

A G E N D A
CITY OF HARTFORD COMMON COUNCIL
CITY HALL COUNCIL CHAMBERS
TUESDAY, JULY 28, 2020
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 second floor, City Office Meeting Board basement, and the Library Bulletin Board. In addition, the Daily News (the official City newspaper) was given notice and agenda of this meeting at least 24 hours ago.

2) PLEDGE OF ALLEGIANCE

3) ROLL CALL

4) UNANIMOUS CONSENT AGENDA

A) The Common Council minutes of July 14, 2020.

5) COMMUNICATIONS

6) APPEARANCES/CITIZENS COMMENTS

A) Transient Merchant license for Alexander Walters - Polar Bear Express Ice Cream.

7) MAYOR'S REPORT

8) 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.

9) STANDING COMMITTEE REPORTS

A) FINANCE & PERSONNEL

1) Discussion and consideration of approving the following licenses: **(bartender)** Sherry Drinan, Mindy Ritz, Desiree Vasquez.

2) Discussion and consideration of granting a temporary extension of premises until October 1, 2020, to LMR Builders, LLC, 2714 East Sumer St. (Diagram attached)

B) PUBLIC WORKS

C) UTILITY

10) RESOLUTIONS AND POSSIBLE ACTION THERON

11) ORDINANCES

A) FIRST READING AND POSSIBLE ACTION THERON

1) Ordinance. 1421 – An ordinance amending Chapter 35 of the Municipal Code entitled Alcohol Beverages. (Executive Summary attached)

B) SECOND READING AND POSSIBLE ACTION THERON

12) CITY ADMINISTRATOR'S REPORT

A) Wendi Unger from Baker Tilly to present the 2019 City of Hartford Financial Statements.

B) Second quarter General Fund results. (Memorandum attached)

13) 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

**CITY OF HARTFORD
COMMON COUNCIL
July 14, 2020**

The Common Council of the City of Hartford, Washington and Dodge Counties, Wisconsin, met for its regularly scheduled meeting on Tuesday, July 14, 2020, 7:00 p.m., in the Common Council Chambers of Hartford City Hall, 109 North Main Street, Mayor Timothy Michalak presiding.

PLEDGE OF ALLEGIANCE

Mayor Michalak led the Common Council in the Pledge of Allegiance.

ROLL CALL

The Mayor and all Alderpersons were present except Alderperson Turchi, who was absent and excused.

UNANIMOUS CONSENT AGENDA

MOTION by Alderperson Hegy, and seconded by Alderperson Mixon approving the unanimous consent agenda:

- A) The Common Council minutes of June 23, 2020.
 - B) Accepting the proposal from L.W. Allen, Inc., Madison, for the purchase, pipe replacement and installation of two Fairbanks 5 HP sewage pumps, at a cost not to exceed \$40,255.
- MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS

There was no communications.

APPEARANCES/CITIZENS COMMENTS

Norbert Nicholas appeared with respect to obtaining a transient merchant license to sell cable services for Spectrum.

MAYOR'S REPORT

Mayor Michalak noted that on Wednesday and Thursday of this week the Hartford Armory will be using the parking lot at Woodlawn Union Park for training.

ALDERMANIC REQUESTS

Alderperson Hegy thanked the Public Works Department for all their extra work especially with chipping of trees, and also commented on the 4th of July activities.

COMMON COUNCIL (7/14/2020)

**PUBLIC HEARING "A"
1443 Patton Drive Rezoning**

Mayor Michalak declared the public hearing open at 7:06 p.m. The notice of public hearing as published in the 6/30/2020 and 7/7/2020 Daily News, and as sent to 18 affected property owners, was read by City Clerk Lori Hetzel.

Robert Bliese has requested rezoning for 1443 Patton Drive from A-1 Agricultural to Rs-3 Single-Family Residential District. The parcel was originally an outlot reserved for storm water retention/detention and control purposes. The owner previously provided evidence that the lot was not needed for storm water management. The parcel also showed up on a state wetland inventory. The owner has provided documentation from the Wisconsin DNR affirming that no wetlands exist on the parcel. The owner does not wish to divide the parcel as he has a buyer interested in purchasing the property to build one single-family home. The proposed Rs-3 zoning is appropriate.

There were no appearances for, nor any against the proposed rezoning. There being no discussion by the Common Council, Mayor Michalak declared the public hearing closed at 7:09 p.m.

