

**CITY OF HARTFORD  
COMMON COUNCIL  
February 25, 2020**

The Common Council of the City of Hartford, Washington and Dodge Counties, Wisconsin, met for its regularly scheduled meeting on Tuesday, February 25, 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.

**UNANIMOUS CONSENT AGENDA**

MOTION by Alderperson Hegy, and seconded by Alderperson Rusniak approving the Common Council minutes of February 11, 2020. MOTION CARRIED UNANIMOUSLY.

**COMMUNICATIONS**

There were no communications.

**APPEARANCES/CITIZENS COMMENTS**

There were no appearances/citizens comments.

**MAYOR'S REPORT**

Mayor Michalak had no report.

**ALDERMANIC REQUESTS**

Alderperson Mixon thanked all those that participated in and attended the Iced On Main event held the previous Saturday.

**PUBLIC HEARING "A"**

110 N Pike Lake Drive Rezoning

Mayor Michalak declared the public hearing open at 7:02 p.m. The notice of public hearing as published in the 2/7/2020 and 2/14/2020 Daily News, and as mailed to 34 affected property owners, was read by City Clerk Lori Hetzel.

**COMMON COUNCIL (2/25/2020)**

Design-2-Construct, representing Delaney Group LLC, has requested the rezoning of a portion of 110 North Pike Lake Drive to B-4 Professional Office District. The property is currently zoned B-5 Highway Business District and C-1 Lowland Conservancy District. The change in zoning is requested only for the area zoned B-5. The applicant is in the process of developing the property for offices. The certified survey map indicates that the property will be split into two lots, both of which will meet size requirements for B-4 zoning.

There were no appearances for, nor any against the proposed rezoning. Staff responded to questions relating to the proposal. There being no discussion, Mayor Michalak declared the public hearing closed at 7:06 p.m.

Ordinance No. 1415

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

MOTION by Alderperson Wintringer, and seconded by Alderperson Mixon to suspend the rules for immediate consideration of proposed Ordinance 1415. MOTION CARRIED UNANIMOUSLY.

MOTION by Alderperson Wintringer, and seconded by Alderperson Turchi for the adoption of proposed Ordinance 1415. MOTION CARRIED UNANIMOUSLY.

**PUBLIC HEARING "B"**

Special Assessment Sidewalk Installation  
Lake View Acres, 1<sup>st</sup> Addition Subdivision,  
2001, 2003 and 2007 Lake View Drive  
and 40 S Teri Lane, City of Hartford

Mayor Michalak declared the public hearing open at 7:07 p.m. The notice of public hearing as published in the Daily News, and as mailed to affected property owners, was read by City Clerk Lori Hetzel.

The Developer's Agreement for Lake View Acres, 1<sup>st</sup> Addition states that sidewalk shall be required on both sides of each street within and abutting the subdivision. The Developer's Agreement shows a completion of June 30, 1997 for the sidewalk installation with a note stating the intent that sidewalk would probably not be ordered unless and until it can be connected to the STH 60 bike trail. There is a small section of S Teri Lane between this subdivision and the STH 60 bike trail that is still in the Town of Hartford. This has prevented the City from establishing a connection to the bike trail. This fact does not appear to be changing any time soon. This was reviewed at the 2/21/2019 Public Works Committee meeting, and the Committee concluded that the connection to the bike trail should not be a reason to hold off sidewalk installation any longer. The Committee directed staff to include the sidewalk installation as part of the 2020 Sidewalk Program. The costs to install sidewalk along S Teri Lane, Zuern Drive, and Lake View Drive will be calculated based on the 2/4/2020 bid price and

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the actual sidewalk installed in front of each property. The City will collect \$80,388.85 for the installation of the sidewalk as a special assessment from property owners along these streets. City Attorney Prust clarified the language in the developer's agreement relating to the sidewalk installation. City Administrator Volkert commented on the City's sidewalk policy.

There were no appearances for the installation of the sidewalk. Under appearances against, Christy Podraza, 2001 Lake View Drive, Rick Porchetta, 2063 Lake View Drive, Jeffrey Nelson, 2090 Zuern Drive, Alex Calarco, 74 S Teri Lane, Greg Exner, 2029 Lake View Drive, Carol Walters, 86 S Teri Lane, Nicole Glogovsky, 31 S Teri Lane, Whitney Wendorf, 2003 Lake View Drive, Randolph Metzger, 63 S Teri Lane, Lori Cook, 2075 Lake View Drive, Amy Hahn, 2017 Lake View Drive, Greg Schwehr, 2112 Zuern Drive, Kathryn Sibley, 2087 Lake View Drive, Ed Hall, 2041 Lake View Drive, Jay Pongracic, 92 S Teri Lane, Korey Inman, 81 S Teri Lane, and Jacob Neuman, 62 S Teri Lane, all spoke against the installation of sidewalk. Some of the concerns cited were the cost for the sidewalk, that the sidewalk wasn't necessary and they didn't want it, that the sidewalk doesn't go anywhere, loss of privacy, loss of front yard area and usage, increased pedestrian traffic in the neighborhood, and the ecological impact on Pike Lake. Some indicated that they specifically bought their home because there was no sidewalk and the country-like appeal; some were not made aware of the sidewalk requirement. Others mentioned that as the snow is not removed from the bike trail and from City properties in the area the importance of sidewalk doesn't make sense.

Staff responded to alderperson questions relating to the sidewalk installation, as well as some of the resident concerns. Alderpersons Rusniak, Hegy, Wintringer, Garza, Mixon, Kohler, and Fulop spoke on this issue, and addressed some of the concerns brought up by the residents. It was noted that the City offers a 5-year payment plan for the sidewalk. Alderperson Wintringer noted that he is leaning toward voting against the sidewalk as he feels it is not necessary in this area. There being no further remarks or discussion, Mayor Michalak declared the public hearing closed at 8:28 p.m.

