

**CITY OF HARTFORD
COMMON COUNCIL
February 22, 2022**

The Common Council of the City of Hartford, Washington and Dodge Counties, Wisconsin, met for its regularly scheduled meeting on Tuesday, February 22, 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.

UNANIMOUS CONSENT AGENDA

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

1. The Common Council minutes of February 8, 2022.

MOTION CARRIED UNANIMOUSLY.

MAYOR'S REPORT

Mayor Michalak advised that the County Executive Committee met and has approved helping the City cover the cost for a DNR requested soil boring project. The County will pay \$28,000 of the \$35,000 total cost.

ALDERMANIC REQUESTS

Alderperson Hegy advised the Mid-Moraine Legislative Committee met on February 9, 2022 at the Jackson Village Hall. The speaker, Todd Martens, Washington County Circuit Court Judge, spoke about how he believes drug court is pretty effective in getting offenders the help and treatment they need. He also stated that at the Board of Directors for the Hartford Area Chamber of Commerce meeting the discussion was about the Balloon Rally and how to coordinate that event with another event that is scheduled at the Hartford Airport. He also mentioned that the Wednesday night market at the Library is now going to be moving over to the Schauer Center parking lot, possibly to coincide with the live music the Schauer Center will be having.

Alderperson Rusniak commended the BID and the Mill group for a very successful Iced on Main event last Saturday.

Alderperson Webb announced that there are still opportunities available to donate to the Centennial Park Redevelopment project. Information is available from Mike Hermann at the Parks and Recreation Department.

PUBLIC HEARING "A"

Repealing and recreating Chapter 16 pertaining to floodplains

Mayor Michalak declared the public hearing open at 7:05 p.m. The notice of public hearing was published in the Daily News on 1/21/2022 and 39 notices were sent. The notice was read by Deputy City Clerk Samantha Walters.

City Planner Justin Drew explained the owners of the Westphal Mansion applied for a change to the land use plan after purchasing the property. They wish to use the property as a two-family

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residence, but the property is currently zoned commercial only. City Planner Drew explained that the Plan Commission found it appropriate for both commercial and residential zoning, but wished to add Institutional zoning to the property, so that in the event of another ownership change, it would not need to come back before the Council if future owners wished to use the property differently.

There were no appearances for or against.

Aldersperson Fulop asked why this zoning change also requires a change to the Smart Growth Plan. City Attorney Ian Prust explained that any zone changes need to be in compliance with the Smart Growth Plan and because the Smart Growth Plan shows this property as commercial only, the Smart Growth Plan needs to be amended.

There being no further remarks or discussion, Mayor Michalak declared the public hearing closed at 7:09 p.m.

MOTION by Aldersperson Hegy, seconded by Aldersperson Fulop to suspend the rules for immediate consideration of proposed Ordinance 1453 – An ordinance revising the 2030 City of Hartford Smart Growth Plan.

MOTION CARRIED UNANIMOUSLY.

MOTION by Aldersperson Fulop, seconded by Aldersperson Webb for the adoption of proposed Ordinance 1453.

MOTION CARRIED UNANIMOUSLY.

STANDING COMMITTEE REPORTS

Finance & Personnel

- A) Discussion and consideration of approving a Class A intoxicating liquor and fermented malt beverage license to Dobariyp, Inc., Downtown Beverage, for the period March 1, 2022 – June 30, 2022.
- a. Aldersperson Rusniak explained the business was sold and the new owners are applying for their new liquor license.

MOTION by Aldersperson Fulop, seconded by Aldersperson Sikora approving a Class A intoxicating liquor and fermented malt beverage license to Dobariyp, Inc., Downtown Beverage, for the period March 1, 2022 – June 30, 2022.

RESOLUTIONS AND POSSIBLE ACTION THEREON

- A) Resolution No. 3619 – A preliminary resolution to vacate a portion of South Wilson Avenue and a portion of Bell Avenue.
- a. City Attorney Ian Prust explained that this is a repeat of a previous resolution, stating that the City was slightly over-ambitious with the timing of the original resolution. Because of that, this is an amended resolution to start the process of the vacation. There will be a public hearing in April for this.

MOTION by Aldersperson Kohler, seconded by Aldersperson Garza for the adoption of proposed Resolution No. 3619 – A preliminary resolution to vacate a portion of South Wilson Avenue and a portion of Bell Avenue.

MOTION CARRIED UNANIMOUSLY.

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CITY ADMINISTRATOR'S REPORT

- A) City Administrator Steve Volkert explained that the City received a claim for refund of unlawful tax from Kingspath Senior Ministries, Inc.
- B) The Common Council to move into closed session under § 19.85 (1)(g) "Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved" relative to a claim from Kingspath Senior Ministries, Inc. pursuant to § 74.33(c) & (f) and § 74.35, Wis. Stats., for refund of unlawful tax. The Common Council to reconvene in open session for action on this item.

MOTION by Alderperson Hegy, seconded by Alderperson Sikora to move into closed session at 7:16pm.

ROLL CALL VOTE: AYES (9) NAYS (0) MOTION CARRIED UNANIMOUSLY.

MOTION by Alderperson Hegy, seconded by Alderperson Carrol to return to open session at 7:50pm.

MOTION CARRIED UNANIMOUSLY.

MOTION by Alderperson Fulop, seconded by Alderperson Sikora to approve the refund to Kingspath Senior Ministries, Inc. for unlawful tax.

MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

MOTION by Alderperson Webb, seconded by Alderperson Sikora for adjournment at 7:52 p.m.
MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,
Lori Hetzel, City Clerk

CCFEB22.22