Ordinance No. 1422

**AN ORDINANCE AMENDING THE ZONING
MAP, A PART OF ORDINANCE 278**

MOTION by Alderperson Mixon, and seconded by Alderperson Hegy to suspend the rules for immediate consideration of proposed Ordinance 1422. MOTION CARRIED UNANIMOUSLY.

MOTION by Alderperson Kohler, and seconded by Alderperson Carroll for the adoption of proposed Ordinance 1422. MOTION CARRIED UNANIMOUSLY.

STANDING COMMITTEE REPORTS

Finance & Personnel Committee

MOTION by Alderperson Fulop, and seconded by Alderperson Garza approving the following licenses: (bartender) Courtney Hildebrandt, Wendy Kuntz, Sarah McGlothlin, Alyssa Strom, Seth Trautman, Tress Tranel, Dale Twardokus, Kaitlin Twardokus; (weights and measures) Cost Cutters; (Class B liquor license) China Garden. MOTION CARRIED.

Parks and Recreation Commission

In 2018 the City approved a new Centennial Park concept plan for redevelopment. There will be many new features and improvements. The financial plan for this development includes multiple funding sources. Staff prepared a gifting opportunity list for review and consideration. If the gifting campaign is approved, staff will then prepare additional materials internally by

COMMON COUNCIL (7/14/2020)

department staff. A professional consultant to lead the fundraising is not being considered at this time. Parks and Recreation Director Hermann provided information on the gifting opportunities, and responded to questions.

MOTION by Alderperson Kohler, and seconded by Alderperson Fulop approving the Centennial Park gifting opportunities as outlined, including the gift naming amounts. MOTION CARRIED UNANIMOUSLY.

RESOLUTIONS

Resolution No. 3574

**A RESOLUTION ADOPTING THE 2019 DNR WASTEWATER
COMPLIANCE MAINTENANCE ANNUAL REPORT (CMAR)**

MOTION by Alderperson Rusniak, and seconded by Alderperson Mixon for the adoption of proposed Resolution 3574. MOTION CARRIED UNANIMOUSLY.

Resolution No. 3575

CITY OF HARTFORD 2021 BUDGET POLICIES

City Administrator Volkert provided information on the budget policies, and responded to questions. There are no major changes to the 2021 budget policies from previous years.