### Resolution No. 3561

A FINAL RESOLUTION FOR THE LEVYING AND COLLECTING OF SPECIAL ASSESSMENTS UNDER SECTION 66.0703, WIS STATS, FOR THE INSTALLATION OF SIDEWALK IN LAKE VIEW ACRES, 1<sup>ST</sup> ADDITION SUBDIVISION, AND 2001, 2003 AND 2007 LAKE VIEW DRIVE, 2008 ZUERN DRIVE, AND 40 S TERI LANE LOCATED IN SECTION 23 AND SECTION 22, T10N, R18E, CITY OF HARTFORD, WASHINGTON COUNTY, WISCONSIN

MOTION by Alderperson Hegy, and seconded by Alderperson Turchi for the adoption of proposed Resolution 3561. MOTION CARRIED. (Alderperson Wintringer voted "nay")

## RESOLUTIONS

### Resolution No. 3562

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A PRELIMINARY RESOLUTION FOR THE LEVYING OF SPECIAL ASSESSMENTS UNDER SECTION 66.0703 WIS. STATUTES FOR THE INSTALLATION OF SIDEWALK ON EVERGREEN DRIVE (ADDRESS 303 E MONROE AVENUE, 827 & 841 GRAND AVENUE), ON MORGAN DRIVE (150 JEFFERSON AVENUE), AND ON ARTHUR AVENUE (753 & 761 ARTHUR AVENUE)

As the Engineering Department was inspecting sidewalk for the 2020 Sidewalk Program, several areas of missing sidewalk were observed. These areas include Evergreen Drive (E Monroe Avenue to the south); Morgan Drive (Jefferson Avenue to the north end); and Arthur Avenue (E Monroe Avenue to the north end). The City of Hartford does require all new development to install sidewalk along both sides of all streets, with the exception of the Industrial Park. The Public Works Committee reviewed this issue at its January meeting and recommended introducing the preliminary resolution to the Common Council. The cost estimate for this work using the 2020 sidewalk low bid is approximately \$25,000.

MOTION by Alderperson Hegy, and seconded by Alderperson Carroll for the adoption of proposed Resolution 3562. MOTION CARRIED UNANIMOUSLY.

Resolution No. 3563

A RESOLUTION APPROVING A DISTRIBUTION EASEMENT (GAS) ON CITY OF HARTFORD LAND ALONG THE EAST SIDE OF N WACKER DRIVE FROM W WISCONSIN TO APPROXIMATELY 450' SOUTH

Wisconsin Gas LLC has requested a Distribution Easement to install underground utility facilities along the east side of N Wacker Drive on City owned property from W Wisconsin Street to approximately 450' south. As a result of the N Wacker Drive bridge replacement, WE Energies will need to relocate a section of high pressure gas main.

MOTION by Alderperson Turchi, and seconded by Alderperson Kohler for the adoption of proposed Resolution 3563. MOTION CARRIED UNANIMOUSLY.

Resolution No. 3564

A RESOLUTION APPROVING A CERTIFIED SURVEY MAP FOR A PROPERTY LOCATED IN THE CITY OF HARTFORD (110 N Pike Lake Drive)

As part of the development of the parcel at the northeast corner of East Sumner Street and North Pike Lake Drive, Design-2-Construct has submitted a certified survey map splitting the parcels into two lots and an outlot. Both lots meet the area requirements for the B-4 Professional Office District zoning approved earlier in the meeting.

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MOTION by Alderperson Turchi, and seconded by Alderperson Wintringer for the adoption of proposed Resolution 3564. MOTION CARRIED UNANIMOUSLY.

Mayor Michalak declared a 3 minute recess of the Common Council.

**CITY ADMINISTRATOR'S REPORT**

Bids were received for the 2020 sidewalk replacement/repair program. The low bidder was Rennhack Construction Company, Reeseville, in the amount of \$203,425. Safe Step LLC will again perform the sidewalk trip hazard repairs by shaving concrete. Safe Step's proposal is based upon the estimated quantity of work they will complete with an estimated cost for 2020 of \$12,349.35

MOTION by Alderperson Kohler, and seconded by Alderperson Fulop authorizing appropriate City officials to enter into a contract with Rennhack Construction Co., Reeseville, for the 2020 Sidewalk Replacement Program bid at an estimated cost of \$203,425; and with Safe Step, Hortonville, for the sidewalk shaving program under Proposal #200206 with an estimated cost for 2020 in the amount of \$12,349.35. MOTION CARRIED UNANIMOUSLY.

**CLOSED SESSION**

MOTION by Alderperson Mixon, and seconded by Alderperson Fulop to move into closed session at 8:44 p.m. under § 19.85 (1c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility" relative to the City Administrator's performance review; the Common Council to reconvene in open session for adjournment only. ROLL CALL: "Ayes" 9 "Nays" 0. MOTION CARRIED UNANIMOUSLY.

**RECONVENE IN OPEN SESSION**

MOTION by Alderperson Mixon, and seconded by Alderperson Turchi to reconvene in open session at 9:12 p.m. MOTION CARRIED UNANIMOUSLY.

**ADJOURNMENT**

MOTION by Alderperson Mixon, and seconded by Alderperson Turchi for adjournment at 9:12 p.m. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,  
Lori Hetzel, City Clerk

LH:pb  
CCFEB25.20  
Compiled by Pat Borlen, Deputy Clerk