elevations lower than the flood protection elevation may be permitted if:

- (a) No floor is allowed below the regional flood elevation for residential or commercial structures;
- (b) Human lives are not endangered;
- (c) Public facilities, such as water or sewer, shall not be installed;
- (d) Flood depths shall not exceed two feet;
- (e) Flood velocities shall not exceed two feet per second; and
- (f) The structure shall not be used for storage of materials as described in § 290-4 (C) (5).

(3) All new private sewage disposal systems, or addition to, replacement, repair or maintenance of a private sewage disposal system shall meet all the applicable provisions of all local ordinances, § 290-7 E. (3) and ch. SPS 383, Wis. Adm. Code.

(4) All new wells, or addition to, replacement, repair or maintenance of a well shall meet the applicable provisions of this ordinance, § 290-7 E. (3) and ch. NR 811 and NR 812, Wis. Adm. Code.

§ 290-7. Administration.

Where a Director of Planning and Code Compliance, planning agency or a board of appeals has already been appointed to administer a zoning ordinance adopted under ss. 59.69, 59.692 or 62.23(7), Stats., these officials shall also administer this ordinance.

A. Director of Planning and Code Compliance.

(1) Duties and Powers. The Director of Planning and Code Compliance is authorized to administer this ordinance and shall have the following duties and powers:

- (a) Advise applicants of the ordinance provisions, assist in preparing permit applications and appeals, and assure that the regional flood elevation for the proposed development is shown on all permit applications.
- (b) Issue permits and inspect properties for compliance with provisions of this ordinance and issue certificates of compliance where appropriate.
- (c) Inspect and assess all damaged floodplain structures to determine if substantial damage to the structures has occurred.
- (d) Keep records of all official actions such as:

1. All permits issued, inspections made, and work approved;
2. Documentation of certified lowest floor and regional flood elevations;
3. Floodproofing certificates.
4. Water surface profiles, floodplain zoning maps and ordinances, nonconforming uses and structures including changes, appeals, variances and amendments.
5. All substantial damage assessment reports for floodplain structures.
6. List of nonconforming structures and uses.

(e) Submit copies of the following items to the Department Regional office:

1. Within 10 days of the decision, a copy of any decisions on variances, appeals for map or text interpretations, and map or text amendments;
2. Copies of case by case analyses and other required information.
3. Copies of substantial damage assessments performed and all related correspondence concerning the assessments.

(f) Investigate, prepare reports, and report violations of this ordinance to the municipal zoning agency and attorney for prosecution. Copies of the reports shall also be sent to the Department Regional office.

(g) Submit copies of amendments to the FEMA Regional office.

(2) Land Use Permit. A land use permit shall be obtained before any development; repair, modification or addition to an existing structure; or change in the use of a building or structure, including sewer and water facilities, may be initiated. Application to the Director of Planning and Code Compliance shall include:

(a) General information.

1. Name and address of the applicant, property owner and contractor;
2. Legal description, proposed use, and whether it is new construction or a modification;

(b) Site Development Plan. A site plan drawn to scale shall be submitted with the permit application form and shall contain:

1. Location, dimensions, area and elevation of the lot;
2. Location of the ordinary highwater mark of any abutting navigable waterways;
3. Location of any structures with distances measured from the lot lines and street center lines;
4. Location of any existing or proposed on site sewage systems or private water supply systems;

5. Location and elevation of existing or future access roads;

6. Location of floodplain and floodway limits as determined from the official floodplain zoning maps;

7. The elevation of the lowest floor of proposed buildings and any fill using the vertical datum from the adopted study – either National Geodetic Vertical Datum (NGVD) or North American Vertical Datum (NAVD);

8. Data sufficient to determine the regional flood elevation in NGVD or NAVD at the location of the development and to determine whether or not the requirements of § 290-3 and § 290-4 are met; and

9. Data to determine if the proposed development will cause an obstruction to flow or an increase in regional flood height or discharge according to § 290-2 (A). This may include any of the information noted in § 290-3 (C) (1).

(c) Hydraulic and hydrologic studies to analyze development. All hydraulic and hydrologic studies shall be completed under the direct supervision of a professional engineer registered in the State. The study contractor shall be responsible for the technical adequacy of the study. All studies shall be reviewed and approved by the Department.

1. Zone A floodplains and in AE zones within which a floodway is not delineated:

(a) Hydrology

1. The appropriate method shall be based on the standards in ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

(b) Hydraulic modeling. The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

i. determination of the required limits of the hydraulic model shall be based on detailed study information for downstream structures (dam, bridge, culvert) to determine adequate starting WSEL for the study.

ii. channel sections must be surveyed.

iii. minimum four-foot contour data in the overbanks shall be used for the development of cross section overbank and floodplain mapping.

iv. a maximum distance of 500 feet between cross sections is allowed in developed areas with additional intermediate cross sections required at transitions in channel bottom slope including a survey of the channel at each location.

v. the most current version of HEC-RAS shall be used.

vi. a survey of bridge and culvert openings and the top of road is required at each structure.

vii. additional cross sections are required at the downstream and upstream limits of the proposed development and any necessary intermediate locations based on the length of the reach if greater than 500 feet.

viii. standard accepted engineering practices shall be used when assigning parameters for the base model such as flow, Manning's N values, expansion and contraction coefficients or effective flow limits. The base model shall be calibrated to past flooding data such as high water marks to determine the reasonableness of the model results. If no historical data is available, adequate justification shall be provided for any parameters outside standard accepted engineering practices.

ix. the model must extend past the upstream limit of the difference in the existing and proposed flood profiles in order to provide a tie-in to existing studies. The height difference between the proposed flood profile and the existing study profiles shall be no more than 0.00 feet.

(c) Mapping. A work map of the reach studied shall be provided, showing all cross-section locations, floodway/floodplain limits based on best available topographic data, geographic limits of the proposed development and whether the proposed development is located in the floodway.

i. If the proposed development is located outside of the floodway, then it is determined to have no impact on the regional flood elevation.

ii. If any part of the proposed development is in the floodway, it must be added to the base model to show the difference between existing and proposed conditions. The study must ensure that all coefficients remain the same as in the existing model, unless adequate justification based on standard accepted engineering practices is provided.

2. Zone AE Floodplains

(a) Hydrology. If the proposed hydrology will change the existing study, the appropriate method to be used shall be based on ch. NR 116.07(3), Wis. Admin. Code, Hydrologic Analysis: Determination of Regional Flood Discharge.

(b) Hydraulic model. The regional flood elevation shall be based on the standards in ch. NR 116.07(4), Wis. Admin. Code, Hydraulic Analysis: Determination of Regional Flood Elevation and the following:

i. Duplicate Effective Model. The effective model shall be reproduced to ensure correct transference of the model data and to allow integration of the revised data to provide a continuous FIS model upstream and downstream of the revised reach. If data from the effective model is available, models shall be generated

that duplicate the FIS profiles and the elevations shown in the Floodway Data Table in the FIS report to within 0.1 foot.

ii. Corrected Effective Model. The Corrected Effective Model shall not include any man-made physical changes since the effective model date but shall import the model into the most current version of HEC-RAS for Department review.

iii. Existing (Pre-Project Conditions) Model. The Existing Model shall be required to support conclusions about the actual impacts of the project associated with the Revised (Post-Project) Model or to establish more up-to-date models on which to base the Revised (Post-Project) Model.

iv. Revised (Post-Project Conditions) Model. The Revised (Post-Project Conditions) Model shall incorporate the Existing Model and any proposed changes to the topography caused by the proposed development. This model shall reflect proposed conditions.

v. All changes to the Duplicate Effective Model and subsequent models must be supported by certified topographic information, bridge plans, construction plans and survey notes.

vi. Changes to the hydraulic models shall be limited to the stream reach for which the revision is being requested. Cross sections upstream and downstream of the revised reach shall be identical to those in the effective model and result in water surface elevations and topwidths computed by the revised models matching those in the effective models upstream and downstream of the revised reach as required. The Effective Model shall not be truncated.

(c) Mapping. Maps and associated engineering data shall be submitted to the Department for review which meet the following conditions:

i. Consistency between the revised hydraulic models, the revised floodplain and floodway delineations, the revised flood profiles, topographic work map, annotated FIRMs and/or Flood Boundary Floodway Maps (FBFMs), construction plans, bridge plans.

ii. Certified topographic map of suitable scale, contour interval, and a planimetric map showing the applicable items. If a digital version of the map is available, it may be submitted in order that the FIRM may be more easily revised.

iii. Annotated FIRM panel showing the revised 1% and 0.2% annual chance floodplains and floodway boundaries.

iv. If an annotated FIRM and/or FBFM and digital mapping data (GIS or CADD) are used then all supporting documentation or metadata must be included with the data submission along with the Universal Transverse Mercator (UTM) projection and State Plane Coordinate System in accordance with FEMA mapping specifications.

v. The revised floodplain boundaries shall tie into the effective floodplain boundaries.

vi. All cross sections from the effective model shall be labeled in accordance with the effective map and a cross section lookup table shall be included to relate to the model input numbering scheme.

vii. Both the current and proposed floodways shall be shown on the map.

viii. The stream centerline, or profile baseline used to measure stream distances in the model shall be visible on the map.

(d) Expiration. All permits issued under the authority of this ordinance shall expire no more than 180 days after issuance. The permit may be extended for a maximum of 180 days for good and sufficient cause. If the permitted work has not started within 180 days of the permit date, the development must comply with any regulation, including any revision to the FIRM or FIS, that took effect after the permit date.

(3) Certificate of compliance. No land shall be occupied or used, and no building which is hereafter constructed, altered, added to, modified, repaired, rebuilt or replaced shall be occupied until a certificate of compliance is issued by the Village of Hobart Planning and Code Compliance Officer, except where no permit is required, subject to the following provisions:

(a) The certificate of compliance shall show that the building or premises or part thereof, and the proposed use, conform to the provisions of this ordinance;

(b) Application for such certificate shall be concurrent with the application for a permit;

(c) If all ordinance provisions are met, the certificate of compliance shall be issued within 10 days after written notification that the permitted work is completed;

(d) The applicant shall submit a certification signed by a registered professional engineer, architect or land surveyor that the fill, lowest floor and floodproofing elevations are in compliance with the permit issued. Floodproofing measures also require certification by a registered professional engineer or architect that the requirements of § 290-7 E. are met.

(e) Where applicable pursuant to § 290-5 (A) (4), the applicant must submit a certification by a registered professional engineer or surveyor of the elevation of the bottom of the lowest horizontal structural member supporting the lowest floor (excluding pilings or columns), and an indication of whether the structure contains a basement.

(f) Where applicable pursuant to § 290-5 (A) (4), the applicant must submit certifications by a registered professional engineer or architect that the structural design and methods of construction meet accepted standards of practice as required by § 290-5 (A) (4).

(4) Other Permits. Prior to obtaining a floodplain development permit the applicant must secure all necessary permits from federal, state, and local agencies, including but not limited to those required by the U.S. Army Corps of Engineers under s. 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344.

B. Zoning agency.

(1) The Planning and Zoning Commission shall:

- (a) oversee the functions of the office of the Village of Hobart Planning and Code Compliance Officer; and
- (b) review and advise the governing body on all proposed amendments to this ordinance, maps and text.
- (c) publish adequate notice pursuant to Ch. 985, Stats., specifying the date, time, place and subject of the public hearing.

(2) The Planning and Zoning Commission shall not:

- (a) grant variances to the terms of the ordinance in place of action by the Board of Adjustment/Appeals; or
- (b) amend the text or zoning maps in place of official action by the governing body.

C. Board of Appeals. The Board of Appeals, created under s. 62.23(7)(e), Stats., for cities or villages, is hereby authorized or shall be appointed to act for the purposes of this ordinance. The Board shall exercise the powers conferred by Wisconsin Statutes and adopt rules for the conduct of business. The Director of Planning and Code Compliance shall not be the secretary of the Board.

(1) Powers and Duties. The Board of Appeals shall:

- (a) Appeals - Hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the enforcement or administration of this ordinance;
- (b) Boundary Disputes - Hear and decide disputes concerning the district boundaries shown on the official floodplain zoning map; and
- (c) Variances - Hear and decide, upon appeal, variances from the ordinance standards.

(2) Appeals to the Board.

(a) Appeals to the board may be taken by any person aggrieved, or by any officer or department of the municipality affected by any decision of the Village of Hobart Planning and Code Compliance Officer or other administrative officer. Such appeal shall be taken within 30 days unless otherwise provided by the rules of the board, by filing with the official whose decision is in question, and with the board, a notice of appeal specifying the reasons for the appeal. The official whose decision is in question shall transmit to the board all records regarding the matter appealed.

(b) Notice and hearing for appeals, including variances.

1. Notice - The board shall:

- a. Fix a reasonable time for the hearing;
- b. Publish adequate notice pursuant to Wisconsin Statutes, specifying the date, time, place and subject of the hearing; and

c. Assure that notice shall be mailed to the parties in interest and the Department Regional office at least 10 days in advance of the hearing.

2. Hearing - Any party may appear in person or by agent. The board shall:

a. Resolve boundary disputes according to § 290-7 C. (3);

b. Decide variance applications according to § 290-7 C. (4); and

c. Decide appeals of permit denials according to § 290-7 D.

(c) Decision. The final decision regarding the appeal or variance application shall:

1. Be made within a reasonable time;

2. Be sent to the Department Regional office within 10 days of the decision;

3. Be a written determination signed by the chairman or secretary of the Board;

4. State the specific facts which are the basis for the Board's decision;

5. Either affirm, reverse, vary or modify the order, requirement, decision or determination appealed, in whole or in part, dismiss the appeal for lack of jurisdiction or grant or deny the variance application; and

6. Include the reasons for granting an appeal, describing the hardship demonstrated by the applicant in the case of a variance, clearly stated in the recorded minutes of the Board proceedings.

(3) Boundary Disputes. The following procedure shall be used by the Board in hearing disputes concerning floodplain district boundaries:

(a) If a floodplain district boundary is established by approximate or detailed floodplain studies, the flood elevations or profiles shall prevail in locating the boundary.

(b) The person contesting the boundary location shall be given a reasonable opportunity to present arguments and technical evidence to the Board; and

(c) If the boundary is incorrectly mapped, the Board should inform the zoning committee or the person contesting the boundary location to petition the governing body for a map amendment according to § 290-8 Amendments.

(4) Variance.

(a) The Board may, upon appeal, grant a variance from the standards of this ordinance if an applicant convincingly demonstrates that:

1. Literal enforcement of the ordinance will cause unnecessary hardship;

2. The hardship is due to adoption of the floodplain ordinance and unique property conditions, not common to adjacent lots or premises. In such case the ordinance or map must be amended;

3. The variance is not contrary to the public interest; and

4. The variance is consistent with the purpose of this ordinance in § 290-1 (C).

(b) In addition to the criteria in subsection (a), to qualify for a variance under FEMA regulations, the Board must find that the following criteria have been met:

1. The variance shall not cause any increase in the regional flood elevation;

2. The applicant has shown good and sufficient cause for issuance of the variance;

3. Failure to grant the variance would result in exceptional hardship;

4. Granting the variance will not result in additional threats to public safety, extraordinary expense, create a nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;

5. The variance granted is the minimum necessary, considering the flood hazard, to afford relief.

(c) A variance shall not:

1. Grant, extend or increase any use prohibited in the zoning district;

2. Be granted for a hardship based solely on an economic gain or loss;

3. Be granted for a hardship which is self created.

4. Damage the rights or property values of other persons in the area;

5. Allow actions without the amendments to this ordinance or map(s) required in s. § 290-8 Amendments; and

6. Allow any alteration of an historic structure, including its use, which would preclude its continued designation as an historic structure.

(d) When a floodplain variance is granted the Board shall notify the applicant in writing that it may increase risks to life and property and flood insurance premiums could increase up to \$25.00 per \$100.00 of coverage. A copy shall be maintained with the variance record.

D. To review appeals of permit denials.

(1) The Zoning Agency (§ 290-7 B. or Board shall review all data related to the appeal. This may include:

(a) Permit application data listed in § 290-7 A. (2);

(b) Floodway/floodfringe determination data in § 290-5 A. (5);

(c) Data listed in § 290-3 (C) (1) (b) where the applicant has not submitted this information to the Village of Hobart Planning and Code Compliance Officer; and

(d) Other data submitted with the application or submitted to the Board with the appeal.

(2) For appeals of all denied permits the Board shall:

- (a) Follow the procedures of § 290-7 C.;
- (b) Consider zoning agency recommendations; and
- (c) Either uphold the denial or grant the appeal.

(3) For appeals concerning increases in regional flood elevation the Board shall:

- (a) Uphold the denial where the Board agrees with the data showing an increase in flood elevation. Increases may only be allowed after amending the flood profile and map and all appropriate legal arrangements are made with all adversely affected property owners as per the requirements of § 290-8 Amendments; and
- (b) Grant the appeal where the Board agrees that the data properly demonstrates that the project does not cause an increase provided no other reasons for denial exist.

E. Floodproofing standards.

(1) No permit or variance shall be issued for a non-residential structure designed to be watertight below the regional flood elevation until the applicant submits a plan certified by a registered professional engineer or architect that the floodproofing measures will protect the structure or development to or above the flood protection elevation and submits a FEMA Floodproofing Certificate. Floodproofing is not an alternative to the development standards in § 290-2, § 290-3, § 290-4 or § 290-5 (A).

(2) For a structure designed to allow the entry of floodwaters, no permit or variance shall be issued until the applicant submits a plan either:

- (a) certified by a registered professional engineer or architect; or
- (b) meeting or exceeding the following standards:

1. a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
2. the bottom of all openings shall be no higher than one-foot above grade; and
3. openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(3) Floodproofing measures shall be designed, as appropriate, to:

- (a) Withstand flood pressures, depths, velocities, uplift and impact forces and other regional flood factors;
- (b) Protect structures to the flood protection elevation;
- (c) Anchor structures to foundations to resist flotation and lateral movement;
- (d) Minimize or eliminate infiltration of flood waters;
- (e) Minimize or eliminate discharges into flood waters;
- (f) Placement of essential utilities to or above the flood protection elevation; and

(g) If any part of the foundation below the flood protection elevation is enclosed, the following standards shall apply:

1. The enclosed area shall be designed by a registered architect or engineer to allow for the efficient entry and exit of flood waters without human intervention. A minimum of two openings must be provided with a minimum net area of at least one square inch for every one square foot of the enclosed area. The lowest part of the opening can be no more than 12 inches above the adjacent grade;
2. The parts of the foundation located below the flood protection elevation must be constructed of flood-resistant materials;
3. Mechanical and utility equipment must be elevated or floodproofed to or above the flood protection elevation; and
4. The use must be limited to parking, building access or limited storage.

F. Public Information.

- (1) Place marks on structures to show the depth of inundation during the regional flood.
- (2) All maps, engineering data and regulations shall be available and widely distributed.
- (3) Real estate transfers should show what floodplain district any real property is in.

§ 290-8. Amendments.

Obstructions or increases may only be permitted if amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with § 290-8 (A).

- (1) In AE Zones with a mapped floodway, no obstructions or increases shall be permitted unless the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain zoning maps, floodway lines and water surface profiles, in accordance with § 290-8 (A). Any such alterations must be reviewed and approved by FEMA and the DNR.
- (2) In A Zones increases equal to or greater than 1.0 foot may only be permitted if the applicant receives a Conditional Letter of Map Revision from FEMA and amendments are made to this ordinance, the official floodplain maps, floodway lines, and water surface profiles, in accordance with § 290-8 (A)

A. General. The governing body shall change or supplement the floodplain zoning district boundaries and this ordinance in the manner outlined in § 290-8 (B) below. Actions which require an amendment to the ordinance and/ or submittal of a Letter of Map Change (LOMC) include, but are not limited to, the following:

- (1) Any fill or floodway encroachment that obstructs flow causing any increase in the regional flood height;
- (2) Any change to the floodplain boundaries and/or watercourse alterations on the FIRM;
- (3) Any changes to any other officially adopted floodplain maps listed in § 290-1 (E) (2) (b);
- (4) Any floodplain fill which raises the elevation of the filled area to a height at or above the flood protection elevation and is contiguous to land lying outside the floodplain;

- (5) Correction of discrepancies between the water surface profiles and floodplain maps;
- (6) Any upgrade to a floodplain zoning ordinance text required by s. NR 116.05, Wis. Adm. Code, or otherwise required by law, or for changes by the municipality; and
- (7) All channel relocations and changes to the maps to alter floodway lines or to remove an area from the floodway or the floodfringe that is based on a base flood elevation from a FIRM requires prior approval by FEMA.

B. Procedures. Ordinance amendments may be made upon petition of any party according to the provisions of s. 62.23, Stats., for cities and villages. The petitions shall include all data required by § 290-5 (A) (5) and § 290-7 A. (2). The Land Use Permit shall not be issued until a Letter of Map Revision is issued by FEMA for the proposed changes.

- (1) The proposed amendment shall be referred to the zoning agency for a public hearing and recommendation to the governing body. The amendment and notice of public hearing shall be submitted to the Department Regional office for review prior to the hearing. The amendment procedure shall comply with the provisions of s. 62.23, Stats., for cities and villages.
- (2) No amendments shall become effective until reviewed and approved by the Department.
- (3) All persons petitioning for a map amendment that obstructs flow causing any increase in the regional flood height, shall obtain flooding easements or other appropriate legal arrangements from all adversely affected property owners and notify local units of government before the amendment can be approved by the governing body.

§ 290-9. Enforcement and Penalties.

Any violation of the provisions of this ordinance by any person shall be unlawful and shall be referred to the municipal attorney who shall expeditiously prosecute all such violators. A violator shall, upon conviction, forfeit to the municipality a penalty of not more than \$50.00 (fifty dollars), together with a taxable cost of such action. Each day of continued violation shall constitute a separate offense. Every violation of this ordinance is a public nuisance and the creation may be enjoined and the maintenance may be abated by action at suit of the municipality, the state, or any citizen thereof pursuant to s. 87.30, Stats.

§ 290-10. Definitions.

Unless specifically defined, words and phrases in this ordinance shall have their common law meaning and shall be applied in accordance with their common usage. Words used in the present tense include the future, the singular number includes the plural and the plural number includes the singular. The word "may" is permissive, "shall" is mandatory and is not discretionary.

A ZONES

Those areas shown on the Official Floodplain Zoning Map which would be inundated by the regional flood. These areas may be numbered or unnumbered A Zones. The A Zones may or may not be reflective of flood profiles, depending on the availability of data for a given area.

AH ZONE

See "AREA OF SHALLOW FLOODING".

AO ZONE

See "AREA OF SHALLOW FLOODING".

ACCESSORY STRUCTURE OR USE

A facility, structure, building or use which is accessory or incidental to the principal use of a property, structure or building. An accessory structure shall not be used for human habitation.

ALTERATION

An enhancement, upgrade or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a structure.

AREA OF SHALLOW FLOODING

A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flood may be evident. Such flooding is characterized by ponding or sheet flow.

BASE FLOOD

Means the flood having a one percent chance of being equaled or exceeded in any given year, as published by FEMA as part of a FIS and depicted on a FIRM.

BASEMENT

Any enclosed area of a building having its floor sub-grade on all sides.

BREAKAWAY WALL

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

BUILDING

See STRUCTURE.

BULKHEAD LINE

A geographic line along a reach of navigable water that has been adopted by a municipal ordinance and approved by the Department pursuant to s. 30.11, Stats., and which allows limited filling between this bulkhead line and the original ordinary highwater mark, except where such filling is prohibited by the floodway provisions of this ordinance.

CAMPGROUND

Any parcel of land which is designed, maintained, intended or used for the purpose of providing sites for nonpermanent overnight use by 4 or more camping units, or which is advertised or represented as a camping area.

CAMPING UNIT

Any portable device, no more than 400 square feet in area, used as a temporary shelter, including but not limited to a camping trailer, motor home, bus, van, pick-up truck, or tent that is fully licensed, if required, and ready for highway use.

CERTIFICATE OF COMPLIANCE

A certification that the construction and the use of land or a building, the elevation of fill or the lowest floor of a structure is in compliance with all of the provisions of this ordinance.

CHANNEL

A natural or artificial watercourse with definite bed and banks to confine and conduct normal flow of water.

CRAWLWAYS or CRAWL SPACE

An enclosed area below the first usable floor of a building, generally less than five feet in height, used for access to plumbing and electrical utilities.

DECK

An unenclosed exterior structure that has no roof or sides and has a permeable floor which allows the infiltration of precipitation.

DEPARTMENT

The Wisconsin Department of Natural Resources.

DEVELOPMENT

Any artificial change to improved or unimproved real estate, including, but not limited to, the construction of buildings, structures or accessory structures; the construction of additions or alterations to buildings, structures or accessory structures; the repair of any damaged structure or the improvement or renovation of any structure, regardless of percentage of damage or improvement; the placement of buildings or structures; subdivision layout and site preparation; mining, dredging, filling, grading, paving, excavation or drilling operations; the storage, deposition or extraction of materials or equipment; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.

DRYLAND ACCESS

A vehicular access route which is above the regional flood elevation and which connects land located in the floodplain to land outside the floodplain, such as a road with its surface above regional flood elevation and wide enough for wheeled rescue and relief vehicles.

ENCROACHMENT

Any fill, structure, equipment, use or development in the floodway.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

The federal agency that administers the National Flood Insurance Program.

FLOOD INSURANCE RATE MAP (FIRM)

A map of a community on which the Federal Insurance Administration has delineated both the floodplain and the risk premium zones applicable to the community. This map can only be amended by the Federal Emergency Management Agency.

FLOOD or FLOODING

A general and temporary condition of partial or complete inundation of normally dry land areas caused by one of the following conditions:

- The overflow or rise of inland waters;
- The rapid accumulation or runoff of surface waters from any source;
- The inundation caused by waves or currents of water exceeding anticipated cyclical levels along the shore of Lake Michigan or Lake Superior; or
- The sudden increase caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a seiche, or by some similarly unusual event.

FLOOD FREQUENCY

The probability of a flood occurrence which is determined from statistical analyses. The frequency of a particular flood event is usually expressed as occurring, on the average once in a specified number of years or as a percent (%) chance of occurring in any given year.

FLOODFRINGE

That portion of the floodplain outside of the floodway which is covered by flood waters during the regional flood and associated with standing water rather than flowing water.

FLOOD HAZARD BOUNDARY MAP

A map designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance aspects of the National Flood Insurance Program (NFIP) until superseded by a Flood Insurance Study and a Flood Insurance Rate Map.

FLOOD INSURANCE STUDY

A technical engineering examination, evaluation, and determination of the local flood hazard areas. It provides maps designating those areas affected by the regional flood and provides both flood insurance rate zones and base flood elevations and may provide floodway lines. The flood hazard areas are designated as numbered and unnumbered A Zones. Flood Insurance Rate Maps, that accompany the Flood Insurance Study, form the basis for both the regulatory and the insurance aspects of the National Flood Insurance Program.

FLOODPLAIN

Land which has been or may be covered by flood water during the regional flood. It includes the floodway and the floodfringe and may include other designated floodplain areas for regulatory purposes.

FLOODPLAIN ISLAND

A natural geologic land formation within the floodplain that is surrounded, but not covered, by floodwater during the regional flood.

FLOODPLAIN MANAGEMENT

Policy and procedures to ensure wise use of floodplains, including mapping and engineering, mitigation, education, and administration and enforcement of floodplain regulations.

FLOOD PROFILE

A graph or a longitudinal profile line showing the relationship of the water surface elevation of a flood event to locations of land surface elevations along a stream or river.

FLOODPROOFING

Any combination of structural provisions, changes or adjustments to properties and structures, water and sanitary facilities and contents of buildings subject to flooding, for the purpose of reducing or eliminating flood damage.

FLOOD PROTECTION ELEVATION

An elevation of two feet of freeboard above the Regional Flood Elevation. (Also see: FREEBOARD.)

FLOOD STORAGE

Those floodplain areas where storage of floodwaters has been taken into account during analysis in reducing the regional flood discharge.

FLOODWAY

The channel of a river or stream and those portions of the floodplain adjoining the channel required to carry the regional flood discharge.

FREEBOARD

A safety factor expressed in terms of a specified number of feet above a calculated flood level. Freeboard compensates for any factors that cause flood heights greater than those calculated, including ice jams, debris accumulation, wave action, obstruction of bridge openings and floodways, the effects of watershed urbanization, loss of flood storage areas due to development and aggregation of the river or stream bed.

HABITABLE STRUCTURE

Any structure or portion thereof used or designed for human habitation.

HEARING NOTICE

Publication or posting meeting the requirements of Ch. 985, Stats. For appeals, a Class 1 notice, published once at least one week (7 days) before the hearing, is required. For all zoning ordinances and amendments, a Class 2 notice, published twice, once each week consecutively, the last at least a week (7 days) before the hearing. Local ordinances or bylaws may require additional notice, exceeding these minimums.

HIGH FLOOD DAMAGE POTENTIAL

Damage that could result from flooding that includes any danger to life or health or any significant economic loss to a structure or building and its contents.

HIGHEST ADJACENT GRADE

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE

Any structure that is either:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program, as determined by the Secretary of the Interior; or by the Secretary of the Interior in states without approved programs.

INCREASE IN REGIONAL FLOOD HEIGHT

A calculated upward rise in the regional flood elevation greater than 0.00 foot, based on a comparison of existing conditions and proposed conditions which is directly attributable to development in the floodplain but not attributable to manipulation of mathematical variables such as roughness factors, expansion and contraction coefficients and discharge.

LAND USE

Any nonstructural use made of unimproved or improved real estate. (Also see DEVELOPMENT.)

LOWEST ADJACENT GRADE

Elevation of the lowest ground surface that touches any of the exterior walls of a building.

LOWEST FLOOR

The lowest floor of the lowest enclosed area (including basement). An enclosed space as provided in § 290-5 (C) (2) (f), is not considered the building's lowest floor;

MAINTENANCE

The act or process of ordinary upkeep and repairs, including redecorating, refinishing, nonstructural repairs, or the replacement of existing fixtures, systems or equipment with equivalent fixtures, systems or structures.

MANUFACTURED HOME

A structure transportable in one or more sections, which is built on a permanent chassis and is designed to be used with or without a permanent foundation when connected to required utilities. The term "manufactured home" includes a mobile home but does not include a "mobile recreational vehicle."

MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land, divided into two or more manufactured home lots for rent or sale.

MOBILE/MANUFACTURED HOME PARK OR SUBDIVISION, EXISTING

A parcel of land, divided into two or more manufactured home lots for rent or sale, on which the construction of facilities for servicing the lots is completed before the effective date of this ordinance. At a minimum, this would include the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads.

MOBILE/MANUFACTURED HOME PARK, EXPANSION TO EXISTING

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed. This includes installation of utilities, construction of streets and either final site grading, or the pouring of concrete pads.

MOBILE RECREATIONAL VEHICLE

A vehicle which is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, is licensed for highway use if registration is required and is designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. Manufactured homes that are towed or carried onto a parcel of land, but do not remain capable of being towed or carried, including park model homes, do not fall within the definition of "mobile recreational vehicles."

MODEL, CORRECTED EFFECTIVE

A hydraulic engineering model that corrects any errors that occur in the Duplicate Effective Model, adds any additional cross sections to the Duplicate Effective Model, or incorporates more detailed topographic information than that used in the current effective model.

MODEL, DUPLICATE EFFECTIVE

A copy of the hydraulic analysis used in the effective FIS and referred to as the effective model.