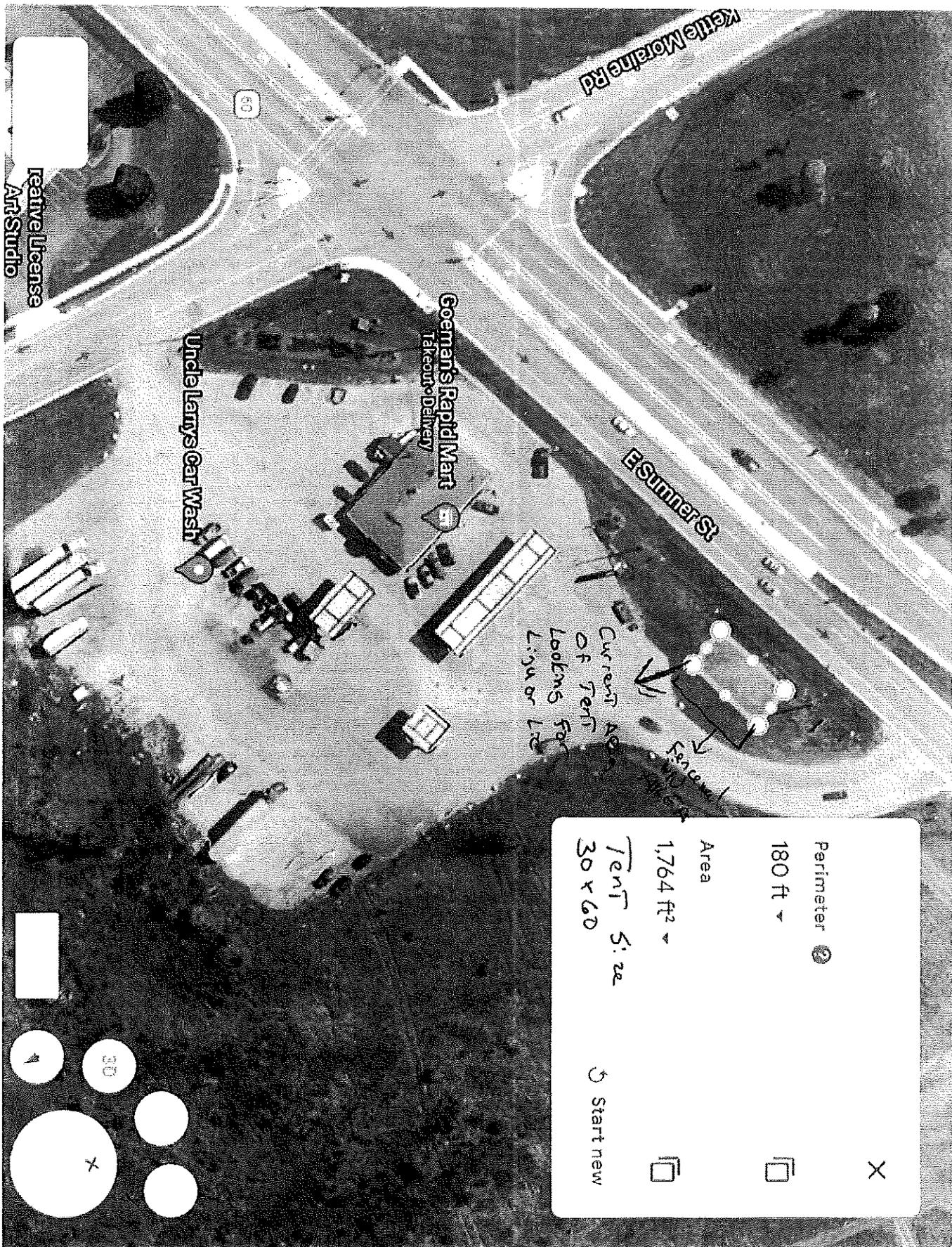
MOTION by Alderperson Fulop, and seconded by Alderperson Mixon for the adoption of proposed Resolution 3575. MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MOTION by Alderperson Mixon, and seconded by Alderperson Fulop for adjournment at 7:29 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,
Lori Hetzel, City Clerk

LH:pb
CCJUL14.20
Compiled by Pat Borlen, Deputy Clerk



X
 Perimeter ⓘ
 180 ft ▾
 Area
 1,764 ft² ▾
 Tent Size
 30 x 60
 Start new

EXECUTIVE SUMMARY

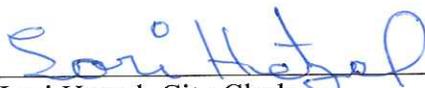
Ordinance No. 1421

Title: An ordinance amending chapter 35 of the Municipal Code entitled Alcohol Beverages.

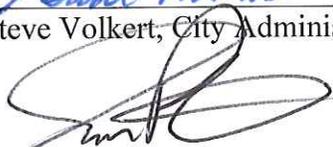
Background: The Wisconsin Legislature adopted 2019 Act 166 which became effective on March 4, 2020. This Act modified Chapter 125 of the Statutes, which pertains to alcohol licensing, and now allows for municipalities to adopt an ordinance allowing a designated official to approve and issue operator licenses. The City Clerk has requested that this ordinance be drafted to streamline the process for approval of routine operator license issuance. The Ordinance allows for the Clerk to approve and issue operators licenses provided there is no objection from either the Clerk or the Chief of Police. Any licenses where either the Clerk or Chief of Police raise potential issues will continue to be brought before the Finance and Personnel Committee and the Common Council. City Staff hope that this will expedite the process of issuing operators licenses to suitable individuals, while still maintaining the necessary checks and balances on any operator licenses recommended for denial. This Ordinance does not modify the approval process for establishment licenses that are already set forth in the code.

Fiscal Impact: \$0.00

Recommendation: That Ordinance No. 1421 be approved.

PREPARED BY:  DATE: 07/01/20
Lori Hetzel, City Clerk

APPROVED BY:  DATE: 07/08/2020
Steve Volkert, City Administrator

APPROVED BY:  DATE: 7-6-2020
Ian Prust, City Attorney

ROUTING: Finance and Personnel 07/14/20

Common Council 07/28/20

ORDINANCE NO. 1421

**AN ORDINANCE AMENDING CHAPTER 35 OF THE CODE
ENTITLED ALCOHOL BEVERAGES**

WHEREAS, 2019 Act 166 amended Section 125.17, Wis. Stats., to allow the municipal governing bodies to authorize a designated municipal official to issue operator's licenses, and

WHEREAS, the City has determined the City Clerk, pursuant to the rules established herein, shall have the authority to issue operator's license.

