

**A G E N D A**  
**CITY OF HARTFORD COMMON COUNCIL**  
**ORGANIZATIONAL MEETING**  
**CITY HALL COUNCIL CHAMBERS**  
**TUESDAY JUNE 28, 2016**  
**7:00 P. M.**

**1) CALL TO ORDER**

This is a regularly scheduled meeting of the Common Council of the City of Hartford. Prior to this meeting, notice was given to the public by posting an agenda on the City Office Meeting Board, Library Bulletin Board, and Police Bulletin Board. In addition, the Daily News (the official City newspaper) was given notice of this meeting and an agenda was placed in their City Office mailbox at least 24 hours ago.

**2) PLEDGE OF ALLEGIANCE**

**3) ROLL CALL**

**4) UNANIMOUS CONSENT AGENDA**

1) None.

**5) COMMUNICATIONS**

**6) APPEARANCES/CITIZENS COMMENTS**

A) Joshua Schoemann, County Administrator, State of the County presentation.

**7) ALDERMANIC REQUESTS**

A) Any alderperson wishing to identify any pertinent information may do so; no action may be taken unless specifically identified on the agenda.

**8) PUBLIC HEARINGS**

**A) PETITION FOR DIRECT ANNEXATION BY UNANIMOUS CONSENT  
SUBMITTED BY JOHN AND JUNE HANDROW FOR APPROXIMATELY  
.861 ACRE OF LAND LOCATED AT 6755 LEE ROAD**

1) Opening of Hearing

2) Reading of Notice

3) Explanation of hearing by staff person

4) Appearances for

5) Appearances against

6) Discussion by Council

7) Closing of Hearing

8) Action: – Ordinance No. 1355 – An ordinance annexing territory to the City of Hartford. *6755 Lee Road* (Executive Summary attached)

**B) PETITION FOR DIRECT ANNEXATION BY UNANIMOUS CONSENT  
SUBMITTED BY GARY DOLL AND LAURA DOLL REVOCABLE TRUST  
FOR APPROXIMATELY 15.84 ACRES LOCATED NORTH OF THE  
TERMINUS OF LIBERTY AVENUE**

1) Opening of Hearing

2) Reading of Notice

3) Explanation of hearing by staff person

4) Appearances for

- 5) Appearances against
- 6) Discussion by Council
- 7) Closing of Hearing
- 8) Action: – Ordinance No. 1356 – An ordinance annexing territory to the City of Hartford. (Executive Summary attached)

**C) REPEALING AND RECREATING CHAPTER 5 OF THE HARTFORD MUNICIPAL CODE**

- 1) Opening of Hearing
- 2) Reading of Notice
- 3) Explanation of hearing by staff person
- 4) Appearances for
- 5) Appearances against
- 6) Discussion by Council
- 7) Closing of Hearing
- 8) Action: – Ordinance No. 1357 – An ordinance repealing and recreating Chapter 5 of the Municipal Code regarding Police Department. (Executive Summary attached)

**9) STANDING COMMITTEE REPORTS**

**A) FINANCE & PERSONNEL**

- 1) Discussion and consideration of approving the following license: **(new bartender, renewal bartender, cigarette, and weights and measures)** for the period July 1, 2016 through June 30, 2017 as per the attached list.

**B) PUBLIC WORKS**

- 1) None.

**C) UTILITY**

- 1) None

**10) RESOLUTIONS**

- A) None.

**11) ORDINANCES**

**A) FIRST READING**

- 1) None.

**B) SECOND READING**

- 1) None

**12) CITY ADMINISTRATOR'S REPORT**

- A) None.

**13) MAYOR'S REPORT**

- A) Mayoral Appointments: Jack Russell Memorial Board – Marilee Russell Fuss and Mark Chappel.

**14) ADJOURNMENT**

**NOTE: Persons with disabilities requiring special accommodations for attendance at the meeting should contact the City Clerk at least one (1) business day prior to the meeting**

**EXECUTIVE SUMMARY**

Ordinance No. 1355

**TITLE:** Petition for Direct Annexation by Unanimous Consent submitted by John and June Handrow for approximately **.861 acre** of land located at 6755 Lee Road

**BACKGROUND:**

John and June Handrow have approached the City about the availability of sanitary sewer to their property located at 6755 Lee Road, tax key number T6081800C. Sewer and water are currently available from Lee Road. The City typically extends sewer service to Town properties that need it and requires annexation if the property is contiguous to the City boundary.

**ANALYSIS:**

Configuration: The shape of the subject parcel follows the property lines of the parcel and measures 125' by 300'. The petitioned area is contiguous to the City on the east and south sides.

Petition Accuracy: A description of the subject property is part of the Petition for Annexation. The petition and legal description do not appear to have any discrepancies.

Status of Public Improvements: Sanitary sewer and water are currently available from Lee Road.

Valuation Impact: According to the most recent tax bills, the property is assessed at \$162,500 and would generate City property taxes of \$1015. As per State law, the City would be required to pay the Town of Hartford Town taxes on this property for five years. This will be approximately **\$266** per year for five years.

Need: The proposed annexation would be done to meet the needs of the petitioners.

School Services Impact: The proposed annexation would have no impact on school services.

Other Service Costs: None

Consistency of Land Use and Zoning: The Smart Growth Plan calls for residential uses at a density of 3.0-5.8 units per acre. The proposed annexation is in accord with the Smart Growth Plan. The property will be assigned a temporary zoning of Rs-2 Single Family Residential.

Relation to Sanitary Sewer Service Boundary: The subject properties are within the City of Hartford's adopted 20-year sanitary sewer service boundary.

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** of the Petition for Direct Annexation by Unanimous Consent submitted by John and June Handrow for approximately **.861 acre** of land located at 6755 Lee Road.

**Prepared By:** Justin Drew 6/8/16  
Justin Drew, Date  
City Planner

**Reviewed By:** Lori Hetzel 06/08/16  
Lori Hetzel Date  
City Clerk

Approved By:  6-9-16  
Steven Volkert, Date  
City Administrator

ROUTING: JOINT PLANNING COMMITTEE TBD  
PLAN COMMISSION 06/13/2016  
COMMON COUNCIL 06/28/2016

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF HARTFORD, WISCONSIN  
6755 Lee Road  
Tax Key Number T6081800C

The Common Council of the City of Hartford, Washington/Dodge Counties, Wisconsin, do ordain as follows:

**SECTION 1: TERRITORY ANNEXED.** In accordance with Section 66.0217(2) of Wisconsin Statutes, the following described territory located in the Town of Hartford, Washington County, Wisconsin is annexed to the City of Hartford, Wisconsin.

Annexation Legal Description  
Tax Key Number T6081800C

Part of the NE 1/4 of the NW 1/4, all in Section 33, Township 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin, which is bounded and described as follows;  
Commencing at the Northwest corner of said Section 33; thence N 89°20'56" E, along the north line of said NW 1/4, 1679.70 feet, to the point of beginning of lands herein described; thence S 00°39'04" E, along the east line of lands describe as Document No. 845773 in the Washington County Registry, 300.00 feet, thence N 89°20'56" E, along the northerly line of Red Oak Country Estates, 125.00 feet; thence N 00°39'04" W, along the westerly line of said Red Oak Country Estates, 300.00 feet, to a point in said north line of the NW 1/4; thence S 89°20'56" W, along said north line, 125.00 feet to the point of beginning.  
Containing 0.861 acre (37,500 square feet) more or less.

**SECTION 2: EFFECT OF ANNEXATION.** From and after the date and filing of this Ordinance, the territory described in Section 1 shall be a part of the City of Hartford for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Hartford.

**SECTION 3: ZONING CLASSIFICATION.** The parcel of land shall be given a temporary zoning classification of Rs-2 Single Family Residential District.

**SECTION 4: ALDERMANIC DISTRICT DESIGNATION.** The territory described in Section 1 of this Ordinance is hereby made part of the 3rd Aldermanic District of the City of Hartford, subject to the rules, ordinances and regulations of the City governing aldermanic districts.

**SECTION 5: WARD DESIGNATION.** Ward 27 is hereby created to encompass the territory described in Section 1 of this Ordinance.

**SECTION 6: SUPERVISORY DISTRICT DESIGNATION.** The territory described in Section 1 of this Ordinance is hereby made a part of the 20<sup>th</sup> Supervisory District.

**SECTION 7: OFFICIAL MAP.** The City of Hartford Official Map is hereby amended to include the territory described in Section 1 as a contiguous part of the City of Hartford.

**SECTION 8: EFFECTIVE DATE.** This Ordinance shall take effect upon passage and publication as required by law.

Signed:

\_\_\_\_\_  
Timothy C. Michalak, Mayor

INTRODUCED: June 28, 2016  
ADOPTED:

ATTEST: \_\_\_\_\_  
Lori Hetzel, City Clerk

STATE OF WISCONSIN            )  
COUNTY OF WASHINGTON       ) ss  
CITY OF HARTFORD             )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 *Timothy C. Michalak, Mayor and Lori Hetzel, City Clerk*, to me known to be the person(s) who executed the foregoing instrument and to me known to be such *Mayor and City Clerk* of said foregoing instrument as such officers, pursuant to authority granted by the City of Hartford Common Council on the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Patricia A. Borlen, Notary Public  
Washington County, Wisconsin  
My Commission Expires \_\_\_\_\_

*Drafted by:* J. Justin Drew, Director of Planning and Zoning

Daily News:  
June 10, 2016  
June 17, 2016  
12 notices sent

**NOTICE OF PUBLIC HEARING  
COMMON COUNCIL**

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 7:00 p.m. or thereafter on June 28, 2016 in the Common Council Chambers at the lower level of City Hall, 109 N. Main Street, by the City of Hartford Common Council to consider the following:

A petition to annex property to the City of Hartford. The petitioned area consists of the property known as 6755 Lee Road, tax key number T6081800C and is described as follows:

**Annexation Legal Description**

**Tax Key Number T6081800C**

Part of the NE 1/4 of the NW 1/4, all in Section 33, Township 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin, which is bounded and described as follows;

Commencing at the Northwest corner of said Section 33; thence N 89°20'56" E, along the north line of said NW 1/4, 1679.70 feet, to the point of beginning of lands herein described; thence S 00°39'04" E, along the east line of lands describe as Document No. 845773 in the Washington County Registry, 300.00 feet, thence N 89°20'56" E, along the northerly line of Red Oak Country Estates, 125.00 feet; thence N 00°39'04" W, along the westerly line of said Red Oak Country Estates, 300.00 feet, to a point in said north line of the NW 1/4; thence S 89°20'56" W, along said north line, 125.00 feet to the point of beginning.

Containing 0.861 acre (37,500 square feet) more or less.

A temporary rezoning to Rs-2 Single Family Residential District will be heard as well as an amendment of the Official Map.

The purpose of the public hearing is to hear those persons who wish to express their opinions for or against the requested annexation, rezoning and official map revision.