MODEL, EFFECTIVE

The hydraulic engineering model that was used to produce the current effective Flood Insurance Study.

MODEL, EXISTING (PRE-PROJECT)

A modification of the Duplicate Effective Model or Corrected Effective Model to reflect any man made modifications that have occurred within the floodplain since the date of the effective model but prior to the construction of the project for which the revision is being requested. If no modification has occurred since the date of the effective model, then this model would be identical to the Corrected Effective Model or Duplicate Effective Model.

MODEL, REVISED (POST-PROJECT)

A modification of the Existing or Pre-Project Conditions Model, Duplicate Effective Model or Corrected Effective Model to reflect revised or post-project conditions.

MUNICIPALITY or MUNICIPAL

The county, city or village governmental units enacting, administering, and enforcing this zoning ordinance.

NAVD or NORTH AMERICAN VERTICAL DATUM

Elevations referenced to mean sea level datum, 1988 adjustment.

NGVD or NATIONAL GEODETIC VERTICAL DATUM

Elevations referenced to mean sea level datum, 1929 adjustment.

NEW CONSTRUCTION

Structures for which the start of construction commenced on or after the effective date of a floodplain zoning regulation adopted by this community and includes any subsequent improvements to such structures.

NON-FLOOD DISASTER

A fire or an ice storm, tornado, windstorm, mudslide or other destructive act of nature, but excludes a flood.

NONCONFORMING STRUCTURE

An existing lawful structure or building which is not in conformity with the dimensional or structural requirements of this ordinance for the area of the floodplain which it occupies. (For example, an existing residential structure in the floodfringe district is a conforming use. However, if the lowest floor is lower than the flood protection elevation, the structure is nonconforming.)

NONCONFORMING USE

An existing lawful use or accessory use of a structure or building which is not in conformity with the provisions of this ordinance for the area of the floodplain which it occupies. (Such as a residence in the floodway.)

OBSTRUCTION TO FLOW

Any development which blocks the conveyance of floodwaters such that this development alone or together with any future development will cause an increase in regional flood height.

OFFICIAL FLOODPLAIN ZONING MAP

That map, adopted and made part of this ordinance, as described in § 290-1 (5) (2), which has been approved by the Department and FEMA.

OPEN SPACE USE

Those uses having a relatively low flood damage potential and not involving structures.

ORDINARY HIGHWATER MARK

The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

PERSON

An individual, or group of individuals, corporation, partnership, association, municipality or state agency.

PRIVATE SEWAGE SYSTEM

A sewage treatment and disposal system serving one structure with a septic tank and soil absorption field located on the same parcel as the structure. It also means an alternative sewage system approved by the Department of Safety and Professional Services, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

PUBLIC UTILITIES

Those utilities using underground or overhead transmission lines such as electric, telephone and telegraph, and distribution and collection systems such as water, sanitary sewer and storm sewer.

REASONABLY SAFE FROM FLOODING

Means base flood waters will not inundate the land or damage structures to be removed from the floodplain and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

REGIONAL FLOOD

A flood determined to be representative of large floods known to have occurred in Wisconsin. A regional flood is a flood with a one percent chance of being equaled or exceeded in any given year, and if depicted on the FIRM, the RFE is equivalent to the BFE.

START OF CONSTRUCTION

The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond initial excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For an alteration, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE

Any manmade object with form, shape and utility, either permanently or temporarily attached to, placed upon or set into the ground, stream bed or lake bed, including, but not limited to, roofed and walled buildings, gas or liquid storage tanks, bridges, dams and culverts.

SUBDIVISION

Has the meaning given in s. 236.02(12), Wis. Stats.

SUBSTANTIAL DAMAGE

Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the equalized assessed value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the equalized assessed value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the work performed. The term does not include either any project for the improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions; or any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

UNNECESSARY HARDSHIP

Where special conditions affecting a particular property, which were not self created, have made strict conformity with restrictions governing areas, setbacks, frontage, height or density unnecessarily burdensome or unreasonable in light of the purposes of the ordinance.

VARIANCE

An authorization by the board of adjustment or appeals for the construction or maintenance of a building or structure in a manner which is inconsistent with dimensional standards (not uses) contained in the floodplain zoning ordinance.

VIOLATION

The failure of a structure or other development to be fully compliant with the floodplain zoning ordinance. A structure or other development without required permits, lowest floor elevation documentation, floodproofing certificates or required floodway encroachment calculations is presumed to be in violation until such time as that documentation is provided.

WATERSHED

The entire region contributing runoff or surface water to a watercourse or body of water.

WATER SURFACE PROFILE

A graphical representation showing the elevation of the water surface of a watercourse for each position along a reach of river or stream at a certain flood flow. A water surface profile of the regional flood is used in regulating floodplain areas.

WELL

Means an excavation opening in the ground made by digging, boring, drilling, driving or other methods, to obtain groundwater regardless of its intended use.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3. This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this 18th day of April, 2023.

Richard Heidel, Village President

Attest:

Aaron Kramer, Village Administrator

I, Katrina Bruecker, am the duly qualified and acting Village Clerk of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on April 18th 2023.

(Seal)

Katrina Bruecker, Village Clerk-Treasurer

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Dated From: 4/18/2023

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Thru: 4/18/2023

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| 57905 | 4/18/2023 | AAA PORTABLES PORTABLE UNITS AT PARK | 345.00 |
| 57906 | 4/18/2023 | ALLIE KAT LLC REFUND CLOSED UTILITY ACCT 000-1981-01 | 67.42 |
| 57907 | 4/18/2023 | ALPHA HYDRAULICS LLC SEALS FOR CHIPPER | 39.90 |
| 57908 | 4/18/2023 | ANDREW STRUMBRAS ELECTION APRIL 4, 2023 | 77.00 |
| 57909 | 4/18/2023 | Ann Price ELECTION APRIL 4, 2023 | 112.75 |
| 57910 | 4/18/2023 | ANNE LARSON ELECTION APRIL 4, 2023 | 99.00 |
| 57911 | 4/18/2023 | ASHWAUBENON AUTO REPAIR LLC MULTIPLE INVOICES | 119.60 |
| 57912 | 4/18/2023 | BADGER LABORATORIES & ENGINEERING CO. INC. COLIFORM BACT TESTING - 8 | 176.00 |
| 57913 | 4/18/2023 | BADGER METER INC. BEACON MBL HOSTING MARCH | 82.36 |
| 57914 | 4/18/2023 | BAY EAST ANIMAL HOSPITAL MULTIPLE INVOICES BAX & JAX | 186.23 |
| 57915 | 4/18/2023 | BAYSIDE PRINTING LLC CHECKS WITH HIGH SECURITY | 343.56 |
| 57916 | 4/18/2023 | BEST MACHINE & REPAIR INC. REPAIR MOWBOARD ON SNOWPLOW | 750.00 |
| 57917 | 4/18/2023 | BONNIE PARUCH ELECTION APRIL 4, 2023 | 88.00 |
| 57918 | 4/18/2023 | BRIAN RUECHEL ACCOUNTING INVOICE MARCH | 5,244.75 |
| 57919 | 4/18/2023 | BROWN COUNTY HIGHWAY DEPARTMENT MULTIPLE INVOICES | 2,010.76 |
| 57920 | 4/18/2023 | BROWN COUNTY TREASURER - COURT PAYMENTS MARCH MONTHLY FINES & SURCHARGES | 1,882.70 |
| 57921 | 4/18/2023 | CAROLE PHIPPS ELECTION APRIL 4, 2023 | 154.00 |
| 57922 | 4/18/2023 | CHARTER COMMUNICATIONS / SPECTRUM SERVICE 3-30-4-29 | 615.00 |
| 57923 | 4/18/2023 | CONWAY SHIELD INC. MULTIPLE INVOICES FIRE DEPARTMENT | 2,260.00 |

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| 57924 | 4/18/2023 | COUNTRY VISIONS COOPERATIVE FIELDMASTER FUEL | 1,511.22 |
| 57925 | 4/18/2023 | CULLIGAN GREEN BAY FIRE DEPARTMENT SOFTENER | 50.83 |
| 57926 | 4/18/2023 | DEBBY JAHNKE ELECTION APRIL 4, 2023 | 175.37 |
| 57927 | 4/18/2023 | DIVERSIFIED BENEFIT SERVICES INC. APRIL 105-HRA ADM SERVICES | 103.50 |
| 57928 | 4/18/2023 | ELECTA SELNER ELECTION APRIL 4, 2023 | 82.50 |
| 57929 | 4/18/2023 | ERC INC MONTHLY EAP SERVICES | 258.33 |
| 57930 | 4/18/2023 | FIRE SAFETY U.S.A. INC. HOT SHEILD WILDLAND FACE PROTECTORS | 1,477.00 |
| 57931 | 4/18/2023 | FORTRESS FENCE FENCE REMOVAL PARKS | 9,000.00 |
| 57932 | 4/18/2023 | GARY LEWIS ELECTION APRIL 4, 2023 | 159.50 |
| 57933 | 4/18/2023 | GAT SUPPLY INC. MULTIPLE INVOICES | 534.00 |
| 57934 | 4/18/2023 | GREEN BAY WATER UTILITY PURCHASED WATER MARCH 2023 | 33,022.17 |
| 57935 | 4/18/2023 | GREGG E. SCHREIBER EDUCATION EXPENSES MILEAGE & MEAL | 91.10 |
| 57936 | 4/18/2023 | HANAWAY ROSS LAW FIRM FEBRUARY & MARCH INVOICES | 11,826.40 |
| 57937 | 4/18/2023 | HAWKINS INC. CHEMICALS / CHLORINE CYLINDERS -4 | 40.00 |
| 57938 | 4/18/2023 | IRON MOUNTAIN SHREDDING SERVICES | 137.07 |
| 57939 | 4/18/2023 | JEANNE ZEITLER ELECTION APRIL 4, 2023 | 79.75 |
| 57940 | 4/18/2023 | JOAN PETERS ELECTION APRIL 4, 2023 D'2 | 184.00 |
| 57941 | 4/18/2023 | KATHY HENDRICKS ELECTION APRIL 4, 2023 | 154.00 |
| 57942 | 4/18/2023 | LINDA HIERONIMCZAK ELECTION APRIL 4, 2023 | 85.25 |

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| 57943 | 4/18/2023 | LIZ WILKE ELECTION APRIL 4, 2023 | 71.50 |
| 57944 | 4/18/2023 | MARCO TECHNOLOGIES LLC SHARP BASE RATE & USAGE | 250.46 |
| 57945 | 4/18/2023 | MARGENE MARCANTONIO APRIL 4 2023 ELECTION | 96.25 |
| 57946 | 4/18/2023 | MARY BAEB ELECTION APRIL 4, 2023 | 159.50 |
| 57947 | 4/18/2023 | MCC, INC. COLD MIX 3/21/2023 | 1,011.25 |
| 57948 | 4/18/2023 | MCC, INC. PAY REQUEST #2 AUTUMN JOY DRIVE | 206,089.79 |
| 57949 | 4/18/2023 | MOLLY BOURASSA RESTITUTION - CITATION 7R81GFB04Q | 309.44 |
| 57950 | 4/18/2023 | MULTI MEDIA CHANNELS LLC MULTIPLE HEARING LEGAL ADS | 153.27 |
| 57951 | 4/18/2023 | NANCY VANSTRATEN APRIL 4 2023 ELECTION | 96.25 |
| 57952 | 4/18/2023 | NORTHEAST ASPHALT INC. 1/4" SCREENINGS | 15.58 |
| 57953 | 4/18/2023 | NSIGHT TELS SERVICES ALL PHONE / DATA LINES ALL BUILDINGS | 652.45 |
| 57954 | 4/18/2023 | NWTC - GREEN BAY CAMPUS TECHNICAL ASSISTANCE PROJECT | 200.00 |
| 57955 | 4/18/2023 | PEG VANBRICE ELECTION APRIL 4, 2023 | 71.50 |
| 57956 | 4/18/2023 | PRIMADATA 1ST QTR 2023 UTILITY BILLING | 884.94 |
| 57957 | 4/18/2023 | ROBERT E. LEE & ASSOCIATES INC. MULTIPLE PROJECTS & INVOICES | 29,124.45 |
| 57958 | 4/18/2023 | SANDRA MASON ELECTION APRIL 4, 2023 | 184.25 |
| 57959 | 4/18/2023 | SARAH MATHESON DUPLICATE BARTENDERS LICENSE REFUNDED | 40.00 |
| 57960 | 4/18/2023 | SECURIAN FINANCIAL GROUP INC LIFE INSURANCE PREMIUMS | 714.96 |
| 57961 | 4/18/2023 | STATE OF WISCONSIN COURT FINES & SURCHARGES MARCH 2023 MONTHLY FINES & SURCHARGES | 4,431.20 |

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| 57962 | 4/18/2023 | STREICHER'S NAME TAGS DEPARTMENT | 88.93 |
| 57963 | 4/18/2023 | SUE LINDBERG ELECTION APRIL 4, 2023 | 71.50 |
| 57964 | 4/18/2023 | SUE SHULER ELECTION APRIL 4, 2023 | 68.75 |
| 57965 | 4/18/2023 | SUE VANBEEK ELECTION APRIL 4, 2023 | 77.00 |
| 57966 | 4/18/2023 | TECHNOLOGY ARCHITECTS INC. MULTIPLE INVOICES & PROJECTS | 13,136.05 |
| 57967 | 4/18/2023 | TIMOTHY FLUNKER ELECTION APRIL 4, 2023 | 173.25 |
| 57968 | 4/18/2023 | TOWN OF LAWRENCE HEMLOCK CREEK WAT & SEW 1ST QTR 2023 | 1,448.28 |
| 57969 | 4/18/2023 | TRUCK EQUIPMENT INC MULTIPLE INVOICES DPW & POLICE DEPTS | 20,638.54 |
| 57970 | 4/18/2023 | UNIFORM SHOPPE MULTIPLE INVOICES | 97.95 |
| 57971 | 4/18/2023 | VERN PARUCH ELECTION APRIL 4, 2023 | 88.00 |
| 57972 | 4/18/2023 | VIKING ELECTRIC SUPPLY INC. LIGHTING FOR CONGTRACT 2320-22-03 | 48,260.00 |
| 57973 | 4/18/2023 | VILLAGE OF ASHWAUBENON 1ST QTR WATER USAGE | 32,396.97 |
| 57974 | 4/18/2023 | VILLAGE OF HOBART - WATER UTILITY 1ST QTR UTILITY BILLING | 513.64 |
| 57975 | 4/18/2023 | VIRGINIA BECKS APRIL 4 2023 ELECTION | 96.25 |
| 57976 | 4/18/2023 | WI DEPT OF JUSTICE - CRIME INFORMATION BUREAU BACKGROUOND CHECKS - 8 | 56.00 |
| 57977 | 4/18/2023 | WISCONSIN DEPT OF NATURAL RESOURCES 5-YEARS NONMETALLIC MINE REPORTS | 875.00 |
| 57978 | 4/18/2023 | WORKHORSE SOFTWARE SERVICES INC. SUPPORT 2023 FIXED ASSETS PRO-RATED 7.56 | 378.08 |
| 57979 | 4/18/2023 | WPS UTILITIES FOR ALL BUILDINGS | 15,491.88 |
| ERICA - VISA | 4/18/2023 | MUNICIPAL TREASURERS ASSN - VISA REGISTRATION K. BRUECKER | 75.00 |

Manual Check

4/12/2023 12:43 PM

Check Register - Quick Report - ALL

Page: 5

ALL Checks

ACCT

ALL BANK ACCOUNTS

Dated From: 4/18/2023 From Account:
 Thru: 4/18/2023 Thru Account:

| Check Nbr | Check Date | Payee | Amount |
|--------------|--------------|--------------------------------------|--------|
| ERICA - VISA | 4/18/2023 | AMAZON - VISA | 11.16 |
| | Manual Check | KEYBOARD DPW | |
| ERICA - VISA | 4/18/2023 | THE OSTOFF RESORT - VISA | 90.00 |
| | Manual Check | CONFERENCE G. SCHREIBER | |
| ERICA - VISA | 4/18/2023 | PROTEA FLOWER BOUTIQUE - VISA | 100.00 |
| | Manual Check | FLORAL FUNERAL ARRANGEMENT V. JAEGER | |
| ERICA - VISA | 4/18/2023 | MUNICIPAL TREASURERS ASSN - VISA | 110.00 |
| | Manual Check | K. BRUECKER | |
| ERICA - VISA | 4/18/2023 | DOLLAR TREE - VISA | 7.91 |
| | Manual Check | ELECTION EXP | |
| ERICA - VISA | 4/18/2023 | WALMART - VISA | 95.33 |
| | Manual Check | ELECTION EXPENSE | |
| ERICA - VISA | 4/18/2023 | MAILCHIMP - VISA | 47.00 |
| | Manual Check | HEADLINES | |
| ERICA - VISA | 4/18/2023 | AMAZON - VISA | 28.99 |
| | Manual Check | ELECTION SUPPLIES DYMO | |
| ERICA - VISA | 4/18/2023 | AMERICAN ASSOC OF NOTARIES - VISA | 39.90 |
| | Manual Check | EMBOSSER - A. WANGERIN | |
| ERICA - VISA | 4/18/2023 | AMAZON - VISA | 37.99 |
| | Manual Check | PRIVACY FILM - COURT | |
| ERICA - VISA | 4/18/2023 | GODADDY - VISA | 21.17 |
| | Manual Check | RENEWAL FOR DOMAIN .ORG | |
| KATRINA-VISA | 4/18/2023 | FEDEX - VISA | 47.55 |
| | Manual Check | SEND C. TREMEL CHARGE CARD TO HIM | |
| KATRINA-VISA | 4/18/2023 | OFFICEMAX/DEPOT ==VISA | 92.82 |
| | Manual Check | ELECTION SUPPLIES | |
| KATRINA-VISA | 4/18/2023 | WMCA DISTRICT 7 - VISA | 45.00 |
| | Manual Check | REGISTRATION K. BRUECKER | |
| KATRINA-VISA | 4/18/2023 | PROTEA FLOWER BOUTIQUE - VISA | 100.23 |
| | Manual Check | FUNERAL ARRANGEMENT R. JAEGER | |
| KATRINA-VISA | 4/18/2023 | MUNICIPAL TREASURERS ASSN - VISA | 60.00 |
| | Manual Check | REGISTRATION K. BRUECKER | |
| KATRINA-VISA | 4/18/2023 | FESTIVAL FOODS - VISA | 39.06 |
| | Manual Check | ELECTION EXPENSE | |
| KATRINA-VISA | 4/18/2023 | WALMART - VISA | 8.04 |
| | Manual Check | ELECTION EXP | |
| KATRINA-VISA | 4/18/2023 | D2 HOBART - VISA | 81.36 |
| | Manual Check | ELECTION EXP | |

4/12/2023 12:43 PM

Check Register - Quick Report - ALL

Page: 6

ALL Checks

ACCT

ALL BANK ACCOUNTS

Dated From: 4/18/2023

From Account:

Thru: 4/18/2023

Thru Account:

| Check Nbr | Check Date | Payee | Amount |
|--------------|--------------|---------------------|------------|
| KATRINA-VISA | 4/18/2023 | SCOTT'S SUBS - VISA | 251.26 |
| | Manual Check | ELECTION EXP | |
| KATRINA-VISA | 4/18/2023 | D2 HOBART - VISA | 332.07 |
| | Manual Check | ELECTION EXP | |
| | | Grand Total | 453,860.97 |

4/12/2023 12:43 PM

Check Register - Quick Report - ALL

Page: 7

ALL Checks

ACCT

ALL BANK ACCOUNTS

Dated From: 4/18/2023

From Account:

Thru: 4/18/2023

Thru Account:

Amount

| | |
|---|------------|
| Total Expenditure from Fund # 001 - General Fund | 46,631.76 |
| Total Expenditure from Fund # 002 - Water Fund | 71,894.93 |
| Total Expenditure from Fund # 003 - Sanitary Sewer Fund | 2,670.80 |
| Total Expenditure from Fund # 004 - Capital Projects Fund | 34,628.39 |
| Total Expenditure from Fund # 006 - K-9 Fund | 186.23 |
| Total Expenditure from Fund # 007 - Storm Water Fund | 12,829.84 |
| Total Expenditure from Fund # 008 - TID #1 Fund | 51,635.37 |
| Total Expenditure from Fund # 009 - TID #2 Fund | 216,634.78 |
| Total Expenditure from Fund # 010 - Parks & Recreation | 4,245.00 |
| Total Expenditure from Fund # 011 - ARPA | 12,503.87 |
| Total Expenditure from all Funds | 453,860.97 |



MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Wednesday April 5th 2023 (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 6:00 pm. Rich Heidel, David Dillenburg, Vanya Koepke, Tammy Zittlow and Tim Carpenter were present.
2. Certification of the open meeting law agenda requirements and approval of the agenda – ACTION: To certify the open meeting law agenda requirements and approval of the agenda MOTION: Heidel SECOND: Koepke VOTE: 5-0
3. Pledge of Allegiance - Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS - None

5. CONSENT AGENDA - A. Payment of Invoices; B. VILLAGE BOARD: Minutes of March 21st 2023 ACTION: To approve the Consent Agenda MOTION: Heidel SECOND: Carpenter VOTE: 5-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS

Leroy Schlorf (1416 Riverdale Drive) had questions and concerns about the recent election, and recommended the Village look into purchasing another voting machine as a backup.

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS

Village Administrator Aaron Kramer informed the Board that the following committees will be meeting: Public Works and Utilities Advisory (April 10th), Police Commission (April 12th) and Planning and Zoning (April 12th). He also said the Village has been named a Tree City USA by the Arbor Day Foundation, and the Village Arbor Day celebration will be April 28th. He reviewed the proposed investment of the recent bond issue.

A. INFORMATION – Water Rate Increase (Service Areas 2 and 3) – Public Works Director Jerry Lancelle explained that a water rate increase has been scheduled for April 26th for customers in Service Area 2 and 3, due to the Village being a wholesale customer of Ashwaubenon, which after a PSC rate study, has been directed to raise the rates of the water purchased by Hobart. No action was taken.

9. COMMITTEE REPORTS AND ACTIONS - None

10. OLD BUSINESS - None

11. NEW BUSINESS

A. DISCUSSION AND ACTION – Ambulance Service Agreement (2023-2040) - This agreement between the Village and Aegis Group (dba County Rescue Services) would replace the current agreement, and extend the service through December 31st 2040. It also reduces the current payment for ambulance service, and is projected to have a lesser impact on the Village budget than the current formula. Village Attorney Frank Kowalkowski outlined some concerns he had with the document. ACTION: To postpone action on the Ambulance Service Agreement until the April 18th Board meeting MOTION: Heidel SECOND: Carpenter VOTE: 5-0

B. DISCUSSION AND ACTION – Premises Use Agreement - This agreement between the Village and Aegis Group (dba County Rescue Services) would allow for the placement of an ambulance unit in the new Fire Station in Hobart, starting in 2024. The Village will receive a credit toward its annual service agreement fee for the ambulance utilizing the space. Village Attorney Kowalkowski outlined

some concerns he had with the document. ACTION: To postpone action on the Ambulance Service Agreement until the April 18th Board meeting MOTION: Heidel SECOND: Dillenburg VOTE: 5-0

C. DISCUSSION AND ACTION – Animal Limitation Ordinance - Staff presented a number of proposals for the Board to consider if they wish to add a section to the Ordinance allowing for a variance from the current restriction on the number of dogs allowed. The Board discussed the options. ACTION: To suspend the rules MOTION: Heidel SECOND: Koepke VOTE: 5-0. Reanna Hansen (4720 Sol Court), Leroy Schlorf Jr. (1416 Riverdale Drive) and Donna Severson (362 Crosse Point Court) addressed the Board on the proposals. The consensus of the Board was to draft an ordinance amending the current code, with changes similar to what is currently in place in De Pere.

D. DISCUSSION - Items for future agenda consideration or Committee assignment – Kramer asked the Board to consider some options on cleaning up the downed trees in the wooded area in Centennial Centre. Lancelle said he has been unsuccessful in securing a company to do the work. The Board asked Kowalkowski to draft a document which may permit private individuals to remove the trees for discussion and possible action at the April 18th Board meeting.

ACTION: To have a 5-minute recess prior to closed session (7:30 PM) MOTION: Heidel SECOND: Zittlow VOTE: 5-0

ACTION: To reconvene the meeting (7:35 PM) MOTION: Heidel SECOND: Zittlow VOTE: 5-0

J. ADJOURN to CLOSED SESSION (7:36 PM) – ACTION: To go into closed session under 1. 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: Sale of Property/TID Projects/Development Agreements, and 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: Tribal Affairs; Potential Litigation MOTION: Heidel SECOND: Carpenter VOTE: 5-0

K. CONVENE into open session (8:15 PM) – MOTION: Carpenter SECOND: Zittlow VOTE: 5-0

L. ACTION from closed session – No action

12. ADJOURN (8:16 PM) – MOTION: Carpenter SECOND: Zittlow VOTE: 5-0

Submitted by Aaron Kramer, Village Administrator

Village of Hobart-Town of Lawrence Police Commission
Meeting Minutes – Monday, January 30th, 2023 @ 2:45 PM
Village of Hobart Office
2990 S. Pine Tree Rd.
Hobart, WI 54155

Call to Order

Meeting was called to order by John Shimek @ 2:47 PM.

Roll Call

Commissioners Melissa Tanke, John Shimek, Ron Jaeger, Don Hedrick, and Gary Pieschek were present. Chief Renkas and Randy Bani were in attendance.

Approval of the Agenda and Certification of the Open Meeting Law Agenda Requirements

Certification of the open meeting law agenda requirements and approval of the agenda with the following change: approval of the meeting minutes will take place following the Police Captain interviews, after we return to open session. Motion made by John Shimek, second by Ron Jaeger. All in favor; motion carried.

Adjourn to Closed Session

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: Police Captain Candidate Interviews

Meeting was adjourned to closed session at 3:31PM to interview Police Captain candidates. Motion by Melissa Tanke, seconded by John Shimek. All in favor; motion carried.

Convene to Open Session

Meeting convened to open session at 8:52 PM. Motion by Melissa Tanke; seconded by John Shimek. All in favor; motion carried.

Action from Closed Session

The unanimous decision to present Trevor Bethke with a conditional offer of employment was made by the Commission. The Commissioners unanimously certified the eligibility of Brent Olson to serve in the capacity of Captain. The remaining two candidates were not certified. All Commissioners voted in favor of the forementioned actions.

Approval of Meeting Minutes

A motion was made to approve the minutes of the November 15th meeting, with corrections. Motion made by Ron Jaeger; seconded by Don Hedrick. All in favor, motion carried. A motion was made to approve the minutes of the November 16th meeting was made by John Shimek; seconded by Gary Pieschek. All in favor; motion carried. A motion was made to approve the minutes of the November 27th meeting. Motion was made by John Shimek; seconded by Gary Pieschek. All in favor; motion carried.

Adjournment

Motion to adjourn the meeting at 9:07 PM was made by John Shimek, seconded by Don Hedrick. All in favor; motion carried.



Village of Hobart Public Works & Utilities Advisory Committee Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Monday, March 13, 2023 – 5:00 pm

1. Call to Order, Roll Call:

The meeting was called to order by Dave Dillenburg at 5:01pm. Roll call: Dave Dillenburg, aye; Vanya Koepke, aye; Dave Baranczyk, aye; Dan Deruyter, aye; Don Dahlstrom, aye;; David Smith, excused; Kevin Gannon, excused.

2. Certification of the Open Meeting Law Agenda & Approval of the Agenda:

Motion by Dave Baranczyk, seconded by Don Dahlstrom, to approve the agenda as presented.
All in favor. Motion carried.

3. Approval of Minutes:

Motion by Dave Baranczyk, seconded by Dave Dillenburg, to approve the February 13, 2023 minutes as presented.
All in favor. Motion carried.

4. Public Comment on Non-Agenda Items:

None

5. DISCUSSION AND ACTION – Review Traffic Safety Along Centennial Centre Boulevard Between CTH FF and Forest Rd.:

PWD Lancelle updated the committee. After discussion, no action taken.

6. INFORMATIONAL – Director Will Provide Brief Overview on GIS and SCADA:

PWD Lancelle gave the committee an overview and demonstration.

7. UPDATE – Director and Activity Reports:

PWD Lancelle gave updates on various ongoing Village projects and current operations within the Public Works.

8. ADJOURNMENT:

Motion by Dave Dillenburg, seconded by Dave Baranczyk, to adjourn.
All in favor. Motion carried.
Meeting adjourned at 6:05pm.



Village of Hobart Public Works & Utilities Advisory Committee Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Monday, April 10, 2023 – 5:00 pm

1. Call to Order, Roll Call:

The meeting was called to order by Dave Dillenburg at 5:01pm. Roll call: Dave Dillenburg, aye; Vanya Koepke, aye; Dave Baranczyk, aye; Dan Deruyter, absent; Don Dahlstrom, aye; David Smith, excused; Kevin Gannon, aye.

2. Certification of the Open Meeting Law Agenda & Approval of the Agenda:

Motion by Dave Dillenburg, seconded by Don Dahlstrom, to approve the agenda as presented. All in favor. Motion carried.

3. Approval of Minutes:

Motion by Dave Baranczyk, seconded by Don Dahlstrom, to approve the March 13, 2023 minutes as presented. All in favor. Motion carried.

4. Public Comment on Non-Agenda Items:

Comments by the following Hobart resident:
LeRoy Schlorf Jr. 1416 Riverdale Drive

5. Discussion and Action – Review Proposed Extended Three-Year Contract with Northern Pipe:

Public Works Director, Jerry Lancelle updated the committee. After discussion, a motion was made by Don Dahlstrom, seconded by Dave Baranczyk, to gather more quotes and bring those results to the next meeting. All in favor. Motion carried.

6. Discussion and Action – Review and Discuss 2023 Road Project:

Public Works Director, Jerry Lancelle reviewed the 2023 Road Project. After discussion by the committee. No Action was taken.

7. Discussion and Action – Potential ARPA Funded Expenditures:

Public Works Director, Jerry Lancelle presented the committee with equipment needs. After discussion by the committee, a motion was made by Dave Baranczyk, seconded by Don Dahlstrom to get more quotes for next month's meeting. All in favor. Motion carried.

8. UPDATE – Director and Activity Reports:

Public Works Director, Jerry Lancelle gave updates to the committee.

9. Adjourn:

Motion by Don Dahlstrom, seconded by Vanya Koepke, to adjourn. All in favor. Motion carried. Meeting adjourned at 6:37pm.



Village of Hobart Planning & Zoning Committee Minutes
Hobart Village Office; 2990 S. Pine Tree Rd, Hobart, WI
Wednesday, March 8, 2023 – 5:30 pm

1. Call to Order, Roll Call:

The meeting was called to order by Rich Heidel at 5:30pm. Roll call: Rich Heidel, aye; Dave Dillenburg, aye; Tom Dennee, aye; Bob Ross, aye; David Johnson, excused; Jeff Ambrosius, aye; John Rather, aye.

2. Verify/Modify/Approve Agenda:

Motion by Rich Heidel, seconded by Bob Ross, to approve the agenda as presented.
 All in favor. Motion carried.

3. Approval of Planning & Zoning Minutes:

Motion by Tom Dennee, seconded by Jeff Ambrosius, to approve the January 11, 2023 minutes as presented.
 All in favor. Motion carried.

4. Public Comment on Non-Agenda Items:

None.