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

SECTION 1. Section 35.15(3) and (4) of the Municipal Code is amended as follows:

35.15 OPERATOR LICENSES.

3) Criteria for Issuance. Licenses and permits related to alcoholic beverages issued to natural persons under this Chapter may be issued only to persons who fulfill all of the following requirements:

- a. Pursuant to Section 125.17(1), Wis. Stats., the City Clerk shall be authorized to issue Operators' Licenses. Any license application for which the Chief of Police or City Clerk recommend denial shall be referred to the Personnel and Finance Committee for recommendation and the Common Council for issuance.
- b. The person must be at least 18 years of age.
- c. All applicants for an operator's license shall successfully pass a responsible beverage servers course as required in Section 125.04(5), Wisconsin Statutes.
- d. The individual requesting a license may be denied a license based upon his/her arrest or conviction record subject to the Fair Employment Act Sections 111.32, 111.322 and 111.335 and Section 125.04(5)(a)1. It is not employment discrimination because of a pending arrest record or a conviction record to deny a license if the circumstances of the charge substantially relate to the alcohol beverage licensing activity.
- e. The individual requesting a license may not be issued a license if they are a "habitual law offender," Section 125.04(5)(b), Wis. Stats. The term "habitual" refers to multiple convictions or pending charges. The term "offender" refers to a person with civil violations such as ordinance convictions and/or misdemeanor convictions (or pending charges) which substantially relate to the alcohol beverage licensing activity.
- f. An individual requesting a license shall not be issued a license if he or she has been

convicted of a felony which substantially related to the alcohol beverage licensing activity.

4) Temporary Operators' Licenses. The City shall issue temporary operators' licenses under the terms of this ordinance except that:

- a. Pursuant to Section 125.17(1), Wis. Stats., the City Clerk shall be authorized to issue temporary operators' licenses. Any license application for which the Chief of Police or City Clerk recommend denial shall be referred to the Licensing Board for recommendation and the Common Council for issuance.
- b. The license may be issued only to operators employed by or donating their services to nonprofit organizations.
- c. No person may hold more than one temporary operator's license per year.
- d. The license is valid for any period from 1 day to 14 days, and the period for which it is valid shall be stated on the license.
- e. The fees for a temporary operator's license shall be as stated in Chapter 42 of the Municipal Code. It shall be non-refundable and shall not apply toward any other operator's license under this section.

The procedure for licenses issued in accordance with this section for temporary operators' licenses shall be as follows: Upon application therefore the City Clerk shall submit such application to the Common Council. If the Common Council deems referral appropriate, the application shall be submitted to the Finance & Personnel Committee for further review. In all other cases, the Common Council may act to grant or deny issuance of such license. In such situations where the temporary operator's license application is filed and time does not permit review by the Common Council, the City Clerk shall have the authority to grant or deny the issuance of such license; provided, however, that in such case the license fee shall be \$25.00, which shall be non-refundable and shall not apply toward another operator's license under this section.

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

Memorandum

To: City Council
CC:
From: Steve Volkert, City Administrator
Date: 7/21/2020
Re: Second Quarter General Fund Results

Attached is the second quarter summary comparison of the current year to the four prior years for general fund revenues and expenditures.

The City was at 41.64% for total General Fund Revenues at the end of the current year second quarter. This comes as a welcome surprise as this number is well within range of the prior 5 years even as we were expecting revenues to greatly decrease due to Covid cancellations of Recreation programs as well as reduction in Police activity during the Safer at Home Order.

The total General Fund expenses for the current year second quarter was 45.52%. This percentage was expected to be lower as with Covid Cancellations, we were spending less on program staff.

If you look at the Revenues vs. Expenses figures, we are doing well and definitely within the range of the past five years. What this indicates is that the revenues that the City takes in, primarily taxes, will come in the last two quarters.

With both of these percentages coming within normal ranges, it can be assessed that Covid-19 hasn't drastically effected our bottom line like was originally assumed. The third quarter will be the major indicator as we have the full impact of the Aquatic Center operation along with reduced revenues of the Rec Center which also is fully operational but with a reduced capacity.