A map and legal description of the parcel can be viewed at the Department of Planning and Zoning by appointment, 109 N. Main Street, Monday – Friday between the hours of 7:30 a.m. and 4:30 p.m.

Dated this 10<sup>th</sup> day of June, 2016.

Lori Hetzel, City Clerk  
City of Hartford

36-3302001042  
Ernst Lasanske/Marliese Lasanske LE  
7687 Wolf Lake Road  
Almond, WI 54909

36-3302001043+  
100 Acre Wood LLC c/o Mark McCune  
2466 Lough Lane  
Hartford, WI 53027

36-3302001044  
Unbridled Investment LLC  
1354 Hawthorne Lane  
Delafield, WI 53018

36-3302001045  
Harold Roethle Jr.  
227 Weil Drive  
Slinger, WI 53086

36-3302001046  
Gerald Flanagan/Sandra Sanchez  
18705 Brookridge Drive  
Brookfield, WI 53045

36-3302001003  
Matthew Schwechel/Leah Schwechel  
429 Lee Road  
Hartford, WI 53027

36-3302001050+  
Christopher and Sarah Andritsch  
1377 Red Oak Drive  
Hartford, WI 53027

T6-081800B  
Nick and Lavonna Jovanovich  
6363 Lee Road  
Hartford, WI 53027

T6-081800C  
John and June Handrow  
6755 Lee Road  
Hartford, WI 53027

36-2804003026+  
Wisconsin Land Conservation  
Foundation c/o Matthew Schwechel  
429 Lee Road  
Hartford, WI 53027

36-2803003025  
National Bank of Waupun  
210 E. Main Street  
Waupun, WI 53963

Town of Hartford  
3360 CTH K  
Hartford, WI 53027

## Petition for direct annexation by unanimous approval

Pursuant to Wisconsin Stat. 66.0217 (2), the undersigned, being the owner of all of the real property in the territory. Exhibit A and legally described on the attached does hereby petition to annex said territory from the Town of Hartford, Washington County, Wisconsin into the City of Hartford, Washington County, Wisconsin. The population of said territory is (2) and there are (2) electors residing within the territory.

Upon annexation to the City of Hartford, the City may designate a temporary zoning classification with the City Zoning Ordinance.

Property Owners & Electors: John and June Handrow

By: John Handrow

By: June Handrow

Date: 5/20/2010

# Accurate Surveying & Engineering LLP

Land Surveying, Developing and Consulting

2911 Wildlife Lane, Richfield, WI 53076 Phone (262)677-2120 Fax (262)644-6151

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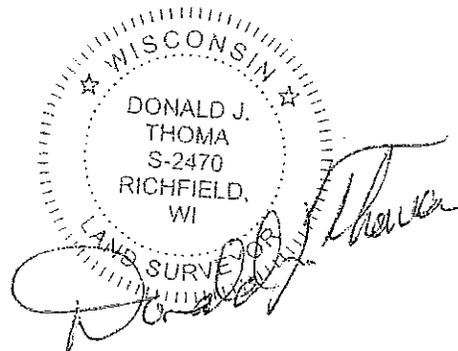
March 16, 2016

**RE: John and June Handrow, Legal description for Annexation to the City of Hartford.**

Part of the NE 1/4 of the NW 1/4, all in Section 33, Township 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin, which is bounded and described as follows;

Commencing at the Northwest corner of said Section 33; thence N 89°20'56" E, along the north line of said NW 1/4, 1679.70 feet, to the point of beginning of lands herein described; thence S 00°39'04" E, along the east line of lands describe as Document No. 845773 in the Washington County Registry, 300.00 feet, thence N 89°20'56" E, along the northerly line of Red Oak Country Estates, 125.00 feet; thence N 00°39'04" W, along the westerly line of said Red Oak Country Estates, 300.00 feet, to a point in said north line of the NW 1/4; thence S 89°20'56" W, along said north line, 125.00 feet to the point of beginning.

Containing 0.861 acre (37,500 square feet) more or less.



Justin Drew

730 4130

Char

702 Floor  
in back

# Annexation Map for John & June Handrow

Outlet 1, CSM 5992

S. Wilson Ave.

Northwest Corner  
Sec. 33-10-18

N 89°20'56" E  
1679.70'

40'

Lee Road

N 89°20'56" E 2648.31

City of Hartford Corporate Limits  
Town of Hartford

S 89°20'56" W 125.00'  
(r.a. N 87°45' E)

N 1/4 Corner  
Sec. 33-10-18

843.61

Lot 1, CSM 5995

40'

125.43' N 89°20'56" E  
173.51'

123.94'

175.00'

Lot 1, CSM No. 5818

east line of CSM No. 5818  
S 00°39'04" E 260.00'  
S 00°39'04" E 260.00'  
City of Hartford Corporate Limits line

Town of Hartford

unplatted lands  
Doc. 845773

Town of Hartford

S 00°39'04" E 300.00'  
(r.a. N 2°15' W)

0.861 ACRES  
37,500 SQ. FT.  
unplatted lands  
Vol. 742 pg. 55

(r.a. S 2°15' E)

N 00°39'04" W 300.00'

Lot 46

Red Oak Country Estates

City of Hartford Corporate Limits line

Lot 45

Lot 44

Town of Hartford

(r.a. S 87°45' W)

N 89°20'56" E 125.00'

City of Hartford Corporate Limits line

Lot 43

N 00°02'04" W 957.37'

126.74

N 89°20'56" E 175.00'

Lot 40

Lot 41

Lot 42

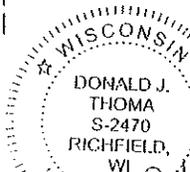
Red Oak Country Estates

(r.a.) - means "recorded as"

Bearings are referenced to the Wisconsin State  
Plane Coordinate System Grid, South Zone.  
The north line of the NW 1/4 of Sec. 33-10-18  
has a grid bearing of N 00°03'36" W.

0 20 40 80

Scale in feet  
1" = 40'



*Justin Drew*  
3-16-2016

## EXECUTIVE SUMMARY

Ordinance No. 1356

**TITLE:** Petition for Direct Annexation by Unanimous Consent submitted by the Gary Doll and Laura Doll Revocable Trusts for approximately **15.84 acres** located north of the terminus of Liberty Avenue.

### **BACKGROUND:**

The petitioned area consists of a parcel in the Town of Hartford, tax key number T6040200Y. The applicant is seeking to bring this land into the City to facilitate a multi-family development with 84 units. The Plan Commission approved a concept plan for the development in April 2016 and the Council approved a Smart Growth Plan amendment to allow high density residential development on this land in May 2016.

### **ANALYSIS:**

Configuration: The parcel is north of the Wal-Mart Supercenter and north of the terminus of Liberty Avenue. The property is contiguous to the City of Hartford on the north, east, and south sides.

Petition Accuracy: A description of the subject property is part of the Petition for Annexation. The petition and legal description do not appear to have any discrepancies.

Status of Public Improvements: Sanitary sewer, water, and electric services are available to the property from Liberty Avenue.

Valuation Impact: According to the most recent tax bill, the land proposed for annexation is assessed at \$6,500. At build out, the Development is expected to have a value of approximately \$7,000,000, which would generate City property taxes of approximately \$44,000. As per State law, the City would be required to pay the Town of Hartford Town taxes on this property for five years. The Developer will be paying this yearly amount. This will be approximately \$11 per year for five years.

Need: The proposed annexation would increase the City's supply of multi-family residential units, for which a large demand exists in southeastern Wisconsin.

School Services Impact: The proposed annexation would be expected to add approximately 25 children to the two school districts at build out.

Other Service Costs: The annexation of the property would result in some additional plowing and maintenance costs for the proposed extension of Liberty Avenue. Total service costs are expected to be far less than the approximately \$44,000 in City taxes that the project would annually generate upon build out.

Consistency of Land Use and Zoning: The Smart Growth Plan calls for medium density residential development. The proposed annexation is in accord with the Smart Growth Plan. As per the Code, annexed areas are assigned a temporary zoning. If no specific zoning is requested, A-1 Agricultural zoning is assigned. In this instance, the Developer has requested temporary zoning that will fit the proposed uses (Rm-3 multi-family residential). The proposed zoning is consistent with the Smart growth Plan.

Relation to Sanitary Sewer Service Boundary: The subject property lies within the City of Hartford's adopted 20-year sanitary sewer service boundary.

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** of the Petition for Direct Annexation by Unanimous Consent submitted by the Gary Doll and Laura Doll Revocable Trusts for approximately **15.84 acres** located north of the terminus of Liberty Avenue.

**Prepared By:** Justin Drow 6/8/16  
Justin Drow, Date  
City Planner

**Reviewed By:** Lori Hetzel 06/08/16  
Lori Hetzel, Date  
City Clerk

**Approved By:** Steve Volkert 06/08/16  
Steve Volkert, Date  
City Administrator

ROUTING: PLAN COMMISSION 06/13/16  
JOINT PLANNING COMMITTEE TBD  
COMMON COUNCIL 06/28/16

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF HARTFORD, WISCONSIN  
Tax Key Number T6040200Y

The Common Council of the City of Hartford, Washington/Dodge Counties, Wisconsin, do ordain as follows:

**SECTION 1: TERRITORY ANNEXED.** In accordance with Section 66.0217(2) of Wisconsin Statutes, the following described territory located in the Town of Hartford, Washington County, Wisconsin is annexed to the City of Hartford, Wisconsin.

Annexation Legal Description  
Tax Key Number T6040200Y

Record Legal Description:

That part of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and that part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 18, Town 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin which Southerly of the State of Wisconsin railroad right-of-way, said railroad formerly owned by the Chicago, Milwaukee & St. Paul Railway Company, excepting therefrom that portion as described by Certified Survey Map No. 6135, recorded February 23, 2007 in Volume 45 of Certified Survey Maps on pages 390 – 395, as Document No. 1152769 and further excepting therefrom that portion as described by Deed recorded April 9, 2008, as Document No. 1188425.