5. Consider a request to rezone parcel HB-314-3 (formerly parcels HB-314-3, HB-314-6, & HB-314-7) from R-2: Residential District and ER: Estate Residential District to A-1: Agricultural District:

Director of Planning & Code Compliance, Todd Gerbers, presented the rezoning application. The commission members discussed the application.
 Motion by Bob Ross, seconded by Rich Heidel to recommend approval to the Village Board to rezone parcel HB-314-3 (formerly parcels HB-314-3, HB-314-6, & HB-314-7) from R-2: Residential District and ER: Estate Residential District to A-1: Agricultural District.
 All in favor. Motion carried.

6. Consider a request to rezone parcel HB-307 (formerly parcels HB-293, HB-293-2 & HB-307) from ER: Estate Residential District and A-1: Agricultural District to A-1: Agricultural District:

Director of Planning & Code Compliance, Todd Gerbers, presented the rezoning application. The commission members discussed the application.
 Motion by Tom Dennee, seconded by John Raether to recommend approval to the Village Board to rezone parcel HB-307 (formerly parcels HB-293, HB-293-2 & HB-307) from ER: Estate Residential District and A-1: Agricultural District to A-1: Agricultural District.
 All in favor. Motion carried.

7. Consider Preliminary Plat for Gateway Estates Subdivision, Parcels HB-350 & HB-357, S. Pine Tree Rd. & Orlando Dr.:

Director of Planning & Code Compliance, Todd Gerbers, presented the committee with the Preliminary Plat for Gateway Estates Subdivision.

Public comments made by:

Troy Hewitt with Robert E. Lee & Associates, Inc. – 1250 Centennial Centre Blvd in Hobart

The commission members discussed the application.

Motion by Rich Heidel, seconded by Bob Ross to recommend approval to the Village Board to consider Preliminary Plat for Gateway Estates Subdivision, Parcels HB-350 & HB-357, S. Pine Tree Rd. & Orlando Dr.

All in favor. Motion carried.

8. Consider an ordinance creating the PI: Public Institutional District zoning district for lands that are intended more for public structures and uses:

Motion by Dave Dillenburg, seconded by Jeff Ambrosius to recommend approval of the proposed ordinance creating the new PI: Public Institutional District and directing staff to review lot area and lot frontage.

All in favor. Motion carried.

9. Adjournment:

Motion by Jeff Ambrosius, seconded by Bob Ross to adjourn at 6:38pm.

All in favor. Motion carried.

VILLAGE OF
HOBART
 GREATNESS IS GROWING
MEMORANDUM



TO: Village Board
FROM: Katrina Bruecker, Clerk-Treasurer
RE: Committee Appointments
DATE: April 18, 2023

BACKGROUND

Each year the Village Board must appoint members to each of its committees and commissions based on their terms. The following residents have requested re-appointment to their respective positions.

APPOINTMENTS

Public Works & Utilities Committee (3 Year Term):

- Vanya Koepke
- Dave Baranczyk
- Kevin Gannon

Planning & Zoning Commission (3 Year Term):

- Rich Heidel
- John Rather

Site Review Committee (3 Year Term):

- Tammy Zittlow
- Tom Tengowski

Parks & Recreation Committee (3 Year Term):

- Mary Jane Hemmy
- VACANT

Board of Fire Commissioners (5 Year Term):

- VACANT

Joint Board of Police Commissioners (5 Year Term):

- Don Hedrick

Ethics Committee (3 Year Term):

- VACANT

Board of Review (5 Year Term):

- Dave Dillenburg

Board of Appeals (3 Year Term):

- John Rehn
- Erik Perry
- Henry Rueden

RECOMMENDED MOTION

To approve the appointment of all committee and commission members as presented.

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
 2984 Shawano Avenue
 Green Bay WI 54313-6727

Tony Evers, Governor
Adam N. Payne, Secretary
 Telephone 608-266-2621
 Toll Free 1-888-936-7463
 TTY Access via relay - 711



March 31, 2023

Katrina Bruecker, Clerk
 Village of Hobart
 2990 S. Pine Tree Road
 Hobart, WI 54155

PWSID 40516982 (1)
 PWSID 40517697 (2)
 PWSID 40520777 (3)
 PWSID 40526398 (4)
 Brown County

Subject: 2023 Sanitary Survey Report for the Four Water Service Areas Serving the Village of Hobart and Notice of Non-Compliance

Dear Katrina Bruecker:

The purpose of a sanitary survey is to evaluate the Village of Hobart's source, facilities, equipment, operation, maintenance, and management as they relate to providing safe drinking water. The sanitary survey is also an opportunity to update the department's records, provide technical assistance, and identify potential risks that may adversely affect drinking water quality. Because deficiencies are noted, this report also serves as a Notice of Non-Compliance.

On March 20, 2023, I conducted a sanitary survey of your water systems, Hobart Waterworks Service Areas 1, 2, 3 and 4. Jerry Lancelle was present on behalf of the Village. On March 23, 2023, I met with Susan Davis to review additional files at the Village Hall. At the completion of the survey Mr. Lancelle was briefed on the preliminary findings. This report outlines the final findings, discusses problems that need to be addressed, and timelines for corrective action where appropriate.

While I noted a slight addition in waterworks staff since the last sanitary survey inspection, the Village's continued growth have left staffing levels insufficient. From a regulatory perspective community growth without matching staffing updates creates problems, some that have already started to show. For instance, I noted a reduction in the frequency of valve exercising, hydrant flushing and cross connection inspections. In addition, the Village failed to notify the department of the growth and initiate monitoring within Service Area 4 – Hemlock Creek. While these issues are not yet significant enough for the department to determine the Village lacks overall financial, managerial, and technical capacity, it does appear that improvement are only possible if waterworks staffing levels increase. Please give this recommendation your attention and consideration.

Please make this report available to all Board members and consider correcting the non-conforming features and implementing the recommendations discussed in this letter.

Required Action

A response to this report and a plan for corrective action, including a work schedule, must be submitted to me by May 15, 2023. The response shall include a notification that all deficiencies identified in this letter have been corrected or with proposed alternative dates for correcting these deficiencies. Failure to respond to this letter by **May 15, 2023**, may result in enforcement activities. A corrective action plan and schedule is included below for your consideration. Depending on the type of corrective action you employ, you may need to obtain prior plan approval and submit additional plans to the department.

Within 30 days of correcting each of the deficiencies, provide written notification to me of the date each of the corrections was completed. This notification can be sent via email, or regular mail. If using regular mail, the postmarked date will serve as the date of your notification.

Significant Deficiencies

During the course of the sanitary survey, no significant deficiencies were identified.

Deficiencies

During the sanitary survey, six (6) deficiencies were identified. Deficiencies are problems in drinking water systems that have the potential to cause serious health risks or represent long-term health risks to consumers. Deficiencies may indicate noncompliance with one or more Wisconsin Administrative Codes.

| Deficiency | Compliance Due Date | Code Citation |
|---|---------------------|--------------------------------|
| <p>1. Routine calibration checks of the residual monitoring instruments are not being conducted. Currently staff verify the calibration of the Hach DR 300s six to eight times a year, instead of once every ten samples.</p> <p>Immediately begin routinely verifying the calibration of the two Hach DR 300 analyzers used for chlorine with either a standard that is made up on site using the procedure outlined in Standard Methods or gel standards available from your analyzer supplier. Based on an estimated 14 chlorine residuals being collected monthly, the chlorine analyzers shall be checked at least every other week using a 0 to 2 mg/L set of standards. Continue to maintain a log.</p> | 5/15/2023 | 809.06 809.563(2) 810.05 |
| <p>2. A current, distribution system map is not available for the various service areas. There have been modifications to the distribution system the last few years making the maps on file with the department outdated.</p> <p>By May 15, 2023, provide me with a paper copy of the distribution system map for each of the service areas and an electronic copy of the maps.</p> | 5/15/2023 | 810.26(2) |
| <p>3. The Village has not been properly implementing a cross connection control (CCC) program that meets the requirements of s. NR 810.15, Wis. Adm. Code. The Village's written CCC program notes that inspections of industrial, manufacturing, commercial and public authority customers shall be completed by a licensed plumber; however, Village staff conduct these inspections. In 2013, the Village intended on requiring owners of non-residential or similar facilities to hire their own inspector to complete the inspection, make any necessary repairs and provide the Village with the inspection report once every two years. If the Village intends to proceed with this, Ordinance Chapter 11 – Utilities, section 11.002 must be modified. Please send me a copy of the updated ordinance if changes are made.</p> <p>By July 1, 2023, provide the department with either an updated written cross connection control plan that describes the current process being used to inspect non-residential customers or keep the plan as is and</p> | 7/1/2023 | 810.15 |

| Deficiency | Compliance Due Date | Code Citation |
|--|---------------------|---------------------|
| <p>update the ordinance to require owners of non-residential customers to submit a completed inspection report showing all potential cross connections are protected.</p> | | |
| <p>4. The Village does not have an Emergency Operations Plan that meets the requirements of s. NR 810.23 and 810.26(8), Wis. Adm. Code. The current plan lacks the following: a system for establishing emergency communications, a means for sharing information with customers and an emergency chlorination plan. In addition, there is no specific information pertaining to each of the service areas and how emergencies/emergency chlorination are handled in these areas. Below are specific comments based on my review of the January 2023 plan titled, Water/Sewer System Security & Emergency Plan:</p> <ul style="list-style-type: none"> a. My contact information no longer includes the 920-662-5414 phone number. Please change this to 920-366-0462. b. Include contact information for all suppliers, including fuel for all generators, trucking company that can haul safe drinking water, etc. c. Include specific sections for each service area, including maps. d. Include instructions for activating the emergency connection with Wrightstown. e. Section 3 notes that generators are run once per month, however during the inspection, it was noted they run on auto weekly but are exercised under load only quarterly. f. Provide more details about booster pump failure within the GB connection station, versus the in-line booster station. The report is confusing with respect to titles in sections 5, 6 and 7. g. Section 9 should include a notification process for police, fire and customers to acknowledge the reduced pressure and flow. h. Section 12 should discuss follow up sampling in more detail by referencing AWWA C-651-14. i. Section 13 will need to be updated to include Service Area 4. Consider re-titling this to be just Bacteriological Sampling Sites. In an emergency, no DBP (TTHM and HAA5) sampling will be required. j. Add a section regarding Loss of Pressure situations. See s. NR 810.12, Wis. Adm. Code for the requirements. k. The emergency chlorination plan must be expanded to address: <ul style="list-style-type: none"> i. Details for each of the service areas ii. Specifically, where sampling should occur | 7/1/2023 | 810.23 810.26(8) |

| Deficiency | Compliance Due Date | Code Citation |
|--|---------------------|---------------|
| <p>iii. Which hydrant should be flushed</p> <p>iv. How to notify customers</p> <p>v. Additional instructions for operating the chlorine system at the GB connection. There is a statement in section 7 that refers to a chemical pump, but this is likely meant to refer to the chlorine system booster pump required to create a vacuum.</p> <p>vi. Section 11 notes that chlorine will be stored at the Emergency Well, but this is not the case. Discuss how/where to get chemicals.</p> <p>By July 1, 2023, provide me with a copy of the updated Emergency Response Plan that meets the requirements of ss. NR 810.23 and 810.263(8), Wis. Adm. Code. The plan shall cover all four service areas.</p> | | |
| <p>5. The Village has not been properly implementing a cross connection control (CCC) program that meets the requirements of s. NR 810.15, Wis. Adm. Code. The CCC inspection reports are not detailed enough to show what is being used to prevent backflow at each fixture. This was an issue at the last inspection and improvements were made, but closer review of these improvements show that they are inadequate.</p> <p>By July 1, 2023, provide me with a copy of the updated CCC inspection form/on-line tracking software. This form should include fields for the inspector to document the type of cross connection control at each location of flowing water.</p> | 7/1/2023 | 810.15 |
| <p>6. The Village's CCC program is not being implemented in such a way that all residential, multi-family and commercial (similar to residential) customers are being inspected once every ten years. Reports submitted to the department between 2011 and 2022 show only 1424 out of 2086 customers have been inspected in the last 12 years.</p> <p>By December 31, 2023, provide me with documentation showing that all residential, multi-family and commercial (similar to residential) customers have been inspected within the last ten years.</p> | 12/31/2023 | 810.15 |

Recommendations

During the sanitary survey, four (4) recommendations were identified. Recommendations are problems in the water system that may hinder your public water system from consistently providing safe drinking water to consumers.

Recommendation

1. The department recommends the Village develop a policy for conducting leak detection, flushing hydrants and maintaining valves on private property where the property owner pays for this service and the water used. The Public Service Commission does not allow communities to provide this service to private owners within the budget funded by all water rate payers.
2. The department encourages the Village to follow through with the plan to install sampling stations for monitoring within the distribution systems in Service Areas 3 and 4. As the Village continues to grow with residential land use, these stations can improve access for routine monitoring.



3. The department recommends communities practice their Emergency Operations Plan (EOP) as a tabletop exercise. All communities are required to maintain an EOP to prepare for, respond to, mitigate and recover from all types of emergency situations, both natural and manmade. It is important to keep the EOP updated and staff trained in all aspects of the plan.

The entire EOP should be practiced as a tabletop or situational exercise to ensure all aspects of the plan are tested. Many local fire and police departments are experienced in running practice scenarios, which could be easily adapted to involve the water system, Green Bay Water, Ashwaubenon Water, and other municipal staff and decision makers.

This should be done at least every other year to ensure everyone is familiar with the workings of the EOP. All the various parties involved should then get together to discuss what worked well, what did not work, and how the plan could be improved to handle the next emergency encountered. What measures can be taken ahead of time to save valuable time during the crisis period? How can communications be improved? What additional training would benefit various staff members? An emergency operations plan needs to be a dynamic model constantly improving over time. The department encourages the Village to make this a priority.
4. Cyber-attacks have been striking critical infrastructure across the United States with increased frequency in recent years. The following best management practices can be made to prevent a cybersecurity incident:

| Recommendation |
|---|
| <ul style="list-style-type: none"> a. Update to the latest version of the operating system (e.g., Windows 10). b. Use multiple-factor authentication to access critical applications. c. Use strong passwords to protect remote access credentials. d. Update user access lists to critical programs regularly (e.g., Employee retires) e. Train users to identify and report attempts at social engineering. Identify and suspend access of users exhibiting unusual activity. f. Ensure anti-virus, spam filters, and firewalls are up to date, properly configured and secure. g. Audit network configurations and isolate computer systems that cannot be updated. h. Only use secure networks and consider installing a virtual private network (VPN). i. Restrict all remote connections to SCADA systems, specifically those that allow physical control and manipulation of devices within the SCADA network. One-way unidirectional monitoring devices are recommended to monitor SCADA systems remotely. |

Non-Conforming Features

Non-conforming features are items that existed in a water system before a code change became effective. The following are not deficiencies, but do not conform to current standards for community systems. Correction of these features is not required until a health risk is identified, these features cause problems with the operation of the water system or these features are located within a reviewable project.

| Non-Conforming Feature |
|---|
| <p>1. When pressurized chlorine gas is present, the leak detection equipment shall be equipped with an automatic chlorine cylinder shutdown valves for additional protection when one or more tanks are leaking. Whenever modifications are made to the chlorination system at the Green Bay connection station in Service Area 1, this must be upgraded to meet the requirements of s. NR 811.48, Wis. Adm. Code.</p> |
| <p>2. There are two areas within Service Area 1 where privately-owned water mains are connected to the Village's water mains in two or more locations, without required check valves on the piping and therefore does not comply with s. NR 811.68(3), Wis. Adm. Code. Consider correcting this issue at Wyndham Lakes Villas and Centennial Estates when work is being done nearby. If check valves are being used to correct the issue, the work requires prior plan approval. If the water main is being truncated to create two dead ends, plan approval is not required.</p> |
| <p>3. The pressure reducing valve structure on CTH FF and Pleasant Valley Drive does not meet the construction standards of s. NR 811.84(9), Wis. Adm. Code. Specifically, the ventilation system does not have vent pipes that are made of metal and terminate a minimum of 24-inches above grade in a downward-facing U-bend with a 24-mesh, corrosion-resistant screen. While this structure is currently by-passed, when future work is done, these non-conforming features shall be addressed.</p> |

Reminders and Other Follow-Up

1. Effective **April 1, 2023**, monitoring changes to Service Areas 1, 2, 3 and 4 go into effect. See previous correspondence or check the departments website for the updated requirements.
2. Prior department approval is required for anything that could affect water quality or water quantity; therefore be sure to follow the department's process outlined on our web page at [Public water system plan review | Wisconsin DNR](#). This includes touchups of paint or coatings on the interior of storage structures and installation of mixers in storage structures.
3. Prior department approval is required for relays of water mains if any of the following have changed: size, material, or location, meaning the pipe is NOT in the same trench and at the same horizontal and vertical layout as the original pipe.
4. The Village must conduct a drain inspection of the Pine Tree Tower and either a drain or dive inspection of the Centerline Drive Tower by the end of 2024.
5. Provide me with 48-hour prior notice of the date and time of all water storage facility inspections per s. NR 810.14(3), Wis. Adm. Code.
6. Following all water storage facility inspections, provide me with a completed DNR inspection report (Form 3300-248) per s. NR 810.14(4), Wis. Adm. Code. Supplemental reports, photos or videos provided by the inspection company shall also be submitted.

System Summary

The water supply system for the Village of Hobart is divided into three service areas that are not interconnected.

Service Area 1 is owned and operated by the Village of Hobart and began operation in 1998 with one sandstone well, one elevated storage tank, and the distribution system. The system was originally constructed by Trout Creek, LLC for Thornberry Estates. In October 1997, the Town of Hobart took over ownership of the well (in 2002, the Town of Hobart became the Village of Hobart). In May 2011, in order to address rising radionuclides in the well, Service Area 1 became a consecutive system of Green Bay's surface water system.

Service Area 1 consists of a connection with Green Bay with metering and a booster station, two elevated storage tanks, an in-line booster station, an emergency well and the distribution system.

Emergency Well 1: Well 1 is a 12-inch, 785-foot deep well cased and grouted to 487 feet. The well was constructed in June 1997 and has a vertical turbine pump with capacity of 1500 gpm. The well was last inspected in 2006, when the bowls were replaced, and the motor was rebuilt. An extended well abandonment agreement for Well 1 is on file from 2011 with the latest update March 16, 2023. The Village typically runs the well to waste monthly. The well discharge piping contains a 10-inch propeller meter that was tested March 10, 2021. The Village adopted a wellhead protection plan and ordinance for this well in 1998.

Green Bay Connection Station: The Service Area 1 connection station with Green Bay consists of a metering room, pump room, chlorine room, and generator room. Floor drains daylight to the nearby ditch. As water enters the metering room, there is a pressure transmitter, check valve, air release/vacuum relief valve, 8-inch meter and an isolation valve. From here, the water flows into the pump room and is piped to either the Low Zone directly or to the Main Zone through one of the two, VFD-controlled, 1250 gpm, in-line, horizontal, split-case pumps. Water from the Main Zone also flows to the Low Zone through two pressure reducing valves located in the building. If the pumps are not needed, water flows through the motorized actuated valve on the 12-inch bypass pipe. When the booster pumps are running, the motorized actuated valve closes. The incoming pressure from Green Bay ranges from 68.8 to 78 psi. The pressure leaving the

station into the Main Zone is 90 psi. The Village maintains three other pressure reducing valves within the distribution system; only one of these is actively being used. The other two are bypassed.

Green Bay tested one of the purchased water, 8-inch, magnetic, meter on June 2, 2021, and the other on March 10, 2021.

In-Line Booster Stations: In 2012, due to growth in the northern portions of the service area, in-line Booster Station 1 was installed to increase the water pressure from 38 psi to 72 psi. While this booster station remains as a backup, additional growth and the need for additional storage led to the installation of in-line Booster Station 2 in 2019. This station is a buried vault that includes a 1250 gpm submersible pump with a factory-assembled pitless adaptor that pulls water from the Main Zone to maintain 75 psi in the High Zone the water from this vault flows into a separate metering vault and then into the High Zone. Hobart tested the Booster Station 2, 10-inch magnetic meter on February 26, 2020.

Chemical Addition: Water from Green Bay is chlorinated and fluoridated. Due to the expansion of Service Area 1, the chlorine level in the incoming water is sometimes boosted before leaving the connection station. Gas chlorine is injected into the pump discharge line to the Main Zone and the by-pass line to the Low Zone using separate chlorination systems. The systems contain an Omni Valve, are flow-paced and use feedback from on-line analyzers. The chlorine feed goes on when the residual drops to 0.5 mg/L and goes off when the chlorine residual reaches 0.7 mg/L.

Storage: The 300,000-gallon elevated storage tank in the Main Zone and the 500,000-gallon elevated storage tank in the High Zone provide storage and pressure to the system. The 300,000-gallon tank was constructed in 1998, drained for inspection in 2014, partially drained for inspection in 2019 and was last painted inside and out in 2009. The 500,000-gallon tank was constructed in 2019. Both towers have recirculation pumps to prevent freezing in winter months; however, the pump at the Pine Tree tower is not running at the time of this inspection.

Auxiliary Power: The Village maintains an on-site diesel-fueled generator at the connection station with Green Bay and an external 125 KW natural gas-fueled generator at the in-line Booster Station 2. In 2019 the Village moved the 60 KW natural gas-fueled generator that was previously used for in-line Booster Station 1 to the High Zone tower for SCADA system and tower communication backup. All are tested weekly and operated once a month under load. Auxiliary power at Well 1 is provided by a natural-gas fueled engine drive and a dedicated portable generator is available to provide emergency power for the chemical feed equipment. The engine is exercised at least once a year under load.

Source Water Protection: The Village relies on the Green Bay Water Utility to implement their source water protection plan for long term security of the Lake Michigan source water. In addition, the Village has a Well Head Protection Plan for Well 1.

Service Area 2 is owned and operated by the Village of Hobart and began operation in 1997 to address high iron and arsenic in the private wells of the Woodland Ravine residents. This area is identified as the Airport Service Area on the Village's water system map. The connection with Ashwaubenon is an above-ground master meter station containing a pressure transducer, check valve, a sample tap and meter. The water in this area originally came from the Village of Ashwaubenon's wells, but in 2005, to address rising radionuclide levels in their wells, Ashwaubenon began purchasing their water from Green Bay Water and passing this water on to Hobart through the master meter station. Hobart owns and maintains the water mains, valves and hydrants in this area, performs meter testing and cross-connection inspections, reads the meters and performs routine water quality monitoring. The Village of Ashwaubenon bills Hobart for the water used by these customers based on readings taken from the master meter connection along with meter readings from the five other Village customers and an estimated volume for flushing.

This service area also includes one customer north of the connection station on Dorn Court, where Hobart owns and maintains the water main, valves and hydrants, performs meter testing and cross connecting inspections and reads the meter. The water at this location has not gone through the master meter station. There are also four Village of Hobart property owners east of Packerland that are retail customers of Ashwaubenon. In this area Ashwaubenon owns and maintains the water service line to this customers, performs meter testing and cross connection inspection and bills this customer as a retail customer.

Water from Green Bay is chlorinated and fluoridated prior to Ashwaubenon. No additional treatment occurs once the water reaches Ashwaubenon. Ashwaubenon tested the 6-inch, purchased water, turbine meter March 10, 2021.

Service Area 3 is owned and operated by the Village of Hobart. This area is referred to as the Southern Service Area or the Industrial Park on the Village's water system map. The department began regulating this area in 2007 based on the number of customers and the Village's expanding infrastructure. The water in this area comes from the City of Green Bay through the Village of Ashwaubenon's distribution system. This service area is not served through a master meter station but readings from Hobart customer meters are used to track water use. The service area also has an emergency connection to the transmission main between Ashwaubenon and Wrightstown.

Hobart owns and maintains the water mains, valves and hydrants, performs meter testing and cross-connection inspections, reads the meters and performs routine water quality monitoring. The Village of Ashwaubenon bills Hobart for the water used by these customers based on metering at the individual service connections and an estimated volume for flushing. In addition to the area shown on the distribution map, this service area includes Layden Drive Estates, located north of Fernando, which consists of three multi-unit structures. Ashwaubenon owns and maintains the water service line to this customers, performs meter testing and cross connection inspection and bills this customer as a retail customer.

Service Area 4 is owned and operated by the Village of Hobart. This area is referred to as the Hemlock 5th Addition located adjacent to the Town of Lawrence and is a consecutive system of Lawrence Waterworks with a maximum capacity of 26 residential services. This service area is not served through a master meter station but readings from Hobart customer meters are used to track water use.

Hobart owns and maintains the water mains, valves, and hydrants, performs meter testing and cross-connection inspections, reads meters and performs routine water quality monitoring. Hobart reports the water used by these customers and an estimated volume for flushing to Lawrence. Lawrence then bills Hobart based on Lawrence's water rates under their wholesale water service tariff, schedule W-1.

At the time of this inspection, it was determined that this service area now meets the population and service line requirements to be regulated as a public water system. Routine distribution system monitoring and reporting begins April 1, 2023. The Village was notified of the requirements in a letter dated March 24, 2023.

Water Quality Monitoring

The most recent organic, inorganic, synthetic organic and radionuclide chemical analyses of the well and the water from Green Bay indicate that the water meets all applicable drinking water standards. The water purchased from Green Bay is fluoridated to 0.7 mg/L and the hardness is 130 mg/l.

Routine distribution system monitoring is conducted for free chlorine twice a week in each service area. The typical free chlorine residual in all three service areas is 0.6 mg/L.

Hobart is required to collect routine bacteriological water samples every month in each of the Service Areas. The sites are appropriately located, and staff rotate through these sites collecting samples on the first, second and third Tuesday each month.

| Service Area | Required # samples/month | # sites available | # sites used |
|--------------|--------------------------|-------------------|--------------|
| 1 | 4 | 7 | 7 |
| 2 | 2 | 3 | 1 |
| 3 | 2 | 4 | 4 |
| 4 | 2 | pending | |

There are no lead services in the Village and the latest lead and copper monitoring occurred in 2020. The Village has been conducting sampling in accordance with their lead and copper monitoring site plan and will sample again in 2023. The 2020 90th percentile sample results are:

| Service Area | # sites used | Lead 90 th Percentile | Copper 90 th Percentile |
|--------------|--------------|----------------------------------|------------------------------------|
| 1 | 10 | 2.9 | 584 |
| 2 | 11 | 1.08 | 548.5 |
| 3 | 5 | 0.655 | 310 |
| 4 | 5 | pending | |

As a consecutive system of a surface water plant, the Village conducts sampling under Stage 2 of EPA's Disinfection By-Product Rule quarterly at Service Area 1 and annually at Service Areas 2, 3 and 4.

Required reports, Records and Utility Programs

Since 2019, the Village has an excellent record of compliance with completion and submittal of monthly operating reports, annual CCRs, well permitting, auxiliary power maintenance, and leak detection studies. Cross connection inspections, hydrant flushing, valve exercising, and meter testing could be improved. The Village's operation and maintenance programs are adequate.

The average daily usage in 2021 for service areas 1, 2 and 3 was 417,465 gallons. The maximum daily use was 807,000 gallons and water loss was 2 percent. The water loss reported to the PSC is the combined value for all four service areas. The Village has conducted leak detection studies and is continuously trying to reduce their water loss.

Distribution System: Service areas 1, 2 and 3 contain a total of 49 miles of 6-, 8-, 10-, 12- and 16-inch plastic water mains. There are no locations where water mains flow through sewer manholes and there are no lead service lines in any of the service areas. There are a number of locations of private water main. When private main is connected to the Village's water system in more than one location, check valves must be installed at each connection. With the exception of the private main at Wyndham Lakes Villas and Centennial Estates in Service Area 1, all remaining looped private water mains have the required check valves.

Service Area 1 has three pressure zones. The other three service areas have one pressure zone each. The normal water pressure is 67-80 psi in Service Area 1, 65-70 in Service Areas 2, 3, and 4. The 2021 fire flow study shows at least 20 psi residual pressure and flow of more than 500 gpm at each hydrant within the three service areas

The distribution systems are looped appropriately, and all dead-end mains have flushing devices at their termination. All four service areas are typically flushed once a year in the fall (usually takes two days) and a fourth of the valves, including hydrant valves, are typically exercised each year. The Village continues to struggle to complete this work due to staffing levels.

The Village routinely sells bulk water from a hydrant that is equipped with meter and either a backflow preventer or an air gap.

Ordinances: The Village originally adopted a cross-connection control ordinance on May 28, 1997, when Service Area 2 was developed. The ordinance was updated April 13, 1998 and the written plan was finalized in 2013; however, the existing plan does not reflect the process being used. The Village conducts cross-connection inspections at residential and commercial properties that are similar to residential, every 10 years; however, there are some customers that have not been inspected in the last 10 years. The Village intends on completing these in 2023. The Village inspects non-residential customers (commercial and public authority) every two years. The inspections do not include kitchen and bathroom fixtures; instead, the Village sends out an educational bathroom and kitchen brochure to all customers once every three years, the last being January 2023. Staff also provide a brochure to the customer at each inspection.

The Village originally adopted a well abandonment ordinance on May 28, 1997, when Service Area 2 was developed. The ordinance was updated April 13, 1998. Well permits expire after five years and the Village limits the well inspection requirements for permit renewals to be completed once every 10 years. The Village maintains a database of well permits and well abandonments.

Meters: The Village tests 5/8- and 1-inch meters every 10 years and Davies Water tests larger meters. Large meter testing documentation shows some meter testing is behind. Station meters are being tested at least once every two years.

Certified Operator

Hobart presently employs four certified operators. Jerry Lancelle is designated the Operator-In-Charge for the subclasses of Groundwater and Distribution and Steve Reynen is certified as a D1 and G1. The remaining operators are certified as DTs and GTs but can be upgraded to D1 and G1 once paperwork is filed.

Water System Security

All access hatches and doors to the well house, metering station, in-line booster stations, and towers are provided with locks, entrance alarms, and dusk to dawn lighting. The Village of Hobart has developed a Water Utility Emergency Plan, dated May 2007 and revised it in 2023; however, there are a number of items missing from the current plan, including emergency chlorination procedures.

System Summary Information

A water system summary is attached. Please review for accuracy. If there are changes that need to be made, please contact me at 920-360-0462.

Capacity Development Evaluation

This sanitary survey serves as an evaluation of the capabilities of your water system. This system has been determined to have adequate technical, managerial, and financial capacity to provide safe drinking water because the ability to plan for, achieve, and maintain compliance with applicable drinking water standards as described below.

- Technical: The Village's operator in charge has continued to learn and improve the water system. This includes improvement of administrative programs and recordkeeping responsibilities.
- Managerial: Village staff are responsive, work toward achieving compliance and have excellent communication skills.

Financial: The Village is in the process of finalizing a full rate case that will go into effect January 1, 2024. This increase should maintain an adequate rate of return moving forward, result in an appropriate net operating income and allow the Village to increase staff.

The next sanitary survey of your system is scheduled to take place in 2026. You will be contacted prior to the survey to schedule a date that is convenient for you. If you have any questions, you can reach me by phone at 920-360-04624 or by postal mail at the address on this letterhead.

Sincerely,

A handwritten signature in black ink that reads "Wendy Anderson". The signature is written in a cursive style with a long, sweeping tail on the letter "n".