Each Department Head is made aware of any overages in expenses or shortfalls in revenues that makes the Finance Administrator take notice. We will be reviewing all other explanations.

City of Hartford
Second Quarter Comparisons By Year

General Fund Revenues:

	2020	2019	2018	2017	2016	2015
Overall Percentage of Revenues Collected	41.64%	43.61%	38.81%	36.84%	40.25%	44.04%
Second Quarter Total Revenues	\$4,383,270.21	\$4,583,944.01	\$4,241,983.98	\$4,110,386.35	\$4,145,883.00	\$4,505,238.91
Total Budget	\$10,527,070.00	\$10,512,055.00	\$10,930,093.00	\$11,158,024.00	\$10,300,986.00	\$10,230,602.00
Difference Between Years	-\$200,673.80	\$341,960.03	\$131,597.63	-\$35,496.65	-\$359,355.91	-\$511,323.24

General Fund Expenses:

	2020	2019	2018	2017	2016	2015
Overall Percentage of Expenses Used	45.52%	47.57%	46.21%	46.99%	47.09%	47.49%
Second Quarter Total Expenses	\$4,791,697.61	\$5,000,885.14	\$5,051,209.29	\$5,243,456.35	\$4,851,212.11	\$4,845,670.87
Total Budget	\$10,527,070.00	\$10,512,055.00	\$10,930,093.00	\$11,158,024.00	\$10,300,986.00	\$10,203,727.00
Difference Between Years	-\$209,187.53	-\$50,324.15	-\$192,247.06	\$392,244.24	\$5,541.24	\$212,733.15

Revenues vs Expense YTD

	-\$408,427.40	-\$416,941.13	-\$809,225.31	-\$1,133,070.00	-\$705,329.11	-\$340,431.96
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MISCELLANEOUS

COMMITTEE

REPORTS

FINANCE & PERSONNEL COMMITTEE

July 14, 2020

PRESENT: Chairperson Rusniak, Members Kohler, Fulop, Sikora

ALSO PRESENT: City Administrator Volkert, City Clerk Hetzel

Call to Order – Chairperson Rusniak called the meeting to order at 6:40 p.m. in the Common Council Chambers of Hartford City Hall, 109 North Main Street.

Roll Call – All members of the Committee were present.

Licenses – MOTION by Alderperson Fulop, and seconded by Alderperson Sikora recommend approving the following licenses: (bartender) Courtney Hildebrandt, Wendy Kuntz, Sarah McGlothlin, Alyssa Strom, Seth Trautman, Tress Tranel, Dale Twardokus, Kaitlin Twardokus; (weights and measures) Cost Cutters; (Class B liquor license) China Garden. MOTION CARRIED.

Liquor License Extension of Premises – LMR Builders LLC, 2714 East Sumner Street, is asking for a temporary extension of liquor licensed premises for Uncle Larry's Lounge. They would like to be able to sell beer with their Friday Night Fish Fry from an outside tent while weather permits. Alderperson Fulop requested that the motion include an ending date.

MOTION by Alderperson Fulop, and seconded by Alderperson Sikora recommend granting a temporary extension of liquor licensed premises for LMR Builders LLC, 2714 East Sumner Street, until October 1, 2020. MOTION CARRIED.

Amending Chapter 35 of the Municipal Code Relating to Operator Licenses – The Wisconsin Legislature adopted 2019 Act 166 which became effective on March 4, 2020. This act now allows municipalities to adopt an ordinance allowing a designated official to approve and issue operator licenses. The proposed amendment allows for the City Clerk to approve and issue operator licenses provided there is no objection from either the Clerk or the Chief of Police. Any licenses that raise potential issues will continue to be brought before the Finance & Personnel Committee and Common Council. Staff responded to questions relating to the proposed amendment.

MOTION by Alderperson Kohler, and seconded by Alderperson Fulop recommending an Ordinance amending Chapter 35 of the municipal code relating to operator licenses. MOTION CARRIED.

Adjournment – MOTION by Alderperson Sikora, and seconded by Alderperson Fulop for adjournment. MOTION CARRIED.

Respectfully submitted,
Lori Hetzel, City Clerk

LH:pb

FPJUL14.20

Compiled by Pat Borlen, Deputy Clerk