

JOINT CITY OF HARTFORD-TOWN OF HARTFORD PLANNING COMMITTEE

Thursday, January 14, 2021

Hartford City Hall Council Chambers

109 N. Main Street

Hartford, WI 53027

5:00 p.m.

AGENDA

1. Call to Order

This is a scheduled meeting of the Joint City-Town Planning Committee. Prior to this meeting, notice was given to the public by posting on the City Office Meeting Board. The Daily News (the official City newspaper), was notified of this meeting at least 24 hours ago.

2. Minutes of January 13, 2020

3. Appearances

4. Discussion Regarding Petition for Direct Annexation by Unanimous Consent Submitted by Washington County for Approximately 283.0 Acres Located North of the Rubicon River and South of Clover Road (discussion only)

6. Adjournment

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

“Members of the Common Council and Town Board may attend the above meeting. Pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis.2d 553, 494 N.W.2d 408 (1993) such attendance may be considered a meeting of the Common Council or Town Board. This notice is given to that members of the Common Council and Town Board may attend the meeting without violating the open meeting law.”

Joint City of Hartford / Town of Hartford Planning Committee Meeting Minutes
January 13, 2020
Council Chambers, Hartford City Hall
109 N. Main Street
Hartford, WI 53027

*Meeting was called to order at 6:00 p.m. by City of Hartford Mayor Timothy C. Michalak.

*Members present: City of Hartford Mayor Timothy C. Michalak, Joint Plan Commission Member Maurice Strupp, Joint Plan Commission Member Dennis Regan; Joint Plan Commission Member Ralph Horst; Joint Plan Commission Member Steve Musinsky; City of Hartford Alderperson Barry Wintringer

Absent and Excused: None

Also Present: City Director of Community Development Justin Drew; City Administrator Steve Volkert

*Minutes of July 23, 2018 were reviewed. Member Musinsky noted one typo ('area' instead of 'are'). Motion by Strupp, second by Horst to approve minutes. Motion carried.

Mayor Michalak requested discussion by Administrator Volkert regarding public appearances. Administrator Volkert reminded those present that the purpose of the Joint City/Town Planning Committee is to discuss ideas between the two communities, there is no statutory requirement for the two groups to meet and the committee makes no decisions. Appearances although part of the agenda are neither required nor mandated. Administrator Volkert noted that there currently is no annexation petition or draft petition to review and there is nothing to discuss at this point due to a lack of petition.

Appearances: Mayor Michalak reminded those present that appearances will be limited to three minutes and will not involve discussion/engagement of members by direct questions. Ryan Lippert, Town of Hartford Chairperson, 3060 Glassgo Drive, discussed the recent effort of the Town to purchase park property contained within the Washington County Golf Course. Chairperson Lippert noted that the Town of Hartford has no problem subdividing the lot as proposed by the County (1 residential lot), and stated that he did not see the purpose of annexation as long as the Town is allowed to do what they wanted to do. He noted that was circumvented by the cancellation of the November 11, 2019 meeting.

* Discussion Regarding Request for Land Division from Washington County (discussion only)

Member Musinsky noted the importance of open space requirements for land development and smart growth, and expressed his disagreement with the County's assertion that the park is not used. He stated that the equipment and buildings in the park have not been maintained for 10 years, and a recent visit noted lots of footprints and evidence that the park is indeed used by neighboring residents. With 12 acres of parkland, the area is indeed ideal for open space from a planning perspective, and the play area is perfect in terms of smart growth principles. Member Musinsky noted that he has problems with the idea of selling off parkland to make money; with using the argument that the County is in competition with other parks when that is what is happening in several other instances (golf course, fairgrounds); with the idea that the County is willing to put resources into developing land but won't put a coat of paint on park facilities. Member Strupp asked why the County wants to annex to the City if there are no utilities available. Member Strupp asked what benefit the City receives by annexation – making it broader for the City to annex more land? Member Strupp noted that a developer has purchased farmland in anticipation of the City reaching that location, and voiced objections to prime agricultural land being used for development and residences being located on land not suitable for septic fields. Member Strupp agreed that the equipment at the park only needs paint, and explained that previous County Boards (of which he was a member) had purchased parkland and accepted donations of parkland, and now that land was being sold off or only accessible to County residents able to pay fees to use. Member Horst asked for City input – what is the City's opinion? How does the City Council feel about this? Mayor Michalak and Administrator Volkert both noted that

the City has not received any submittals on this and therefore no one is able to comment on what is being planned. Member Horst noted that the Town Board has not made a decision on the parkland. Alderperson Wintringer stated that he has noticed the large numbers of Town residents in opposition to the potential annexation. Member Musinsky asked why the City would want to assume responsibility for maintenance of the park if the County is no longer interested in doing so.