Wendy Anderson
Water Supply Engineer

Encl.

ecc: FILE
Jerry Lancelle, Hobart
JaNelle Merry, DNR

HOBART WATERWORKS SA 1, SA 2, SA 3, SA 4
Water System Summary Information

SA 1 Population: 3670

SA 2 Population: 450

SA 3 Population: 658

SA 4 Population: 53

Owner: KATRINA BRUECKER, CLERK
 2990 S PINE TREE RD
 HOBART, WI 54155
 (920) 869-3802 katrina@hobart-wi.org

Operator: JERRY LANCELLE
 2990 S PINE TREE RD
 HOBART, WI 54155
 (920) 869-3807 jerry@hobart-wi.org

Date ERP Complete: 06/01/2011

Date ERP Last Exercised/Updated: 02/01/2017

Certified Operators

| Name | Lic. # | Expires | Certifications |
|----------------|--------|------------|----------------|
| JERRY LANCELLE | 35315 | 11/01/2023 | OIC D1, OIC G1 |
| STEVE REYNEN | 35920 | 05/01/2025 | D1, G1 |
| RYAN BIESE | 38407 | 11/01/2025 | DT, GT |
| GAVIN HENN | 38405 | 11/01/2022 | DT, GT |

Affiliations

| Name | Affiliation | Phone |
|----------------|-------------|--------------|
| JERRY LANCELLE | SAMPLER | 920-869-3807 |
| JERRY LANCELLE | PLAN_CON | 920-869-3807 |
| ERICA BERGER | OWNER | 920-869-3803 |
| JERRY LANCELLE | OPERATOR | 920-869-3807 |
| WENDY ANDERSON | DNR_REP | 920-662-5414 |
| ERICA BERGER | PLAN_CON | 920-869-3803 |

SA 1 Entry Points and Sources of Water (basic data)

| ID | Name | WUWN | Type | Source | Depth | Cased | Date Constructed | Formation | Casing Size | Grouted |
|----|------------------|-------|-----------|--------|-------|-------|------------------|-----------|-------------|---------|
| 1 | EMERGENCY WELL 1 | LT992 | EP/Source | GW | 785 | 487 | 06/16/1997 | Sandstone | 12 | 485 |
| 2 | CONN w/GREEN BAY | | EP/Source | PW | | | | | | |

SA 2 Entry Points and Sources of Water (basic data)

| ID | Name | Type | Source |
|----|------------------------|-----------------|--------------------------------|
| 2 | ASHWAUBENON WATERWORKS | ENTRY PT/SOURCE | Purchased Surface Water Source |

SA 3 Entry Points and Sources of Water (basic data)

| ID | Name | Type | Source |
|----|------------------------|-----------------|--------------------------------|
| 1 | ASHWAUBENON WATERWORKS | ENTRY PT/SOURCE | Purchased Surface Water Source |

SA 4 Entry Points and Sources of Water (basic data)

| ID | Name | Type | Source |
|----|---------------------|-----------------|--------------------------------|
| 1 | LAWRENCE WATERWORKS | ENTRY PT/SOURCE | Purchased Surface Water Source |

SA 1 Storage

| ID/Location | Type | Vol. (gal) | Height to Overflow (ft.) | Overflow Elev. (sea-level, ft.) | Aux. Power? | Last Int. Inspect Date | Type of Inspection | Model |
|-------------------------|---------|------------|--------------------------|---------------------------------|-------------|------------------------|---------------------------|----------------------|
| N Pine Tree Road Tower | EL TANK | 300,000 | 96.5 | 850 | No | 10/23/2019 | 2019 drain down; 2014 dry | Brown Steel Pedestal |
| Center Line Drive Tower | EL TANK | 500,000 | 156 | 915 | No | 09/18/2019 | 2019 new | Caldwell Composite |

SA 1 Booster Stations

| ID/Location | Type | Firm Pumping Capacity (gpm) | Aux. Power? |
|--|--------------|-----------------------------|-------------|
| Booster station at interconnect with Green Bay | ABOVE GROUND | 1250 | Yes |
| Booster station at North Pine Tree Road (2019) | BURIED | 1250 | Yes |
| Backup booster station at North Pine Tree Road (Emergency) | BURIED | 1000 | Yes |

SA 1 Treatment Summary Data

| ID | Type | Description | Objective(s) | Pump Model | Cap. ppd | Sol. Tank Cap. # |
|----|------|----------------------------|--------------|-------------------------|----------|------------------|
| 2 | 401 | Gaseous Chlorination, Post | Disinfection | Regal 25 ppd and 50 ppd | 25 | 150 |

SA 1, SA 2, SA 3, SA 4

| ID | Type | Description |
|----|------|----------------------------|
| 2 | 996 | Fluoride Applied at Seller |

System Evaluation Summary

| Inspector/Reviewer | Date | Report Date | Type | Agency | Response Due | Response Rec'd |
|--------------------|------------|-------------|--------|--------|--------------|----------------|
| ANDERSON, W | 2/27/2020 | 3/20/2020 | SURVEY | DNR | 05/04/2020 | 05/04/2020 |
| ANDERSON, W | 04/11/2017 | 04/24/2017 | SURVEY | DNR | 06/08/2017 | 05/25/2017 |
| ANDERSON, W | 03/20/2014 | 03/20/2014 | SURVEY | DNR | 05/04/2014 | 05/02/2014 |

Bacteriological Sampling History

| Year | Distribution Safe | Distribution Unsafe | Confirmed Unsafe | Missed Samples | Raw Safe | Raw Unsafe | Fecal Positive |
|------|-------------------|---------------------|------------------|----------------|----------|------------|----------------|
| SA 1 | | | | | | | |
| 2023 | 9 | | | 0 | 1 | | N |
| 2022 | 36 | | | 0 | 4 | | N |
| 2021 | 36 | | | 0 | 4 | | N |
| 2020 | 36 | | | 0 | 4 | | N |
| 2019 | 36 | | | 0 | 4 | | N |
| SA 2 | | | | | | | |
| 2023 | 6 | | | 0 | | | N |
| 2022 | 24 | | | 0 | | | N |
| 2021 | 24 | | | 0 | | | N |
| 2020 | 24 | | | 0 | | | N |
| 2019 | 24 | | | 0 | | | N |
| SA 3 | | | | | | | |
| 2023 | 6 | | | 0 | | | N |
| 2022 | 24 | | | 0 | | | N |
| 2021 | 24 | | | 0 | | | N |
| 2020 | 24 | | | 0 | | | N |
| 2019 | 24 | | | 0 | | | N |

Chemical Sampling History

| Year | Sample Group | Source ID | Samples Taken | Missed Samples | MCL Violations |
|------|--------------|-----------|---------------|----------------|----------------|
| SA 1 | | | | | |
| 2022 | NITRATE | 1 | 1 | 0 | 0 |
| 2023 | TTHM | | 4 | 0 | 0 |
| 2023 | HAA5 | | 6 | 0 | 0 |
| 2020 | PBCU | | 10 | 0 | 0 |
| SA 2 | | | | | |
| 2022 | TTHM | | 1 | 0 | 0 |
| 2022 | HAA5 | | 1 | 0 | 0 |
| 2020 | PBCU | | 10 | 0 | 0 |
| SA 3 | | | | | |
| 2022 | TTHM | | 1 | 0 | 0 |
| 2022 | HAA5 | | 1 | 0 | 0 |
| 2020 | PBCU | | 10 | 0 | 0 |

Last Sampling Date

| | SA 1 | SA 2 | SA 3 | SA 4 |
|--------------|--------------|--------------|--------------|----------------------------------|
| Sample Group | Last Sampled | Last Sampled | Last Sampled | Monitoring Begins 4/1/2023 |
| BACTI | 2023 | 2023 | 2023 | |
| HAA5 | 2023 | 2022 | 2022 | |
| IOC | 2008 | | | |
| RAD | 2008 | | | |
| PBCU | 2020 | 2020 | 2020 | |
| NITRATE | 2022 | | | |
| VOC | 2015 | | | |
| SOC | 2005 | | | |
| TTHM | 2023 | 2022 | 2022 | |

MARCH 2023

MONTHLY

REPORT

Prepared For:
Village of Hobart
Town of Lawrence



Introduction

April 1st, 2023

Village of Hobart Board - Town of Lawrence Board - Police Commission

RE: Monthly Report - March 2023

Dear Members:

As we enter April - there are many things that we were able to accomplish during the month of March. Both boards approved the ability to add a therapy dog to our agency. The new puppy will be picked up on April 10th. In addition, Sgt. Tremel went to training with his new K9 partner, Jax, for patrol and narcotics work. Their training will conclude near the end of April. We are incredibly excited about the future of these two new canine partners, and the benefits they are going to bring to our communities.

During the month of March, we had a Naloxone (Narcan) Deployment, which was successful. This is only highlighted as it is important to note that our agency receives Naloxone through a grant, ensuring each officer has it in their possession.

We were able to get the Community Mapping feature created. A link on our website will be available during the month of April.

If you have any questions, please feel free to contact me.

Sincerely,

Michael Renkas
Chief of Police

Hobart-Lawrence Police Department
Monthly Report - February 2023

MONTHLY REPORT

MARCH 2023 - SNAPSHOT



| | This Month | This Month Last Year | % Change | Year to Date | Last Year to Date | % Change |
|---|------------|----------------------|----------|--------------|-------------------|----------|
| Total # of Incidents | 830 | 815 | 2% | 2875 | 2316 | 24% |
| Requests for Service | 289 | 266 | 9% | 812 | 784 | 4% |
| Officer Initiated | 541 | 549 | -1% | 2063 | 1532 | 35% |
| Citizen Contacts/ Warnings | 45 | 68 | -34% | 154 | 196 | -21% |
| Traffic Citations | 64 | 163 | -61% | 309 | 380 | -19% |
| Speeding | 13 | 50 | -74% | 56 | 110 | -49% |
| OWI | 3 | 2 | 50% | 10 | 9 | 11% |
| Ordinance Summons | 1 | 8 | -88% | 8 | 18 | -56% |
| Parking Tickets | 15 | 2 | 650% | 68 | 14 | 386% |
| Warrant Pick Ups | 0 | 1 | -100% | 3 | 6 | -50% |
| Accidents (TRAcS) | 17 | 20 | -15% | 70 | 75 | -7% |
| | This Month | This Month Last Year | % Change | Year to Date | Last Year to Date | % Change |
| District Attorney Referrals/ In-Custody | 27 | 27 | 0% | 49 | 81 | -40% |
| Juvenile Criminal Referrals | 0 | 1 | -100% | 0 | 2 | -100% |
| Emergency Detentions | 1 | 3 | -67% | 2 | 4 | -50% |
| Alcohol Holds | 0 | 0 | 0% | 0 | 0 | 0% |
| Animal Bite | 1 | 1 | 0% | 3 | 1 | 200% |

HOBART

| Call Type | Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | % Change |
|-----------------------------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|----------|
| 911 ASSIST CALL | 2022 | 12 | 4 | 11 | | | | | | | | | | 27 | - |
| | 2023 | 14 | 12 | 6 | | | | | | | | | | 32 | 18.5% |
| 911 HANG UP | 2022 | 17 | 8 | 19 | | | | | | | | | | 44 | - |
| | 2023 | 6 | 13 | 14 | | | | | | | | | | 33 | -25.0% |
| ABANDONED VEHICLE | 2022 | 2 | 0 | 0 | | | | | | | | | | 2 | - |
| | 2023 | 0 | 0 | 1 | | | | | | | | | | 1 | -50.0% |
| ACCIDENT CALL | 2022 | 8 | 15 | 13 | | | | | | | | | | 36 | - |
| | 2023 | 12 | 13 | 10 | | | | | | | | | | 35 | -2.8% |
| ACCIDENT WITH INJURY | 2022 | 0 | 1 | 2 | | | | | | | | | | 3 | - |
| | 2023 | 2 | 0 | 3 | | | | | | | | | | 5 | 66.7% |
| AIRPORT ALERT FIRE CALL | 2022 | 0 | 1 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| ALARM CALL | 2022 | 7 | 3 | 6 | | | | | | | | | | 16 | - |
| | 2023 | 4 | 4 | 3 | | | | | | | | | | 11 | -31.2% |
| ALCOHOL CALL | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 0 | 0 | 1 | | | | | | | | | | 1 | N/A |
| ANIMAL CALL | 2022 | 4 | 6 | 14 | | | | | | | | | | 24 | - |
| | 2023 | 7 | 9 | 8 | | | | | | | | | | 24 | 0.0% |
| ASSIST MOTORIST | 2022 | 27 | 13 | 18 | | | | | | | | | | 58 | - |
| | 2023 | 19 | 37 | 37 | | | | | | | | | | 93 | 60.3% |
| ASSIST OTHER LEO AGENCY | 2022 | 7 | 6 | 7 | | | | | | | | | | 20 | - |
| | 2023 | 10 | 13 | 3 | | | | | | | | | | 26 | 30.0% |
| AUTO THEFT | 2022 | 1 | 1 | 1 | | | | | | | | | | 3 | - |
| | 2023 | 1 | 0 | 0 | | | | | | | | | | 1 | -66.7% |
| BUILDING SECURITY | 2022 | 15 | 40 | 43 | | | | | | | | | | 98 | - |
| | 2023 | 70 | 62 | 37 | | | | | | | | | | 169 | 72.4% |
| BURGLARY IN PROGRESS | 2022 | 1 | 0 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| BURGLARY OVERWITH | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 1 | 0 | | | | | | | | | | 1 | 0.0% |
| CARBON MONOXIDE FIRE | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 1 | 0 | | | | | | | | | | 1 | 0.0% |
| CARBON MONOXIDE POLICE | 2022 | 0 | 1 | 1 | | | | | | | | | | 2 | - |
| | 2023 | 0 | 0 | 1 | | | | | | | | | | 1 | -50.0% |
| CIVIL MATTER | 2022 | 2 | 0 | 1 | | | | | | | | | | 3 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| CIVIL PROCESS | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 1 | 0 | 1 | | | | | | | | | | 2 | 100.0% |
| CRIME PREVENTION | 2022 | 161 | 96 | 83 | | | | | | | | | | 340 | - |
| | 2023 | 264 | 186 | 194 | | | | | | | | | | 644 | 89.4% |
| DAMAGE TO PROPERTY/CRIMINAL | 2022 | 3 | 1 | 2 | | | | | | | | | | 6 | - |
| | 2023 | 2 | 1 | 1 | | | | | | | | | | 4 | -33.3% |
| DISTURBANCE | 2022 | 5 | 6 | 7 | | | | | | | | | | 18 | - |
| | 2023 | 5 | 4 | 4 | | | | | | | | | | 13 | -27.8% |
| DRUGS CALL | 2022 | 0 | 1 | 1 | | | | | | | | | | 2 | - |
| | 2023 | 0 | 1 | 0 | | | | | | | | | | 1 | -50.0% |
| FIRE ALARM | 2022 | 5 | 3 | 2 | | | | | | | | | | 10 | - |
| | 2023 | 3 | 4 | 1 | | | | | | | | | | 8 | -20.0% |
| FLAMIBLE SPILLS/LEAKS | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 0 | 1 | 0 | | | | | | | | | | 1 | N/A |
| FRAUD CALL | 2022 | 1 | 1 | 1 | | | | | | | | | | 3 | - |
| | 2023 | 4 | 2 | 4 | | | | | | | | | | 10 | 233.3% |
| GAS LEAK FIRE CALL | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 1 | | | | | | | | | | 1 | 0.0% |
| HARASSMENT COMPLAINT | 2022 | 2 | 0 | 3 | | | | | | | | | | 5 | - |
| | 2023 | 6 | 3 | 3 | | | | | | | | | | 12 | 140.0% |

HOBART

| Call Type | Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | % Change |
|------------------------------|------|-------------|------------|-------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|----------|
| Traffic Complaint | 2022 | 25 | 36 | 63 | | | | | | | | | | 124 | - |
| | 2023 | 56 | 32 | 21 | | | | | | | | | | 109 | -12.1% |
| VEGETATION FIRE | 2022 | 0 | 0 | 4 | | | | | | | | | | 4 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| VEHICLE ACCIDENT WITH INJURY | 2022 | 0 | 0 | 2 | | | | | | | | | | 2 | - |
| | 2023 | 0 | 2 | 1 | | | | | | | | | | 3 | 50.0% |
| VEHICLE FIRE | 2022 | 0 | 1 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 1 | 0 | 1 | | | | | | | | | | 2 | 100.0% |
| VIOLATION OF COURT ORDER | 2022 | 0 | 1 | 1 | | | | | | | | | | 2 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| WARRANT PICKUP/SERVICE | 2022 | 1 | 0 | 1 | | | | | | | | | | 2 | - |
| | 2023 | 2 | 1 | 1 | | | | | | | | | | 4 | 100.0% |
| WATER PROBLEMS | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| WEAPONS CALL | 2022 | 0 | 2 | 1 | | | | | | | | | | 3 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| WELFARE CHECK | 2022 | 7 | 11 | 8 | | | | | | | | | | 26 | - |
| | 2023 | 11 | 8 | 22 | | | | | | | | | | 41 | 57.7% |
| WIRE DOWN CALL | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 1 | 1 | 0 | | | | | | | | | | 2 | N/A |
| Monthly Totals: | | 1227 | 972 | 1083 | | | | | | | | | | 3282 | |



COMMITMENT ★ INTEGRITY ★ DIGNITY ★ COMPASSION



LAWRENCE

| Call Type | Year | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | % Change |
|--------------------------------|------|------------|------------|------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|----------|
| MEDICAL/LIFT ASSIST CALL | 2022 | 0 | 0 | 2 | | | | | | | | | | 2 | - |
| | 2023 | 4 | 1 | 0 | | | | | | | | | | 5 | 150.0% |
| NOISE COMPLAINT | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 1 | 0 | 1 | | | | | | | | | | 2 | 100.0% |
| ONLY IF NO OTHER INCIDENT TYPE | 2022 | 2 | 3 | 3 | | | | | | | | | | 8 | - |
| | 2023 | 2 | 3 | 2 | | | | | | | | | | 7 | -12.5% |
| OPEN DOOR CALL | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 1 | 0 | 0 | | | | | | | | | | 1 | N/A |
| ORDINANCE VIOLATION | 2022 | 1 | 0 | 1 | | | | | | | | | | 2 | - |
| | 2023 | 2 | 1 | 3 | | | | | | | | | | 6 | 200.0% |
| PARKING VIOLATION | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 9 | 4 | 4 | | | | | | | | | | 17 | N/A |
| PRE-ALERT MEDICAL | 2022 | 36 | 22 | 19 | | | | | | | | | | 77 | - |
| | 2023 | 26 | 20 | 16 | | | | | | | | | | 62 | -19.5% |
| RECKLESS DRIVING COMPLAINT | 2022 | 14 | 15 | 23 | | | | | | | | | | 52 | - |
| | 2023 | 14 | 21 | 30 | | | | | | | | | | 65 | 25.0% |
| RESCUE ALS CALL | 2022 | 0 | 3 | 0 | | | | | | | | | | 3 | - |
| | 2023 | 2 | 1 | 1 | | | | | | | | | | 4 | 33.3% |
| Retail Theft Overwith | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 0 | 0 | 1 | | | | | | | | | | 1 | N/A |
| SCAM CALL | 2022 | 1 | 1 | 2 | | | | | | | | | | 4 | - |
| | 2023 | 3 | 0 | 1 | | | | | | | | | | 4 | 0.0% |
| SEX OFFENSES | 2022 | 1 | 0 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| SMOKE/ODOR REMOVAL | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| STRUCTURE FIRE | 2022 | 1 | 1 | 0 | | | | | | | | | | 2 | - |
| | 2023 | 1 | 0 | 1 | | | | | | | | | | 2 | 0.0% |
| SUSPICIOUS PERSON | 2022 | 1 | 0 | 1 | | | | | | | | | | 2 | - |
| | 2023 | 2 | 0 | 0 | | | | | | | | | | 2 | 0.0% |
| SUSPICIOUS SITUATIONS | 2022 | 2 | 3 | 1 | | | | | | | | | | 6 | - |
| | 2023 | 2 | 6 | 2 | | | | | | | | | | 10 | 66.7% |
| SUSPICIOUS VEHICLE | 2022 | 7 | 3 | 9 | | | | | | | | | | 19 | - |
| | 2023 | 3 | 3 | 3 | | | | | | | | | | 9 | -52.6% |
| TEST CALL | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 0 | 1 | 1 | | | | | | | | | | 2 | N/A |
| THEFT CALL | 2022 | 3 | 2 | 1 | | | | | | | | | | 6 | - |
| | 2023 | 4 | 0 | 2 | | | | | | | | | | 6 | 0.0% |
| TRAFFIC STOP | 2022 | 47 | 56 | 80 | | | | | | | | | | 183 | - |
| | 2023 | 48 | 45 | 47 | | | | | | | | | | 140 | -23.5% |
| TRESPASS CALL | 2022 | 1 | 0 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 1 | 0 | 0 | | | | | | | | | | 1 | 0.0% |
| TRUANCY CALL | 2022 | 0 | 1 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| Traffic Complaint | 2022 | 15 | 20 | 36 | | | | | | | | | | 71 | - |
| | 2023 | 28 | 18 | 16 | | | | | | | | | | 62 | -12.7% |
| VEHICLE FIRE | 2022 | 2 | 0 | 0 | | | | | | | | | | 2 | - |
| | 2023 | 2 | 0 | 1 | | | | | | | | | | 3 | 50.0% |
| VIOLATION OF COURT ORDER | 2022 | 1 | 0 | 0 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 1 | 0 | | | | | | | | | | 1 | 0.0% |
| WATER PROBLEMS | 2022 | 0 | 0 | 1 | | | | | | | | | | 1 | - |
| | 2023 | 0 | 0 | 0 | | | | | | | | | | 0 | -100.0% |
| WEAPONS CALL | 2022 | 0 | 0 | 0 | | | | | | | | | | 0 | - |
| | 2023 | 2 | 0 | 0 | | | | | | | | | | 2 | N/A |
| WELFARE CHECK | 2022 | 5 | 6 | 6 | | | | | | | | | | 17 | - |
| | 2023 | 8 | 10 | 7 | | | | | | | | | | 25 | 47.1% |
| Monthly Totals: | | 764 | 689 | 674 | | | | | | | | | | 2127 | |



Connecting and Serving Our Communities

MONTHLY REPORT

MARCH 2023 - CRASH DATA



| CRSHDATE | MUNICIPALITY | ONRDWY | ATRDWY |
|-----------|--------------|--------------------|----------------------------|
| 3/1/2023 | HOBART | 29 | TUR |
| 3/5/2023 | LAWRENCE | 41 | RAB CTH F |
| 3/7/2023 | LAWRENCE | 41 | LITTLE RAPIDS RD |
| 3/10/2023 | LAWRENCE | 41 | ORANGE LN |
| 3/10/2023 | LAWRENCE | 41 | RAB CTH F |
| 3/12/2023 | HOBART | J RIVERDALE DR | RK |
| 3/12/2023 | LAWRENCE | PARKING LOT | F SCHEURING RD |
| 3/22/2023 | HOBART | U N COUNTY LINE RD | VV TRIANGLE DR |
| 3/23/2023 | LAWRENCE | 41 | U |
| 3/26/2023 | LAWRENCE | 41 | GOLDEN GLOW RD |
| 3/26/2023 | HOBART | EB PACKERLAND DR | FLIGHTWAY DR |
| 3/27/2023 | HOBART | 29 | MILLTOWN MARLEY CONNECTION |
| 3/27/2023 | LAWRENCE | 41 | EE GRANT ST |
| 3/29/2023 | HOBART | EB PACKERLAND DR | CONRAD DR |



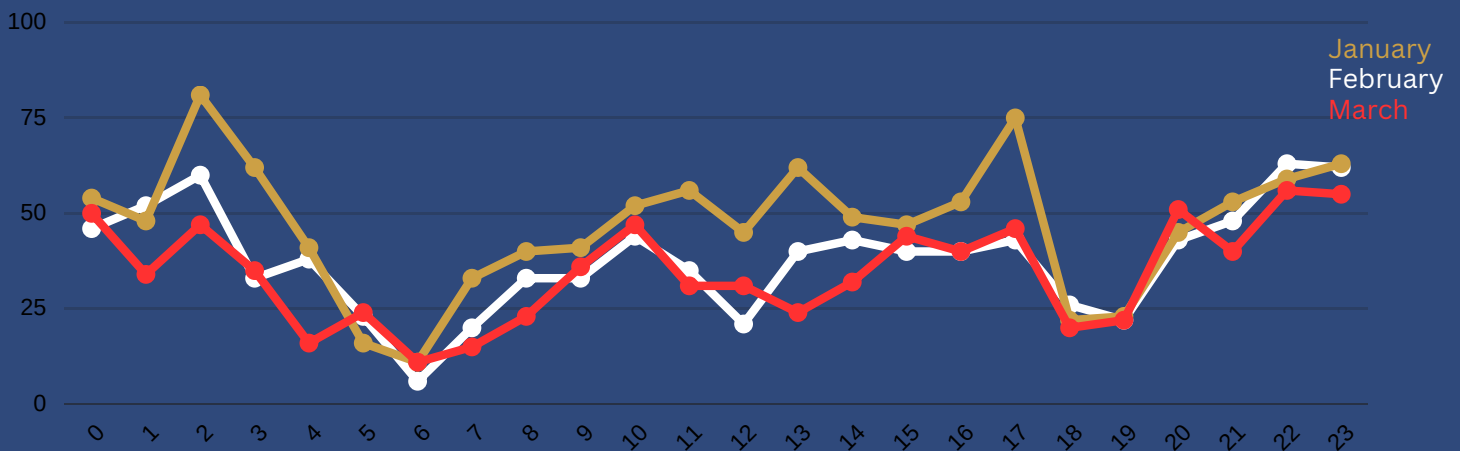
MONTHLY REPORT

FEBRUARY 2023 - CALLS BY DAY & TIME



To ensure the department has the proper resources necessary for the delivery of high quality police services to the residents of both Hobart and Lawrence, we carefully analyze a variety of workload factors for planning purposes. This includes tracking and reviewing the number of police incidents as well as when they are occurring. Calls for service can be initiated by a variety of means to include, but not limited to, officer observed, being dispatched by 911, approached in person, email correspondence, and/or social media notifications. Calls for service can vary in nature, severity, and level of resources needed to address the issue.

| <u>Hour</u> | <u>Monday</u> | <u>Tuesday</u> | <u>Wednesday</u> | <u>Thursday</u> | <u>Friday</u> | <u>Saturday</u> | <u>Sunday</u> | <u>Total</u> |
|---------------------|---------------|----------------|------------------|-----------------|---------------|-----------------|---------------|--------------|
| 00:00-00:59 | 7 | 6 | 8 | 4 | 9 | 12 | 4 | 50 |
| 01:00-01:59 | 4 | 5 | 5 | 9 | 3 | 4 | 4 | 34 |
| 02:00-02:59 | 4 | 7 | 12 | 7 | 6 | 5 | 6 | 47 |
| 03:00-03:59 | 6 | 3 | 5 | 4 | 2 | 7 | 8 | 35 |
| 04:00-04:59 | 1 | 5 | 3 | 2 | 0 | 1 | 4 | 16 |
| 05:00-05:59 | 2 | 4 | 5 | 2 | 2 | 6 | 3 | 24 |
| 06:00-06:59 | 2 | 2 | 4 | 0 | 2 | 1 | 0 | 11 |
| 07:00-07:59 | 3 | 2 | 4 | 2 | 4 | 0 | 0 | 15 |
| 08:00-08:59 | 9 | 1 | 5 | 3 | 1 | 3 | 1 | 23 |
| 09:00-09:59 | 6 | 6 | 3 | 6 | 8 | 5 | 2 | 36 |
| 10:00-10:59 | 4 | 11 | 10 | 5 | 4 | 6 | 7 | 47 |
| 11:00-11:59 | 2 | 6 | 5 | 6 | 3 | 6 | 3 | 31 |
| 12:00-12:59 | 2 | 3 | 8 | 7 | 2 | 6 | 3 | 31 |
| 13:00-13:59 | 3 | 4 | 5 | 4 | 3 | 5 | 0 | 24 |
| 14:00-14:59 | 8 | 5 | 7 | 4 | 4 | 3 | 1 | 32 |
| 15:00-15:59 | 2 | 4 | 6 | 6 | 10 | 14 | 2 | 44 |
| 16:00-16:59 | 5 | 4 | 10 | 5 | 9 | 3 | 4 | 40 |
| 17:00-17:59 | 10 | 4 | 12 | 8 | 6 | 1 | 5 | 46 |
| 18:00-18:59 | 4 | 2 | 1 | 3 | 2 | 4 | 4 | 20 |
| 19:00-19:59 | 3 | 3 | 1 | 4 | 5 | 1 | 5 | 22 |
| 20:00-20:59 | 6 | 6 | 5 | 10 | 10 | 7 | 7 | 51 |
| 21:00-21:59 | 8 | 5 | 3 | 6 | 10 | 6 | 2 | 40 |
| 22:00-22:59 | 5 | 8 | 8 | 6 | 11 | 13 | 5 | 56 |
| 23:00-23:59 | 7 | 6 | 12 | 8 | 10 | 6 | 6 | 55 |
| Total by Day | 113 | 112 | 147 | 121 | 126 | 125 | 86 | 830 |



MONTHLY REPORT

MARCH 2023 - INVESTIGATIONS



| CASE TYPE | DETAILS | OUTCOME |
|-----------------|-----------|-----------------|
| Theft | 23-502084 | • Investigation |
| Theft | 23-502145 | • Investigation |
| Fraud | 23-502161 | • Investigation |
| Theft | 23-502230 | • Investigation |
| Theft | 23-502233 | • Investigation |
| Burglary | 23-502336 | • Investigation |
| Theft | 23-502357 | • Investigation |
| Fraud | 23-502603 | • Investigation |
| Criminal Damage | 23-502748 | • Investigation |
| Forgery | 23-502773 | • Investigation |
| Theft | 23-502799 | • Investigation |

MONTHLY REPORT

MARCH 2023 - CODE ENFORCEMENT
HLPD ASSISTS

| LOCATION | DETAILS | OUTCOME |
|----------|---------------|---------|
| Lawrence | None Reported | N/A |
| Hobart | None Reported | N/A |

MONTHLY REPORT

MARCH 2023 - ADMINISTRATIVE



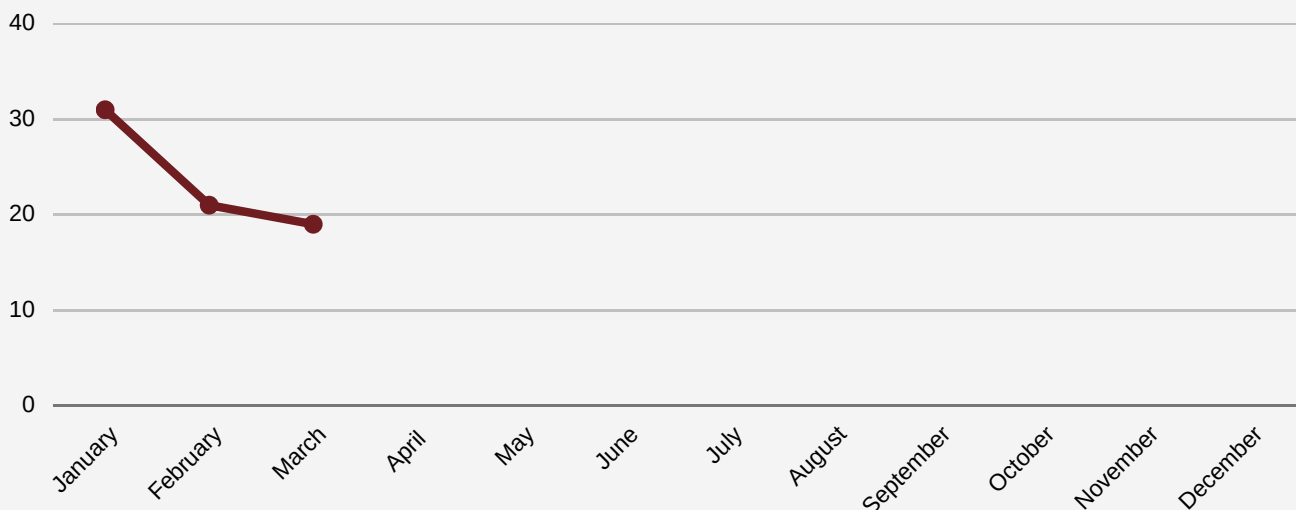
The administrative division of the police department consists of the Chief of Police, Captain (Vacant in February), and Administrative Assistant.

