

**CITY OF HARTFORD
COMMON COUNCIL
April 12, 2022**

The Common Council of the City of Hartford, Washington and Dodge Counties, Wisconsin, met for its regularly scheduled meeting on Tuesday, April 12, 2022 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

All Alderpersons were present except Alderperson Kohler, who was absent and excused.

UNANIMOUS CONSENT AGENDA

MOTION by Alderperson Hegy, seconded by Alderperson Turchi approving the following items:

1. The Common Council minutes of March 22, 2022.
2. Authorizing appropriate City officials to purchase two Police Department garage doors from Lifetime Door Co., Inc., Brookfield for a cost not to exceed \$8,750.
3. Authorizing appropriate City officials to transfer the Hangar Land Lease for Hangar No. 51 at the Hartford Municipal Airport to Matt Zach, Oconomowoc.
4. Authorizing appropriate City officials to enter into a Hangar Land Lease for Lot No. 95 containing 5,600 square feet with Jon Van Roo, Hartland, for a twenty-year period from May 1, 2022 to December 31, 2042 at the annual rate of ten cents per square foot.

MOTION CARRIED UNANIMOUSLY.

COMMUNICATIONS

- a. City Clerk Hetzel reminded the Council members there will be a Common Council team photo taken at the Organizational Meeting on April 19th.

MAYOR'S REPORT

1. Mayor Michalak issued an apology to the people of Washington County for what happened and he deeply regrets his actions which gave rise to it.
2. Mayor Michalak read a letter from the Courtney-Carr-Milner American Legion Post 19 which thanked the Council for approving the funding to complete the renovation of the 2nd floor community room. They also thanked City Administration and staff for working with the contractors to create such a usable space that the entire community can enjoy. They voted to request that the room be named the Veteran's Community Room signifying the room is available for use by the entire community with the freedoms we all enjoy provided by our veterans.

APPEARANCES/CITIZENS COMMENTS

1. Jamie Kaiser from Spectrum appeared for a transient merchant license and explained she would be working in Hartford to help citizens achieve faster internet at a lower cost through Spectrum.

ALDERMANIC REQUESTS

Alderperson Hegy stated that the community and the Council appreciate the Mayor's earlier comment. He also advised that the Mid-Moraine Legislative Committee will be meeting at the Jackson Village Hall at 7p.m. on Wednesday, April 13. Representatives Brooks and Gundrum will be speaking concerning the future of expenditure restraint and shared revenue.

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Aldersperson Rusniak thanked the voters of the 2nd Aldermanic District for re-electing him. He is looking forward to serving the citizens.

Aldersperson Garza wanted everyone to be aware that it is now becoming the time of year when kids are hanging out outside more often and encouraged everyone to keep an eye out and drive safely.

Aldersperson Webb began by thanking the voters of the 3rd Aldermanic District for electing him to the Council. He then addressed the situation regarding the Mayor. He first stated that no one is above the law. He then commented that this situation is becoming a distraction from the great things that are happening in the city. He feels that if it continues to be a distraction, he would ask that the Mayor put the best interests of Hartford above his personal interests and do the right thing. Lastly, he pointed out that there is an officer present at every Common Council meeting and he sees no reason why anyone else should be carrying a firearm into the building during Council meetings. He is confident in relying on Hartford Police officers to secure the meetings and those who attend.

PUBLIC HEARING "A"

A final resolution for the levying and collecting of special assessments under Section 66.0703, WI Statutes, for the July 2020 – June 2021 weights & measures inspections performed by the State of Wisconsin Department of Agriculture, Trade & Consumer Protection, and pursuant to Municipal Code Section 32.08

Mayor Michalak declared the public hearing open at 7:07 p.m. The notice of public hearing was published in the Daily News on 3/10/2022 and was mailed to 11 affected business owners. The notice was read by City Clerk Lori Hetzel.

City Administrator Steve Volkert explained that the State of Wisconsin does the inspections, and the City is charged for those inspections. The City then puts together and sends out the bill for each business that was inspected.