*Discussion regarding Flooding Issues on Lake Drive (discussion only)

Mr. Drew explained that the flooding concerns along Lake Drive had been discussed with Member Strupp and are an engineering issue, not a planning issue. The City Engineer continues a review of the matter. Administrator Volkert noted that the flooding occurred after a 5" rainfall, an unprecedented amount of rain that was causing flooding all around Hartford. Administrator Volkert stated that the City was lending engineering services to determine what had occurred and any possible solutions. Member Horst requested information regarding the storm sewers in the subdivision to the northeast, and if those sewers routed stormwater to the area in question. Mr. Drew noted that some of the stormwater from that subdivision is routed to wetland in the area of the flooding. Member Musinsky noted that the land in question had a swale at one point but it was replaced by a pipe which was not large enough to handle the recent rainfall. Member Strupp noted the solution would be to reestablish the swale but the land is private and the Town does not have a drainage easement. Member Musinsky pointed out a similar instance that had occurred on Rolaine Parkway – because it was private property, the solution is with the owner.

*Adjournment: Mayor Michalak requested further comments. Hearing none, Mayor Michalak adjourned the meeting by call of chair. Meeting adjourned at 6:26 p.m.

Respectfully Submitted,

J. Justin Drew, Director of Community Development, City of Hartford

EXECUTIVE SUMMARY

Ordinance No. _____

TITLE: Petition for Direct Annexation by Unanimous Consent submitted by Washington County for approximately **283.0 acres** located north of the Rubicon River and south of Clover Road.

BACKGROUND:

The petitioned area consists of tax parcel T6-0313 in the Town of Hartford and is the Washington County Golf Course (WCGC) and Family Park. Washington County decided to retire Family Park in 2020. The applicant is seeking to bring this land into the City to facilitate the subdivision of Family Park into residential lots.

ANALYSIS:

Configuration: The petitioned area coincides with the shape of the WCGC and Family Park and is contiguous to the City of Hartford on the south east side.

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. City and County Staff discovered that there is a narrow band of City owned land in the Town along the Rubicon River just north of the Serenity Subdivision. City Staff will attach this land to the City in the near future.

Status of Public Improvements: No sewer, water or electric services are available to the petitioned area.

Valuation Impact: All of the land is currently owned by the County and thus currently carries no assessed value. Assuming that the County is able to successfully parcel out and sell lots and/or residential building sites in the area that is currently Family Park, the expected valuation at build out would be approximately \$1,500,000, which would generate annual City property taxes of approximately \$9,000.

As no taxes are currently paid to the Town, the City would not pay the Town the Town portion of a tax bill for the next 5 years.

Need: The proposed annexation would allow for the residential development of Family Park and serves the need of the petitioner. In addition, the annexation makes future annexations in this portion of the City's growth area easier to accomplish.

School Services Impact: The proposed annexation would have a minor impact on school services and would be expected to add 4-6 students.

Other Service Costs: The annexation would have minimal impact on Police and Emergency Services, but this increased cost would be offset by the increased taxes upon residential buildout.

Consistency of Land Use and Zoning: The Smart Growth Plan currently calls for park development. The annexation petition is accompanied by a request to amend the Smart Growth Plan to allow for residential development in the Family Park area.

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 County has requested P-1 Park and Recreation District. 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 Washington County for approximately **283.0 acres** located north of the Rubicon River and south of Clover Road.

Prepared By: Justin Drew 1-6/21
Justin Drew, Date
City Planner

Reviewed By: Lori Hetzel 01/06/21
Lori Hetzel, Date
City Clerk

Approved By: Steve Volkert 01/06/21
Steve Volkert, Date
City Administrator

ROUTING: PLAN COMMISSION 01/11/21
JOINT PLANNING COMMITTEE TBD
COMMON COUNCIL 01/26/21

Ordinance No.