Managing the department budget, schedule, officer training, and writing policies and procedures are just a few of the tasks that the Chief of Police and Captain conduct.

Our Administrative Assistant is typically our first point of contact with our citizens either in the lobby or by phone. One of her primary tasks include fulfilling records request, ensuring quality reports, and distributing reports as needed. Abiding to State of Wisconsin records laws, we disperse reports to those who request copies. These again are just a few of the tasks that are required of her.

| AMOUNT | ACTIVITY |
|--------|--|
| 19 | • Open Record Requests |
| 5 | • Bartender Applications |
| 2 | • Successor Agent Liquor License Application |
| 1 | • Special Event Permit |

OPEN RECORDS REQUEST



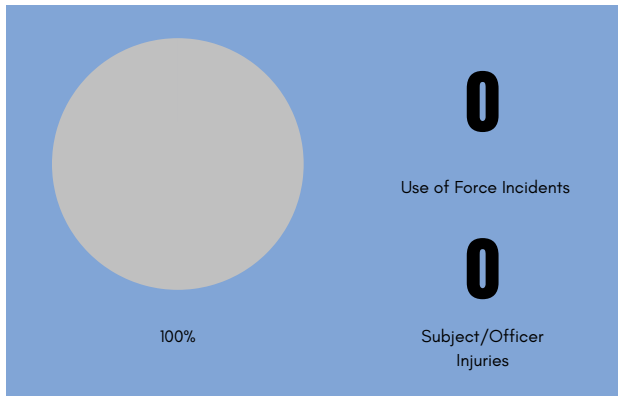
MONTHLY REPORT

MARCH 2023 - ACCOUNTABILITY



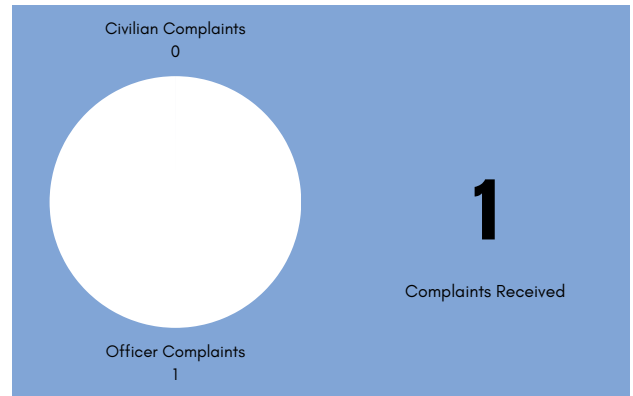
The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their legitimate duties. The Hobart-Lawrence Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests. Our Use of Force Policy is available online - <https://www.hobart-wi.org/police-resources>.

USE OF FORCE



There were no use of force incidents during the month of March.

COMPLAINTS



HLPD is committed to transparency and accountability while improving community confidence. Tracking and reporting complaints is a measure to meet those goals.

This chart will track any allegation of serious and/or minor misconduct that is reported against any employee - either civilian or sworn.

There was one reported officer complaint during the month of March. This complaint was an allegation of serious misconduct - as it was alleged an officer shared sensitive information that was beyond the scope of their authority.

A supervisor inquiry was conducted. During the inquiry the complainant admitted the allegation against the officer was made up - As such, the officer was exonerated.

MONTHLY REPORT

MARCH 2023 - TRAINING



TRAINING ACTIVITY

- Department In-Service - Less-Lethal / Taser & Act 75
- Sergeant Tremel - K9 Training
- SRO Manning - Threat Assessment Training
- Day Shift - Motor Vehicle Enforcement (State Patrol Provided)
- Officer Radke - Red Dot Instructor Course
- Officer Stary - PBT Certification Course
- Drone Training - Selected Drone Pilots

MONTHLY REPORT

MARCH 2023 - CONCLUSION

The Hobart-Lawrence Police Department is committed to providing high quality, professional police services to the residents, business owners, and visitors to both the Village of Hobart and the Town of Lawrence. Hopefully, the information contained in this report demonstrates we are achieving that goal. Should this report generate any questions or concerns, we would be happy to answer them.

V I L L A G E O F
HOBART
 GREATNESS IS GROWING
MEMORANDUM

TO: Village Board
FROM: Aaron Kramer, Village Administrator
RE: Village Investment Portfolio
DATE: April 18, 2023

| INVESTMENTS | |
|--------------------|-------------------------|
| LOCATION | TOTAL |
| Associated Bank: | \$ 6,628,829.50 |
| ADM: | \$ 2,645,217.04 |
| PMA: | \$ 1,195,833.56 |
| WI LGIP: | \$ 2,200,896.72 |
| TOTAL: | \$ 12,670,776.82 |

| Associated Bank | |
|------------------------|-----------------|
| NAME | TOTAL |
| Checking | \$ 250,045.40 |
| Sweep | \$ 6,378,784.10 |

| PMA | |
|---------------------------|---------------|
| NAME | TOTAL |
| Debt Service | \$ 148,435.45 |
| Taxable | \$ 34,972.78 |
| Southwind - TID No. 2 | \$ 13,515.78 |
| 2021 Bond Issue #1 | \$ 79.01 |
| 2021 Bond Issue #2 | \$ 32,728.56 |
| GO Prom Notes Series 2022 | \$ 891,995.30 |
| Fire Station | \$ 39,056.23 |
| Gateway Estates | \$ 35,050.45 |

| LGIP | |
|-----------------------------|-----------------|
| NAME | TOTAL |
| General (State Aid/Revenue) | \$ 1,457,644.02 |
| Sewer Replacement (CMAR) | \$ 129,848.91 |
| Escrow (ARPA) | \$ 613,403.79 |

| ADM | |
|-----------------|---------------|
| NAME | TOTAL |
| General Account | \$ 255,229.38 |

| | | |
|-----------------------|----|------------|
| Water Fund | \$ | 249,682.96 |
| Capital Projects Fund | \$ | 598,400.38 |
| Debt Service Fund | \$ | 99,555.11 |
| Storm Water Fund | \$ | 499,112.68 |
| TID #1 Fund | \$ | 744,336.07 |
| TID #2 Fund | \$ | 198,900.46 |

4/12/2023

4:39 PM

Budget Comparison - Detail

Page: 1
ACCT

Fund: 001 - General Fund

| Account Number | | 2022 Actual 12/31/2022 | 2023 Actual 04/12/2023 | 2023 Budget | Budget Status | % of Budget |
|--------------------------------------|--------------------------------|------------------------------|------------------------------|---------------------|--------------------|----------------|
| 001-00-41110-000-000 | Gen Prop Tax Real Estate Coll | 1,998,173.26 | 2,070,872.22 | 2,070,873.00 | -0.78 | 100.00 |
| 001-00-41150-000-000 | Managed Forest Crop | 75.37 | 75.37 | 75.37 | 0.00 | 100.00 |
| 001-00-41700-000-000 | Ag Use Penalty | 9,201.48 | 0.00 | 500.00 | -500.00 | 0.00 |
| 001-00-41800-000-000 | Interest on Taxes | 2,499.52 | 622.83 | 2,000.00 | -1,377.17 | 31.14 |
| 001-00-41901-000-000 | Payment in Lieu of Taxes - Wtr | 62,674.00 | 15,668.49 | 68,772.96 | -53,104.47 | 22.78 |
| TAXES | | 2,072,623.63 | 2,087,238.91 | 2,142,221.33 | -54,982.42 | 97.43 |
| 001-00-42001-000-000 | Pass Through Payments | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Special Assessments | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-43210-000-000 | Police Department Grant | 17,645.93 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-43211-000-000 | Fire Department Grant | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-43400-000-000 | State Shared Revenue | 63,058.63 | 0.00 | 63,058.59 | -63,058.59 | 0.00 |
| 001-00-43410-000-000 | PERS. PROP STATE AID | 10,854.58 | 0.00 | 10,854.48 | -10,854.48 | 0.00 |
| 001-00-43420-000-000 | 2% Fire Dues | 47,913.92 | 0.00 | 47,000.00 | -47,000.00 | 0.00 |
| 001-00-43430-000-000 | Exempt Computer Aid | 1,730.37 | 0.00 | 1,730.37 | -1,730.37 | 0.00 |
| 001-00-43440-000-000 | Video Service Provider Aid | 19,153.48 | 0.00 | 19,153.48 | -19,153.48 | 0.00 |
| 001-00-43530-000-000 | State LRIP Grant | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-43531-000-000 | State Transportation Aids | 404,138.60 | 116,189.84 | 464,759.39 | -348,569.55 | 25.00 |
| 001-00-43536-000-000 | State Disaster Funds | 0.00 | 62,865.06 | 0.00 | 62,865.06 | 0.00 |
| 001-00-43545-000-000 | DNR Recycling Grant - Received | 18,602.79 | 0.00 | 18,602.79 | -18,602.79 | 0.00 |
| INTERGOVERNMENTAL REVENUES | | 583,098.30 | 179,054.90 | 625,159.10 | -446,104.20 | 28.64 |
| 001-00-44000-000-000 | Licenses & Permits | 5,370.87 | 576.66 | 5,000.00 | -4,423.34 | 11.53 |
| 001-00-44110-000-000 | Liquor Licenses | 13,235.00 | 0.00 | 3,000.00 | -3,000.00 | 0.00 |
| 001-00-44111-000-000 | Liquor License Legal Ad | 25.00 | 0.00 | 25.00 | -25.00 | 0.00 |
| 001-00-44120-000-000 | Cigarette Licenses | 200.00 | 0.00 | 100.00 | -100.00 | 0.00 |
| 001-00-44121-000-000 | Franchise Fees / Cable Televis | 39,724.29 | 10,565.09 | 37,000.00 | -26,434.91 | 28.55 |
| 001-00-44130-000-000 | Operators & Background Checks | 1,309.85 | 271.00 | 1,250.00 | -979.00 | 21.68 |
| 001-00-44200-000-000 | Dog License & County Refund | 4,345.85 | 3,980.00 | 4,000.00 | -20.00 | 99.50 |
| 001-00-44300-000-000 | Building Permits & Insp Fees | 82,332.75 | 47,282.00 | 60,000.00 | -12,718.00 | 78.80 |
| 001-00-44301-000-000 | State Seals Collected | 1,944.80 | -350.86 | 1,000.00 | -1,350.86 | -35.09 |
| 001-00-44302-000-000 | Administrative Fee for Permits | 7,550.00 | 2,700.00 | 4,000.00 | -1,300.00 | 67.50 |
| 001-00-44304-000-000 | Erosion Control Fee | 4,326.00 | 2,001.00 | 2,500.00 | -499.00 | 80.04 |
| 001-00-44305-000-000 | Security Deposit - Bldg Permit | 3,000.00 | -1,000.00 | 2,500.00 | -3,500.00 | -40.00 |
| 001-00-44400-000-000 | Zone - Cond Use - Variance Fee | 1,600.00 | 1,125.00 | 1,000.00 | 125.00 | 112.50 |
| 001-00-44402-000-000 | CSM & Plat Fees | 2,375.00 | 775.00 | 1,000.00 | -225.00 | 77.50 |
| 001-00-44900-000-000 | Site Review Permit & Fees | 600.00 | 300.00 | 500.00 | -200.00 | 60.00 |
| 001-00-44940-000-000 | Reimbursements paid to Village | 11,615.87 | 240.73 | 0.00 | 240.73 | 0.00 |
| 001-00-44950-000-000 | Quarry & Other Permits & Fees | 6,985.00 | 1,885.00 | 4,000.00 | -2,115.00 | 47.13 |
| 001-00-44960-000-000 | GIS Permits | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Licenses & Permits | | 186,540.28 | 70,350.62 | 126,875.00 | -56,524.38 | 55.45 |
| 001-00-45100-000-000 | Dog license Late Fees | 530.00 | 10.00 | 200.00 | -190.00 | 5.00 |
| FINES, FORFEITS AND PENALTIES | | 530.00 | 10.00 | 200.00 | -190.00 | 5.00 |
| 001-00-46100-000-000 | Gen Govt Charge for Service | 9,031.01 | 1,925.00 | 4,000.00 | -2,075.00 | 48.13 |
| 001-00-46210-000-000 | Hobart portion Court Fees | 74,976.13 | 20,542.53 | 80,000.00 | -59,457.47 | 25.68 |
| 001-00-46211-000-000 | Reimbursement from Lawrence | 581,404.66 | 117,245.51 | 634,364.93 | -517,119.42 | 18.48 |
| 001-00-46212-000-000 | W DeP & Pul Sch Liason Pmnts | 81,178.98 | 27,059.66 | 89,329.22 | -62,269.56 | 30.29 |

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Fund: 001 - General Fund

| Account Number | | 2022 Actual 12/31/2022 | 2023 Actual 04/12/2023 | 2023 Budget | Budget Status | % of Budget |
|--------------------------------------|--------------------------------|------------------------------|------------------------------|---------------------|----------------------|----------------|
| 001-00-46213-000-000 | Hobart Portion Parking Tickets | 0.00 | 2,153.34 | 0.00 | 2,153.34 | 0.00 |
| 001-00-46220-000-000 | Fire Calls on Roads | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-46420-000-000 | Garb/Recyc Special Chg - Admin | 419,209.52 | 431,299.52 | 431,239.52 | 60.00 | 100.01 |
| 001-00-46744-000-000 | Tower & Land Rental Fees | 0.29 | 0.00 | 30,000.00 | -30,000.00 | 0.00 |
| PUBLIC CHARGES FOR SERVICES | | 1,165,800.59 | 600,225.56 | 1,268,933.67 | -668,708.11 | 47.30 |
| 001-00-47001-000-000 | Late Charges on Invoices | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| INTERGOV'T. CHARGES FOR SERV. | | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-48110-000-000 | Interest on Accounts | 41,492.57 | 55,355.22 | 10,000.00 | 45,355.22 | 553.55 |
| MISCELLANEOUS REVENUES | | 41,492.57 | 55,355.22 | 10,000.00 | 45,355.22 | 553.55 |
| 001-00-49002-000-000 | Transfer from Water Fund | 0.00 | 0.00 | 150,988.60 | -150,988.60 | 0.00 |
| 001-00-49003-000-000 | Transfer from Sewer Fund | 40,000.00 | 40,000.00 | 227,384.21 | -187,384.21 | 17.59 |
| 001-00-49007-000-000 | Transfer from Storm Water Fund | 0.00 | 0.00 | 144,535.59 | -144,535.59 | 0.00 |
| 001-00-49008-000-000 | Transfer from TID#1 | 0.00 | 0.00 | 29,576.11 | -29,576.11 | 0.00 |
| 001-00-49009-000-000 | Transfer from TID#2 | 0.00 | 0.00 | 29,576.11 | -29,576.11 | 0.00 |
| 001-00-49020-000-000 | Street Lighting | 63,614.71 | 70,461.00 | 70,637.57 | -176.57 | 99.75 |
| 001-00-49027-000-000 | Lighting Admin Fee | 3,348.14 | 3,708.47 | 3,717.77 | -9.30 | 99.75 |
| Transfer from San Sewer | | 106,962.85 | 114,169.47 | 656,415.96 | -542,246.49 | 17.39 |
| Total Revenues | | 4,157,048.22 | 3,106,404.68 | 4,829,805.06 | -1,723,400.38 | 64.32 |

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Fund: 001 - General Fund

| Account Number | | 2022 Actual 12/31/2022 | 2023 Actual 04/12/2023 | 2023 Budget | Budget Status | % of Budget |
|----------------------|--------------------------------|------------------------------|------------------------------|----------------|------------------|----------------|
| 001-00-51100-001-000 | Village Board Salary / Wage | 44,505.50 | 12,115.56 | 45,000.00 | 32,884.44 | 26.92 |
| 001-00-51100-004-000 | Village Board Fica / Med | 3,470.30 | 926.70 | 3,443.00 | 2,516.30 | 26.92 |
| 001-00-51100-006-000 | Village Board Supplies | 658.39 | 0.00 | 600.00 | 600.00 | 0.00 |
| 001-00-51100-011-000 | Village board Ed / Conf / Trav | 6,193.39 | 0.00 | 2,000.00 | 2,000.00 | 0.00 |
| 001-00-51200-001-001 | Judge Salary / Wage | 8,415.75 | 2,100.00 | 8,400.00 | 6,300.00 | 25.00 |
| 001-00-51200-001-002 | Court Clerk Salary / Wage | 35,504.85 | 8,203.83 | 33,450.00 | 25,246.17 | 24.53 |
| 001-00-51200-003-002 | Municipal Court - Clerk WRS | 752.19 | 602.59 | 2,274.60 | 1,672.01 | 26.49 |
| 001-00-51200-004-001 | Municipal Ct - Judge Fica/Med | 643.81 | 160.65 | 642.60 | 481.95 | 25.00 |
| 001-00-51200-004-002 | Municipal Ct - Clerk Fica/Med | 2,661.10 | 677.90 | 2,558.93 | 1,881.03 | 26.49 |
| 001-00-51200-005-002 | Municipal Court - Fringe Bene | 3,898.75 | 11.91 | 0.00 | -11.91 | 0.00 |
| 001-00-51200-006-000 | Municipal Court - Supplies | 3,515.04 | 7,200.56 | 11,205.00 | 4,004.44 | 64.26 |
| 001-00-51200-007-000 | Municipal Court - Tech | 345.75 | 375.00 | 0.00 | -375.00 | 0.00 |
| 001-00-51200-011-000 | Municipal Court - Ed/Conf/Trav | 1,695.70 | 745.00 | 2,600.00 | 1,855.00 | 28.65 |
| 001-00-51200-018-000 | Municipal Ct - Detention Fees | 266.85 | 120.00 | 500.00 | 380.00 | 24.00 |
| 001-00-51200-059-000 | Municipal Court Atty | 24,383.89 | 6,055.40 | 27,500.00 | 21,444.60 | 22.02 |
| 001-00-51300-059-000 | General Legal Expenses | 76,237.04 | 26,614.63 | 120,000.00 | 93,385.37 | 22.18 |
| 001-00-51410-001-000 | Administrator Salary / Wage | 39,474.49 | 11,860.23 | 122,190.00 | 110,329.77 | 9.71 |
| 001-00-51410-003-000 | Administrator - WRS | 2,616.46 | 806.64 | 8,308.92 | 7,502.28 | 9.71 |
| 001-00-51410-004-000 | Administrator - Fica / Med | 2,880.01 | 851.34 | 9,347.54 | 8,496.20 | 9.11 |
| 001-00-51410-005-000 | Administrator Fringe Bene | 7,683.14 | 2,749.80 | 29,168.90 | 26,419.10 | 9.43 |
| 001-00-51410-006-000 | Administrator - Supplies | 500.00 | 144.94 | 500.00 | 355.06 | 28.99 |
| 001-00-51410-011-000 | Administrator - Ed/Conf/Trav | 372.31 | 253.76 | 500.00 | 246.24 | 50.75 |
| 001-00-51415-006-000 | Econ. Dev - Marketing Supply | 3,197.51 | 4,834.00 | 5,000.00 | 166.00 | 96.68 |
| 001-00-51415-082-000 | Economic Dev - Plan & Engineer | 21,949.75 | 0.00 | 17,500.00 | 17,500.00 | 0.00 |
| 001-00-51415-104-000 | Subscription/Events/Programs | 16,821.75 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-51420-001-000 | Clerk-Treasur Off - Sal / Wage | 82,016.16 | 22,978.29 | 160,629.84 | 137,651.55 | 14.31 |
| 001-00-51420-003-000 | Clerk-Treasurer - WRS | 5,341.52 | 1,623.61 | 7,581.59 | 5,957.98 | 21.42 |
| 001-00-51420-004-000 | Clerk-Treasurer - FICA / MED | 7,320.16 | 2,031.56 | 12,288.19 | 10,256.63 | 16.53 |
| 001-00-51420-005-000 | Clerk-Treasure Fringe Benefits | 23,861.85 | 2,863.13 | 18,864.13 | 16,001.00 | 15.18 |
| 001-00-51420-006-000 | Clerk-Treasurer Supplies | 0.00 | 3,902.86 | 0.00 | -3,902.86 | 0.00 |
| 001-00-51420-008-000 | Clerk-Treasurer - Legal Ads | 1,732.61 | 155.03 | 1,750.00 | 1,594.97 | 8.86 |
| 001-00-51420-011-000 | Clerk-Treasur Ed / Conf / Trav | 1,642.83 | 629.00 | 300.00 | -329.00 | 209.67 |
| 001-00-51420-014-000 | Clerk-Treasur Outside Services | 0.00 | 1,874.26 | 14,000.00 | 12,125.74 | 13.39 |
| 001-00-51420-037-000 | Gen Office Unemployment | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-51422-006-000 | Gen Office Supply | 17,737.38 | 1,568.43 | 17,500.00 | 15,931.57 | 8.96 |
| 001-00-51422-007-000 | All Phones | 16,997.40 | 2,298.47 | 18,000.00 | 15,701.53 | 12.77 |
| 001-00-51422-041-000 | Info / Tech Internet Charges | 8,477.98 | 1,845.00 | 9,000.00 | 7,155.00 | 20.50 |
| 001-00-51422-042-000 | Info / Tech - Computer Support | 14,875.20 | 9,963.66 | 14,000.00 | 4,036.34 | 71.17 |
| 001-00-51423-049-000 | GIS Maintenance | 26,948.50 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-51425-014-000 | Tribal Affairs Outside Service | 13,000.00 | 3,000.00 | 12,000.00 | 9,000.00 | 25.00 |
| 001-00-51440-001-000 | Elections Pollworkers Wage | 7,887.22 | 1,418.50 | 5,000.00 | 3,581.50 | 28.37 |
| 001-00-51440-006-000 | Elections - Supplies | 13,427.96 | 5,691.19 | 7,500.00 | 1,808.81 | 75.88 |
| 001-00-51510-009-000 | Audit | -3,365.37 | 9,213.35 | 8,000.00 | -1,213.35 | 115.17 |
| 001-00-51520-006-000 | Treasurer - Supplies | 10,037.96 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-51520-014-000 | Treasurer - Outside Services | 17,571.46 | 787.50 | 0.00 | -787.50 | 0.00 |
| 001-00-51530-014-000 | Assessor - Outside Services | 38,420.77 | 11,640.00 | 38,000.00 | 26,360.00 | 30.63 |
| 001-00-51600-001-000 | Building / Plant - Wage | 8,120.44 | 949.68 | 3,800.00 | 2,850.32 | 24.99 |
| 001-00-51600-003-000 | Building / Plant WRS | 238.85 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-51600-004-000 | Building / Plant - FICA / MED | 312.17 | 13.76 | 290.00 | 276.24 | 4.74 |
| 001-00-51600-005-000 | Building / Plant - Fringe Bene | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-51600-006-000 | Building / Plant - Supplies | 2,210.35 | 564.47 | 2,500.00 | 1,935.53 | 22.58 |
| 001-00-51600-015-000 | Building / Plant - New Equip | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

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Fund: 001 - General Fund

| Account Number | | 2022 Actual 12/31/2022 | 2023 Actual 04/12/2023 | 2023 Budget | Budget Status | % of Budget |
|---------------------------|--------------------------------|------------------------------|------------------------------|-------------------|-------------------|----------------|
| 001-00-51600-039-000 | Building / Plant - Maintenance | 5,530.28 | 4,135.59 | 5,000.00 | 864.41 | 82.71 |
| 001-00-51600-040-000 | Building / Plant - Utilities | 26,730.64 | 10,790.43 | 35,000.00 | 24,209.57 | 30.83 |
| 001-00-51910-096-000 | Tax Adjustments | -1,376.28 | 583.55 | 1,000.00 | 416.45 | 58.36 |
| 001-00-51930-026-000 | Insurance - Work Comp | 2,282.79 | 3,827.81 | 2,500.00 | -1,327.81 | 153.11 |
| 001-00-51930-030-000 | Insurance - Liability | 8,505.09 | 9,000.00 | 9,000.00 | 0.00 | 100.00 |
| 001-00-51930-031-000 | Insurance - Property | 0.00 | 2,944.00 | 3,000.00 | 56.00 | 98.13 |
| 001-00-51930-032-000 | Insurance - Auto | 412.09 | 474.00 | 500.00 | 26.00 | 94.80 |
| 001-00-51930-033-000 | Insurance - Health Reimburse | 12,298.06 | 2,373.85 | 13,005.00 | 10,631.15 | 18.25 |
| 001-00-51930-049-000 | Insurance - Life | 838.39 | 223.38 | 900.00 | 676.62 | 24.82 |
| GENERAL GOVERNMENT | | 678,678.18 | 206,774.80 | 873,598.24 | 666,823.44 | 23.67 |
| 001-00-52100-001-000 | Police - Salary / Wage | 1,061,547.77 | 285,671.33 | 1,164,852.26 | 879,180.93 | 24.52 |
| 001-00-52100-001-001 | Police - Overtime | 32,003.89 | 950.25 | 40,000.00 | 39,049.75 | 2.38 |
| 001-00-52100-001-002 | PT -Salary / Wage | 0.00 | 5,846.40 | 0.00 | -5,846.40 | 0.00 |
| 001-00-52100-003-000 | Police - WRS | 114,961.05 | 40,262.23 | 153,322.77 | 113,060.54 | 26.26 |
| 001-00-52100-004-000 | Police - FICA / MED | 79,699.26 | 23,768.56 | 92,171.19 | 68,402.63 | 25.79 |
| 001-00-52100-005-000 | Police - Fringe Bene | 227,655.65 | 64,640.87 | 213,251.67 | 148,610.80 | 30.31 |
| 001-00-52100-006-000 | Police - Supplies | 9,103.70 | 1,994.56 | 10,500.00 | 8,505.44 | 19.00 |
| 001-00-52100-007-000 | Police - Phone & Tech Support | 44,050.00 | 32,376.04 | 50,000.00 | 17,623.96 | 64.75 |
| 001-00-52100-008-000 | Police - Blood Draws | 2,920.47 | 540.22 | 1,500.00 | 959.78 | 36.01 |
| 001-00-52100-011-000 | Police - Ed / Conf / Travel | 4,368.30 | 587.95 | 8,000.00 | 7,412.05 | 7.35 |
| 001-00-52100-015-000 | Police - New Equipment | 2,135.00 | 16.49 | 2,000.00 | 1,983.51 | 0.82 |
| 001-00-52100-016-000 | Police - Fuel | 52,453.35 | 8,131.35 | 44,000.00 | 35,868.65 | 18.48 |
| 001-00-52100-019-000 | Police - WDC | 18,040.42 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-52100-021-000 | Police - Vehicle Maint | 18,567.02 | 3,488.94 | 30,000.00 | 26,511.06 | 11.63 |
| 001-00-52100-026-000 | Police - Workers Comp | 40,329.29 | 46,327.82 | 45,000.00 | -1,327.82 | 102.95 |
| 001-00-52100-028-000 | Police - Uniform Expense | 8,864.14 | 2,266.70 | 9,000.00 | 6,733.30 | 25.19 |
| 001-00-52100-030-000 | Police - Liability Ins | 3,949.15 | 6,137.00 | 4,500.00 | -1,637.00 | 136.38 |
| 001-00-52100-031-000 | Police - Property Ins | 0.00 | 600.00 | 600.00 | 0.00 | 100.00 |
| 001-00-52100-032-000 | Police - Auto Insurance | 2,023.66 | 2,500.00 | 2,500.00 | 0.00 | 100.00 |
| 001-00-52100-033-000 | Police - Health Reimbursement | 15,004.19 | 5,579.61 | 26,595.00 | 21,015.39 | 20.98 |
| 001-00-52100-066-000 | Police - Ammunition / Weapons | 5,058.33 | 0.00 | 4,500.00 | 4,500.00 | 0.00 |
| 001-00-52100-076-000 | Police - Crime Prevention | 972.83 | 0.00 | 1,000.00 | 1,000.00 | 0.00 |
| 001-00-52200-001-000 | Fire - Salary / Wage | 102,833.05 | 3,729.72 | 87,000.00 | 83,270.28 | 4.29 |
| 001-00-52200-004-000 | Fire - FICA / MED | 5,823.89 | 1,558.76 | 6,100.00 | 4,541.24 | 25.55 |
| 001-00-52200-005-000 | Fire - Fringe Bene | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-52200-006-000 | Fire - Supplies | 5,026.31 | 98.01 | 7,000.00 | 6,901.99 | 1.40 |
| 001-00-52200-007-000 | Fire - Phone & Tech Support | 0.00 | 374.04 | 0.00 | -374.04 | 0.00 |
| 001-00-52200-011-000 | Fire - Ed / Conf / Travel | 3,125.33 | 985.00 | 3,000.00 | 2,015.00 | 32.83 |
| 001-00-52200-013-000 | Fire - Lunch | 5,155.99 | 0.00 | 5,000.00 | 5,000.00 | 0.00 |
| 001-00-52200-015-000 | Fire - New Equipment | 11,234.03 | 4,585.07 | 10,000.00 | 5,414.93 | 45.85 |
| 001-00-52200-016-000 | Fire - Fuel | 7,078.09 | 980.14 | 9,000.00 | 8,019.86 | 10.89 |
| 001-00-52200-020-000 | Fire - Physicals | 3,442.00 | 0.00 | 3,500.00 | 3,500.00 | 0.00 |
| 001-00-52200-021-000 | Fire - Vehicle Maint | 13,216.53 | 2,295.33 | 17,500.00 | 15,204.67 | 13.12 |
| 001-00-52200-026-000 | Fire - Workers Comp | 6,848.37 | 6,848.37 | 6,848.37 | 0.00 | 100.00 |
| 001-00-52200-028-000 | Fire - Uniform Expense | 3,263.95 | 69.50 | 4,000.00 | 3,930.50 | 1.74 |
| 001-00-52200-030-000 | Fire - Liability Ins | 2,815.92 | 3,000.00 | 3,000.00 | 0.00 | 100.00 |
| 001-00-52200-031-000 | Fire - Property Ins | 0.00 | 1,500.00 | 1,500.00 | 0.00 | 100.00 |
| 001-00-52200-032-000 | Fire - Automobile Ins | 7,554.90 | 8,000.00 | 8,000.00 | 0.00 | 100.00 |
| 001-00-52200-038-000 | Fire - Hydrant Rental | 223,034.00 | 55,758.51 | 223,034.00 | 167,275.49 | 25.00 |
| 001-00-52200-039-000 | Fire - Station Maintenance | 5,584.19 | 2,373.30 | 7,000.00 | 4,626.70 | 33.90 |
| 001-00-52200-050-000 | Fire - Equipment Repair | 3,935.80 | 715.00 | 8,000.00 | 7,285.00 | 8.94 |

