



MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday February 7th 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 6:03pm. Rich Heidel, David Dillenburg, Vanya Koepke and Tammy Zittlow were present. Tim Carpenter participated via telephone.
2. Certification of the open meeting law agenda requirements and approval of the agenda – Village Administrator Aaron Kramer asked that the closed session be amended to include a personnel matter. ACTION: To certify the open meeting law agenda requirements and approval of the agenda, including a personnel matter in closed session MOTION: Dillenburg SECOND: Koepke VOTE: 5-0
3. Pledge of Allegiance - Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS

A. PUBLIC HEARING - To Consider the Rezoning of Parcel HB-1491-F-45 (4567 Wedgestone Court) from ER: Estate Residential District to R-2: Residential District - The existing parcel is approximately 4.360 acres and complies with all zoning requirements for lot area, lot width, and setbacks for the proposed zoning district. Heidel opened the public hearing at 6:06 PM. Todd Gerbers (Director of Planning and Code Compliance) presented an overview of the proposal. No one from the public spoke. Heidel closed the public hearing at 6:08 PM.

B. ACTION on aforesaid agenda item – Ordinance 2023-01 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN) – ACTION: To approve Ordinance 2023-01 MOTION: Dillenburg SECOND: Zittlow VOTE: 5-0

C. PUBLIC HEARING – To Consider Modifications/Amendments to the Zoning Ordinance, Chapter 295, 295-187, Conditional Uses, R-2-R - Village Staff has recently received an inquiry from property owner relating to the construction of a wildlife pond on properties currently zoned R-2-R: Residential District. Chapter 295, section 295-187, Conditional Uses, R-2-R, of the Village Zoning Code does not list artificial lakes or ponds as permitted or conditional uses. To stay consistent with the other residential zoning districts (R-1, R-2, ER), Village Staff is proposing a modification to the Village Zoning Code to allow artificial lakes and ponds as conditional uses in the R-2-R: Residential zoning district. Heidel opened the public hearing at 6:09 PM. Todd Gerbers (Director of Planning and Code Compliance) presented an overview of the proposal. No one from the public spoke. Heidel closed the public hearing at 6:10 PM.

D. ACTION on aforesaid agenda item – Ordinance 2023-02 (AN ORDINANCE TO AMEND A SECTION OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN, SPECIFICALLY SECTION 295-187 (CONDITIONAL USES) OF ARTICLE XVII (R-2-R RURAL RESIDENTIAL DISTRICT) OF CHAPTER 295 (ZONING) - ACTION: To approve Ordinance 2023-02 MOTION: Dillenburg SECOND: Koepke VOTE: 5-0

E. PUBLIC HEARING - To Consider a Conditional Use Permit, Wildlife Pond, HB-3331 & HB-3332 (640 & 650 Trout Creek Road) - The current property owner, Chad Roffers, is proposing to construct wildlife pond of approximately 0.48 acre (20,760 square feet) in the common side yards of these parcels located at 640 and 650 Trout Creek Rd. (HB-3331, & HB-3332). In the R-2-R zoning district, a pond is listed as a Conditional Use. The owners have submitted information as required in Zoning Ordinance Article XXIX Man-Made Bodies of Water. Staff has reviewed the information submitted and has identified the information demonstrates compliance with the ordinance requirements. This CUP is conditional on the previous ordinance being adopted. Heidel opened the public hearing at 6:12 PM. Todd Gerbers (Director of Planning and Code Compliance) presented an overview of the proposal. Ruth Clark (630 Trout Creek Road) expressed her concerns over the flow of high water and drainage issues. Heidel closed the public hearing at 6:16 PM.

F. ACTION on aforesaid agenda item - ACTION: To approve the Conditional Use Permit with the following limitation - wildlife pond shall be constructed and maintained as described in the CUP application, staff report and supporting materials submitted to Village Staff, Village Planning & Zoning Commission, and Village Board) - and conditions: 1. No change in ground elevations in the area adjoining the wildlife pond that would adversely impact area surface water drainage conditions to adjoining properties or village right-of-way shall be taken; 2. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and revocation if the activities of the operation results in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws. MOTION: Dillenburg SECOND: Heidel VOTE: 5-0

G. PUBLIC HEARING – To Consider a Conditional Use Permit, HB-1395-1 (3849 West Mason Street), Mini Storage Warehousing - Jesse Hall and Al Dorn are proposing a plan for additional development on the 6.959 acre parcel located at 3849 W. Mason St. (HB-1395-1). The proposed development calls for the existing commercial building to remain with the construction of six new mini storage warehouse buildings containing a total of approximately 135 individual units. Access to the new development will utilize the existing ingress/egress to the site from W. Mason St. Village Zoning Code requires that mini storage warehouse facilities are a conditional use in the I-1: Limited Industrial District. Therefore, the applicants are requesting the review of a Conditional Use Permit. Heidel opened the public hearing at 6:19 PM. Todd Gerbers (Director of Planning and Code Compliance) presented an overview of the proposal. No one from the public spoke. Heidel closed the public hearing at 6:21 PM.