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF HARTFORD, WISCONSIN
6439 Clover Road
Tax Key Number T60313

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 T60313

Legal description of the boundary for Annexation to the City of Hartford, Section 15, Township 10 North, Range 18 East, Town of Hartford, WI.

Parts of the NW 1/4, SE 1/4 and SW 1/4 of Section 15, 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 15, thence N89°08'42"E, 150.00 feet along the north line of the northwest 1/4 and the centerline of Clover Road to the point of beginning; thence continuing N89°08'42"E along said north line and said centerline, 796.80 feet to the northwest corner of Certified Survey Map #6405, recorded as document number 1278477; thence S00°05'58"E along the west line of CSM #6405, 343.52 feet to the southwest corner of said CSM; thence N89°08'42"E along the south line of said CSM, 380.44 feet to the southeast corner of said CSM; thence S00°05'58"E, 227.19 feet; thence N89°08'42"E, 375.00 feet; thence N00°05'58"E, 5.90 feet; thence S45°43'26"E, 60.00 feet; thence N44°16'34"E, 46.00 feet; thence N45°43'26"W, 105.01 feet; thence N00°05'58"W, 500.46 feet to a point on the north line of the northwest 1/4 and on the centerline of Clover Road; thence along said north line and said centerline N89°08'42"E, 952.32 feet to the north 1/4 corner of Section 15; thence S00°01'50"E, 2,636.30 feet along the north-south 1/4 line and the west line of Full pail Heights, a recorded subdivision as document number 409834 to the center 1/4 corner of Section 15; thence N88°58'11"E, 662.78 feet along the south line of said subdivision to the southeast corner of said subdivision; thence S00°14'22"W, 1318.46 feet to a point on the north line of Mount Vernon Estates, a recorded subdivision as document number 1307494; thence S88°51'11"W along the north line of Mount Vernon Estates and the north line of the 2nd Addendum to Mount Vernon Condominiums, a recorded subdivision as document number 1307492, 662.54 feet to the northwest corner of Mount Vernon Estates and to the north-south 1/4 line of Section 15; thence S00°16'10"W along the west line of Mount Vernon Estates and the west line of Certified Survey Map #5865, recorded as document number 1081198, and the north-south 1/4 line, 1,151.55 feet to a point on the north line of the "Rubicon River"; thence westerly along the north line of the "Rubicon River" to a point on the west line of the southeast 1/4 of the southwest 1/4; thence N00°10'26"E along the west line of the southeast 1/4 of the southwest 1/4 to the northwest corner of the southeast 1/4 of the southwest 1/4; thence S89°08'04"W along the south line of the northwest 1/4 of the southwest 1/4, 1,322.02 feet to the southwest corner of the northwest 1/4 of the southwest 1/4; thence N00°04'41"E along the west line of the southwest 1/4, 1,318.15 feet to the west 1/4 corner of Section 15; thence N00°09'43"W along the west line of the northwest 1/4, 2,348.34 feet; thence N89°08'42"E, 153.50 feet; thence N00°51'13"W, 290.09 feet to the point of beginning.

Said property contains 283.00 total 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 A-1 General Agricultural District

SECTION 4: ALDERMANIC DISTRICT DESIGNATION. The territory described in Section 1 of this Ordinance is hereby made part of the 1st 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 37 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 8th 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: January 26, 2021

ADOPTED:

ATTEST:

Lori Hetzel, City Clerk

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

Personally came before me this _____ day of _____, 2021 *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 _____, 2021.

Julie L. Hanrahan, Notary Public
Washington County, Wisconsin
My Commission Expires _____

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

Daily News:
January 8, 2021
January 15, 2021

**NOTICE OF PUBLIC HEARING
COMMON COUNCIL**

PLEASE TAKE NOTICE that a PUBLIC HEARING will be held at 7:00 p.m. or thereafter on January 26, 2021 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 Tax Key Number T60313, 6439 Clover Road, and is described as follows:

