

**VILLAGE OF GRAFTON**

**VILLAGE BOARD MEETING MINUTES**

**MONDAY NOVEMBER 19, 2012**

President Brunnuell called the Village Board meeting to order at 6:00 p.m. The Pledge of Allegiance followed.

Board members present: Jim Brunnuell, Jim Grant, Dave Antoine, Sue Meinecke, David Liss, Lisa Harbeck, and Richard Rieck

Staff Present: Village Administrator Darrell Hofland, Chief Charles Wenten, Director of Public Works / Village Engineer Dave Murphy, Utility Director Tom Krueger, Director of Administrative Services Paul Styduhar, Parks & Recreation Director John Safstrom, Village Attorney Mike Herbrand, and Village Clerk Kelly Popp

**MINUTES**

Motion by Trustee Antoine, seconded by Trustee Harbeck, to approve the 11-5-2012 Village Board meeting minutes and the 11-7-12 Public Hearing Before the Village Board, and File the 11-5-2012 Finance Committee; 11-8-12 Architectural Review Board, 10-03-2012 and 11-8-12 Community Development Authority; 11-12-2012 Board of Public Works; and 11-13-2012 Public Safety Committee meeting minutes, as presented. Approved unanimously.

**PERSONS REQUESTING TO BE HEARD**

None

**COMMENCE PUBLIC HEARING**

Statement of Public Notice

Village Clerk Kelly Popp stated that the purpose of this public hearing is to review the following proposed issuance of Village of Grafton, Wisconsin, Midwestern Disaster Area Bonds, Resolution No. 24 series 2012 (Grafton Cheyenne LLC Project), in an aggregate amount not to exceed \$5,280,000, pursuant to Section 66.1103 of the Wisconsin Statutes, to finance a project to be owned by Grafton Cheyenne, LLC, a Wisconsin limited liability company (the Borrower).

Director of Administrative Services Styduhar explained this is in regards to the Regal Beloit building on Badger Circle. Grafton Cheyenne, LLC is using the Village's name to get a better loan interest rate. There is no financial responsibility of the Village for repayment of the Midwestern Disaster Area Bond.

**Hear all interested persons and their agents:**

President Brunnquell asked for interested parties to speak; there were no parties. He then asked Village Trustees if they had comments; no comments were heard.

**Closed discussion of public hearing issue:**

President Brunnquell closed the discussion of the public hearing.

**BUSINESS PRESENTED BY THE PRESIDENT**

None.

**RESOLUTIONS/ORDINANCES/ACTION ITEMS**

- A. Final Resolution approving an assessment authorizing the installation and construction of municipal improvements as described within an area for Construction of a new Road located at Badger Court and providing for the levying of special assessments against said property owners as described.

Motion by Trustee Liss, seconded by Trustee Antoine to approve the final assessment for installation and construction of municipal improvements as described hereinafter, within an area described hereinafter, and providing for the levying of special assessments against said property owners as described hereinafter under and pursuant to the provisions of Chapters: 66.60(1)(B), 61.36, 66.62, 66.615 and 66.60(10) of the Wisconsin Statutes, as amended from time to time. Approved unanimously.

President Brunnquell asked for comments from Director of Public Works/Village Engineer Murphy. He had no comments. Village Administrator Hofland commended Murphy for the project efficiency and a project well done.

- B. Final Resolution approving the Midwestern Disaster Area Revenue Bond Financing for Grafton Cheyenne, LLC project in an aggregate principal amount not to exceed \$5,280,000, for the purpose of financing the project

Motion by Trustee Grant, seconded by Trustee Meinecke to approve the Final Resolution approving the Midwestern Disaster Area Revenue Bond Financing for Grafton Cheyenne, LLC project in an aggregate principal amount not to exceed \$5,280,000, for the purpose of financing the project. Approved unanimously.

- C. Resolution adopting the 2013 Annual Program Budget and establishing the 2013 tax levy

Motion by Trustee Rieck, seconded by Trustee Harbeck to approve the Resolution adopting the 2013 Annual Program Budget and establishing the 2013 tax levy. Approved unanimously.

President Brunnquell explained the budget process. Village Administrator Hofland stated that it includes an additional \$246,051 in property tax levy due to the approved

Fire Department Referendum. Administrator Hofland identified all the new projects and staffing included in the 2013 budget. The use of applied fund balance in the General Fund is less than 5 percent as a revenue source.