H. ACTION on aforesaid agenda item – ACTION: To approve the Conditional Use Permit with the following conditions: 1. This development shall be used exclusively for mini storage warehousing (except for the existing commercial building fronting W. Mason St.); 2. There shall be no exterior storage associated with the mini storage warehouse buildings; 3. The individual units of the mini storage warehouse buildings shall not be allowed to contain water supply or sanitary sewer service; 4. The individual units of the mini storage warehouse buildings shall be limited to convenience electrical facilities only (lights and convenience receptacles); 5. Vehicular access point(s) to mini storage warehouse buildings shall be controlled to restrict access during non-operation hours upon readiness of the first unit's occupancy/tenancy; 6. There shall be no parking allowed in the drive lanes around mini storage warehouse buildings that restricts emergency vehicle access; 7. All partially dismantled, non-operating, wrecked, junked, or discarded vehicles or machinery, or vehicle which is not licensed, has an invalid license or does not possess a current license, that is associated with the operation of the commercial building fronting W. Mason St., shall be store indoors, removed from the property, or screened from view from the public roadway and adjoining easterly property by a barrier compliant with Village Codes when not actively being serviced as part of the normal operations of such business enterprise. Such barrier shall be installed prior to occupancy of first mini-storage building; 8. Compliance with Village Site Review Committee conditions of approval; 9. The Conditional Use Permit may be brought back to the Village Board for reconsiderations and revocation if the activities of the operation results in repeated violations or complaints of Village, County, State or Federal regulations, rules or laws. MOTION: Koepke SECOND: Zittlow VOTE: 5-0

5. CONSENT AGENDA - A. Payment of Invoices; B. VILLAGE BOARD: Minutes of January 17th 2023 (Regular); C. SITE REVIEW COMMITTEE: Minutes of September 21st 2022 (Page 55); D. POLICE COMMISSION: Minutes of November 15th, November 16th and November 27th 2022 (Page 56) ACTION: To approve the Consent Agenda MOTION: Carpenter SECOND: Dillenburg VOTE: 5-0 ACTION: To approve the Consent Agenda MOTION: Dillenburg SECOND: Carpenter VOTE: 5-0

6. ITEMS REMOVED FROM CONSENT AGENDA - None

7. CITIZENS' COMMENTS, RESOLUTIONS AND PRESENTATIONS

Leroy Schlorf Jr. (1416 Riverdale Drive) expressed his concerns over the Village's road maintenance and future budgets.

A. DISCUSSION AND ACTION – Resolution 2023-02 (A RESOLUTION REDUCING THE NUMBER OF ELECTION INSPECTORS REQUIRED AT A POLLING PLACE) - The clerk staff has noticed a lack of voter turnout in primary elections leading to the Spring Election each year. The 2021 Spring Primary yielded 7% voter turnout and 2022 Spring Primary yielded a 10% voter turnout of all registered voters. Staff is recommending lowering the required number of workers to simplify the scheduling process for the lower turnout events. During larger elections, Clerk staff will evaluate and increase the number of Election Inspectors scheduled accordingly to meet voter demand. ACTION: To approve Resolution 2023-02 MOTION: Dillenburg SECOND: Koepke VOTE: 5-0

8. VILLAGE ADMINISTRATOR'S REPORT/COMMUNICATIONS – Administrator Kramer outlined the timetable for the fire station and Volante Subdivision bonding. He also said the swearing in of the new Police Captain will likely take place in March.

A. PRESENTATION – Fire Station Financing Plan - Kramer presented the proposed financing plan for the new fire station, to be constructed later this year. No action was taken. ACTION: To suspend the rules MOTION: Heidel SECOND: Koepke VOTE: 5-0. Kramer answered questions from the public on the proposed financing plan. ACTION: To return to regular order MOTION: Heidel SECOND: Koepke VOTE: 5-0

B. INFORMATION – Fire Department ISO Public Protection Classification (PPC) Survey Results – Fire Chief Jerry Lancell answered questions about the results. No action was taken.

C. INFORMATION – December 2022 Hobart-Lawrence Police Department Municipality Summary Report – No action was taken.

9. COMMITTEE REPORTS AND ACTIONS

A. INFORMATIONAL - Request for a 58,090 sf., warehouse addition and associated site improvements (Integrity Warehousing, 3794 Packerland Dr., HB-950 & HB-950-4) (Site Review Committee) - This property was first developed in 2020 to include a new 125,000 square foot warehouse facility and the site improvements consisting of the main access driveway from Packerland Dr. and a secondary access from Camber Ct. In 2021, a 55,000 square foot addition was constructed and the property owner/developer is now proposing a 58,090 square foot addition to this same building. No action was taken.