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Budget Comparison - Detail

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ACCT

Fund: 001 - General Fund

| Account Number | | 2022 Actual 12/31/2022 | 2023 Actual 04/12/2023 | 2023 Budget | Budget Status | % of Budget |
|----------------------|--------------------------------|------------------------------|------------------------------|---------------------|---------------------|----------------|
| 001-00-52200-067-000 | Fire - 2% Fire Expenses | 46,317.02 | 1,610.28 | 47,000.00 | 45,389.72 | 3.43 |
| 001-00-52300-023-000 | Ambulance | 126,671.27 | 0.00 | 143,029.04 | 143,029.04 | 0.00 |
| 001-00-52310-001-000 | First Responders - Salary/Wage | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-52400-001-000 | Plan & Code - Salary / Wage | 69,917.66 | 19,094.00 | 93,381.73 | 74,287.73 | 20.45 |
| 001-00-52400-003-000 | Plan & Code - WRS | 4,633.80 | 1,367.73 | 6,349.96 | 4,982.23 | 21.54 |
| 001-00-52400-004-000 | Plan & Code - FICA / MED | 5,060.64 | 1,422.82 | 7,143.71 | 5,720.89 | 19.92 |
| 001-00-52400-005-000 | Plan & Code - Fringe Bene | 17,437.12 | 6,555.78 | 30,420.51 | 23,864.73 | 21.55 |
| 001-00-52400-006-000 | Plan & Code - Supplies | 1,728.53 | 193.40 | 1,500.00 | 1,306.60 | 12.89 |
| 001-00-52400-011-000 | Plan & Code - Ed / Conf / Tra | 775.00 | 720.00 | 900.00 | 180.00 | 80.00 |
| 001-00-52400-014-000 | Plan & Code Outside Services | 0.00 | 5,435.00 | 5,435.00 | 0.00 | 100.00 |
| 001-00-52400-016-000 | Plan & Code - Fuel | 736.05 | 93.84 | 800.00 | 706.16 | 11.73 |
| 001-00-52400-021-000 | Plan & Code - Vehicle Maint | 733.48 | 0.00 | 200.00 | 200.00 | 0.00 |
| PUBLIC SAFETY | | 2,427,690.39 | 661,049.92 | 2,648,935.21 | 1,987,885.29 | 24.96 |
| 001-00-53100-001-001 | DPW - Overtime | 12,160.48 | 9,229.27 | 16,000.00 | 6,770.73 | 57.68 |
| 001-00-53100-001-003 | DPW - Admin Salary Wage | 7,648.47 | 6,285.37 | 93,382.73 | 87,097.36 | 6.73 |
| 001-00-53100-001-004 | DPW - Labor Salary / Wage | 118,696.17 | 25,484.68 | 273,913.60 | 248,428.92 | 9.30 |
| 001-00-53100-001-009 | DPW - PT-Seasonal | 16,386.71 | 1,079.63 | 30,000.00 | 28,920.37 | 3.60 |
| 001-00-53100-003-003 | DPW - Admin WRS | 2,468.91 | 427.36 | 6,350.03 | 5,922.67 | 6.73 |
| 001-00-53100-003-004 | DPW - Labor WRS | 10,183.09 | 2,850.89 | 18,626.12 | 15,775.23 | 15.31 |
| 001-00-53100-003-005 | DPW - Recy Coord WRS | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-53100-004-003 | DPW - Admin Fica / Med | 2,789.54 | 461.69 | 7,143.78 | 6,682.09 | 6.46 |
| 001-00-53100-004-004 | DPW - Labor Fica / Med | 14,236.46 | 2,916.34 | 23,249.40 | 20,333.06 | 12.54 |
| 001-00-53100-004-005 | DPW - Recy Coord FICA/Med | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-53100-005-003 | DPW - Admin Fringe Bene | 9,975.61 | 1,687.37 | 26,864.19 | 25,176.82 | 6.28 |
| 001-00-53100-005-004 | DPW - Labor Fringe Bene | 30,459.96 | 4,812.45 | 51,812.45 | 47,000.00 | 9.29 |
| 001-00-53100-005-005 | DPW - Recy Coord Fringe Benefi | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-53100-006-000 | DPW - Supplies | 11,458.30 | 1,496.53 | 9,000.00 | 7,503.47 | 16.63 |
| 001-00-53100-007-000 | DPW - Phone & Tech Support | 0.00 | 227.61 | 0.00 | -227.61 | 0.00 |
| 001-00-53100-011-000 | DPW - ED / Conf / Travel | 671.65 | 525.23 | 800.00 | 274.77 | 65.65 |
| 001-00-53100-015-000 | DPW - New Equipment | 3,222.53 | 885.87 | 2,500.00 | 1,614.13 | 35.43 |
| 001-00-53100-016-000 | DPW - Fuel | 14,312.41 | 1,738.48 | 17,500.00 | 15,761.52 | 9.93 |
| 001-00-53100-021-000 | DPW - Vehicle Maint. | 16,814.33 | 1,989.86 | 12,000.00 | 10,010.14 | 16.58 |
| 001-00-53100-026-000 | DPW - Worker's Comp | 9,892.09 | 10,000.00 | 10,000.00 | 0.00 | 100.00 |
| 001-00-53100-030-000 | DPW - Liability Ins | 858.51 | 900.00 | 900.00 | 0.00 | 100.00 |
| 001-00-53100-031-000 | DPW - Property Ins | 0.00 | 1,955.00 | 2,000.00 | 45.00 | 97.75 |
| 001-00-53100-032-000 | DPW - Automobile Ins | 3,228.02 | 3,500.00 | 3,500.00 | 0.00 | 100.00 |
| 001-00-53100-050-000 | DPW - Equipment Repair | 10,418.15 | 1,390.06 | 8,000.00 | 6,609.94 | 17.38 |
| 001-00-53100-060-000 | DPW - Snow Removal | 41.93 | 0.00 | 400.00 | 400.00 | 0.00 |
| 001-00-53100-084-000 | DPW - Stone | 5,838.79 | 0.00 | 7,500.00 | 7,500.00 | 0.00 |
| 001-00-53100-086-000 | DPW - Signage Repair / Replace | 5,758.40 | 13,008.78 | 10,000.00 | -3,008.78 | 130.09 |
| 001-00-53100-088-000 | DPW - Repair/ Preventive Maint | 15,532.77 | -4,775.68 | 38,000.00 | 42,775.68 | -12.57 |
| 001-00-53100-090-000 | DPW - Salt / Sand | 46,048.05 | 37,351.92 | 47,000.00 | 9,648.08 | 79.47 |
| 001-00-53100-091-000 | DPW-ROW Maint/Yard Waste/Maint | 14,484.00 | 3,390.76 | 20,000.00 | 16,609.24 | 16.95 |
| 001-00-53100-093-000 | DPW - Equip/ Lab/Bridge Match | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-53100-094-000 | DPW - Street Lights | 92,855.98 | 22,673.70 | 90,000.00 | 67,326.30 | 25.19 |
| 001-00-53100-095-000 | DPW - Garbage & Recycg Collect | 302,978.39 | 71,397.76 | 285,000.00 | 213,602.24 | 25.05 |
| 001-00-53100-103-000 | DPW - Landfill Tipping Fees | 53,190.82 | 24,346.76 | 50,000.00 | 25,653.24 | 48.69 |
| 001-00-53100-104-000 | DPW - Recycling/ Events/Pgms | 700.00 | 0.00 | 1,000.00 | 1,000.00 | 0.00 |
| PUBLIC WORKS | | 833,310.52 | 247,237.69 | 1,162,442.30 | 915,204.61 | 21.27 |

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Budget Comparison - Detail

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Fund: 001 - General Fund

| Account Number | | 2022 Actual 12/31/2022 | 2023 Actual 04/12/2023 | 2023 Budget | Budget Status | % of Budget |
|-----------------------------------|--------------------------------|------------------------------|------------------------------|----------------|------------------|----------------|
| 001-00-54110-071-000 | Humane Off - Animal Control | 2,090.00 | 360.00 | 1,750.00 | 1,390.00 | 20.57 |
| CONSTABLE SERVICES | | 2,090.00 | 360.00 | 1,750.00 | 1,390.00 | 20.57 |
| 001-00-55200-039-000 | Park & Rec -Site Maintenance | 2,181.75 | 6,778.00 | 0.00 | -6,778.00 | 0.00 |
| PARK & RECREATION | | 2,181.75 | 6,778.00 | 0.00 | -6,778.00 | 0.00 |
| 001-00-56300-001-000 | Planning & Zoning - Meetings | 1,275.00 | -25.00 | 1,000.00 | 1,025.00 | -2.50 |
| 001-00-56402-001-000 | Site Review Meetings - Meeting | 425.00 | 0.00 | 500.00 | 500.00 | 0.00 |
| PLANNING & DEVELOPMENT | | 1,700.00 | -25.00 | 1,500.00 | 1,525.00 | -1.67 |
| 001-00-59004-000-000 | Transfer to Capital Projects | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-59005-000-000 | Transfer to Debt Service Fund | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 001-00-59999-000-000 | GEN FUND CONTINGENCY | 51,657.48 | 756.94 | 141,579.31 | 140,822.37 | 0.53 |
| OTHER FINANCING USES | | 51,657.48 | 756.94 | 141,579.31 | 140,822.37 | 0.53 |
| Total Expenses | | 3,997,308.32 | 1,122,932.35 | 4,829,805.06 | 3,706,872.71 | 23.25 |
| Net Totals | | 159,739.90 | 1,983,472.33 | 0.00 | -1,983,472.33 | |



VILLAGE OF
HOBART
 GREATNESS IS GROWING
MEMORANDUM

TO: Village Board
FROM: Aaron Kramer, Village Administrator
RE: League of Municipalities – Legal Update
DATE: April 18th 2023

FROM THE LEAGUE OF MUNICIPALITIES - A Spring Shower of Appellate Court Cases

A number of recent court rulings will have impacts on municipal governments and operations:

Filing property tax objection does not eliminate need to present supporting evidence under oath

In *Wal-Mart Real Est. Bus. Tr. v. City of Merrill*, 2023 WI App 14, the Wisconsin Court of Appeals held that: (1) Wis. Stat. § 70.47(7) requires a taxpayer to present evidence under oath in person or by telephone to support its objection to a property tax assessment, unless the board of review (board) affirmatively waived that requirement; (2) the board's failure to respond to a request to waive or postpone the hearing does not constitute waiver and the taxpayer must proceed with its statutory obligations under § 70.47(7) to preserve its right file a civil action challenging the assessment; and (3) a board's failure to notify a property owner that its request to waive or postpone the hearing was denied does not violate the taxpayer's due process right to notice and an opportunity to be heard.

In 2019, the city of Merrill's (City) assessor determined that Wal-Mart's property had an assessed value of \$9.9 million. Wal-Mart disagreed and filed an objection with the board stating the property was worth no more than \$5.1 million. An attorney for Wal-Mart emailed the city's attorney requesting the board of hearing be either waived or postponed. The city's attorney did not agree to waive or postpone the hearing. The board held the hearing, reviewed the valuation assessment, and determined the property was correctly assessed. Wal-Mart's representatives did not attend the meeting in person or by telephone to present contrary evidence. Upon receiving the board's decision, Wal-Mart filed a civil action. The city moved to dismiss Wal-Mart's complaint, arguing Wal-Mart failed to present evidence to the board, as required under Wis. Stat. § 70.74(7)(a) to proceed with an action. The circuit court granted the motion to dismiss and Wal-Mart appealed.

The court of appeals determined that Wal-Mart did not comply with the statutory requirements under § 70.74(7)(a). Wal-Mart's filed objection did not fulfill its obligation to also present evidence to the board, under oath, in support of Wal-Mart's objection. The court noted that, in addition to filing the objection, § 70.47(7)(a) requires a taxpayer to: (1) in good faith present evidence to the board in support of the taxpayer's objection; and (2) make full disclosure to the board, under oath, of all that person's property liable to assessment and the value thereof. A board's denial of a request to waive or postpone the hearing, appear by telephone, or to submit written statements does not relieve a taxpayer of its additional obligations under Wis. Stat. § 70.47(7)(a). Additionally, the court concluded that the board holding the hearing, relying on the presumption of correctness applied to the assessor's valuation, and issuing a notice of decision did not waive the city's right to argue Wal-Mart did not "in good faith present evidence to the board."

Finally, the court held that the city did not violate Wal-Mart's due process rights by not notifying Wal-Mart that the board denied Wal-Mart's request to waive or postpone the hearing. The court noted that Wal-Mart received both notice and an opportunity to be heard, which was not defeated by Wal-Mart's failure to take advantage of the statutory procedure in place and to appear at the hearing in person and present evidence in support of its objection.

Eminent Domain Cannot Be Used for Sidewalks

Sidewalks are a type of pedestrian way and the prohibition in Wis. Stat. §§ 32.015 and 61.34(3)(b) against using condemnation to acquire property for pedestrian ways also prohibits its use to acquire property for sidewalks. *Sojenhomer LLC v. Vill. of Egg Harbor*, No. 2021AP1589, (Ct. App. Mar. 14, 2023).

In *Sojenhomer*, the Village of Egg Harbor condemned part of *Sojenhomer's* property to establish a sidewalk adjacent to *Sojenhomer's* business, Shipwrecked Brew Pub and Restaurant. The Village wanted to address safety concerns after receiving multiple complaints about the lack of a sidewalk in a busy tourist area. *Sojenhomer* claimed the Village could not condemn his property to establish a sidewalk because a sidewalk is a pedestrian way and state law prohibits using condemnation to acquire property to establish or extend a recreational trail, a bicycle way or lane, or a pedestrian way. The Village disagreed, arguing that a sidewalk must be different from a pedestrian way because the terms "pedestrian way" and "sidewalk" are both used in Wis. Stat. § 346.02(8)(a). The circuit court agreed with the Village that the terms "sidewalk" and "pedestrian way" in § 346.02(8) are distinct and must be interpreted to have different meanings to avoid surplusage. The circuit court granted summary judgment in favor of the Village. *Sojenheimer* appealed and the Wisconsin Court of Appeals reversed.

The court of appeals agreed with *Sojenhomer*, stating that all sidewalks are pedestrian ways, but not all pedestrian ways are sidewalks. Referencing Wis. Stat. § 346.02(8)(a), the court stated the definition of pedestrian way is "broad and plainly includes sidewalk because a sidewalk is a 'walk designated for the use of pedestrian travel.'" The court then distinguished the two terms noting that while all sidewalks are pedestrian ways, they are specifically pedestrian ways adjacent to the road. In contrast, not all pedestrian ways are adjacent to the road, so not all pedestrian ways are sidewalks. The court concluded that "the two terms do not create surplusage in the statutes because each term has a textual function and neither term could be omitted without changing the meaning of those provisions."

The court also rejected the Village's argument that the use of condemnation was allowed in this situation because *Sojenhomer's* property was not acquired "only for" establishing a sidewalk but was part of a larger plan to improve the highway next to *Sojenhomer's* property. The court noted that neither Wis. Stat. §§ 32.015 nor 61.34(3)(b) "create any exceptions, much less an exception for safety concerns."

Riparian owners do not have a right to consistent water levels

In *Kreuziger v. Milwaukee County*, 60 F.4th 391 (7th Cir. 2023), the 7th Circuit Court of Appeals held that riparian (waterfront) property owners do not have a right to consistent water levels, rather it is a privilege. Additionally, when riparian interests conflict with the government interest to improve "navigation" under the Public Trust doctrine, the government holds the superior interest.

Milwaukee County built the Estabrook Dam back in 1938. Each year, the dam would close its gates in spring and open them back up in fall, causing the water levels to fluctuate. In 2000, *Kreuziger* purchased a riverfront home upstream from the dam. When the county was given the ultimatum to repair the dam or demolish it, the county opted for demolition, which was completed in 2018. This dropped the water levels at the *Kreuziger* property by four feet (what they typically experienced when the gates were open). The new water level left about ten feet of unsightly swamp between the property and the river. *Kreuziger* sued, claiming that the government's demolition equated to a taking under the U.S. and Wisconsin Constitutions, because the demolition reduced his water levels. The District Court held that *Kreuziger* did not have a right to a particular water level and there could be no taking without a property right. *Kreuziger* appealed and the 7th Circuit affirmed.

Riparian property owners have certain rights including use of the shoreline, access to the water, and having water flow to their land without artificial obstruction. However, the 7th Circuit held that there is no riparian right to consistent water levels. Instead, that interest is always subordinate to the government's interest in improving "navigation" under the Public Trust doctrine. Since *Kreuziger* did not have a property right, there was no constitutional taking. Without a taking, *Kreuziger* had no right to just compensation.

First appellate case discussing Friends of Frame Park decision

The Wisconsin Court of Appeals recently decided *Wisconsin State Journal v. Blazel*, No. 2021AP1196 (Ct. App. March 9, 2023). This case is important, in large part, because it is the first appellate case to discuss the significance and application of *Friends of Frame Park*, 2022 WI 57, a divided Wisconsin Supreme Court decision that addressed when a party is considered a prevailing party for purposes of recovering attorneys' fees under the public records law. In *Friends of Frame Park*, the Supreme Court held that a party must "obtain a judicially sanctioned change in the parties' legal relationship" to prevail in whole or in substantial part.

In *Blazel*, Wisconsin newspapers sued the Wisconsin State Assembly and its custodian, Edward Blazel, after Blazel denied their public records request for records relating to an Assembly employee's allegation that the employee had been sexually harassed by a state representative and records relating to the Assembly's investigation of the complaint. Blazel denied the request under the balancing test, asserting that the public interest in non-release of the records outweighed the public interest in release. The newspapers sought an order declaring that the Assembly violated the public records law, a mandamus order directing the Assembly to release the records, and an award of attorneys fees, costs, and statutory damages. Several months later, after the employee shared details of the alleged harassment through a journalist, while maintaining anonymity, the Assembly released redacted versions of the requested records stating that the balancing of the public interests no longer weighed in favor of non-disclosure but that redactions were necessary for various reasons. The newspapers filed an amended complaint alleging that the Assembly violated the public records law when it initially denied the records requests outright and separately violated the public law when it released only redacted versions of the requested records eight months after all responsive records were requested.

The circuit court concluded that the Assembly improperly applied the balancing test in violation of the public records law when it (1) initially declined to release the requested records; and (2) later released the requested records with redactions. The court also determined that the newspapers were entitled to attorneys fees for both violations. The Assembly appealed.

The court of appeals largely agreed with the circuit court. Because the Wisconsin Supreme Court's *Friends of Frame Park* opinion was issued after appellate briefing had concluded, the parties filed additional briefs addressing the import of that case. As to the merits and the issue of attorneys fees relating to the newspapers' first cause of action, the court of appeals rejected the Assembly's arguments that the cause of action was moot under *Friends of Frame Park* and held, alternatively, that even if it was moot, exceptions to mootness warranted the court's review. The court of appeals concluded that the Assembly violated the public records law when it initially denied outright the records requests because its "purported justifications did not sufficiently demonstrate that the public interest in non-release outweighed the public interest in release." The court held that because that determination caused a "change in the parties' legal relationship," the newspapers were entitled to attorneys fees for their challenge to the Assembly's initial outright denial of their records requests.

As to the merits and the issue of attorney fees relating to the newspapers' second cause of action challenging the redactions, the court concluded that the Assembly violated the public records law with respect to all but one redaction and therefore the newspapers were entitled to attorneys fees on their challenge to the improper redactions. The court affirmed in part, reversed in part, and sent it back to the circuit court for further proceedings.

7th Circuit upholds city's ordinance prohibiting new billboards and digital-image signs

In *Adams Outdoor Advert. Ltd. P'ship v. City of Madison*, 56 F.4th 1111 (7th Cir. 2023), the 7th Circuit Court of Appeals held that the City of Madison's ordinance regulating billboards as "off-premises signs" and prohibiting all digital-image signs did not violate the First Amendment.

Adams Outdoor Advertising (Adams) owns and operates 90 billboards in the City of Madison (City). In 1989, the City prohibited construction of new billboards and later prohibited digital-image signs in 2009. In 2017, the City amended its sign ordinance to redefine the term "advertising sign" to include only off-premises signs bearing commercial messages. In 2017, Adams applied for permits to modify or replace several of its existing billboards, including converting some to digital displays. The City denied Adams' requests because its ordinance expressly prohibited the

requested modifications. Adams filed suit against the City on the grounds that the ordinance violated Adams' First Amendment rights.

The 7th Circuit, citing the U.S. Supreme Court's decision in *City of Austin v. Reagan Nat'l Advertising of Texas Inc.*, 596 U.S. ____ (2022), concluded that the City's ordinance was a content-neutral "time, place, or manner" restriction, subject to intermediate scrutiny, and only needed to be narrowly tailored to serve a significant government purpose to survive the First Amendment challenge. The court determined that the City's stated purpose, promoting traffic safety and preserving visual aesthetics, was sufficient to survive the intermediate scrutiny analysis. The court also rejected Adams' argument that the City must provide empirical evidence linking digital billboards to aesthetic or safety-related concerns, noting that "the connection between billboards and traffic safety is too obvious to require empirical proof."

Ding Dong the Dark Store's Dead

In a decision representing a major victory for Wisconsin municipalities and their taxpayers, the Wisconsin Supreme Court resoundingly rejected a big box commercial retailer's attempt to demonstrate its tax assessment was "excessive" by using sales of dark and distressed properties as "reasonably comparable sales" to determine value. *Lowe's Home Centers, LLC v. City of Delavan*, 2023 WI 8.



ORDINANCE 2023-08

AN ORDINANCE TO AMEND SECTION 12 (NUMBER OF ANIMALS LIMITED) OF ARTICLE III (LICENSING AND REGULATION OF ANIMALS) OF CHAPTER 102 (ANIMALS) OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN

Purpose: The purpose of this ordinance is to amend the Municipal Code to create a process for a resident, on a parcel of less than 2 ½ acres, to exceed the current limit of two dogs in the Municipal Code.

The Village Board of the Village of Hobart, Brown County, Wisconsin, does ordain as follows:

Section 1: That Section 12 (Number of Animals Limited) of Article III (Licensing and Regulation of Animals) of Chapter 102 (Animals) of the Municipal Code shall be amended to read as follows:

§ 102-12. Number of animals limited.

A. No person shall own, harbor, or keep in his possession more than two dogs on property zoned residential, with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 12 weeks from birth, on a parcel consisting of 2 1/2 acres or less. On parcels more than 2 1/2 acres in size, no person shall own, harbor, or keep in his possession more than five dogs on property zoned residential, with the exception that a litter of pups, or a portion of a litter, may be kept for not exceeding 12 weeks from birth.

B. A person seeking a variance in the number of dogs allowed in subsection A above, for parcels consisting of 2 ½ acres or less, by submitting a form designated by the Village. The variance may be granted by the Chief of Police or his or her designee.

(a) In no event shall the number of dogs in a dwelling unit exceed four.

(b) All dogs must be properly licensed with the Village.

(b) The Chief of Police shall consider whether there have been any complaints of any violation of this chapter against the owner or property owner in all variance requests. Such variance may be subject to conditions as deemed appropriate by the Chief of Police.

(c) The variance may be revoked by the Chief of Police if any condition specified in the variance is not met. The variance may also be revoked by the Chief of Police if a complaint regarding violation of this chapter is received after the variance is granted.

(d) All decisions to deny a variance request or revoke a previously granted variance may be appealed to the Village Board if written notice of appeal is received by the Village Administrator within 14 days of receipt of the revocation notice. The Board shall consider the appeal at its next regularly scheduled meeting.

(e) There shall be no variances allowed in the maximum number of chickens.

C. For the purpose of determining the size of a property for the regulation of the number of dogs permitted, adjoining parcels owned by the same person may be combined to determine the total acreage for regulation purposes as described in Subsection A above.

D. If a person owns, harbors or keeps more than the allowable number of dogs under Subsection A above at the time the ordinance establishing the limit is passed, they shall not be required to remove any dogs from the property, but will not be able to replace any dog, after they are no longer owned, harbored or kept on the property permanently, until the person is in compliance with the ordinance.

E. No person in the Village residing in the R-2, R-2-R or R-3 Single-Family Zoning Districts shall own, harbor or keep in his or her possession more than six chickens. For the purposes of this section, a "chicken" shall be defined as a domestic hen or pullet of the subspecies Gallus gallus domesticus. No roosters are allowed.

Section 2: Any Ordinance or parts thereof, inconsistent herewith are hereby repealed.

Section 3. This Ordinance shall be published as required by law after passage by the Village Board.

Passed and approved this 5th day of May, 2023.

Richard Heidel, Village President

Attest:

Aaron Kramer, Village Administrator

I, Katrina Bruecker, am the duly qualified and acting Village Clerk of the Village of Hobart, Brown County, Wisconsin. I hereby certify that the aforementioned is a true and exact reproduction of the original ordinance or resolution adopted by the Village Board.

IN WITNESS WHEREOF, I have executed this Certificate in my official capacity on May 5th 2023.

(Seal)

Katrina Bruecker, Village Clerk-Treasurer



POLICY 2023-03 (CASH MANAGEMENT POLICY)

PURPOSE: The purpose of this policy is to update and amend the previous policy governing the cash management policy of the Village.

1. INTRODUCTION

The Village of Hobart's Cash Management Policy is the practice of safeguarding and maximizing the income earned on cash assets. Cash, liquidity, and investment management activities shall be conducted prudently.

2. BASIC GUIDELINES

- (1) The Village shall maintain adequate management procedures, controls, and policies for the Village's liquid assets.
- (2) Cash receipts will be processed as expediently as is reasonably possible to provide secure handling of incoming cash and to move these monies into interest earning accounts and investments. As far as practicable, all incoming funds will be deposited daily should a significant account(s) receivable warrant it; however, cash will be deposited not less frequently than once per week. Deposits will be made in such a manner as to receive credit for that day's interest. The Village's objective is to retain monies for investment for the longest appropriate period of time. Disbursements will be made shortly in advance of or on the agreed-upon contractual date of payment unless earlier payment provides a greater economic benefit to the Village.
- (3) For all Village checks, two signatures will be required. Normally, the checks will be signed by the Village President and the Village Clerk/Treasurer or Deputy Clerk/Treasurer. In the absence of the Village President, an alternative Village Board Trustee or the Village Administrator may be authorized to sign checks.

3. INVESTMENT OF PUBLIC FUNDS

- (1) Subject to review by the Village Administrator, the Clerk/Treasurer shall determine the amount of public funds that will be necessary to provide an adequate cash flow to cover anticipated warrants and checks and other expenditure obligations as well as to provide a reasonable balance to cover unanticipated expenditures or emergencies.
- (2) The Village shall maintain cash and investment accounts that are restricted by Wisconsin Statutes to the following:
 - time deposit
 - repurchase agreements
 - securities issued by federal, state and local governmental entities
 - statutory authorized commercial paper and corporate securities
 - Wisconsin local government investment pool
- (3) The Village Administrator shall designate one or more eligible depositories for the Village's active deposits. In making such a designation, the Administrator shall consider the following:
 - The convenience provided by the location of the depository's offices.
 - The rate or rates of interest, if any, that the depository will pay on the active deposits.

- The service charges, if any, that will be made for the services of the depository.
- Any other terms or conditions with respect to the depository's acceptance of the active deposits.

(3) The Village shall require the institution designated as the depository for active funds to deposit or pledge eligible securities to cover the amount of the public funds that are in excess of the insurance provided by the Federal Deposit Insurance Corporation or by any other agency or instrumentality of the Federal government or the State of Wisconsin. The Village Clerk/Treasurer shall be responsible for the safekeeping of all securities, obligations, or certificates of deposit.

4. INVESTMENT OBJECTIVES

(1) The primary objectives, in order of priority, of all investment activities involving the Village of Hobart financial assets shall be the following:

A. Safety: Safety and preservation of principal in the overall portfolio is the foremost investment objective. Investments shall be undertaken in a manner seeking to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit risk and interest rate risk. To obtain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

B. Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity). Furthermore, since all possible cash demands cannot be anticipated, the portfolio should consist largely of securities with active secondary or resale markets (dynamic liquidity).

C. Return: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed. Securities shall generally be held until maturity with the following exceptions: A security with declining credit may be sold early to minimize loss of principal, a security swap would improve the quality, yield or portfolio target duration., and liquidity needs of the portfolio require the security be sold.

5. PRUDENCE

(1) The standard of prudence to be used by Village investment officials shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

(2) The "prudent person" standard states, "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

6. ETHICS AND CONFLICTS OF INTEREST

(1) Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment decisions. Employees shall disclose to the Village President any material financial interest or large personal investments in financial institutions conducting business with the Village of

Hobart which could influence decision making regarding Village investments. Compliance with the Village of Hobart Code of Ethics will be adhered to.

This policy supersedes the previous Cash Management Policy, adopted by the Village Board in 2012.

This policy has been approved by the Board of Trustees of the Village of Hobart, Brown County, Wisconsin, at a regular meeting of the Board, held on April 18th 2023.

Richard Heidel, President, Hobart Village Board

Attest:

Katrina Bruecker, Village Clerk / Treasurer

Aaron Kramer, Village Administrator

V I L L A G E O F
H O B A R T
 GREATNESS IS GROWING
MEMORANDUM



TO: Village Board
FROM: Aaron Kramer, Village Administrator
RE: 2023 Street and Drainage Improvements; Contract 2320-23-01
DATE: April 18th 2023

BACKGROUND

Bids for the 2023 Street and Drainage Improvements (Contract 2320-23-01) were opened on Friday April 14th. Staff is making the following recommendations to proceed with the projects

PROJECTS AND FUNDING

| PROJECT | Recommended Bid | Funding Source |
|--|-----------------|--|
| Trout Creek Road Improvements (Hidden Trail to County Highway J, - 5,438 feet) | \$524,546.95 | 2023 Capital Budget - \$479,278.00 ARPA Funds - \$45,268.95 |
| Trout Creek Road Improvements – Allowances | \$2,000.00 | ARPA Funds - \$2,000.00 |
| * Trout Creek Road – Turn Lane | \$102,778.50 | ARPA Funds - \$102,778.50 |
| * Trout Creek Road – Asphalt Leveling | \$43,610.00 | ARPA Funds - \$43,610.00 |
| Copilot Way and Gulfstream Court Final Paving | \$185,094.57 | TID #2 Bond Proceeds |
| Belmar Road Culvert Replacement | \$32,675.12 | 2023 Storm Water Budget |
| Berkshire Drive (curb and gutter installation) | \$43,436.60 | 2023 Storm Water Budget |
| Berkshire Drive – Allowances | \$2,000.00 | 2023 Storm Water Budget |
| North and South Overland Road – Miscellaneous Patching | \$27,630.56 | 2023 General Fund Budget (001-000-53100-090-000) |

NOTE: The Public Works and Utilities Advisory Committee will meet on Monday April 17th to make recommendations to the Board on these parts of the bid package.

RECOMMENDED MOTION

To award the 2023 Street and Drainage Improvements (Contract 2320-23-01) to MCC, Inc. (Appleton, WI) for the following projects, with a total bid amount of (to be determined at Board meeting).

April 14, 2023

Mr. Jerry Lancelle, Director of Public Works
VILLAGE OF HOBART
2990 S. Pine Tree Road
Hobart, WI 54155

RE: Village of Hobart - 2023 Street and Drainage Improvements; Contract 2320-23-01

Dear Mr. Lancelle:

Bids were opened on April 14, 2023, for the 2023 Street and Drainage Improvements project, Contract 2320-23-01.