Surveyed Legal Description:

That part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 18, Town 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin which Southerly of the State of Wisconsin railroad right-of-way, said railroad formerly owned by the Chicago, Milwaukee and St. Paul Railway Company, excepting therefrom that portion as described by Certified Survey Map No. 6135, Recorded February 23, 2007 in Volume 45 of Certified Survey Maps on Pages 390 – 395, as Document No. 1152769 and further excepting therefrom that portion as described by deed recorded April 9, 2008, as Document No. 1188425, described more particularly as follows:

Commencing at a concrete monument with brass cap found marking the Southeast corner of said Southeast  $\frac{1}{4}$  Section; thence N1°04'44"E, along the East line of said  $\frac{1}{4}$  section, 350.01' to the Northeast corner of said Certified Survey Map No. 6135; thence N88°36'41"W, along the North line of said Certified Survey Map, 245.53' to an iron bar found marking the place of beginning; thence N88°36'41"W, continuing along said North line, 813.61' to the Northwest corner of said Certified Survey Map; thence S1°27'28"W, along the West line of said Certified Survey Map, 350.07' to an iron pipe found on the South line of said Southeast  $\frac{1}{4}$  Section marking the Northeast corner of Certified Survey Map No 6403, recorded April 6, 2011 in Volume 48 of Certified Survey Maps on pages 222 – 223, as Document No. 1276463; thence N88°36'55"W, along the North line of said Certified Survey Map No. 6403 and the South line of said Southeast  $\frac{1}{4}$  Section, 255.02' to an iron pipe found marking the Northwest corner of said Certified Survey Map No. 6403 and the Southwest corner of the Southeast  $\frac{1}{4}$  of said Southeast  $\frac{1}{4}$  Section; thence N1°02'08"E, along the West line of the Southeast  $\frac{1}{4}$  of said Southeast  $\frac{1}{4}$  Section, 1186.90 to the Southwest corner of the lands described in the aforementioned deed, recorded April 9, 2008, as Document No. 1188425; thence S74°27'54"E, along the South line of said lands, 127.62' to an iron bar found; thence S82°53'41"E, continuing along said South line, 148.62' to an iron bar found, thence S39°03'51"E, continuing along said South line, 260.15' to an iron bar found; thence S73°55'35"E, continuing along said South line, 138.95' to an iron bar found; thence S67°41'54"E, continuing along said South line, 108.37' to an iron bar found; thence S46°28'04"E, continuing along said South line, 345.19' to an iron bar found; thence S46°54'03"E, continuing along said South line, 192.26' to an iron bar found; thence S1°05'17"W, along the west line of said lands, 158.39' to the place of beginning, said parcel contains 15.84 acres more or less.

**SECTION 2: EFFECT OF ANNEXATION.** From and after the date and filing of this Ordinance, the territory described in Section 1 shall be a part of the City of Hartford for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Hartford.

**SECTION 3: ZONING CLASSIFICATION.** The parcel of land shall be given a temporary zoning classification of Rm-3 Multi-Family Residential District.

**SECTION 4: ALDERMANIC DISTRICT DESIGNATION.** The territory described in Section 1 of this Ordinance is hereby made part of the 2nd Aldermanic District of the City of Hartford, subject to the rules, ordinances and regulations of the City governing aldermanic districts.

**SECTION 5: WARD DESIGNATION.** Ward 28 is hereby created to encompass the territory described in Section 1 of this Ordinance.

**SECTION 6: SUPERVISORY DISTRICT DESIGNATION.** The territory described in Section 1 of this Ordinance is hereby made a part of the 20<sup>th</sup> Supervisory District.

**SECTION 7: OFFICIAL MAP.** The City of Hartford Official Map is hereby amended to include the territory described in Section 1 as a contiguous part of the City of Hartford.

**SECTION 8: EFFECTIVE DATE.** This Ordinance shall take effect upon passage and publication as required by law.

Signed:

\_\_\_\_\_  
Timothy C. Michalak, Mayor

INTRODUCED: June 28, 2016

ADOPTED:

ATTEST:

\_\_\_\_\_  
Lori Hetzel, City Clerk

STATE OF WISCONSIN            )  
COUNTY OF WASHINGTON       ) ss  
CITY OF HARTFORD             )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 *Timothy C. Michalak, Mayor and Lori Hetzel, City Clerk*, to me known to be the person(s) who executed the foregoing instrument and to me known to be such *Mayor and City Clerk* of said foregoing instrument as such officers, pursuant to authority granted by the City of Hartford Common Council on the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Patricia A. Borlen, Notary Public  
Washington County, Wisconsin  
My Commission Expires \_\_\_\_\_

*Drafted by:* J. Justin Drew, Director of Planning and Zoning

Daily News:  
June 10, 2016  
June 17, 2016  
6 notices sent

## NOTICE OF PUBLIC HEARING COMMON COUNCIL

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 7:00 p.m. or thereafter on June 28, 2016 in the Common Council Chambers at the lower level of City Hall, 109 N. Main Street, by the City of Hartford Common Council to consider the following:

A petition to annex property to the City of Hartford. The petitioned area consists of the property known as tax key number T6040200Y and is described as follows:

### Annexation Legal Description Tax Key Number T6040200Y

#### Record Legal Description:

That part of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and that part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 18, Town 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin which Southerly of the State of Wisconsin railroad right-of-way, said railroad formerly owned by the Chicago, Milwaukee & St. Paul Railway Company, excepting therefrom that portion as described by Certified Survey Map No. 6135, recorded February 23, 2007 in Volume 45 of Certified Survey Maps on pages 390 – 395, as Document No. 1152769 and further excepting therefrom that portion as described by Deed recorded April 9, 2008, as Document No. 1188425.

#### Surveyed Legal Description:

That part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 18, Town 10 North, Range 18 East, Town of Hartford, Washington County, Wisconsin which Southerly of the State of Wisconsin railroad right-of-way, said railroad formerly owned by the Chicago, Milwaukee and St. Paul Railway Company, excepting therefrom that portion as described by Certified Survey Map No. 6135, Recorded February 23, 2007 in Volume 45 of Certified Survey Maps on Pages 390 – 395, as Document No. 1152769 and further excepting therefrom that portion as described by deed recorded April 9, 2008, as Document No. 1188425, described more particularly as follows:

Commencing at a concrete monument with brass cap found marking the Southeast corner of said Southeast  $\frac{1}{4}$  Section; thence N1°04'44"E, along the East line of said  $\frac{1}{4}$  section, 350.01' to the Northeast corner of said Certified Survey Map No. 6135; thence N88°36'41"W, along the North line of said Certified Survey Map, 245.53' to an iron bar found marking the place of beginning; thence N88°36'41"W, continuing along said North line, 813.61' to the Northwest corner of said Certified Survey Map; thence S1°27'28"W, along the West line of said Certified Survey Map, 350.07' to an iron pipe found on the South line of said Southeast  $\frac{1}{4}$  Section marking the Northeast corner of Certified Survey Map No 6403, recorded April 6, 2011 in Volume 48 of Certified Survey Maps on pages 222 – 223, as Document No. 1276463; thence N88°36'55"W, along the North line of said Certified Survey Map No. 6403 and the South line of said Southeast  $\frac{1}{4}$  Section, 255.02' to an iron pipe found marking the Northwest corner of said Certified Survey Map No. 6403 and the Southwest corner of the Southeast  $\frac{1}{4}$  of said Southeast  $\frac{1}{4}$  Section; thence N1°02'08"E, along the West line of the Southeast  $\frac{1}{4}$  of said Southeast  $\frac{1}{4}$  Section, 1186.90 to the Southwest corner of the lands described in the aforementioned deed, recorded April 9, 2008, as Document No. 1188425; thence S74°27'54"E, along the South line of said lands, 127.62' to an iron bar found; thence S82°53'41"E, continuing along said South line, 148.62' to an iron bar found, thence S39°03'51"E, continuing along said South line, 260.15' to an iron bar found; thence S73°55'35"E, continuing along said South line, 138.95' to an iron bar found; thence S67°41'54"E, continuing along said South line, 108.37' to an iron bar found; thence S46°28'04"E, continuing along said South line, 345.19' to an iron bar found; thence S46°54'03"E, continuing along said South line, 192.26' to an iron bar found; thence S1°05'17"W, along the west line of said lands, 158.39' to the place of beginning, said parcel contains 15.84 acres more or less.

A temporary rezoning to Rm-3 Multi-Family Residential will be heard as well as an amendment of the Official Map.

The purpose of the public hearing is to hear those persons who wish to express their opinions for or against the requested annexation, rezoning and official map revision.

A map and legal description of the parcel can be viewed at the Department of Planning and Zoning by appointment, 109 N. Main Street, Monday – Friday between the hours of 7:30 a.m. and 4:30 p.m.

Dated this 10<sup>th</sup> day of June, 2016.

Lori Hetzel, City Clerk  
City of Hartford

36-1901004002  
Comreco II LLC  
2227 Platwood Road  
Minnetonka, MN 55305

T6-040200Y  
Gary Doll/Laura Doll Revocable Trusts  
5956 Log House Road  
Hartford, WI 53027

T6-0405+  
Ronald and Sandra Roskopf  
7436 STH 60 W  
Hartford, WI 53027

T6-0403  
State of Wisconsin DOT  
141 NW Barstow Street  
Waukesha, WI 53188

36-1901003001  
WalMart Real Estate Business Trust  
Store #5463-00 Attn. MS0555  
P.O. Box 8050  
Bentonville, AR 72716

Town of Hartford  
3360 CTH K  
Hartford, WI 53027

RECEIVED  
JUN 06 2016

BY: S.H.

**PETITION FOR ANNEXATION BY UNANIMOUS APPROVAL**

Emailed 5-25-16

Pursuant to Wisconsin Stats. 66.0217(2), The undersigned, being owner of all of the real property in the territory, and there being no electors within the territory shown and legally described on the scale map attached here to as Exhibit A – Annexation Exhibit, does hereby petition to annex said territory from the Town of Hartford, Washington County, Wisconsin into the City of Hartford, Washington County, Wisconsin. The population of said territory is zero (0), and there are zero (0) electors residing within the territory.

Upon annexation to the City of Hartford, the zoning for that is identified as “Parcel 1” of Warranty Deed, Doc No. 1250010 on the attached Annexation Exhibit is proposed zoning for RM-3 Multi-Family which is consistent with the City Zoning Ordinance.

**Property Owner:** Gary Doll and Laura Doll Revocable Trust

By:   
Gary Doll

Date: 5-24-16

**PETITION FOR ANNEXATION BY UNANIMOUS APPROVAL**

Pursuant to Wisconsin Stats. 66.0217(2), The undersigned, being owner of all of the real property in the territory, and there being no electors within the territory shown and legally described on the scale map attached here to as Exhibit A – Annexation Exhibit, does hereby petition to annex said territory from the Town of Hartford, Washington County, Wisconsin into the City of Hartford, Washington County, Wisconsin. The population of said territory is zero (0), and there are zero (0) electors residing within the territory.

Upon annexation to the City of Hartford, the zoning for that is identified as “Parcel 1” of Warranty Deed, Doc No. 1250010 on the attached Annexation Exhibit is proposed zoning for RM-3 Multi-Family which is consistent with the City Zoning Ordinance.