Annexation Legal Description

Legal description of the boundary for Annexation to the City of Hartford, Section 15, Township 10 North, Range 18 East, Town of Hartford, WI.
Parts of the NW 1/4, SE 1/4 and SW 1/4 of Section 15, 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 15, thence N89°08'42"E, 150.00 feet along the north line of the northwest 1/4 and the centerline of Clover Road to the point of beginning; thence continuing N89°08'42"E along said north line and said centerline, 796.80 feet to the northwest corner of Certified Survey Map #6405, recorded as document number 1278477; thence S00°05'58"E along the west line of CSM #6405, 343.52 feet to the southwest corner of said CSM; thence N89°08'42"E along the south line of said CSM, 380.44 feet to the southeast corner of said CSM; thence S00°05'58"E, 227.19 feet; thence N89°08'42"E, 375.00 feet; thence N00°05'58"E, 5.90 feet; thence S45°43'26"E, 60.00 feet; thence N44°16'34"E, 46.00 feet; thence N45°43'26"W, 105.01 feet; thence N00°05'58"W, 500.46 feet to a point on the north line of the northwest 1/4 and on the centerline of Clover Road; thence along said north line and said centerline N89°08'42"E, 952.32 feet to the north 1/4 corner of Section 15; thence S00°01'50"E, 2,636.30 feet along the north-south 1/4 line and the west line of Full pail Heights, a recorded subdivision as document number 409834 to the center 1/4 corner of Section 15; thence N88°58'11"E, 662.78 feet along the south line of said subdivision to the southeast corner of said subdivision; thence S00°14'22"W, 1318.46 feet to a point on the north line of Mount Vernon Estates, a recorded subdivision as document number 1307494; thence S88°51'11"W along the north line of Mount Vernon Estates and the north line of the 2nd Addendum to Mount Vernon Condominiums, a recorded subdivision as document number 1307492, 662.54 feet to the northwest corner of Mount Vernon Estates and to the north-south 1/4 line of Section 15; thence S00°16'10"W along the west line of Mount Vernon Estates and the west line of Certified Survey Map #5865, recorded as document number 1081198, and the north-south 1/4 line, 1,151.55 feet to a point on the north line of the "Rubicon River"; thence westerly along the north line of the "Rubicon River" to a point on the west line of the southeast 1/4 of the southwest 1/4; thence N00°10'26"E along the west line of the southeast 1/4 of the southwest 1/4 to the northwest corner of the southeast 1/4 of the southwest 1/4; thence S89°08'04"W along the south line of the northwest 1/4 of the southwest 1/4, 1,322.02 feet to the southwest corner of the northwest 1/4 of the southwest 1/4; thence N00°04'41"E along the west line of the southwest 1/4, 1,318.15 feet

to the west 1/4 corner of Section 15; thence N00°09'43"W along the west line of the northwest 1/4, 2,348.34 feet; thence N89°08'42"E, 153.50 feet; thence N00°51 '13"W, 290.09 feet to the point of beginning.

Said property contains 283.00 total acres more or less.

A temporary rezoning to A-1 Agricultural 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 8th Day of January, 2021.

Lori Hetzel, City Clerk
City of Hartford

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO §66.0217(2), WIS. STATS., WHERE
NO ELECTORS RESIDE IN THE TERRITORY**

Washington County, the owner of real property in which no electors reside in the Town of Hartford, Washington County, Wisconsin, lying contiguous to the City of Hartford, petition the Common Council of the City of Hartford to annex the territory described below, known as Washington County Family Park Golf Course, and shown on the attached scale map to the City of Hartford, Washington County, Wisconsin.

Legal description of the boundary for Annexation to the City of Hartford, Section 15, Township 10 North, Range 18 East, Town of Hartford, WI.

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N00°09'43"W along the west line of the northwest 1/4, 2,348.34 feet; thence N89°08'42"E, 153.50 feet; thence N00°51'13"W, 290.09 feet to the point of beginning.

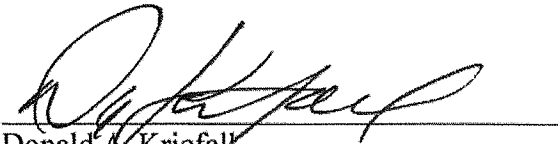
Said property contains 283.00 total acres more or less.

Tax parcel number(s) of lands to be annexed: Tax Key Number T6_0313

The current population of said territory is -0-.