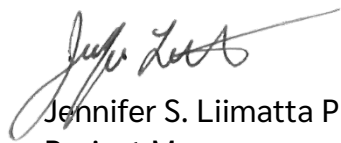
Bids were received from two (2) contractors, ranging in cost from \$817,383.80 to \$900,627.00 for the base bid. The alternate bids ranged in cost from \$146,388.50 to \$152,570.00. The apparent low bidder was MCC, Inc., Appleton, WI, with a total bid amount of \$963,772.30. A bid tabulation is enclosed.

We have reviewed the documents submitted with the bid and everything appears to be in order. We have worked with MCC, Inc., on similar projects. They have performed well and are capable of constructing this project. Therefore, we are recommending the Village award the contract to MCC, Inc. for the bid amount of \$963,772.30.

If you have any questions, do not hesitate to call our office.

Sincerely,

ROBERT E. LEE & ASSOCIATES, INC.


Jennifer S. Liimatta P.E.
Project Manager

JSL/LAR

ENC.

CC/ENC: Aaron Kramer, Village Administrator, Village of Hobart

| 9 | | | | | | | | |
|--|-----------|--|------|--------|----------------------------------|---------------------|---|---------------------|
| OWNER: VILLAGE OF HOBART | | | | | | | | |
| PROJECT: 2023 Street and Drainage Improvements | | | | | | | | |
| CONTRACT: 2320-23-01 | | | | | | | | |
| BID DATE: April 14, 2023 - 9:00 a.m. | | | | | | | | |
| Line Item | Item Code | Item Description | Unit | Qty. | MCC, INC. Appleton, Wisconsin | | NORTHEAST ASPHALT Green Bay, Wisconsin | |
| | | | | | Unit Price | Extension | Unit Price | Extension |
| Allowances - Part A - Trout Creek Road | | | | | | | | |
| 1 | 0000.01 | Allowances - Spec Section 01 21 00 Schedule of Allowances, Complete. | LS | 1 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| Part A - Trout Creek Road | | | | | | | | |
| 2 | 0157.06 | Inlet protection, Complete. | EACH | 6 | \$282.44 | \$1,694.64 | \$100.00 | \$600.00 |
| 3 | 0157.12 | Ditch checks, Complete. | EACH | 5 | \$171.87 | \$859.35 | \$150.00 | \$750.00 |
| 4 | 0157.22 | Tracking pad, Complete. | EACH | 1 | \$1,083.03 | \$1,083.03 | \$1,500.00 | \$1,500.00 |
| 5 | 0159.01 | Temporary traffic control, Complete. | LS | 1 | \$4,524.05 | \$4,524.05 | \$4,500.00 | \$4,500.00 |
| 6 | 0159.01.1 | Temporary traffic control, detour, Complete. | LS | 1 | \$1,206.41 | \$1,206.41 | \$1,200.00 | \$1,200.00 |
| 7 | 0241.01 | Sawing asphalt, full depth, Complete. | LS | 1 | \$977.53 | \$977.53 | \$1,300.00 | \$1,300.00 |
| 8 | 0241.03 | Remove asphalt pavement, Complete. | SY | 60 | \$18.49 | \$1,109.40 | \$9.00 | \$540.00 |
| 9 | 0241.04 | Remove asphalt pavement, milling, Complete. | SY | 2,800 | \$6.72 | \$18,816.00 | \$2.60 | \$7,280.00 |
| 10 | 0241.05 | Remove asphalt pavement, pulverize, full depth, Complete. | SY | 12,600 | \$1.58 | \$19,908.00 | \$1.70 | \$21,420.00 |
| 11 | 0241.07 | Remove concrete curb and gutter, Complete. | LF | 23 | \$78.30 | \$1,800.90 | \$10.00 | \$230.00 |
| 12 | 0241.17 | Remove CMP or RCP pipe culverts, Complete. | LF | 50 | \$25.13 | \$1,256.50 | \$50.00 | \$2,500.00 |
| 13 | 0241.21 | Remove storm sewer, Complete. | LF | 290 | \$25.13 | \$7,287.70 | \$10.00 | \$2,900.00 |
| 14 | 0333.04.2 | Concrete curb and gutter, 36-inch, Complete. | LF | 123 | \$48.26 | \$5,935.98 | \$48.00 | \$5,904.00 |
| 15 | 0333.04.3 | Concrete curb and gutter, mountable, 24-inch, Complete. | LF | 300 | \$45.24 | \$13,572.00 | \$45.00 | \$13,500.00 |
| 16 | 0333.32 | Concrete surface drains, Complete. | SF | 150 | \$20.11 | \$3,016.50 | \$20.00 | \$3,000.00 |
| 17 | 3105.01 | Geogrid reinforcement, Type I, Complete. | SY | 6,400 | \$2.03 | \$12,992.00 | \$2.40 | \$15,360.00 |
| 18 | 3105.02 | Earthwork, unclassified excavation, Complete. | SY | 4,800 | \$6.51 | \$31,248.00 | \$9.40 | \$45,120.00 |
| 19 | 3123.04 | Earthwork, excavation below subgrade, Complete. | CY | 515 | \$13.41 | \$6,906.15 | \$32.00 | \$16,480.00 |
| 20 | 3123.08 | Earthwork, ditching, Complete. | LF | 1,200 | \$12.25 | \$14,700.00 | \$18.00 | \$21,600.00 |
| 21 | 3211.03 | Crushed aggregate base course, shoulder, Gradation No. 3, 6-inch thick, Complete. | SY | 2,100 | \$9.43 | \$19,803.00 | \$9.10 | \$19,110.00 |
| 22 | 3211.04 | Crushed aggregate base course, Gradation No. 4, 5-inch thick, Complete. | SY | 5,270 | \$4.23 | \$22,292.10 | \$4.20 | \$22,134.00 |
| 23 | 3211.05 | Breaker run base course, light, 7-inch thick, Complete. | SY | 5,270 | \$5.77 | \$30,407.90 | \$5.80 | \$30,566.00 |
| 24 | 3212.03 | Asphaltic concrete binder pavement, 4 LT 58-28 S, 1 3/4-inch thick, Complete. | SY | 15,400 | \$7.80 | \$120,120.00 | \$10.20 | \$157,080.00 |
| 25 | 3212.05 | Asphaltic concrete surface pavement, 5 LT 58-28 S, 1 1/4-inch thick, Complete. | SY | 15,400 | \$5.75 | \$88,550.00 | \$6.40 | \$98,560.00 |
| 26 | 3212.09 | Asphaltic concrete driveways, 5 LT 58-28 S, 2-inch thick, Complete. | SY | 170 | \$28.97 | \$4,924.90 | \$23.70 | \$4,029.00 |
| 27 | 3217.01 | Pavement marking, Complete. | LS | 1 | \$13,924.02 | \$13,924.02 | \$13,850.00 | \$13,850.00 |
| 28 | 3217.24 | Existing signs, salvage and reinstall, Complete. | LS | 1 | \$4,919.73 | \$4,919.73 | \$700.00 | \$700.00 |
| 29 | 3290.11 | Landscaping topsoil, fertilize, seed, and temporary erosion control blanket, Complete. | SY | 9,000 | \$2.54 | \$22,860.00 | \$8.00 | \$72,000.00 |
| 30 | 3341.01 | Storm sewer pipe, PVC, 18-inch, Complete. | LF | 290 | \$103.55 | \$30,029.50 | \$105.00 | \$30,450.00 |
| 31 | 3341.21 | Storm manhole inlet, Type A, 48-inch, Complete. | VF | 7 | \$703.74 | \$4,926.18 | \$600.00 | \$4,200.00 |
| 32 | 3341.40 | Storm manhole, adjust, Complete. | EACH | 1 | \$703.74 | \$703.74 | \$750.00 | \$750.00 |
| 33 | 3342.20 | Corrugated aluminum coated metal pipe, 18-inch, Complete. | LF | 47 | \$90.48 | \$4,252.56 | \$100.00 | \$4,700.00 |
| 34 | 3342.21 | Apron endwall, aluminum coated CMP, 18-inch, Complete. | EACH | 1 | \$502.67 | \$502.67 | \$350.00 | \$350.00 |
| 35 | 5000.01 | Adjust water valves, Complete. | EACH | 7 | \$150.80 | \$1,055.60 | \$300.00 | \$2,100.00 |
| 36 | 5000.02 | Existing mailbox, salvage and reinstall, Complete. | LS | 1 | \$6,380.91 | \$6,380.91 | \$500.00 | \$500.00 |
| Total - Part A - Trout Creek Road, Bid Items 2 - 36 | | | | | | \$524,546.95 | | \$626,763.00 |
| Alternate 1 - Part A - Trout Creek Road - CTH J Turn Lane | | | | | | | | |
| 37 | 0157.09 | Silt fence, Complete. | LF | 660 | \$1.25 | \$825.00 | \$3.00 | \$1,980.00 |
| 38 | 0159.01 | Temporary traffic control, Complete. | LS | 1 | \$1,306.95 | \$1,306.95 | \$1,300.00 | \$1,300.00 |
| 39 | 0241.01 | Sawing asphalt, full depth, Complete. | LS | 1 | \$1,209.09 | \$1,209.09 | \$800.00 | \$800.00 |
| 40 | 3123.02 | Earthwork, unclassified excavation, Complete. | LS | 1 | \$4,882.81 | \$4,882.81 | \$8,200.00 | \$8,200.00 |
| 41 | 3123.03 | Earthwork, borrow, Complete. | CY | 1,020 | \$18.71 | \$19,084.20 | \$12.80 | \$13,056.00 |
| 42 | 3211.03 | Crushed aggregate base course, shoulder, Gradation No. 3, 6-inch thick, Complete. | SY | 230 | \$18.94 | \$4,356.20 | \$9.10 | \$2,093.00 |
| 43 | 3211.04 | Crushed aggregate base course, Gradation No. 4, 5-inch thick, Complete. | SY | 1,030 | \$4.22 | \$4,346.60 | \$4.20 | \$4,326.00 |
| 44 | 3211.05 | Breaker run base course, light, 7-inch thick, Complete. | SY | 1,030 | \$5.82 | \$5,994.60 | \$8.50 | \$8,755.00 |
| 45 | 3212.03 | Asphaltic concrete binder pavement, 4 LT 58-28 S, 1 3/4-inch thick, Complete. | SY | 800 | \$11.19 | \$8,952.00 | \$13.50 | \$10,800.00 |
| 46 | 3212.05 | Asphaltic concrete surface pavement, 5 LT 58-28 S, 1 1/4-inch thick, Complete. | SY | 800 | \$7.18 | \$5,744.00 | \$7.70 | \$6,160.00 |
| 47 | 3217.01 | Pavement marking, Complete. | LS | 1 | \$3,267.37 | \$3,267.37 | \$3,250.00 | \$3,250.00 |
| 48 | 3217.24 | Existing signs, salvage and reinstall, Complete. | LS | 1 | \$2,126.97 | \$2,126.97 | \$700.00 | \$700.00 |
| 49 | 3290.11 | Landscaping topsoil, fertilize, seed, and temporary erosion control blanket, Complete. | SY | 1,200 | \$2.54 | \$3,048.00 | \$8.00 | \$9,600.00 |
| 50 | 3311.03 | Water hydrant lead, PVC, C-900, 6-inch, Complete. | LF | 15 | \$55.29 | \$829.35 | \$100.00 | \$1,500.00 |
| 51 | 3311.21 | Water main resilient wedge gate valve, 6-inch, Complete. | EACH | 1 | \$2,010.69 | \$2,010.69 | \$2,000.00 | \$2,000.00 |
| 52 | 3341.20 | Storm sewer manhole, 48-inch, Complete. | VF | 9 | \$854.54 | \$7,690.86 | \$600.00 | \$5,400.00 |
| 53 | 3342.20 | Corrugated aluminum coated metal pipe, 18-inch, Complete. | LF | 269 | \$90.48 | \$24,339.12 | \$100.00 | \$26,900.00 |
| 54 | 3342.21 | Apron endwall, aluminum coated CMP, 18-inch, Complete. | EACH | 2 | \$502.67 | \$1,005.34 | \$350.00 | \$700.00 |
| 55 | 5000.03 | Existing water main fire hydrant, salvage and reinstall, Complete. | EACH | 1 | \$1,759.35 | \$1,759.35 | \$1,150.00 | \$1,150.00 |

| 9 | | | | | | | | |
|---|-----------|---|------|--------|----------------------------------|--------------|---|----------------|
| OWNER: VILLAGE OF HOBART | | | | | | | | |
| PROJECT: 2023 Street and Drainage Improvements | | | | | | | | |
| CONTRACT: 2320-23-01 | | | | | | | | |
| BID DATE: April 14, 2023 - 9:00 a.m. | | | | | | | | |
| Line Item | Item Code | Item Description | Unit | Qty. | MCC, INC. Appleton, Wisconsin | | NORTHEAST ASPHALT Green Bay, Wisconsin | |
| | | | | | Unit Price | Extension | Unit Price | Extension |
| Total - Alternate 1 - Part A - Trout Creek Road - CTH J Turn Lane, Bid Items 37 - 55 | | | | | | \$102,778.50 | | \$108,670.00 |
| Alternate 2 - Part A - Trout Creek Road - Asphalt Leveling | | | | | | | | |
| 56 | 3212.22 | Asphaltic concrete binder pavement wedging, 5 LT 58-28 S, Complete. (in lieu of Bid Item 10). | TON | 500 | \$87.22 | \$43,610.00 | \$87.80 | \$43,900.00 |
| Total - Alternate 2 - Part A - Trout Creek Road - Asphalt Leveling, Bid Item 56 | | | | | | \$43,610.00 | | \$43,900.00 |
| Part B - Copilot Way and Gulfstream Court | | | | | | | | |
| 57 | 0241.01 | Sawing asphalt, full depth, Complete. | LS | 1 | \$2,928.13 | \$2,928.13 | \$1,960.00 | \$1,960.00 |
| 58 | 0241.03 | Remove asphalt pavement, Complete. | SU | 1,200 | \$5.28 | \$6,336.00 | \$3.15 | \$3,780.00 |
| 59 | 3123.04 | Earthwork, excavation below subgrade, Complete. | CY | 700 | \$43.88 | \$30,716.00 | \$30.00 | \$21,000.00 |
| 60 | 3211.04 | Crushed aggregate base course, Gradation No. 4, 5-inch thick, Complete. | SY | 880 | \$7.88 | \$6,934.40 | \$3.80 | \$3,344.00 |
| 61 | 3211.05 | Breaker run base course, light, 7-inch thick, Complete. | SY | 880 | \$6.74 | \$5,931.20 | \$5.25 | \$4,620.00 |
| 62 | 3212.05 | Asphaltic concrete surface pavement, 5 LT 58-28 S, 1 1/4-inch thick, Complete. | SY | 8,800 | \$6.36 | \$55,968.00 | \$7.30 | \$64,240.00 |
| 63 | 3212.20 | Asphaltic concrete binder pavement patching, 4 LT 58-28 S, 1 3/4-inch thick, Complete. | SF | 10,600 | \$1.88 | \$19,928.00 | \$2.50 | \$26,500.00 |
| 64 | 3212.22 | Asphaltic concrete binder pavement wedging, 5 LT 58-28 S, Complete. | TON | 200 | \$85.22 | \$17,044.00 | \$92.40 | \$18,480.00 |
| 65 | 3333.32 | Sanitary sewer manhole, chimney seal, Complete. | EACH | 15 | \$854.54 | \$12,818.10 | \$430.00 | \$6,450.00 |
| 66 | 3341.44 | Storm sewer manhole, chimney seal, Complete. | EACH | 18 | \$854.54 | \$15,381.72 | \$430.00 | \$7,740.00 |
| 67 | 3341.45 | Storm sewer inlet, chimney seal, Complete. | EACH | 13 | \$854.54 | \$11,109.02 | \$430.00 | \$5,590.00 |
| Total - Part B - Copilot Way and Gulfstream Court - Bid Items 57 - 67 | | | | | | \$185,094.57 | | \$163,704.00 |
| Part C - Belmar Road | | | | | | | | |
| 68 | 0157.09 | Silt fence, Complete. | LF | 220 | \$3.76 | \$827.20 | \$3.00 | \$660.00 |
| 69 | 0157.12 | Ditch checks, Complete. | EACH | 1 | \$171.87 | \$171.87 | \$150.00 | \$150.00 |
| 70 | 0241.01 | Sawing asphalt, full depth, Complete. | LS | 1 | \$1,019.41 | \$1,019.41 | \$1,950.00 | \$1,950.00 |
| 71 | 0241.17 | Remove CMP pipe culverts, Complete. | LF | 50 | \$25.13 | \$1,256.50 | \$50.00 | \$2,500.00 |
| 72 | 3111.01 | Site clearing and grubbing, Complete. | LS | 1 | \$4,524.05 | \$4,524.05 | \$3,600.00 | \$3,600.00 |
| 73 | 3123.02 | Earthwork, unclassified excavation, Complete. | SY | 100 | \$17.49 | \$1,749.00 | \$10.00 | \$1,000.00 |
| 74 | 3123.08 | Earthwork, ditching, Complete. | LF | 420 | \$12.55 | \$5,271.00 | \$18.00 | \$7,560.00 |
| 75 | 3211.03 | Crushed aggregate base course, shoulder, Gradation No. 3, 6-inch thick, Complete. | SY | 20 | \$41.68 | \$833.60 | \$40.00 | \$800.00 |
| 76 | 3211.04 | Crushed aggregate base course, Gradation No. 4, 12-inch thick, Complete. | SY | 100 | \$19.37 | \$1,937.00 | \$9.50 | \$950.00 |
| 77 | 3212.03 | Asphaltic concrete binder pavement, 4 LT 58-28 S, 1 3/4-inch thick, Complete. | SY | 100 | \$42.54 | \$4,254.00 | \$39.30 | \$3,930.00 |
| 78 | 3212.05 | Asphaltic concrete surface pavement, 5 LT 58-28 S, 1 1/4-inch thick, Complete. | SY | 100 | \$35.76 | \$3,576.00 | \$25.40 | \$2,540.00 |
| 79 | 3290.11 | Landscaping topsoil, fertilize, seed, and temporary erosion control blanket, Complete. | SY | 1,200 | \$2.54 | \$3,048.00 | \$8.00 | \$9,600.00 |
| 80 | 3342.11 | Apron endwall, CMP, 18-inch, Complete. | EACH | 2 | \$502.67 | \$1,005.34 | \$350.00 | \$700.00 |
| 81 | 3342.20 | Corrugated aluminum coated metal pipe, 18-inch, Complete. | LF | 49 | \$65.35 | \$3,202.15 | \$100.00 | \$4,900.00 |
| Total - Part C - Belmar Road - Bid Items 68 - 81 | | | | | | \$32,675.12 | | \$40,840.00 |
| Part D - Allowance - Berkshire Drive Curb and Gutter | | | | | | | | |
| 82 | 0000.02 | Allowances - Spec Section 01 21 00 Schedule of Allowances, Complete. | LS | 1 | \$2,000.00 | \$2,000.00 | \$2,000.00 | \$2,000.00 |
| Total - Part D - Berkshire Drive Curb and Gutter - Allowance - Bid Item 82 | | | | | | \$2,000.00 | | \$2,000.00 |
| Part D - Berkshire Drive Curb and Gutter | | | | | | | | |
| 83 | 0241.01 | Sawing asphalt, full depth, Complete. | LS | 1 | \$2,149.30 | \$2,149.30 | \$380.00 | \$380.00 |
| 84 | 0241.03 | Remove asphalt pavement, Complete. | SY | 120 | \$44.45 | \$5,334.00 | \$37.30 | \$4,476.00 |
| 85 | 0333.04.3 | Concrete curb and gutter, mountable, 24-inch, Complete. | LF | 510 | \$38.20 | \$19,482.00 | \$38.00 | \$19,380.00 |
| 86 | 0333.32 | Concrete surface drain, Complete. | SF | 65 | \$20.11 | \$1,307.15 | \$20.00 | \$1,300.00 |
| 87 | 3212.21 | Asphaltic concrete surface pavement patching, 4 LT 58-28 S, 3-inch thick, Complete. | SY | 120 | \$64.13 | \$7,695.60 | \$81.80 | \$9,816.00 |
| 88 | 3212.09 | Asphaltic concrete driveways, 5 LT 58-28 S, 2-inch thick, Complete. | SF | 150 | \$25.42 | \$3,813.00 | \$18.80 | \$2,820.00 |
| 89 | 3290.01 | Landscaping salvaged and pulverized topsoil, Complete. | SY | 340 | \$6.03 | \$2,050.20 | \$5.60 | \$1,904.00 |
| 90 | 3290.05 | Landscaping hydroseeding, Complete. | SY | 340 | \$2.31 | \$785.40 | \$2.00 | \$680.00 |
| 91 | 5000.02 | Salvage and relocate mailbox, Complete. | EACH | 1 | \$819.95 | \$819.95 | \$500.00 | \$500.00 |
| Total - Berkshire Drive Curb and Gutter - Bid Items 83 - 91 | | | | | | \$43,436.60 | | \$41,256.00 |
| Part E - N. Overland Road / S. Overland Road - Miscellaneous Patching | | | | | | | | |
| 92 | 0241.01 | Sawing asphalt, full depth, Complete. | LS | 1 | \$3,400.72 | \$3,400.72 | \$3,180.00 | \$3,180.00 |
| 93 | 3211.03 | Crushed aggregate base course, shoulder, Gradation No. 3, 6-inch thick, Complete. | SY | 28 | \$47.08 | \$1,318.24 | \$40.00 | \$1,120.00 |
| 94 | 3212.20 | Asphaltic concrete binder pavement patching, 4 LT 58-28 S, 1 3/4-inch thick, Complete. | SF | 1,830 | \$10.14 | \$18,556.20 | \$7.10 | \$12,993.00 |
| 95 | 3212.21 | Asphaltic concrete surface pavement patching, 5 LT 58-28 S, 1 1/4-inch thick, Complete. | SF | 1,830 | \$2.38 | \$4,355.40 | \$3.70 | \$6,771.00 |
| Total - N. Overland Road / S. Overland Road - Miscellaneous Patching - Bid Items 92 - 95 | | | | | | \$27,630.56 | | \$24,064.00 |
| Total Contract 2320-23-01, Bid Items 1-95 | | | | | | \$963,772.30 | | \$1,053,197.00 |



Robert E. Lee & Associates, Inc.

Engineering, Surveying and Environmental Services

OPINION OF PROBABLE COST

OWNER: Village of Hobart
 PROJECT: Gateway Estates
 DATE: 4/5/2023

| Gateway Estates Construction Estimate | | | | | |
|---------------------------------------|---|------|--------|--------------|--------------------|
| Item | | Unit | Qty. | Unit Price | Total Price |
| SANITARY SEWER | | | | | |
| 1 | 10" Sanitary Sewer | LF | 2,100 | \$105.00 | \$220,500 |
| 2 | 8" Sanitary Sewer | LF | 2,680 | \$60.00 | \$160,800 |
| 3 | 8" Sanitary Sewer - Directionally Bored | LF | 400 | \$150.00 | \$60,000 |
| 4 | 48" Dia Sanitary Manhole | VF | 333 | \$525.00 | \$174,825 |
| 5 | 4" Sanitary Laterals | LF | 2,600 | \$40.00 | \$104,000 |
| | | | | | \$720,125 |
| WATERMAIN | | | | | |
| 1 | 12" Water Main, Including Restoration | LF | 475 | \$110.00 | \$52,250 |
| 2 | 8" Water Main | LF | 3,820 | \$50.00 | \$191,000 |
| 3 | 8" Water Main - Directionally Bored | LF | 400 | \$150.00 | \$60,000 |
| 4 | 14" Steel Casing Pipe - Open Cut | LF | 60 | \$250.00 | \$15,000 |
| 5 | 6" Hydrant Leads | LF | 60 | \$60.00 | \$3,600 |
| 6 | 12" Valve | EA | 3 | \$4,000.00 | \$12,000 |
| 7 | 8" Valve | EA | 14 | \$2,750.00 | \$38,500 |
| 8 | 6" Valve | EA | 8 | \$2,000.00 | \$16,000 |
| 9 | Hydrant | EA | 8 | \$6,000.00 | \$48,000 |
| 10 | 1" Water Service | LF | 2,500 | \$35.00 | \$87,500 |
| 11 | 1" Curb Stop | EA | 57 | \$600.00 | \$34,200 |
| | | | | | \$558,050 |
| STORM SEWER | | | | | |
| 1 | 36" Storm Sewer | LF | 320 | \$110.00 | \$35,200 |
| 2 | 30" Storm Sewer | LF | 705 | \$75.00 | \$52,875 |
| 3 | 24" Storm Sewer | LF | 735 | \$65.00 | \$47,775 |
| 4 | 18" Storm Sewer | LF | 490 | \$55.00 | \$26,950 |
| 5 | 15" Storm Sewer | LF | 890 | \$50.00 | \$44,500 |
| 6 | 12" Storm Sewer and laterals | LF | 1,040 | \$45.00 | \$46,800 |
| 7 | 36" Apron Endwall | EACH | 1 | \$3,750.00 | \$3,750 |
| 8 | 15" Apron Endwall | EACH | 2 | \$1,800.00 | \$3,600 |
| 9 | 12" Apron Endwall | EACH | 1 | \$1,500.00 | \$1,500 |
| 10 | Reinforced Concrete Discharge Structure | EACH | 2 | \$5,000.00 | \$10,000 |
| 11 | 30" Diameter Storm Inlet | EACH | 30 | \$3,200.00 | \$96,000 |
| 12 | 72" Dia Storm Manhole | VF | 12 | \$1,000.00 | \$12,000 |
| 13 | 60" Dia Storm Manhole | VF | 35 | \$850.00 | \$29,750 |
| 14 | 48" Dia Storm Manhole | VF | 17 | \$675.00 | \$11,475 |
| 15 | 6" Storm Laterals | LF | 2,600 | \$35.00 | \$91,000 |
| 16 | 24" Storm Sewer Culverts w/ Endwalls | LF | 220 | \$75.00 | \$16,500 |
| | | | | | \$829,675 |
| STREET CONSTRUCTION | | | | | |
| 1 | Unclassified Excavation | LS | 1 | \$100,000.00 | \$100,000 |
| 2 | Clearing and Grubbing | LS | 1 | \$20,000.00 | \$20,000 |
| 3 | Unclassified Rear Lot Grading | LS | 1 | \$15,000.00 | \$15,000 |
| 4 | Box Culvert | LS | 1 | \$130,000.00 | \$130,000 |
| 5 | Geo Grid | SY | 1,200 | \$2.00 | \$2,400 |
| 6 | 36" Curb and Gutter | LF | 178 | \$25.00 | \$4,450 |
| 7 | 24" Curb and Gutter | LF | 7,050 | \$17.75 | \$125,138 |
| 8 | 4" Concrete Sidewalk | SF | 11,400 | \$6.50 | \$74,100 |
| 9 | 6" Concrete Sidewalk Ramps | SF | 200 | \$7.50 | \$1,500 |
| 10 | Detectable Warning Field | SF | 40 | \$35.00 | \$1,400 |
| 11 | Gradation No. 4 Base Course, 5" Depth | SY | 14,050 | \$4.75 | \$66,738 |
| 12 | Breaker Run, 7" Thick | SY | 11,600 | \$7.00 | \$81,200 |
| 13 | 3" Asphalt Pavement | SY | 11,600 | \$21.00 | \$243,600 |
| 14 | Topsail, Seed, and hydroseed | SY | 30,000 | \$2.50 | \$75,000 |
| 15 | Storm Water Pond Excavation | CY | 9,780 | \$9.00 | \$88,020 |
| 16 | Pond Restoration | SY | 5,000 | \$2.50 | \$12,500 |
| 17 | Pavement Marking | LS | 1 | \$5,000.00 | \$5,000 |
| 18 | Traffic Control | LS | 1 | \$5,000.00 | \$5,000 |
| 19 | Erosion Control | LS | 1 | \$10,000.00 | \$10,000 |
| | | | | | \$1,061,045 |
| Subtotal Construction | | | | | \$2,868,895 |
| Contingency / Fees (5%) | | | | | \$143,445 |
| Total Construction | | | | | \$3,012,340 |
| Engineering/Admin/Legal (15%) | | | | | \$451,851 |
| TOTAL | | | | | \$3,464,191 |

| 12-Inch Water Main Loop Estimate | | | | | |
|--------------------------------------|---------------------------------------|------|-------|------------|------------------|
| Item | | Unit | Qty. | Unit Price | Total Price |
| WATER MAIN | | | | | |
| 1 | 12" Water Main, Including Restoration | LF | 2,805 | \$105.00 | \$294,525 |
| 2 | 6" Hydrant Lead | LF | 51 | \$65.00 | \$3,315 |
| 3 | 12" Valve | EACH | 5 | \$150.00 | \$750 |
| 4 | 6" Valve | EACH | 5 | \$525.00 | \$2,625 |
| 5 | Hydrant | EACH | 5 | \$45.00 | \$225 |
| | | | | | \$301,440 |
| Subtotal Construction | | | | | \$301,440 |
| Contingency / Fees (5%) | | | | | \$15,072 |
| Total Construction | | | | | \$316,512 |
| Engineering/Admin/Legal (15%) | | | | | \$47,477 |
| TOTAL | | | | | \$363,989 |



TO: Planning & Zoning Commission

RE: CSM, 4313 Hillcrest Dr., HB-583-2

FROM: Todd Gerbers, Director of Planning & Code Compliance

DATE: April 12, 2023

ISSUE: Consider a two lot CSM dividing one parcel into two separate parcels of 3.00 acres and 2.00 acres

RECOMMENDATION: Staff recommends conditional approval

GENERAL INFORMATION

1. Applicants/Agent: Mau & Associates, LLP
2. Owner: Steven Boyer & Holly Halron.
3. Parcel: HB-583-2
4. Zoning: R-1: Residential District

ZONING REQUIREMENTS

The property owner currently has one parcel of 5.00 acres and is proposing a two lot Certified Survey Map (CSM) that would create one additional new lot. This proposed CSM will establish two separate parcels of 3.00 acres and 2.00 acres respectively. The property is currently developed with a dwelling on proposed Lot 1 and has a property zoning of R-1: Residential District.

This existing 5-acre parcel is currently zoned R-1 which requires a minimum lot size of 12,000 square feet per parcel and minimum lot frontage of 100 feet. Both proposed lots meet or exceed these minimum requirements as proposed.

RECOMMENDATION/CONDITIONS

Staff recommends conditional approval as submitted noting that this would be approval for both the preliminary and final CSM should there be no adjustments to the final CSM subject to the following condition(s):

1. Payment of the required Park Fee of \$300.00 (one new lot)



| | |
|-------------------------------------|-------------------------------|
| <input type="checkbox"/> | Rezoning Review |
| <input type="checkbox"/> | Conditional Use Permit Review |
| <input type="checkbox"/> | Planned Development Review |
| <input checked="" type="checkbox"/> | CSM/Plat Review |

Village of Hobart
 Dept of Neighborhood Services
 2990 S Pine Tree Rd
 Hobart WI 54155
 Phone: (920) 869-3809
 Fax (920) 869-2048

APPLICANT INFORMATION

Petitioner: Steve Bieda Date: 2/10/2023
 Petitioner's Address: 400 Security Blvd. City: Green Bay State: WI Zip: 54313
 Telephone #: (920) 434-9670 Fax: () _____ Other Contact # or Email: sbieda@mau-associates.com
 Status of Petitioner (Please Check): Owner Representative Tenant Prospective Buyer

Petitioner's Signature (required): Date: 2/14/23

OWNER INFORMATION

Owner(s): Steven Boyer and Holly Halron Date: 2/10/2023
 Owner(s) Address: 4313 Hillcrest Drive City: Hobart State: WI Zip: 54155
 Telephone #: (920) 624-8618 Fax: () _____ Other Contact # or Email: holly1116@aol.com
 Ownership Status (Please Check): Individual Trust Partnership Corporation

Property Owner Consent: (required)

By signature hereon, I/We acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the property to inspect or gather other information necessary to process this application. I also understand that all meeting dates are tentative and may be postponed by the Neighborhood Services Department for incomplete submissions or other administrative reasons.