**Property Owner:** Gary Doll and Laura Doll Revocable Trust

By:           *Gary Doll*            
Gary Doll

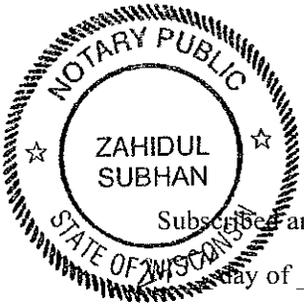
Date:           5-24-16

**AFFIDAVIT OF FILING**

STATE OF WISCONSIN  
COUNTY OF WASHINGTON

Gary Doll, being first duly sworn on oath, deposes and says that on the 24<sup>th</sup> day of May, 2016, he filed with the Town Clerk of the Town of Hartford, Washington County, Wisconsin, a duplication Petition for Direct Annexation by Unanimous Approval of the following described territory:

**See Exhibit A – Annexation Exhibit**



Gary Doll  
Gary Doll

Subscribed and sworn to before me on this  
day of MAY, 2016

[Signature]  
Notary Public, WALWORTH County, Wisconsin  
My Commission is permanent/ expires 08/14/2017

**AFFIDAVIT OF OWNERSHIP AND RESIDENCY**

STATE OF WISCONSIN

COUNTY OF WASHINGTON

Gary Doll, being first duly sworn on oath, deposes and says:

1. That he, Gary Doll as Member of Gary Doll and Laura Doll Revocable Trust, is the petitioner who signed the Petition for Direct Annexation of the following described territory to the City of Hartford:

**See Exhibit A – Annexation Exhibit**

2. The undersigned makes the Affidavit in support of a Petition for Direct Annexation of the above described territory to the City of Hartford, Washington County, Wisconsin, on unanimous consent pursuant to Section 66.0217(2) of the Wisconsin Statutes
3. The Petition for Direct Annexation was signed by the owners of the described territory in which there are no electors residing and to the best knowledge and information of the undersigned no other person or entity has ownership interest whatsoever in and to said territory.

5956 Log House Rd, Hartford  
Address Wis, 53027

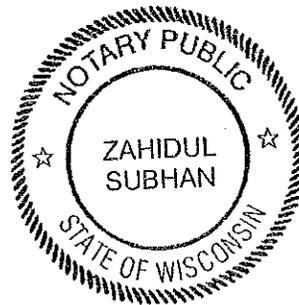
Gary Doll  
Gary Doll

Phone numbers of all petitioners: 414-651-0128  
Phone number for petitioners counsel: \_\_\_\_\_

Subscribed and sworn to before me on this  
24<sup>TH</sup> day of MAY, 2016

[Signature]  
Notary Public, WALWORTH County, Wisconsin

My Commission is permanent/ expires 08/14/2017





**EXECUTIVE SUMMARY**

RESOLUTION NO. 3452

**TITLE:** A RESOLUTION PROVIDING FOR THE PUBLICATION, FILING, INSPECTION AND ADOPTION OF AN ORDINANCE REPEALING AND RECREATING CHAPTER 5 OF THE MUNICIPAL CODE ENTITLED POLICE DEPARTMENT

**BACKGROUND:** This process started with a review of Chapter 4 of the Municipal Code after the approval of the changes in Chapter 4, Chief Groves and I reviewed Chapter 5 for potential revisions. The revisions to Chapter 5 are primarily focused on removing old provisions of the code that no longer apply and removing sections of the code that conflict with or duplicate existing police rules. The substantive changes and additions are:

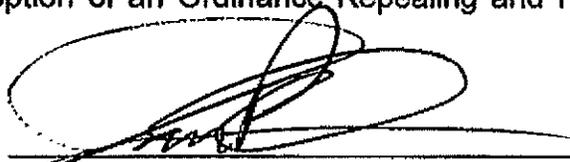
- 5.03: removed provisions for approval of appointed officers by Common Council that were in conflict with approval by the Police and Fire Commission.
- 5.04:
  - Removed several sections that duplicated existing police rules,
  - Removed a provision that required the Chief to notify the Mayor if he would be absent from the City, and
  - Removed provisions that gave Alderpersons and the Parks and Recreation Director police powers to arrest and enforce ordinances, at the request of the Mayor this authority still exists for the Mayor.

Like with Chapter 4, the initial action item is the adoption of a Resolution Providing for the Publication, Filing, Inspection and Adoption of an Ordinance Repealing and Recreating Chapter 5 of the Municipal Code. After adopting this resolution, a legal notice will be published and the revised Chapter will be available for inspection at the Clerk's office commencing May 31, 2016. At the June 28, 2016 meeting, the Ordinance Repealing and Recreating Chapter 5 will be presented for consideration and approval.

**FISCAL IMPACT:** None.

**RECOMMENDATION:** Adopt the Resolution Providing for the Publication, Filing, Inspection and Adoption of an Ordinance Repealing and Recreating Chapter 5 of the Municipal Code

**PREPARED BY:**

  
\_\_\_\_\_  
Ian Prust, City Attorney

5-16-16

\_\_\_\_\_  
Date

**APPROVED BY:**

  
\_\_\_\_\_  
David Groves, Chief of Police

05-18-16

\_\_\_\_\_  
Date

APPROVED BY: Steve Volkert  
Steve Volkert, City Administrator

5-18-16  
Date

RESOLUTION NO. 3452

A RESOLUTION PROVIDING FOR THE PUBLICATION, FILING,  
INSPECTION AND ADOPTION OF AN ORDINANCE REPEALING AND RECREATING  
CHAPTER 5 OF THE MUNICIPAL CODE ENTITLED POLICE DEPARTMENT

**WHEREAS**, the Ordinance entitled Chapter 5, Police Department, has been prepared and tentatively approved by the Common Council.

**NOW, THEREFORE, BE IT RESOLVED**, that Chapter 5 be presented for adoption by the Common Council at its regular meeting on May 24, 2016 and **BE IT FURTHER RESOLVED** that the City Clerk, in accordance with the requirements of Section 66.0103, Wis. Stats., shall file a copy of this proposed Ordinance in her office for public inspection commencing May 31, 2016, and cause a copy of the following notice to be published in the Daily News:

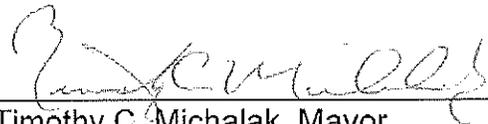
*"PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 7:00 p.m. or thereafter on June 28, 2016 in the Common Council Chambers at Hartford City Hall, by the Common Council for the purposes of considering an Ordinance Amending Chapter 5 of the Municipal Code regarding Police Department.*

*The purpose of said hearing is to hear those persons who wish to express their opinions for or against the requested Ordinance change.*

*You are further notified that a copy of said proposed ordinance will be on file and open for public inspection in the office of the City Clerk for a period of not less than two weeks prior to its adoption, commencing May 31, 2016, in accordance with Section 66.0103, Wis. Stats."*

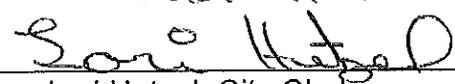
Adopted this 24<sup>th</sup> day of May, 2016, by the Common Council of the City of Hartford, Wisconsin.

Signed:

  
\_\_\_\_\_  
Timothy C. Michalak, Mayor

INTRODUCED: 05/24/16

ADOPTED: 05/24/16

ATTEST:   
\_\_\_\_\_  
Lori Hetzel, City Clerk

---

**AN ORDINANCE REPEALING AND RECREATING CHAPTER 5  
OF THE MUNICIPAL CODE REGARDING POLICE DEPARTMENT**

---

NOW, THEREFORE, the Common Council of the City of Hartford do ordain as follows:

SECTION 1. Chapter 5 of the Municipal Code is repealed and recreated to read as follows:

**5.01 ORGANIZATION OF POLICE DEPARTMENT.** The Police Department of the City of Hartford shall consist of the Chief of Police, sworn Police Officers and non-sworn support staff as may be appointed from time to time.

**5.02 POLICE CHIEF.** (1) Appointment. The Chief of Police shall be appointed by the Board of Police & Fire Commissioners and shall hold his office during good behavior, subject to suspension or removal by such Commission.

(2) Command of Police Department. The Chief of Police shall have command of the Police Department of the City under the direction of the Mayor. The Chief of Police shall have general administration and control of the department and shall be responsible for the department's government, efficiency and general good conduct. The Chief of Police shall perform all duties prescribed to him by the laws of the state and the ordinances of the City, and it shall be his duty to obey all lawful written orders of the Mayor and Common Council.

(3) To Keep Public Peace. The Chief of Police shall cause the public peace to be preserved and enforce all the laws and ordinances of the City and whenever any violation thereof shall come to his knowledge, he shall cause the requisite complaint to be made and procure the evidence for the successful prosecution of the offender or offenders.

(a) Appointed Officials other than Police Officers shall be empowered to utilize citation authority to alleviate serious violations of ordinances of the City for which they bear direct or indirect responsibility. The Chief of Police shall cooperate with other appointed officials in such matters, by providing counsel and by causing a uniform citation and complaint form to be issued.

Said citations and complaints shall be promptly completed by the responsible official, with the assistance of the City Attorney, and shall then be served by a Police Officer.

Copies of complaints issued under this subsection shall be forwarded to the Mayor. The City Attorney, acting as a Court Officer, shall be empowered to dismiss any complaint.

(4) Department Records. The Chief of Police shall keep a record of all arrests made by all of the members of the police force, the dates thereof, the name of the person arrested, the name of each arresting officer, the action taken under the arrest and the result. He shall be prepared to make a report of such records to the Common Council as requested by the Mayor or Common Council.

5.03 **MEMBERS OF DEPARTMENT.** (1) Appointment. The Chief of Police shall appoint subordinates subject to the approval of the Board of Police & Fire Commissioners. Such appointment shall be made by promotion when this can be done with advantage, otherwise from an eligible list provided by examination and approval by the Board and kept on file with the City Clerk. Such list shall be determined as provided in Section 62.13 (4) of the Wisconsin Statutes.

(2) Probation Period. All original appointments to the Police Department shall be for a probationary period of 12 months, continuation in the service being dependent upon the conduct of the appointee and his/her fitness for the performance of assigned duties. Any appointee may be removed during the probationary period at the discretion of the Chief of Police.

5.04 **POLICE OFFICERS: POWERS AND DUTIES.** (1) Powers of Arrest. The Chief of Police and any police officer shall have full power and authority, and it shall be their duty to arrest all persons in the City found in the act of violating any law or ordinance in the City, or aiding or abetting in such violation, and shall arrest all persons found under suspicious circumstances, and shall take all such persons in charge and confine them, and within a reasonable time, bring such persons before the proper magistrate to be dealt with according to law.

(2) Orders of Chief. The members of the police force shall obey the orders of the Chief of Police, and shall report to the Chief all violations of the City ordinances.

(3) Gifts and Rewards. No police officer shall accept or receive from any person while in custody or after such person shall be discharged, or from any such person's friends, any gratuity, reward or gifts, directly or indirectly or any article or thing as compensation or damages sustained in the discharge of his duty.

(4) Witness Fees. All witness fees for appearances by members of the Police Department in their official capacity before any court shall be paid to the City Treasurer for deposit in the general fund.

(5) Uniforms and Insignia.

(a) Badges. All uniformed police officers when on duty shall wear the badge or insignia of their office on the outside of the outermost garment, over the left breast, conspicuously displaying the same so that the entire surface thereof may be seen, except when caution may dictate that the same shall not be exposed.