There were no appearances for or against.

There was no discussion by Council.

There being no further remarks or discussion, Mayor Michalak declared the public hearing closed at 7:10 p.m.

MOTION by Aldersperson Carroll, seconded by Aldersperson Turchi for the adoption of proposed Resolution No. 3623 – A final resolution for the levying and collecting of special assessments for weights & measures inspections.

MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING "B"

A final resolution to vacate a portion of South Wilson Avenue and a portion of Bell Avenue

Mayor Michalak declared the public hearing open at 7:11 p.m. The notice of public hearing was published in the Daily News on 3/18/2022, 3/25/2022, and 4/1/2022 and 8 notices were sent. The notice was read by City Clerk Lori Hetzel.

City Planner Justin Drew explained South Wilson Avenue was originally planned to be a re-routed Hwy 83. In those plans, the road was designed to be much wider than what it is needed to be now, as it is not going to be Hwy 83. This left an excess right of way leftover, and the adjacent property owners are requesting the City to vacate that area so that they may acquire it for future development.

Bell Avenue has a small grassy area that includes a driveway to one of the adjacent properties. If it is vacated, it would revert to being publicly owned, but not right of way. The next step would be to figure out

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how the area would be divided among the adjacent properties. Planning staff and the Plan Commission both recommend in favor, as there really isn't a benefit to the City owning these areas any longer.

Under "appearances for", Brian Krebs, 823 East Sumner Street, Hartford, expressed his support for approving the resolution and asked for the Council's support as well.

Under "appearances for", Dr. Jim Giese, owner of 1121 East Sumner Street, Hartford, explained the building was just purchased and is currently being renovated. After renovation, the planned clinic going in to the building is anticipating at least 50 cars coming and going from the parking lot on a daily basis. The one existing driveway is not enough to accommodate that volume, and putting in another driveway somewhere else would eliminate several parking spots, so he would like to see the area on Bell Avenue vacated so that it may be acquired to put in a second driveway.

There were no appearances against.

There was no discussion by council.

There being no further remarks or discussion, Mayor Michalak declared the public hearing closed at 7:16 p.m.

MOTION by Alderperson Garza, seconded by Alderperson Sikora for the adoption of proposed Resolution No. 3624 – A final resolution to vacate a portion of South Wilson Avenue and a portion of Bell Avenue.

MOTION CARRIED UNANIMOUSLY.

STANDING COMMITTEE REPORTS

Finance & Personnel

- A) Discussion and consideration of approving a cigarette and tobacco license for Festival Foods.
- a. City Clerk Lori Hetzel explained Festival Foods wishes to obtain a cigarette and tobacco license for their new store.

MOTION by Alderperson Hegy, seconded by Alderperson Webb approving a cigarette and tobacco license for Festival Foods.

MOTION CARRIED UNANIMOUSLY.

RESOLUTIONS AND POSSIBLE ACTION THEREON

- A) Resolution No. 3625 – A resolution authorizing the issuance and sale of \$3,755,000 General Obligation Promissory Notes, Series 2022A.
- a. It was explained that this borrowing is something the city does every other year, and is required to accomplish capital projects that are going to last at least 10 years for the city. The city has earned an Aa2 rating, which signifies that the city is a low credit risk. This rating is desirable for buyers of these promissory notes.

MOTION by Alderperson Carroll, seconded by Alderperson Hegy for the adoption of proposed Resolution No. 3625 – A resolution authorizing the issuance and sale of \$3,755,000 General Obligation Promissory Notes, Series 2022A.

MOTION CARRIED UNANIMOUSLY.

- B) Resolution No. 3626 – A resolution authorizing the issuance and sale of not to exceed \$3,300,000 General Obligation Refunding Bonds, Series 2022B.
- a. It was explained that this is a restructuring of an existing debt. There was \$3,000,000 that was set aside in 2014 when borrowing was done. That debt is now being restructured so that the debt service remains as steady as possible and at a rate that will help reduce the debt quicker to avoid paying more interest.