Property Owner's Signature: _____ Date: _____

SITE INFORMATION

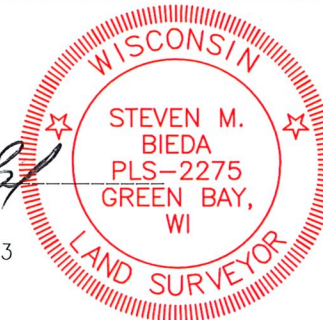
Address/Location of Proposed Project: 4313 Hillcrest Drive Parcel No. HB-583-2
 Proposed Project Type: Certified Survey Map
 Current Use of Property: Residential Zoning: R-1
 Land Uses Surrounding Site:
 North: Residential
 South: Residential
 East: Agricultural
 West: Residential

****Please note that a meeting notice will be mailed to all abutting property owners regarding your request prior to any Public Hearing.**

- Application fees are due at time of submittal. Make check payable to Village of Hobart.
- Please refer to the fee schedule for appropriate fee. FEE IS NON-REFUNDABLE

Certified Survey Map

Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13,
T24N-R19E, Village of Hobart, Brown County, Wisconsin



Steven M. Bieda
Steven M. Bieda
PLS-2275
February 14th, 2023

Legend

- 1.32" (o.d.) x 18" iron pipe with cap weighing 1.68 lbs/lin ft set
- 1" iron pipe found
- ⊙ 2" iron pipe found
- ⊕ Brown County monument - type noted
- () recorded as bearing
- ▨ existing building
- Ⓢ septic
- ⚡ power pole



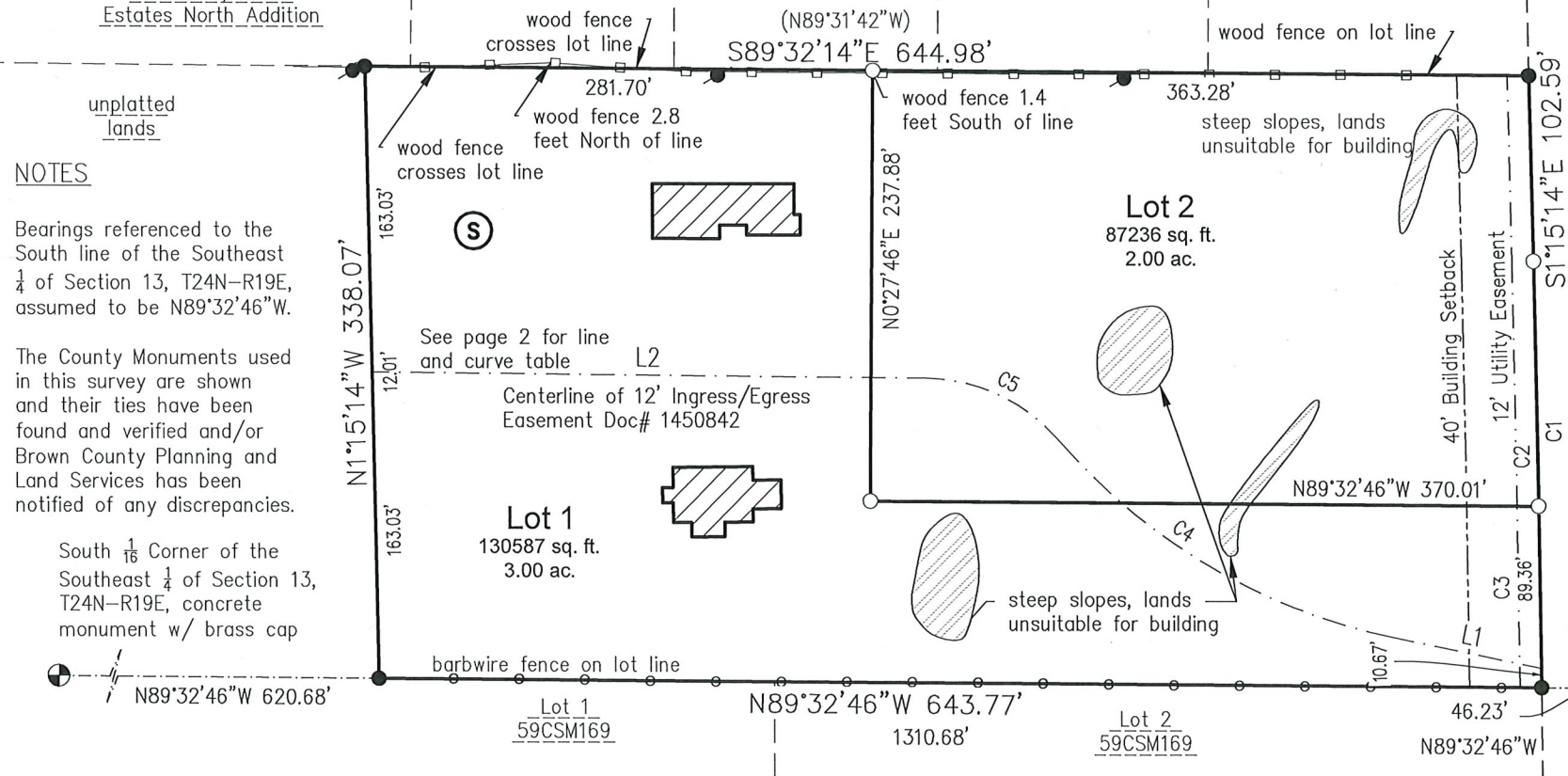
Lot 266
Thornberry Creek
Estates North Addition

Lot 97
Thornberry Creek
Estates

Lot 98
Thornberry Creek
Estates

Lot 99
Thornberry Creek
Estates

Lot 100
Thornberry Creek
Estates



NOTES

Bearings referenced to the South line of the Southeast $\frac{1}{4}$ of Section 13, T24N-R19E, assumed to be N89°32'46"W.

The County Monuments used in this survey are shown and their ties have been found and verified and/or Brown County Planning and Land Services has been notified of any discrepancies.

South $\frac{1}{16}$ Corner of the Southeast $\frac{1}{4}$ of Section 13, T24N-R19E, concrete monument w/ brass cap

North



Mau & Associates, LLP
 LAND SURVEYING & PLANNING
 CIVIL & WATER RESOURCE ENGINEERING
 Phone: 920-434-9670 Website: www.mau-associates.com
 400 Security Blvd Ste 1, Green Bay, WI 54313-9712

Client: Steve Boyer
 Tax Parcel: HB-583-2
 Drafted By: NDK
 File: B-14522CSM 092022.dwg
 Data File: B-14522.txt

Sheet One of Five
 Project No.: B-14522
 Drawing No.: L-11897
 Fieldwork Completed: 01/23/23



Certified Survey Map


Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13,
T24N-R19E, Village of Hobart, Brown County, Wisconsin

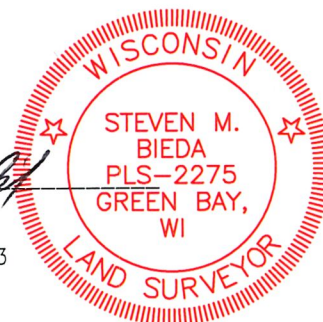
Curve Data

| CURVE | ARC LENGTH | RADIUS | CHORD LENGTH | CHORD BEARING | CENTRAL ANGLE | TANGENT BEARING |
|-------|------------|-----------|--------------|---------------|---------------|---------------------------|
| C1 | 235.35' | 22873.31' | 235.35' | S0°57'33"E | 0°35'22" | S0°39'52"E & S1°15'14"E |
| C2 | 135.32' | 22873.31' | 135.32' | S1°05'04"E | 0°20'20" | - |
| C3 | 100.03' | 22873.31' | 100.03' | S0°47'23"E | 0°15'02" | - |
| C4 | 219.06' | 336.00' | 215.20' | N59°36'53"W | 37°21'20" | N78°17'32"W & N40°56'13"W |
| C5 | 84.57' | 100.00' | 82.07' | N65°09'51"W | 48°27'17" | N40°56'13"W & N89°23'30"W |

Line Data

| LINE # | ARC LENGTH | DIRECTION |
|--------|------------|-------------|
| L1 | 305.89' | N89°23'30"W |
| L2 | 83.05' | N78°17'32"W |


 Steven M. Bieda
 PLS-2275
 February 14th, 2023



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Sheet Two of Five
 Project No.: B-14522
 Drawing No.: L-11897
 Fieldwork Completed: 01/23/23



Certified Survey Map

Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13,
T24N-R19E, Village of Hobart, Brown County, Wisconsin


SURVEYOR'S CERTIFICATE

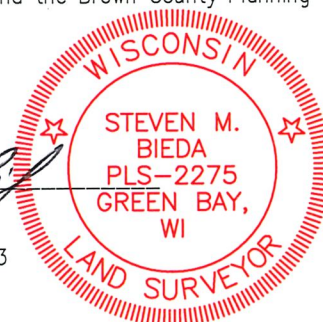
I, Steven M. Bieda, Professional Land Surveyor, PLS-2275, do hereby certify that I have surveyed, divided and mapped part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13, T24N-R19E, Village of Hobart, Brown County, Wisconsin, more fully described as follows:

Commencing at Southeast corner of Section 13, T24N-R19E; thence N89°32'46"W, 46.23 feet along the South line of the Southeast $\frac{1}{4}$ of said Section 13 to the Point of Beginning; thence N89°32'46"W, 643.77 feet along the North line of Lots 1 and 2, Volume 59, Certified Survey Maps, Page 169, Map No. 8425, Document No. 2665992, Brown County Records; thence N1°15'14"E, 338.07 feet to the South line of Lot 266, "Thornberry Creek Estates North Addition", (Volume 22, Plats, Page 37, Document No. 1999021, Brown County Records); thence S89°32'14"E, 644.98 feet along the South line of recorded plats "Thornberry Creek Estates", (Volume 20, Plats, Page 13, Document No. 1450529, Brown County Records); thence S1°15'14"E, 102.59 feet along the West of right of way of C.T.H. "FF", also known as Hillcrest Drive; thence 235.35 feet along said West right of way being the arc of a 22873.31 foot radius curve to the Right whose long chord bears S0°57'33"E, 235.35 feet to the Point of Beginning.

Parcel contains 217,824 square feet / 5.00 acres more or less.
Parcel subject to easement and restrictions of record.

That such plat is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes, the Village of Hobart, and the Brown County Planning Commission code in surveying, dividing and mapping the same.


Steven M. Bieda
PLS-2275
February 14th, 2023



CERTIFICATE OF THE BROWN COUNTY PLANNING COMMISSION

Approved for the Brown County Planning Commission this ____ day of _____, 20__.

Karl Mueller
Senior Planner

CERTIFICATE OF THE BROWN COUNTY TREASURER

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.

Paul D. Zeller Date
Brown County Treasurer

CERTIFICATE OF THE VILLAGE OF HOBART

Approved for the Village of Hobart this ____ day of _____, 20__.

Katrina Bruecker
Village Clerk

Client: Steve Boyer
Tax Parcel: HB-583-2
Drafted By: NDK
File: B-14522CSM 092022.dwg
Data File: B-14522.txt

Mau & Associates, LLP
LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
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400 Security Blvd Ste 1, Green Bay, WI 54313-9712

Sheet Three of Five
Project No.: B-14522
Drawing No.: L-11897
Fieldwork Completed: 01/23/23



Certified Survey Map

Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13,
T24N-R19E, Village of Hobart, Brown County, Wisconsin

NOTES

Lots 1 and 2 contains steep slopes that are unsuitable for building. No development shall occur in areas labeled 'Steep Slope—Lands Unsuitable for Building' unless a geotechnical study is submitted to and approved by Brown County Planning Commission.

A Brown County Highway Department access permit must be obtained prior to any construction of a new street / road connection or driveway to a County Trunk Highway.

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village has adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation—related activities.

Development on Lot 1 requires public sewer and water be available OR acquisition of all state, county, and/or municipal permits concerning onsite sewage disposal systems for sanitary waste disposal.

RESTRICTIVE COVENANTS

The land on all side and rear lot lines of all lots shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.

Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.


UTILITY EASEMENT PROVISIONS

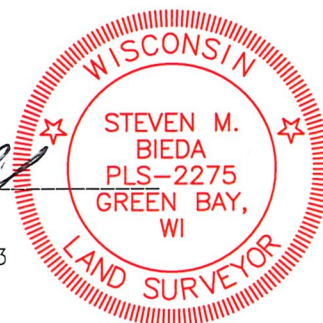
An easement for electric, natural gas, and communications service is hereby granted by

Steven Boyer and Holly Halron, Grantor, to WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.


Steven M. Bieda
PLS-2275
February 14th, 2023



Client: Steve Boyer
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Sheet Four of Five
Project No.: B-14522
Drawing No.: L-11897
Fieldwork Completed: 01/23/23



Certified Survey Map

Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13,
T24N-R19E, Village of Hobart, Brown County, Wisconsin

OWNER'S CERTIFICATE

As Owner, I hereby certify that I caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented hereon. I also certify that this Certified Survey Map is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

VILLAGE OF HOBART
BROWN COUNTY PLANNING COMMISSION

Steven Boyer


Holly Halron

Personally came before me this ____ day of _____, 20____, the above named owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public
Brown County, Wisconsin

My Commission Expires _____

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]


Steven M. Bieda
PLS-2275
February 14th, 2023













Client: Steve Boyer
Tax Parcel: HB-583-2
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Sheet Five of Five
Project No.: B-14522
Drawing No.: L-11897
Fieldwork Completed: 01/23/23

Part of Brown County WI

LEGEND / KEY

-  Parcel Boundary
-  Condominium
-  Gap or Overlap
-  "hooks" indicate parcel ownership crosses a line
-  Parcel line
-  Right of Way line
-  Meander line
-  Lines between deeds or lots
-  Historic Parcel Line
-  Vacated Right of Way

A complete map legend (map key) is available at: tinyurl.com/BrownDogLegend

Map printed 4/4/2023



1:2,400

1 inch = 200 feet*

1 inch = 0.0379 miles*

*original page size is 8.5" x 11"
Appropriate format depends on zoom level

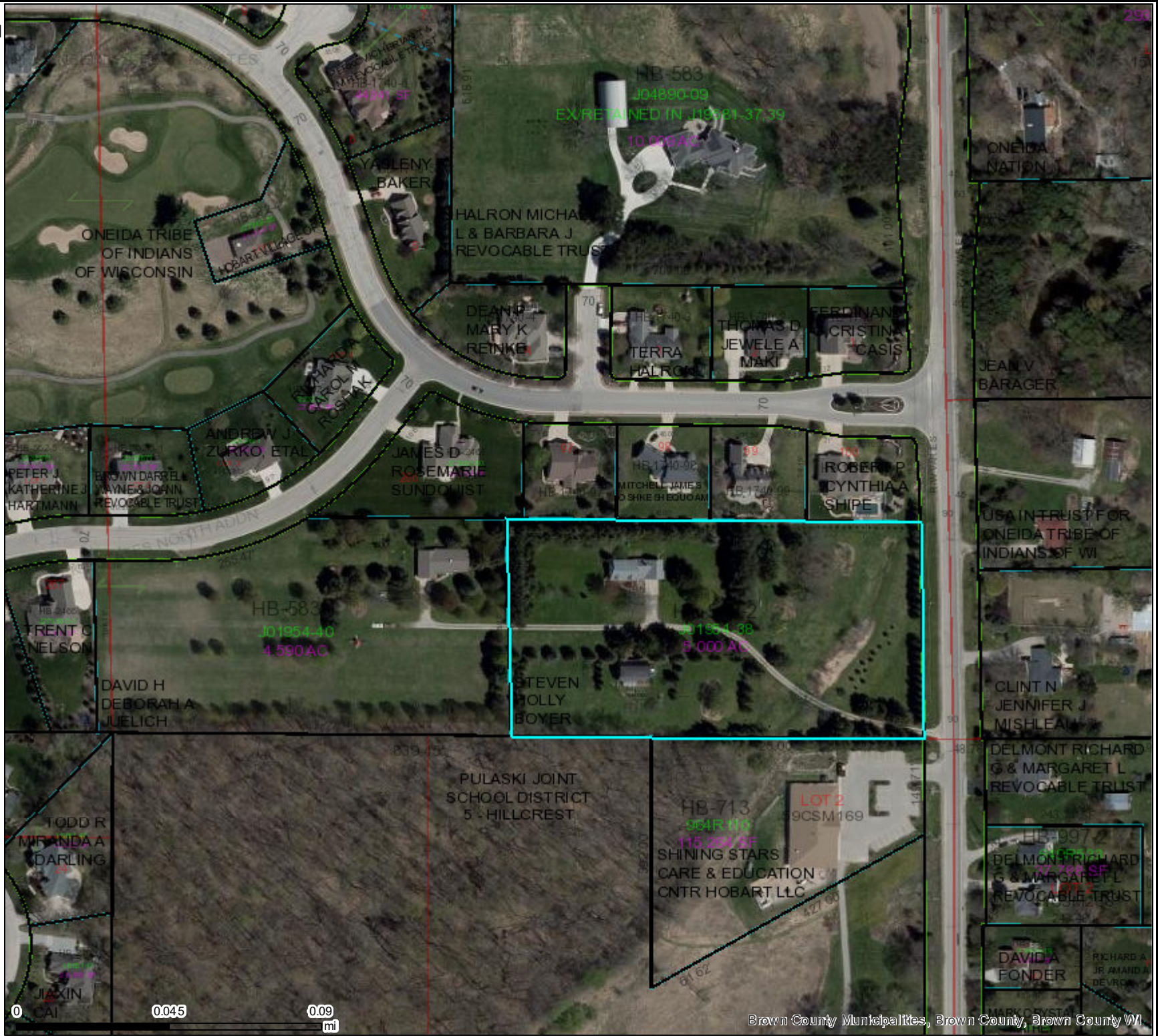
This is a custom web map created by an online user of the GIS map services provided by the

Brown County Wisconsin Planning & Land Services Department



(920) 448-6480

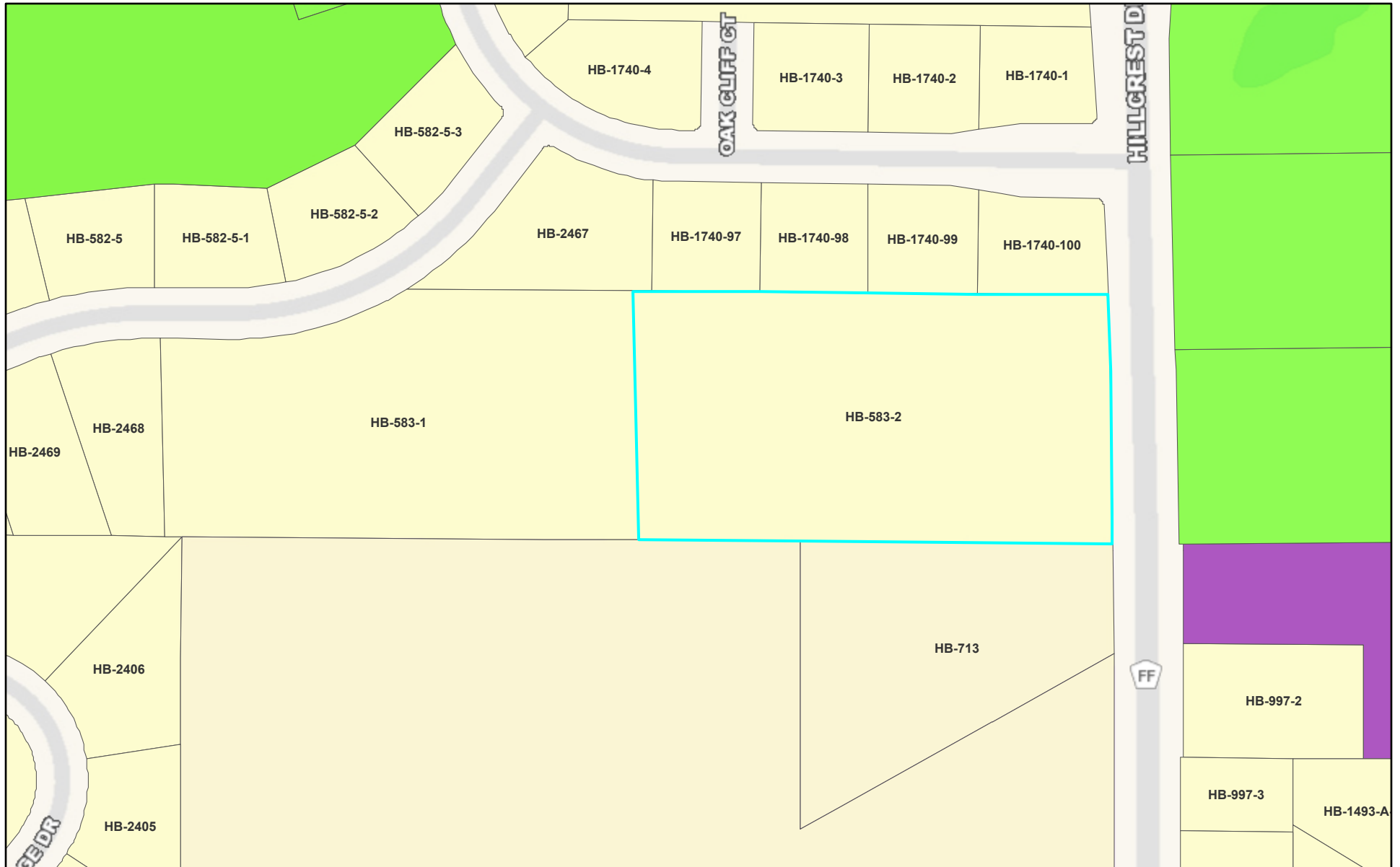
www.browncountywi.gov



0 0.045 0.09 mi



Brown County Municipalities, Brown County, Brown County WI

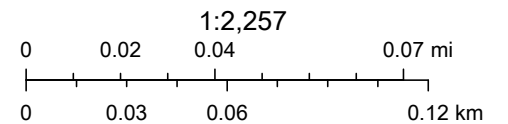
Village of Hobart Zoning - 4313 Hillcrest Dr.



4/4/2023, 12:55:12 PM

Zoning

| | |
|--|---|
|  R-1: Residential District |  ER: Estate Residential District |
|  A-1: Agricultural District | |



Brown County, Robert E. Lee & Associates, Inc.

VILLAGE OF
HOBART
 GREATNESS IS GROWING
MEMORANDUM



TO: Village Board
FROM: Erica Berger, Deputy Clerk-Treasurer
RE: Personnel Manual Updates
DATE: April 18, 2023

BACKGROUND

After review of our employee manual, there are several section that are outdated and need updating. The changes are outlined below in italics.

PROPOSED CHANGES

SECTION 3

F. HOURS OF WORK

1. STANDARD WORK WEEK. The standard work day for employees other than shift employees shall be eight consecutive hours. The standard work week shall consist of five eight hour days, Monday through Friday, unless otherwise determined by the head of each respective department. The standard work day for the Public Works Department shall be 6:00 a.m. until 2:30 p.m. (with no lunch break), except on Friday when the standard work day shall be 6:00 a.m. until 12:00 p.m. For all other departments other than the Police Department, the standard work day shall be ~~8:00 a.m. to 5:00 p.m.~~ *7:30am – 4:00pm*, unless approval of a different standard work day is granted by the Village Administrator.
2. BREAKS AND LUNCH PERIOD. Employees shall receive a ~~one hour of 30 minute~~ unpaid lunch break time and one fifteen-minute paid break time per four hours of work.
3. TEMPORARY CHANGES IN STANDARD WORK WEEK. Standard workday and work week may be changed or reduced by the department heads, subject to the approval of the Village Administrator.

SECTION 4

C. SICK LEAVE

2. All full-time employees ~~(except full-time sworn patrol officers)~~ shall have 6 days ~~(48 hours)~~ *(48 hours for general employment; 72 hours for sworn-patrol officers)* of sick leave per calendar year available for use in the manner prescribed above. ~~Full-time, sworn patrol officers shall have 6 “occurrences” of annual sick leave per calendar year available for use in the manner proscribed in Section 1 above. One occurrence is interpreted to mean one 12-hour shift.~~ All regular part-time employees shall accrue annual sick leave on a prorated basis as compared to full-time employees based upon the percentage of a full week that the regular part-time employee works. For example, if a regular part-time employee works 32 hours per week on a regular basis (80% of a 40 hour work week) the employee would receive 4.8 days (38.4 hours) of annual sick leave per calendar year available for use in the manner proscribed above.

SECTION 9**A. EMPLOYEE BENEFIT ELIGIBILITY.****2. REGULAR PART-TIME BENEFIT EMPLOYEE ELIGIBILITY:**

- b. Benefits Prorated: All regular part-time employees, as defined by in this manual, hired after the effective date of this manual shall earn group health and/or related benefits of Sections **19: D-G 9: D & E**, on a prorated basis as compared to full-time employees based upon the percentage of a full week that the regular part-time employee works. For example, if a regular part-time employee works 32 hours per week on a regular basis (80% of a 40 hour work week) the employee would receive 80% of the current benefit level **of Section 19, A-D**, extended to a 40 hour per week employee, unless such proration conflicted with state and/or federal employment rules and regulations. Benefits outlined in **the other parts of Section 19, H-K, Section 9: C, F, G, H, I, & K** shall not be prorated; these benefits will be equivalent despite hours worked. **Regular part-time employees are not eligible for the benefits outlined in Section 9: B & J.**

B. HEALTH AND DENTAL INSURANCE.

- a. The Village shall maintain a health insurance plan and dental insurance plan administered by a third-party provider. The current year's health insurance and dental insurance plans are on file for viewing with the Village's designated payroll agent. Employees will be notified of any changes to the plan. **Premiums are divided equally among employees based on their participation in one of three different groups: Employee, Employee Spouse, and Family. Insurance premiums are allocated as follows: Each employee pays their own premium costs in accordance with the following allocations:**

| | Village Pays | Employee Pays |
|------------------|--------------|---------------|
| Health Insurance | 88% | 12% |
| Dental Insurance | 50% | 50% |
| Vision Insurance | 0% | 100% |

- b. **Any employee choosing to opt out of the health insurance program will receive \$3000 annually, paid in installments on each biweekly paycheck.**

APPENDIX A**ACKNOWLEDGMENT OF RECEIPT & STATEMENT OF EMPLOYEE UNDERSTANDING**

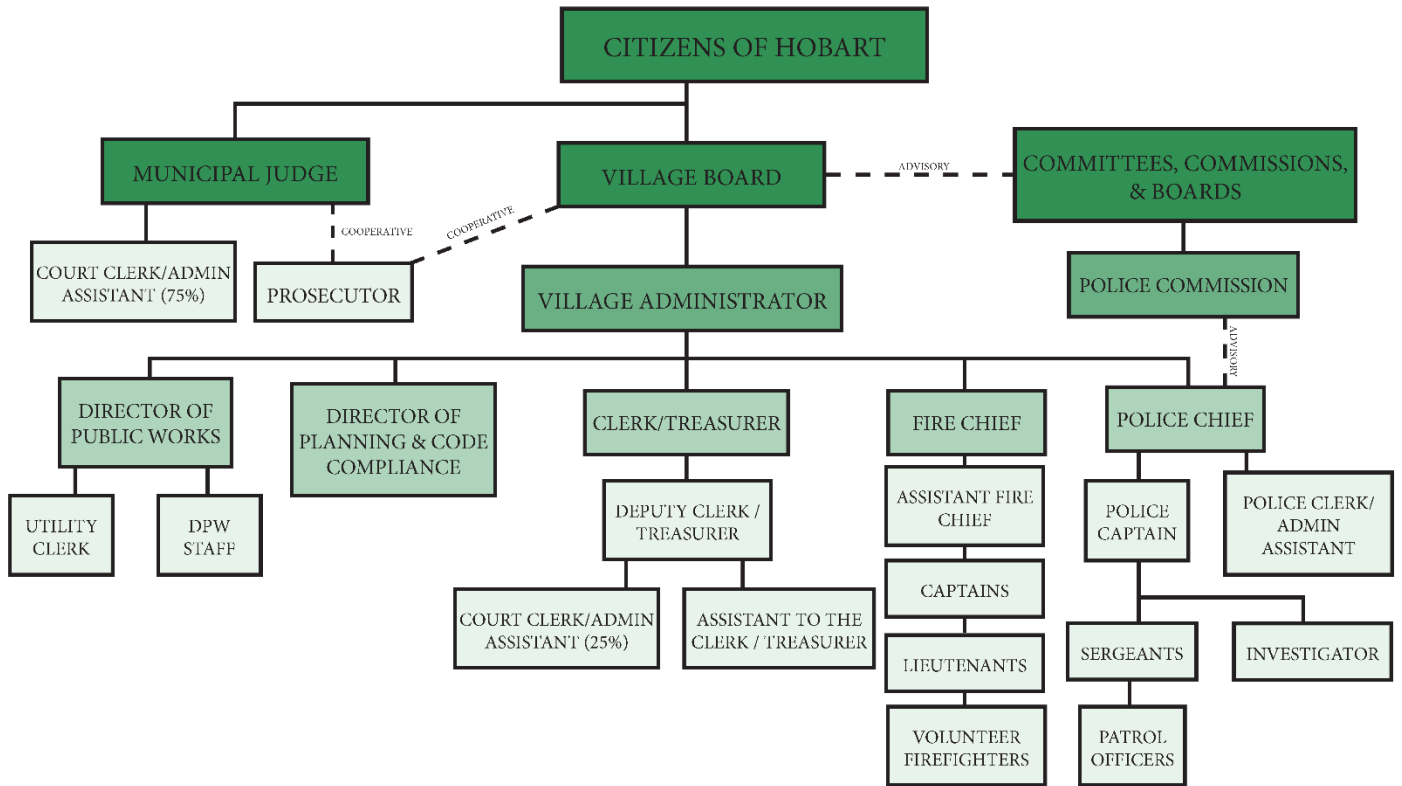
A copy of the Village **Policies and Procedure Employee** Manual adopted **December 15, 2020 March 7, 2023** has been provided to me. My signature indicates that I did receive a copy. I understand that the policies, rules, regulations, and procedures set forth in this manual will govern my employment with the Village. I further acknowledge that it is my responsibility to thoroughly review this manual and familiarize myself with its contents. This manual is understood to form the parameters for my employment with the Village and is not intended to be either an express or implied contract or guarantee employment or guarantee any term or condition of employment. The Village reserves the right to revise, amend, add, or delete any policy, procedure, or benefit contained within the manual without notice at any time.

APPENDIX B

ORGANIZATIONAL CHART



ORGANIZATIONAL CHART



RECOMMENDED MOTION

Adopt the Village of Hobart Employee Manual amendments effective April 18, 2023.