(b) Uniforms. Every member of the police force, except the Chief of Police, shall on all occasions while on duty, unless otherwise directed by the Chief of Police, wear a uniform as may be prescribed by the Chief of Police.

(6) Absence from City. No member of the Police Department shall be absent from duty or leave the City without the permission of the Chief of Police.

(7) Suspension and Dismissal. Any member of the police force may be suspended for cause by the Chief of the department and such suspension shall immediately be reported in writing to the Police & Fire Commission. Every police officer shall also be subject to suspension and dismissal for cause in accordance with Section 62.13 (5) of the Wisconsin Statutes.

(8) Police Powers of Mayor. The Mayor of the City shall, severally and respectively, have and exercise with the City all the powers of the police officer of the City, without any extra compensation or claims of extra compensation therefor.

**5.05 REGULATIONS FOR DEPARTMENT.** (1) The Chief of Police and all members of the Police Department shall be governed by and shall carry out all rules and regulations prescribed by his Chapter and such other rules and regulations adopted by the Board of Police & Fire Commissioners.

(2) The Chief of Police may make, promulgate, and enforce such further rules and regulations for the government and conduct of the police force as he may deem necessary, provided such rules shall not be inconsistent with this Chapter and the laws of the State of Wisconsin.

**5.06 CUSTODY OF LOST AND CONFISCATED PROPERTY.** (1) Custody with Chief. The Chief of Police or the Chief's designee shall have charge and custody of all lost, stolen, abandoned and unclaimed property, property taken from prisoners or held as evidence, and all other property coming into possession of the Police Department, and he shall be responsible for the safekeeping, accurate recording and proper disposition of the same.

(2) Disposition of Unclaimed Property.

(a) All personal property which has been abandoned or remained unclaimed for a period of 30 days after taking possession of the property by the City may be disposed of by the Police Department by any means determined to be in the best interests of the City. The property may be sold at public sale or auction at a time and place designated by the Chief of Police. If the property is not disposed of in a sale open to the public, the Police Department shall maintain an inventory of such property, a record of the date and method of disposal, including the consideration received for the property, if any, and the name and address of the person taking possession of the property. Such inventory shall be kept as a public record for a period of not less than two years from the date of disposal of the property. If the disposal is in form of a sale, all receipts from the sale, after deducting the necessary expenses of keeping the property and conducting the sale, shall be paid into the City Treasury.

(b) All unclaimed money in possession of the Police Department, after being held for 30 days and after every reasonable effort has been made to locate the owner thereof, shall be deposited with the City Treasurer, upon approval of the Chief of Police.

(c) Except upon orders of the Court, stolen or wrongfully taken property, or property which may be required in any civil or criminal proceedings, shall not be delivered to any claimant until all prosecutions or proceedings involving such property shall have been finally determined.

(3) Destruction of Gambling Devices. Unless otherwise directed by the court, all gambling devices, tables, wheels, instruments or any other paraphernalia used for gambling purposes seized by members of the department shall be destroyed upon order of the Chief of Police, after all prosecutions or proceedings pertaining thereto have been finally disposed of, including appeals, and the time has expired within which appeals may be taken.

**5.07 RESISTING OR OBSTRUCTING OFFICER.** (1) No person shall knowingly resist or obstruct an officer of the Police Department while such officer is doing any act in an official capacity and with lawful authority.

(2) In this section, "Obstructs" includes without limitation knowingly giving false information to the officer with intent to mislead him in the performance of his duty including the service of any summons or civil process.

**5.08 PRIVATE ALARM SYSTEMS.** (1) Declaration of Purpose. This ordinance is enacted to provide minimum standards and regulations applicable to burglar and fire alarm systems. Public safety will be aided by providing a more efficient system of private security, which properly balances quick response by emergency responders with minimization of fire and police time spent on false alarms.

(2) Definitions.

(a) Alarm system shall mean any device designed for the detection of an unauthorized entry on the premises, unlawful act, fire or any emergency that alerts a municipal organization of its commission or occurrence and when actuated, gives a visual or audible signal, or transmits or causes a signal to be transmitted.

(b) False alarm shall mean a signal from an alarm system that alerts any municipal organization of the City that results in an emergency response from that group when a situation of emergency does not exist.

(c) Person shall mean any individual, partnership, corporation, or other legal entity.

(d) Private residence shall mean any structure that is primarily used as a dwelling.

(e) Local alarm shall mean a system that gives a signal, either visual or audible, that does not leave that structure by wire or radio wave to a control receiving location. Excluded are smoke detectors in private one- or two-family homes which signal inside the dwelling only.

(3) Permits.

(a) A permit shall be required annually of each alarm system, or local alarm, on commercial, multi-family, or private premises within the City of Hartford.

(b) A permit fee as determined in Chapter 42 of the Municipal Code shall be paid by the applicants, except that permits for systems on premises as of October 1, 1978, shall be issued without charge. If two separate systems or a single system with two separate or different functions exist, separate fees shall be required for each system, or function.

(c) Time to acquire. For those systems on premises within the City as of October 1, 1978, a permit shall be obtained within ninety (90) days after the effective date of this ordinance. With respect to any alarm system installed after the effective date of this ordinance, a permit must be issued before the system is installed.

(d) The issuing authority shall be the Hartford Police Department.

(e) Application for all permits for private dwellings, multi-family housing, and commercial buildings required under this section shall be filed in writing with the Chief of Police. The Chief of Police shall prescribe the form of application and request such information as is necessary to evaluate and act upon the permit application. The Hartford Police Department shall deny a permit if the alarm system, for which the permit is sought, does not comply with this Chapter.

(4) Requirements.

(a) All installations and inspection maintenance fees shall be paid by the applicant.

(b) All subscribers that install alarm systems in the City of Hartford shall be required to assure some prompt type of response in the event the alarm is activated. The response is necessary in order to silence, reset, or gain entrance to the building.

(c) All commercial and industrial subscribers having alarms other than fire, and all residential subscribers, must have some type of device attached to the alarm that will automatically shut off the alarm after fifteen minutes or have some other sure means of turning off the alarm.

(d) All private dwelling alarm systems shall be equipped with a time delay of at least twenty (20) seconds in case the system is accidentally activated.

(e) All security alarm systems shall be equipped with batteries in case of power failures.

(5) Prohibitions.

(a) No person shall install an alarm system, or local alarm, or use or possess an operative alarm system, or local alarm, without having a permit in accordance with the provisions of this subsection.

(b) No person owning, using, or possessing an alarm system, or local alarm, shall cause or permit giving of repeated false alarms, whether intentional, accidental, or otherwise.

(6) Testing. No alarm and/or fire system will be tested to determine police response without first notifying by personal appearance, the police department dispatcher immediately before testing.

(7) Charges for False Alarms.

(a) There shall be a charge for repeated false alarms requiring a Police or Fire Department response if the alarm system malfunctions because of faulty equipment, improper installation, failure to properly maintain the system, or if the alarm is activated for any other reason. The charge shall not be imposed when the alarm is caused by a tornado, earthquake, electric system failure, electrical storm or other violent conditions as determined by the Chief of Police. There shall be no charge for the first false alarm, a warning letter shall be issued for the second, and a fee for the third and every subsequent false alarm in a calendar year shall be due and owing as specified in Chapter 42 of the Municipal Code.

(b) All monthly charges for false alarms shall be immediately due and payable. Failure to pay any false alarm charge within thirty (30) days of assessment shall be grounds for immediate disconnection insofar as no federal or state laws are violated. In addition, any unpaid charges shall become a lien on the property, collectible by the Treasurer in the usual manner.

(8) City Liability. Limitations of Liability. The City of Hartford shall be under no duty or obligation to a permittee or to any other person concerning any provision of this Chapter, including, but not limited to, any defects in an alarm system or any delays in transmission, or response, to any alarm; however, this in no way shall be construed that it is not the proper function of the Police Department to respond to alarms.

(9) Penalties. Any person who shall violate any provision of this section shall be subject to a penalty as provided elsewhere in this Municipal Code.

**5.09 FINGERPRINTING SERVICES.** Whenever citizen requests to have his or her fingerprints taken for non-law enforcement purposes, a fee for such service shall be charges as provided in Chapter 42 of this Code.

**5.10 PARKING ENFORCEMENT AIDES.** Parking Enforcement Aides shall be appointed and supervised by the Chief of Police and shall patrol parking areas, issue notices of tickets for parking violations, provide assistance to the public, and perform other duties related to the above, but shall not have the power to arrest.

**5.11 CITATION.** (1) The citation form to be used for violations of ordinances other than those for which a statutory counterpart exists shall be the Wisconsin Uniform Municipal Court Citation and Complaint form as prescribed by the Wisconsin Department of Administration--Document Sales Unit.

(2) Citations with respect to ordinances which are directly related to his or her official responsibilities may also be issued by the Building Inspector or Zoning Administrator.

**5.12 CRIMINAL CONVICTION RECORDS CHECK.** The Chief of Police or the Chief's designee shall be required to access the TIME System computer network and may provide to the appropriate licensing, employment or authorizing authority criminal conviction records of applicants for bartender licenses, and for employment with the City of Hartford.

**5.13 FALSE COMPLAINTS OF POLICE MISCONDUCT.** Whoever knowingly makes a false complaint regarding the conduct of a law enforcement officer is subject to a Class A forfeiture. This ordinance adopts Section 946.66, Wisconsin Statutes.

**SECTION 2.** This ordinance shall be effective upon passage and publication as provided by law.

---

Timothy C. Michalak, Mayor

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

ATTEST:

---

Lori Hetzel, City Clerk

File No. hh268-1048

**CITY OF HARTFORD  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that a **PUBLIC HEARING** will be held at 7:00 p.m. or thereafter on June 28, 2016 in the Common Council Chambers at Hartford City Hall by the Common Council for the purposes of considering an Ordinance Amending Chapter 5 of the Municipal Code regarding Police Department.

The purpose of said hearing is to hear those persons who wish to express their opinions for or against the requested Ordinance change.

You are further notified that a copy of said proposed Ordinance will be on file and open for public inspection in the office of the City Clerk for a period of not less than two weeks prior to its adoption, commencing May 31, 2016, in accordance with Section 66.0103, Wis. Stats.

Dated this 2<sup>nd</sup> day of June, 2016.