The undersigned is the authorized representative of Washington County, Wisconsin, and elects that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

For Washington County, Wisconsin:

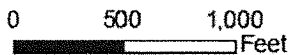
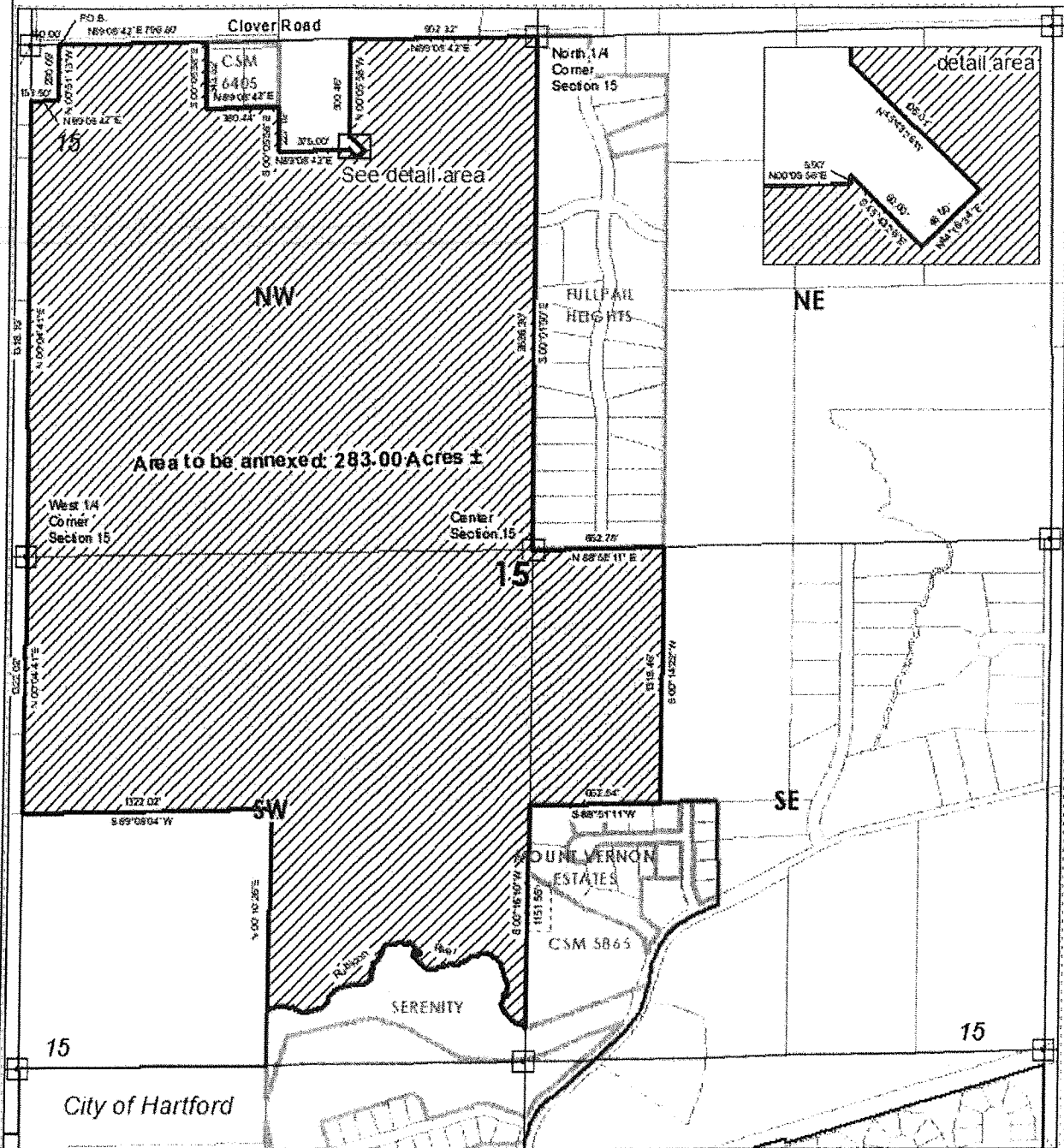


Donald A. Kriefall
Washington County Board Chair
Herbert J. Tennes Government Center
432 E. Washington Street
West Bend, WI 53095

Date: 12-16-2020

Northwest 1/4
Corner
Section 15

ANNEXATION EXHIBIT A



City of Hartford Boundary
Area to be Annexed