B. INFORMATIONAL - Request for new wall signage (3828 Packerland Dr., HB-950-7; Wall Sign, Bayland Concrete Shop) (Site Review Committee) - Bayland Concrete Shop, located at 3828 Packerland Dr. is currently under construction and is submitting for review and action of the proposed wall signs. During the original site review back in September 2022, signage was not finalized and therefore not submitted at that time. The developer has since finalized the signage and is requesting review of the proposed wall signage. The request before the Committee at this time would be for a sign logo and non-lit plastic formed letters of a total of 55 square feet on the east elevation (facing Packerland Dr.). This proposed sign is code compliant and will be nonilluminated. Per ordinance, 10% of the wall surface of each building elevation can be covered by signage and since the wall area where the sign is to be located is 8,260 square feet, the proposed wall sign would be in compliance with the Village Sign Code. No action was taken.

10. OLD BUSINESS - None

11. NEW BUSINESS

A. DISCUSSION AND ACTION – Policy 2023-01 (ASSIGNMENT OF CURRENT AND FUTURE BUDGET SURPLUSES AND CERTAIN UNDESIGNATED RESERVE FUNDS TO THE DEBT SERVICE OF THE 2023 FIRE STATION PROJECT) - The purpose of this policy is to provide guidelines and planning for the payment of future debt payments servicing the 2023 Fire Station project, by utilizing current and former budget surpluses and current undesignated reserves. ACTION: To approve Policy 2023-01 MOTION: Heidel SECOND: Koepke VOTE: 5-0

B. DISCUSSION AND ACTION – Ordinance 2023-03 (AN ORDINANCE TO AMEND A SECTION OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN, SPECIFICALLY SECTION 1 (MAXIMUM PERMISSIBLE SPEEDS ON AREA ROADS) OF ARTICLE I (SPEED ZONES) OF CHAPTER 264 (VEHICLES AND TRAFFIC) - The purpose of this Ordinance is to lower the speed limit on a portion of Trout Creek Road, from Riverdale Drive (CTY Road J) west to North Overland Road, from the current 45 miles per hour to 35 miles per hour. ACTION: To schedule a second and final reading of the Ordinance at the February 21st Board meeting MOTION: Heidel SECOND: Dillenburg VOTE: 5-0

C. DISCUSSION AND ACTION – 2023 Sewer Rates - Using the Village's Sewer Rate formula, the sewer rate for 2023 is proposed to be set at \$8.14 per 1,000 gallons, a \$0.07 decrease over the current rate (1 percent). Staff is recommending a slight modification in the rate formula (Policy 2023-01). ACTION: To schedule a public hearing on the proposed rate decrease for the March 7th Board meeting MOTION: Heidel SECOND: Koepke VOTE: 5-0

D. DISCUSSION AND ACTION – Policy 2023-02 (LOCAL ANNUAL ADJUSTMENT POLICY FOR THE HOBART SANITARY SEWER UTILITY) - The purpose of this policy is to amend the previous policy establishing the customer rates for the Hobart Sanitary Sewer Utility to insure the financial solvency of the utility and provide for adequate liquidity and cash reserves to meet the day-to-day operations and long-term needs of the utility. The Village's auditors and financial consultants have strongly encouraged the establishment of this policy to ensure financial solvency of the Village sewer utility. ACTION: To approve Policy 2023-02 MOTION: Dillenburg SECOND: Carpenter VOTE: 5-0

E. DISCUSSION AND ACTION – Amended Memorandum of Understanding (City of Green Bay, Green Bay Water Utility, Villages of Hobart and Pulaski) - Minor changes have been made to the original document, necessitating it being brought back to the Board for action. ACTION: To approve the Amended Memorandum of Understanding MOTION: Heidel SECOND: Zittlow VOTE: 5-0

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

ACTION: To take a 10-minute recess prior to closed session (7:38 PM) MOTION: Heidel SECOND: Koepke VOTE: 5-0. At this time, Carpenter left the meeting.

G. ADJOURN to CLOSED SESSION (7:48 PM): ACTION: To go into closed session 1) 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: Personnel; 2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: Sale of Property/TID Projects/Development Agreements; and 3) 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: Zittlow VOTE: 4-0

H. CONVENE into open session (8:54 PM) – MOTION: Heidel SECOND: Zittlow VOTE: 4-0

I. ACTION from closed session - ACTION: To approve the hiring of Blane Shepherd for a position with the Public Works Department MOTION: Heidel SECOND: Dillenburg VOTE: 4-0 ACTION: To approve an extension of the Option to Purchase with Bay Ridge Capital Investments LLC, with the Option, if not exercised, expiring on December 31st 2023, of the following Village-owned property: HB-3260 (2 acres) (582 Larsen Orchard Parkway) and the eastern one acre of HB-3259 (556 Larsen Orchard Parkway) MOTION: Dillenburg SECOND: Zittlow VOTE: 4-0

12. ADJOURN (8:55 PM) – MOTION: Dillenburg SECOND: Zittlow VOTE: 4-0

Submitted by Aaron Kramer, Village Administrator