Lori Hetzel, City Clerk  
City of Hartford

**LICENSES FOR THE PERIOD 7/1/2016 – 6/30/2017**

**Bartender (Renewal)**

| <u>NAME</u>       | <u>ADDRESS</u>                |
|-------------------|-------------------------------|
| Blazek, Jodi      | 641-2 Beaus Bay, Slinger      |
| Grissman, Krystal | 105 South St, Hartford        |
| Grissman, Laurie  | W531 Saylesville Rd, Rubicon  |
| Hameister, Sharon | 1168 St Kilian Pkwy, Hartford |
| Hurth, Mara       | 101 Conroy Circle, Beaver Dam |
| Johnson, Edward   | 7496 Ireland Dr, Hartford     |
| Keener, Michael   | 1101 Ellys Way, Slinger       |
| Kern, Peter       | 1226 Garfield Ln, Hartford    |
| Meinerz, Nichole  | W479 State Road 60, Rubicon   |
| Sutter, Daniel    | 232 Branch St, Hartford       |
| Williams, Amanda  | 508 East Ave, Hartford        |
| Wright, Valerie   | 119 South Main St, Hartford   |

**Bartender (New)**

| <u>NAME</u>         | <u>ADDRESS</u>                   |
|---------------------|----------------------------------|
| Becker, Barry       | 969 East Loos St, Hartford       |
| Buchmann, Briana    | N3834 Lilly Rd, Rubicon          |
| Johnson, Cheynile   | 663 East Monroe Ave, Hartford    |
| Langlois, Stephanie | 235 East Monroe Ave #4, Hartford |

**Cigarette (Renewal)**

| <u>NAME</u>           | <u>BUSINESS/ADDRESS</u>               |
|-----------------------|---------------------------------------|
| Hartford Mobil        | Hartford Mobil, 743 East Sumner St    |
| Petro Quick Mart, LLC | Petro Quick Mart, 1502 East Sumner St |

**Weights and Measures (Renewal)**

| <u>NAME</u>           | <u>BUSINESS/ADDRESS</u>               |
|-----------------------|---------------------------------------|
| Hartford Mobil        | Hartford Mobil, 743 East Sumner St    |
| Petro Quick Mart, LLC | Petro Quick Mart, 1502 East Sumner St |

**NOTE: All bartender and cigarette license applications have been reviewed and recommended for approval by Chief Groves. All applications are available for review in the City Clerk's office**

**MISCELLANEOUS**

**COMMITTEE**

**REPORTS**

**PLAN COMMISSION**  
**City of Hartford**  
**May 9, 2016**

PRESENT: Chairperson Michalak, Members Anderek, Stapleton, Regan, Henke, Kuepper, Alderperson Liaison Rusniak

ABSENT: None

ALSO PRESENT: City Planner Justin Drew

**Call to Order** – Chairman Michalak called the meeting to order at 7:00 p.m. in the Common Council Chambers of Hartford City Hall, 109 N. Main Street.

**Minutes** - Motion by [ ], second by Henke approving the minutes of April 11, 2016. Motion carried.

**Appearances** – There were no appearances.

Chairperson Timothy Michalak noted the welcome for himself and returning member Dennis Regan.

**Sign Review: Creative License, 52 N. Main Street**

*Executive Summary Review:*

Signworks submitted an application for wall signs for the front and back of the Creative License business at 52 N. Main Street. The business is under new ownership and the new owners would like to change out the current signage. The previous Creative License sign included a logo and lettering in multiple colors and was used both front and back. The submitted design for the new front sign has only lettering, but separates the lettering into the business name on the left side and the slogan ('It's in you, let the ART out!') on the right side. The sign measures 72 square feet, below the 84.6 maximum allowed, and is comprised of premium vinyl lettering applied to a painted background. Colors are white with blue lettering (business name, left side), and blue with white lettering (slogan, right side). Small touches of red are included on both sides. The green panel shown on the rendering will be painted white. The back sign measures 15 square feet, below the 72.9 maximum allowed. It consists of the business name in larger lettering and the slogan in smaller lettering. Lettering is blue with touches of red on a white background. The back sign is aluminum with printed graphics. Both signs meet code requirements for size, color and placement. Planning staff recommended approval of the signs.

*Plan Commission Discussion, Creative License Sign:*

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. There was no discussion.

MOTION by Kuepper, second by Henke to approve the Creative License signage at 52 N. Main Street. Motion carried.

**Conditional Use Permit Public Hearing for Broan-NuTone, 926 W. State Street, to Allow a Building Height Greater than the 35 Feet Allowed by Code in the M-2 Industrial District**

*Executive Summary Review:*

In April 2016, The Plan Commission endorsed, and the Common Council approved, an ordinance amending the zoning code to allow buildings in manufacturing districts to exceed the height restriction as a conditional use after review by the Plan Commission. This change allowed the City to make decisions on building heights in industrial areas based upon building height water pressure studies, the proximity of residential properties, the heights of surrounding buildings, and the proximity of fire hydrants. Broan-Nutone is seeking to build a 136,000 square foot addition to their facility. The addition would face North Wacker Drive and would primarily be for warehousing. In order to efficiently use the warehouse space, they are requesting a conditional use to allow the building to be 48 feet tall. The increased height is requested to maximize the efficiency of the warehouse space. The base height restriction in the M-2 District is 35 feet. According to the water pressure study commissioned by the City of Hartford Water Utility, water pressure for buildings in this area would be adequate up to at least a 60 foot height. The proposed height is below this threshold. The proposed addition would be built on the northeast side of Broan-Nutone land, across North Wacker Drive from Woodlawn Union Park. The proposed addition would be setback approximately 190 feet from North Wacker Drive and 97 feet from the north property line. The proposed addition would be at least 120 feet from the nearest industrial building, and at least 365 feet away from the nearest residence. In addition, the grade in this area slopes north to south, so that the base of the proposed addition would be approximately 10 feet lower than the industrial building to the north as well as the residence to the north east. The industrial building to the north is between 25 and 30 feet tall. The Planning Staff recommended approval of a Conditional Use Permit for Broan-Nutone to allow a building height greater than the 35 feet allowed by Code in the M-2 Limited Industrial District.

*Plan Commission Discussion, Conditional Use Permit Public Hearing, Broan-NuTone:*

Chairperson Michalak declared the hearing open and requested the reading of the notice. Mr. Drew read the notice and proceeded to Staff Review, going over the executive summary. Chairperson Michalak requested appearances in favor; there were none. Chairperson Michalak requested appearances in opposition; there were none.

Chairperson Michalak closed the hearing and requested Plan Commission discussion. Chairperson Michalak noted that both he and Alderperson Rusniak have reviewed the new height requirement rules and it appears to be a good application for it.

MOTION by Regan, second by Rusniak to approve the conditional use allowing a building height greater than 35 feet at 926 W. State Street. Motion carried.

**Site Plan Review – Broan-NuTone Warehouse Expansion, 926 W. State Street**

*Executive Summary Review:*

**Background:** Broan-Nutone is seeking to build a 136,000 square foot addition to their facility. The addition would face North Wacker Drive and would primarily be for warehousing. Broan Management has not committed to going forward with this project. At this point, they are seeking approvals in order to firm up prices for an approved plan. In addition, they are waiting for a decision by Washington County on the proposed Northern Transportation Route. Washington County has contracted SEWRPC to update the 2005 study of the Northern Transportation Route. The findings of this study are expected later in the summer. The property is surrounded by other

industrial properties to the north, west and south, and Woodlawn Union Park and single-family and two-family properties to the east. The proposed addition would be setback approximately 190 feet from North Wacker Drive and 97 feet from the north property line. The proposed buildings would meet all applicable setback requirements. Lot coverage would increase to 43%, below the 50% allowed by Code. The proposed addition calls for smooth precast concrete wall panels, painted to match the existing building, surrounded by rustication accents to break up the mass of the structure. The beige addition will match/complement the existing building color. Clear anodized aluminum transom windows would be present on each side. Overall, Staff believes the proposed addition is appropriate. The addition would eliminate a large parking area on the north side of the property. This would be offset by restriping the remaining parking stalls on the north side of the building from 10' wide to 9' wide spaces. In addition, 98 new parking stalls are proposed on the east side of the building. This should be ample, and meets Code requirements. The proposed addition calls for 14 loading docks on the east side of the building. All of the loading docks are setback more than 100 feet from an adjacent street, as required by Code.

The existing driveway at the northeast corner of the lot would be removed. A new driveway near the delivery bays is proposed. It meets setback and maximum width requirements. The proposed addition will result in an increase of impervious surface. As a result, a new stormwater management facility is proposed at the northwest corner of North Wacker Drive and Madison Drive. Staff reviewed the drainage plans and concluded that the pond as proposed will adequately manage stormwater from the increased impervious area. The City does have some stormwater needs in this area and is discussing sizing the pond to handle regional stormwater needs as well. Any oversizing for City needs would be done at City expense. Staff reviewed the utility plans. There are a few minor points that need to be clarified with the Developer's Engineer, but nothing that would cause a substantive change to the site plan. The landscape plan shows eight maple and honeylocust trees flanking the north parking lot and the delivery area on North Wacker Drive. In addition, 15 spruce and 21 juniper trees will be planted along North Wacker Drive and surrounding the proposed stormwater pond. The landscape plan also calls for an appropriate mix of ornamental shrubs and trees along North Wacker Drive and surrounding the pond. A retaining wall along the northeast corner of the property will also serve to shield some of the building and delivery bays from North Wacker Drive. A photometric plan meeting City requirements has been submitted. The Planning Staff recommended approval of the Broan-Nutone Warehouse Expansion.

*Plan Commission Discussion, Broan-NuTone Site Plan:*

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. Member Kuepper noted the intended stormwater retention pond and the City's possible involvement in enlarging it, and asked where water was currently going. Mr. Drew noted that water is coming from the north and going to the pond in Black's subdivision. Alderperson Rusniak commented on the attractiveness of the development and commended Broan-NuTone for an excellent looking building..

MOTION by Henke, second by Kuepper to approved the site plan for Broan-NuTone at 925 W. State Street Motion carried.

**Conditional Use Permit Public Hearing for Oriole Pond Apartments, for a Planned Unit Development East of STH 83 and South of Red Oak Estates**

*Executive Summary Review:*

The Common Council approved the Annexation Petition in March, and the Rezoning Petition in April of 2016. Charlie Boysa has submitted a plan for six 16-unit buildings and five 12-unit buildings. The property is zoned Rm-3 Multi-Family Residential. Multi-Family buildings of this size are allowed in the Rm-3 Multi-Family Residential District as a Conditional Use (up to 24 unit buildings can be approved). The Rm-3 Multi-Family District requires 2,074 square feet per dwelling unit. The proposed average area per multi-family unit is approximately **4,952 ft<sup>2</sup>** for the property. The common areas, including yards and parking lots will be maintained by the owner. The Developer has not requested reduced setbacks as part of the PUD. The Development Plan meets the standard 25-foot street-yard setbacks (*50-foot setback proposed for STH 83 and Whistle Way*), and 20-foot sideyard setbacks, (*30 foot setbacks proposed*). In addition, the structures must be separated by at least 20 feet. A minimum 30-foot building separation is proposed. The sum total of the first floor of the principal building and all accessory buildings shall not exceed **25%**. The lot coverage proposed is approximately 17.5% of the 17.7-acre site. Staff believes that the scale of the proposed 12-unit and 16 unit buildings (9,100 and 9,900 square feet respectively) is appropriate in this area given the separation of the proposed buildings to surrounding development (at least 360 feet), and the City's positive experience with a similar mix of development types and building scale in Gateway Estates. The Planning Staff recommended approval of a Conditional Use Permit for a Planned Unit Development for six 16-unit buildings and five 12-unit buildings at Oriole Ponds Apartments.