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MOTION by Alderperson Hegy, seconded by Alderperson Carroll for the adoption of proposed Resolution No. 3626 – A resolution authorizing the issuance and sale of not to exceed \$3,300,000 General Obligation Refunding Bonds, Series 2022B.

MOTION CARRIED UNANIMOUSLY.

- C) Resolution No. 3627 – A resolution approving a certified survey map for a property located in the City of Hartford. 1523 Innovation Way.

- a. City Planner Justin Drew explained there is an interested buyer who would like to combine two different parcels on Innovation Way.

MOTION by Alderperson Fulop, seconded by Alderperson Sikora for the adoption of proposed Resolution No. 3627 - A resolution approving a certified survey map for a property located in the City of Hartford. 1523 Innovation Way.

MOTION CARRIED UNANIMOUSLY.

- D) Resolution No. 3628 – A resolution approving a certified survey map for a property located in the Town of Hartford. 5861 Hilldale Drive.

- a. City Planner Justin Drew explained the property owner would like to separate out the homestead from the surrounding farm acreage so that the homestead can be sold and the farming operation can continue. This meets with the comprehensive zoning ordinance with the Town of Hartford. Staff and Plan Commission recommend in favor.

MOTION by Alderperson Rusniak, seconded by Alderperson Carroll for the adoption of proposed Resolution No. 3628 - A resolution approving a certified survey map for a property located in the Town of Hartford. 5861 Hilldale Drive.

MOTION CARRIED UNANIMOUSLY.

- E) Resolution No. 3629 – A resolution approving a certified survey map for a property located in the Town of Hartford. 3420 CTH K.

- a. City Planner Justin Drew explained the City has an agreement to purchase part of the land located at this address. The current owner wants to split the land into two lots so that the other lot can be sold to someone else. Staff and Plan Commission recommend in favor of the land split.

MOTION by Alderperson Fulop, seconded by Alderperson Webb for the adoption of proposed Resolution No. 3629 - A resolution approving a certified survey map for a property located in the Town of Hartford. 3420 CTH K.

MOTION CARRIED UNANIMOUSLY.

ORDINANCES

- A) FIRST READING AND POSSIBLE ACTION THEREON

- a. Ordinance No. 1455 – An ordinance repealing section 5.04(8) regarding police powers of Mayor.

- i. City Administrator Steve Volkert explained this ordinance is outdated and from a time when the City did not have the police resources it currently has.

MOTION by Alderperson Fulop, seconded by Alderperson Hegy to suspend the rules for immediate consideration of proposed Ordinance No. 1455.

MOTION CARRIED UNANIMOUSLY.

MOTION by Alderperson Turchi, seconded by Alderperson Fulop for the adoption of proposed Ordinance No. 1455 - An ordinance repealing section 5.04(8) regarding police powers of Mayor.

MOTION CARRIED UNANIMOUSLY.

- b. Ordinance No. 1456 – An ordinance amending Section 35.13(10)(b) of the Hartford Municipal Code entitled Outdoor Service Area.

- i. City Attorney Ian Prust explained this amendment is in response to a shift in business models where outdoor service areas are becoming more common and

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desirable. This amendment will allow for more flexibility with regard to fencing requirements around outdoor service areas.

- ii. Alderperson Sikora recused himself from voting on this ordinance.
- iii. Attorney Prust answered questions regarding clarification on the wording related to “permanent barrier” in the ordinance.

MOTION by Alderperson Hegy, seconded by Alderperson Carroll to suspend the rules for immediate consideration of proposed Ordinance No. 1456.

MOTION CARRIED UNANIMOUSLY.

MOTION by Alderperson Carroll, seconded by Alderperson Garza for the adoption of proposed Ordinance No. 1456 - An ordinance amending Section 35.13(10)(b) of the Hartford Municipal Code entitled Outdoor Service Area.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MOTION by Alderperson Sikora, seconded by Alderperson Fulop for adjournment at 7:49 p.m.

MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,
Lori Hetzel, City Clerk

CCAPR12.22