*Plan Commission Discussion, Conditional Use Public Hearing, Oriole Pond Apartments PUD:*

Chairperson Michalak declared the hearing open and requested the reading of the notice. Mr. Drew read the notice and proceeded to Staff Review, going over the executive summary. Chairperson Michalak requested appearances in favor. Charlie Boysa, N2729 Taylor Road, who will be working as the developer/builder of this project, introduced himself and gave his history as a developer and area resident. He noted the intention of having full-time management, cleaning and maintenance staff onsite and the benefit that provides in self-policing the complex. John Lonergan, W2302 Pond Road, Neosho, noted that he has worked with Mark McCune on many projects and all have been an asset to the community; he is sure that the same level of excellence will prevail. Mark McCune, 2466 Lough Lane, Town of Erin, reviewed the history of the development and compared the current plans with earlier plans, noting the improved quality of the development and the quality control and safety planned. He described the open space and landscaping and expressed pride in the plan, thanking all connected with the development and in particular the developer and engineer. Mr. McCune also mentioned the possibility of an extension of the bike path along STH 83 as part of development plans. Tom Hostad, appearing on behalf of the Hartford Area Development Corporation, noted the need for local housing for Hartford's workforce and the benefit of new citizens in the community. Chairperson Michalak requested appearances in opposition; there were none.

Chairperson Michalak closed the hearing and requested Plan Commission discussion. There was no discussion.

MOTION by Henke, second by Kuepper to approve the conditional use permit for Oriole Pond Apartments. Motion carried.

**Site Plan Review for Oriole Pond Apartments. Located East of State Trunk Highway 83 and South of the Red Oak Estates Subdivision**

*Executive Summary Review:*

The property is surrounded by single-family uses to the north, town single-family uses to the west, and farmland to the east and south. The proposed multi-family buildings would be arranged around a circular driveway that would be accessed from Whistle Way.

The proposed Multi-Family buildings would have the following setbacks and lot coverage:

- **53 feet** from the STH 83
- **65 feet** from the new proposed Right-of-Way
- **30 feet** from the eastern property line
- **30 feet** from the northern property line
- Lot Coverage would be approximately **18%** of the 8.8-acre site, below the 25% maximum allowed by Code in the Rm-3 District

The adopted Smart Growth Plan identifies this area for high density residential development (8.0-11.0 units per acre). The area to the north and west calls for medium density residential development at a density of between 1.1-5.8 units per acre. The density proposed for this development would be 8.8 units per acre. As proposed, the site plan would meet the zoning requirements (*setbacks, lot coverage, etc.*) of the Rm-3 zoning District with an approved Planned Unit Development. The Developer proposes a mix of one and two bedroom apartments arranged in 12-unit and 16-unit structures. The proposed buildings would be two stories tall. 12-unit buildings would have attached garage stalls for each unit. 16-unit buildings would have detached garages for each unit adjacent to the building. In addition, a club house, pool area, and garage are proposed at the south end of the development. Staff believes that the style of the multi-family buildings is appropriate and helps to hide the view of the garages from the street. The façade would be composed of a brick veneer on the first floor, with vinyl siding on the second floor. Numerous changes of plane and windows are present along each façade. Dormers do a good job of breaking up the scale of the building. The clubhouse would be a 1-story building with a brick façade. Overall, Staff believes that the proposed design is appropriate and will fit in well with the surrounding pattern of development. The development would be accessed from two driveways to the new Whistle Way Right-of-Way, which intersects with STH 83. Staff had concerns with the initial design of Whistle Way and worked with the Developers to create a street design that addressed those concerns. The City always insists on at least two access points (or the potential for two access points when additional development occurs) to ensure proper emergency access. The plan meets this requirement with a 14 foot-wide emergency access easement on the north side of the development (which connects to Firefly Trail). The access easement will have a knock-down gate to discourage vehicles from using the access, except in case of emergency. Additional access points to this development would also be possible with future development. The Developer owns land to both the south and east. As a result, additional development to the south would eventually result in another access point to STH 83 (subject to DOT approval), and additional development to the east would result in a road that would loop back up to Firefly Trail in the Red Oak Subdivision. The proposal indicates 156 garage stalls, 160 parking stalls, and parking space in front of each attached garage. In total, 376 parking spaces are provided, or an average of 2.4 spaces per unit (the Code requires 2 spaces per unit). The property slopes from the high point at the northwest corner. Stormwater will be directed to two wet ponds in the center of the

development. In addition, an infiltration pond is shown on the southeast side of the development. Staff and an engineering consultant reviewed the grading plan as well as the sewer and water plans. They determined that some minor corrections and changes to the plans were needed. They discussed these issues with the Developer's engineer and the changes are being made to the City's satisfaction. Sanitary sewer, water, and electric services are available from the Red Oak Estates Subdivision. The Developer is also working with Hartford Electric to establish easement locations. 20 foot easements are proposed throughout the development and in most places it will be parallel to the sanitary sewer easement. The Utility Superintendent noted that if patios are extended beyond the building footprint, they should not extend into the electric easement. The Fire Chief determined that an emergency siren is needed in this part of the City. Staff is working with the Developer to find an appropriate location near the entrance to the development. A four-foot tall berm will surround the west and north sides of the development. An 8-foot tall berm will be installed along the east property line of the development. The submitted landscape plan shows more than 190 Black Hills Spruce and Austrian Pines as well as 60 ornamental trees planted along the tops of the proposed berms. In addition, 44 maples, oaks, honey locusts and lindens will be planted around the driveway. A large number of deciduous and evergreen shrubs and ornamental trees would surround the foundation of each building (more than 50 per building). A trash enclosure is shown on the northwest side of the property. Staff recommends that the dumpster be enclosed with wood fencing and a gate. The Developer is amenable to this. Exterior lighting for the parking lots is proposed, and the owner has provided a photometric plan meeting City requirements. A development agreement detailing infrastructure improvement costs, timing, and guarantees has not been reviewed by the City yet. As a result, the site plan approval is contingent upon Council approval of a development agreement for the property, and no building permits can be issued until the agreement is approved. The Planning Staff recommended approval of the Site Plan for Oriole Ponds Apartments contingent upon an approved Development Agreement.

*Plan Commission Discussion, Oriole Pond Apartments Site Plan:*

Chairperson Michalak requested discussion. There was no discussion.

MOTION by Henke, second by Anderek to approve the site plan for Oriole Pond Apartments, contingent on completion of an approved Development Agreement. Member Henke then asked about the safety shelf of the pond. Discussion ensued about the water level of the safety shelf along the edge of the pond. The pond is 20' deep, the safety shelf is 13' wide. Mr. Drew also corrected the name of Whistle Way – it is Whistle Drive. Motion carried.

**Site Plan Review Amendment – Hartford Flex Center, 2250 Constitution Avenue**

*Executive Summary Review:*

At the April 2016 Plan Commission meeting, an amended site plan was reviewed. The site plan changed the layout and appearance of the buildings, but not the proposed use or use characteristics. The new plan showed seven buildings with a total area of 37,300 square feet, oriented north to south. A main change is the removal of an office area and vehicle bay. After concerns were expressed by Plan Commissioners regarding the lack of an updated landscaping plan, a change from a masonry requirement, and lack of an approved review by the Hartford Area Development Corporation, the site plan review was tabled. The developer has submitted an updated landscaping plan, showing 6 Green Mountain sugar maples at the entrance area on Constitution Avenue, three red oaks east of the entrance, and Emerald Green arborvitae along the buildings facing Goodland Road (west side of lot). All areas including the east side of the lot will be graded and seeded. The previous landscape plan showed numerous decorative shrubs and ornamental trees planted around

Building #1. In addition, the plan showed 6 Autumn Blaze Maples along the west side of Building #2 as well as 3 Norway Pines. Two other concerns raised at the April meeting were the use of metal siding rather than masonry, and the lack of input by the HADC. Tom Hostad, Executive Director of the Hartford Area Development Corporation, has informed the Planning Department that the Board of Directors has recommended approval of the site plan, believing it is “consistent with the covenants for the Dodge Industrial Park”. The recommendation was approved by motion at the April 19 board meeting. Staff recommended approval of the Site Plan Review Amendment for the Hartford Flex Center.

*Plan Commission Discussion, Hartford Flex Center:*

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. Member Regan asked what the status is of the masonry on the west side of the property. Mr. Drew described brick wainscoting on the bottom, hardy plank siding halfway up and vinyl siding under the gable for the area facing Constitution, and metal façade on Goodland with Arbor Vitae as a screen. Mr. Drew noted that the Hartford Area Development Corporation had indicated that arbor vitae are more attractive than masonry. Chairperson Michalak asked for discussion on a berm on the Goodland Road side of the buildings. Mr. Drew affirmed that there is room for a berm, and the land slopes south to north. Member Regan noted that the concern about masonry was high at the last meeting and has been required on past projects in the Industrial Park. He noted the length of the row of landscaping and asked what would happen if some of the plantings died. He noted a previous approval for siding that did not work as planned and indicated that siding was not consistent with the requirements of the HADC covenants.

Member Kuepper asked what the distance was between Goodland Road and the closest building. Mr. Drew stated 40 feet. Alderperson Rusniak asked is there is room for a berm, and Mr. Drew noted that even with a utility easement on the far west side of the property, there is room. Member Regan asked how high the building would be; Mr. Drew said 18 feet. Chairperson Michalak asked if it was possible to have both a berm and plantings, and Member Kuepper noted an example at the Hartford Square Condominium development to the west of CTH K.

Member Stapleton reminded everyone that the location is essentially in the country and expressed doubt that the plantings would survive foraging by deer.

Member Henke noted his disappointment at the submittal but declared he would defer to the HADC and vote in favor, but with regrets.

MOTION by Regan, second by Stapleton to DENY the Hartford Flex Center site plan, 2250 Constitution. Ayes (to deny): Members Stapleton, Anderek, Regan, Rusniak. Nays: Members Henke, Kuepper, Michalak. Motion to deny approved, 4 - 3.

**Proposed Amendment to the City of Hartford Smart Growth Plan**

*Executive Summary Review:*

In 2010 the Plan Commission and Common Council approved the nine elements of the City of Hartford 2030 Smart Growth Plan and component Long-Range Land Use Map. The Long-Range Land Use Map was subsequently amended for small areas later in 2010, 2012 and earlier in 2016. During the Smart Growth review process, Staff indicated that proposed changes were likely to come forward occasionally, primarily from land owners. The Plan Commission and Common Council can vote to change the City of Hartford 2030 Smart Growth Plan at any time. Ideally the

Long-Range Land Use Map should serve as a template of how the City views the current and future mix of land uses in and around Hartford. However, some of the land uses described in the Long-Range Land Use Map do not ideally describe the land use that exists or could appropriately exist in a given area. It is important that the City of Hartford keep zoning and land use flexible to ensure that compatible uses can be intermixed, thus creating more memorable and sustainable neighborhoods. Staff recommended that the City of Hartford 2030 Smart Growth Plan and Long-Range Land Use Map be amended to reflect the following changes:

Land North of the Current Terminus of Liberty Avenue: The adopted Smart Growth Plan identifies this area for commercial development. The applicant is requesting medium density residential development (5.8 to 8.0 units per acre). The area to the west and south calls for commercial development. The area to the north is identified as conservancy and is not intended to be developed. The density proposed for this development would be 6.1 units per acre. Staff supports a change to the Smart Growth plan to allow for higher density residential development in this area. Multi-Family development remains the dominant portion of the residential development market in southeastern Wisconsin, and demand for additional multi-family development is high. Also, the land is separated from the existing commercial development and its location north of the large Wal-Mart stormwater pond and south of the Rubicon River make it tucked away. Staff does not believe that the land is viable for commercial uses, which need to be visible from a main transportation arterial. Its location does make it attractive for higher density residential development. It is very near a number of commercial and retail establishments. It is also near the Dodge Industrial Park, the largest employment center in the area. Eventually, Liberty Avenue will extend to the western leg of Liberty Avenue in the Dodge Industrial Park, and the proposed development will bring this closer to reality. Office use would be appropriate here as well, but given the City's location away from the interstate, we have never been a major draw for office parks and uses. Also, the Smart Growth Plan only identifies one other area outside the current City boundary for high density residential development (on STH 60 south of Wal-Mart). However, sanitary sewer is not currently available to this area, making it less developable in the short term. Finally, the City has long had a goal of maintaining a housing composition of 55% Single Family, 15% Two Family, and 30% Multi Family that it has followed when reviewing both short-term and long-term land use decisions. The City is currently more than 1% low on multi-family housing. The multi-family housing category includes condominiums, senior only housing, and apartments. If all approved and partially approved developments within the City were built out, the City would be more than 2% low for multi-family housing. Staff believes that this area is appropriate given its location on a State arterial road as well as the general compatibility of all types of residential development as long as they are planned correctly. The City has numerous examples of this (e.g. Gateway Estates). This area already has or is planned for a mix of all types of housing. Staff recommended that the City of Hartford 2030 Smart Growth Plan Long-Range Land Use Map be amended for the land north of the current terminus of Liberty Avenue to allow for medium density residential development (5.8-8.0 units per acre).

*Plan Commission Discussion, Proposed Amendment to the Smart Growth Plan:*

Mr. Drew reviewed the executive summary. Chairperson Michalak requested discussion. Alderperson Rusniak noted that he was in favor of approving the Smart Growth Plan in order to facilitate the development, which he believes is a good place for residential housing. Chairperson

Michalak mentioned a discussion with the City Attorney regarding housing and different types of housing. Chairperson Michalak noted that he is on record as not being a proponent of expansion of low income high density multifamily housing because of a broken school district funding system. Depending on the mix of housing, a disproportionate burden is placed on the tax base of local school districts. Money doesn't travel with a child, it stays in a zip code. Chairperson Michalak requested the tabling of this proposal until commission members have had a chance to study legal issues. Chairperson Michalak asked Mr. Drew if currently the Smart Growth Plan does not support the proposed amendment. Mr. Drew affirmed. Chairperson Michalak asked Mr. Drew for clarification that the Plan Commission was not obligated to change the Smart Growth Plan. Mr. Drew affirmed. Chairperson Michalak explained that before the Commission moves on this and opens the door, and gets to the point where we can no longer control what we do, why give a blanket ok, then find out housing doesn't fit with what the majority of the population of the City of Hartford is looking for. Chairperson Michalak noted that this is the first step to retain control based on what is currently on the books, and asked Mr. Drew to affirm what is currently in the Smart Growth Plan. Mr. Drew stated that the Smart Growth Plan calls for commercial development in this area. Chairperson Michalak stated that he would like to study this proposal more and speak again to the City Attorney, so as not to lose control of decisions on the type of housing going in, and not to lose control in future if everything becomes automatic. Chairperson Michalak continued that this is a turning point before we lose control and become a rubber stamp, which is not in the best interests of the taxpayers of the City of Hartford. Chairperson Michalak moved to table the proposed amendment to the City of Hartford Smart Growth Plan and requested discussion. There was no discussion and no second. Chairperson Michalak requested a vote; motion carried

**Adjournment** – Motion by Kuepper, and seconded by Regan for adjournment. Motion carried. Meeting was adjourned at 7:55 p.m.

Respectfully submitted,  
Justin Drew, City Planner

Compiled by Char Smelter, Planning Secretary

**PLAN COMMISSION**  
**Special Meeting**  
**City of Hartford**  
**May 23, 2016**

PRESENT: Chairperson Michalak, Members Anderek, Stapleton, Regan, Henke, Alderperson Liaison Jewell

ABSENT: Member Kuepper

ALSO PRESENT: City Planner Justin Drew

**Call to Order** – Chairman Michalak called the meeting to order at 7:00 p.m. in the Common Council Chambers of Hartford City Hall, 109 N. Main Street, noting that this meeting is a continuation of the proposed amendment that was tabled at the May 9 meeting.

**Minutes** – Minutes of May 9 deferred to a later meeting.

**Appearances** – There were no appearances.

**Proposed Amendment to the City of Hartford Smart Growth Plan**

*Executive Summary Review:*

In 2010 the Plan Commission and Common Council approved the nine elements of the City of Hartford 2030 Smart Growth Plan and component Long-Range Land Use Map. The Long-Range Land Use Map was subsequently amended for small areas later in 2010, 2012 and earlier in 2016. During the Smart Growth review process, Staff indicated that proposed changes were likely to come forward occasionally, primarily from land owners. The Plan Commission and Common Council can vote to change the City of Hartford 2030 Smart Growth Plan at any time. Ideally the Long-Range Land Use Map should serve as a template of how the City views the current and future mix of land uses in and around Hartford. However, some of the land uses described in the Long-Range Land Use Map do not ideally describe the land use that exists or could appropriately exist in a given area. It is important that the City of Hartford keep zoning and land use flexible to ensure that compatible uses can be intermixed, thus creating more memorable and sustainable neighborhoods. Staff recommended that the City of Hartford 2030 Smart Growth Plan and Long-Range Land Use Map be amended to reflect the following changes:

**Land North of the Current Terminus of Liberty Avenue:** The adopted Smart Growth Plan identifies this area for commercial development. The applicant is requesting medium density residential development (5.8 to 8.0 units per acre). The area to the west and south calls for commercial development. The area to the north is identified as conservancy and is not intended to be developed. The density proposed for this development would be 6.1 units per acre. Staff supports a change to the Smart Growth plan to allow for higher density residential development in this area. Multi-Family development remains the dominant portion of the residential development market in southeastern Wisconsin, and demand for additional multi-family development is high. Also, the land is separated from the existing commercial development and its location north of the large

Wal-Mart stormwater pond and south of the Rubicon River make it tucked away. Staff does not believe that the land is viable for commercial uses, which need to be visible from a main transportation arterial. Its location does make it attractive for higher density residential development. It is very near a number of commercial and retail establishments. It is also near the Dodge Industrial Park, the largest employment center in the area. Eventually, Liberty Avenue will extend to the western leg of Liberty Avenue in the Dodge Industrial Park, and the proposed development will bring this closer to reality. Office use would be appropriate here as well, but given the City's location away from the interstate, we have never been a major draw for office parks and uses. Also, the Smart Growth Plan only identifies one other area outside the current City boundary for high density residential development (on STH 60 south of Wal-Mart). However, sanitary sewer is not currently available to this area, making it less developable in the short term. Finally, the City has long had a goal of maintaining a housing composition of 55% Single Family, 15% Two Family, and 30% Multi Family that it has followed when reviewing both short-term and long-term land use decisions. The City is currently more than 1% low on multi-family housing. The multi-family housing category includes condominiums, senior only housing, and apartments. If all approved and partially approved developments within the City were built out, the City would be more than 2% low for multi-family housing. Staff believes that this area is appropriate given its location on a State arterial road as well as the general compatibility of all types of residential development as long as they are planned correctly. The City has numerous examples of this (e.g. Gateway Estates). This area already has or is planned for a mix of all types of housing. Staff recommended that the City of Hartford 2030 Smart Growth Plan Long-Range Land Use Map be amended for the land north of the current terminus of Liberty Avenue to allow for medium density residential development (5.8-8.0 units per acre).

*Plan Commission Discussion, Proposed Amendment to the Smart Growth Plan:*

Mr. Drew briefly reviewed the executive summary. Chairperson Michalak requested discussion. Motion by Henke to amend long-range land use plan 2030 for medium density residential, 5.8 – 8 units per acre. Second by Anderek. Chairperson Michalak noted that there is a motion to amend the 2030 Smart Growth Plan as proposed by staff, and requested discussion. There was no discussion, and Chairperson Michalak requested a vote. Motion carried.

**Adjournment** – Motion by Jewell, and seconded by Stapleton for adjournment. Motion carried. Meeting was adjourned at 7:03 p.m.

Respectfully submitted,  
Justin Drew, City Planner

Compiled by Char Smelter, Planning Secretary

**FOR**  
**INFORMATIONAL**  
**PURPOSES**  
**ONLY**

# HARTFORD CITY TAXI TRANSPORTATION REPORT

MONTH/YEAR: May 2016

**TOTAL PASSENGERS:** 1612 **TOTAL MONTHLY REVENUE:** \$5,152.75

## PASSENGER INFORMATION

Senior: City: 495/10wc  
Out of Town: 3/2wc

Handicap: City: 187/3wc  
Out of Town: 0

Children: City: 6  
Out of Town: 0

Regulars: City: 892  
Out of Town: 14

Waits (Total Minutes): 278

Package Pickups: 5

Taxi Trips: 1526

Shared Rides: 715

Wheelchair Trips: 15

## HOURS INFORMATION

Loaded Hours/Minutes: 220.8

Deadhead Hours/Minutes: 253.0

**TOTAL HOURS/MINUTES:** 473.8

## FARE INFORMATION

Base Fares: \$4,958.25

Out of Town Fares: \$43.75

Wait Chgs: \$69.50

Package Pickup Chgs: \$30.00

No Show/COA Chgs: \$51.25

Taxi Tickets Sold: \$1,550.00

# of Sheets sold: 64

# of Taxi Tickets collected: 502

## MILEAGE INFORMATION

Loaded City Miles: 3654.9

Loaded Out of Town Miles: 23.3

Deadhead Miles: 1153.5

**TOTAL MILES:** 4831.7

**TOTAL FUEL USED:** 352.143

## FLEET INFORMATION

Unit #1 - 2014 Dodge Caravan

Unit #5 - 2010 Dodge Caravan

Unit #7 - 2007 Chevy Uplander

Unit #9 - 2011 Dodge Caravan