Trustee Meinecke commented on Trustee Grant's inquiry into ideas to cut the budget. She asked if the department heads' under-run of their departmental budget can be rolled over to the coming year's departmental budget. Village Administrator Hofland stated no. The Village does not deal with incremental budgeting. Each department head is annually required to itemized and prioritized the need of their departments. He commented that he relies on the management team to ask for only what is necessary. Meinecke asked when the department heads have requests to please bring them up on the committee levels early on and go through proper procedures. Trustee Grant commented he wanted to dig a little deeper into the budget and he was disappointed that there was not an interest by other Village Board members to do this.

D. Resolution approving the 2012 Wage Adjustment Factor for non-represented regular Village employees was offered by Trustee Grant.

Motion by Trustee Rieck, seconded by Trustee Harbeck to approve the resolution for the 2012 Wage Adjustment Factor for non-represented regular Village employees. Approved unanimously.

Village Administrator Hofland commented briefly on Agenda Items 9D through 9F. Regarding Item 9E, after three years this is the first increase the seasonal employees have received. Regarding item 9F, the classification structure would be an increase for the cost of living. The funds have been budgeted to accommodate the needs, if they are approved.

Trustee Meinecke inquired about the Library Board and their approval process for similar items. Administrator Hofland stated the Library Board will specifically consider these items at their November meeting. Final action to affect library employees will be taken by the Library Board.

E. Resolution approving the establishment of a pay schedule for seasonal part-time employees for 2013 was offered by Trustee Antoine.

Motion by Trustee Meinecke, seconded by Trustee Liss to approve the Resolution for the establishment of a pay schedule for seasonal part-time employees for 2013. Approved unanimously.

F. Resolution approving the revisions of the classification structure for the non-represented regular Village employees for 2012 was offered by Trustee Grant.

Motion by Trustee Harbeck, seconded by Trustee Rieck to approve the Resolution for the revisions of the classification structure for the non-represented regular Village employees for 2012. Approved unanimously.

G. Approval of PJL Group Note extension payable December 14, 2012, for the former Village Hall

Village Attorney Herbrand stated this was the debt on the old village hall. They are working in earnest to secure the payment. The date has been pushed out to December 14, 2012.

Motion by Trustee Liss, seconded by Trustee Grant for the approval of PJL Group Note extension payable December 14, 2012, for the former Village Hall. Approved unanimously.

H. Approval of Employers Mutual Casualty Company , Des Moines, IA as the Village's provider of liability insurance

Motion by Trustee Rieck, seconded by Trustee Meinecke for the approval of Employers Mutual Casualty Company, Des Moines, IA as the Village's 2013 provider of liability insurance.

Director of Administrative Services Styduhar stated Liberty Mutual was being used for all 2012 Village insurance needs. At the end of October, Liberty Mutual notified the Village that they would not write the Workers Compensation policy. Contacts were made with 11 insurance companies. Quotes were brought back to the Village Board. Employers Mutual Casual Company was the only firm to provide a comprehensive 2013 quote. Other companies declined due to the Police and Fire Departments. EMC has been providing quotes over the past few years to the Village, but the Village chose to continue with Liberty Mutual. The difference from 2012 to 2013 is \$170,000 to approximately \$175,000. The budget is sufficient to cover this difference. For 2014 policies, the Village will have more time to seek quotes from other insurance companies.

Beth Matysik of Arthur J. Gallagher in Brookfield, WI, stated that many insurance companies do not want the police or fire exposure. She stated she contacted as many companies as possible to obtain the insurance. Liberty is still interested in writing for municipalities, but is not interested in the Workers Compensation any longer. This is not atypical.

Director of Administrative Services Styduhar stated the Village's mod factor is the lowest it has been. Ms. Matysik indicated that the coverage increase from EMC to Liberty Mutual is doubled for 2013. EMC has enhancements that the current program does not offer. It also provides public officials coverage.

Motion to approve Employers Mutual Casualty Company, Des Moines, IA as the Village's 2013 provider of liability insurance was approved unanimously.

Report of the Board of Public Works

1. Adoption of Ordinance amending Section 12.08.090, Sewerage Service (eliminating sprinkling credit) of the Village of Grafton Municipal Code.

Motion by Trustee Rieck, seconded by Trustee Meinecke for the adoption of ordinance amending Section 12.08.090, Sewerage Service (eliminating sprinkling credit) of the Village of Grafton Municipal Code.

Utility Director Krueger commented on the amending of the ordinance as a refresher on the reasons and purpose. The first reason was to promote and sustain the water supply; this is becoming even more important. A study has been done. The study results may mean that we will not be expanding our groundwater supply. The Village would have to go to the use of lake water. It is part of the Village's overall water conservation. This would be a measure by which the Village would be offsetting a sewer rate increase. The current sprinkling credit is flawed, not taking into account the snow birds that go south and have almost no usage during the winter months. The Village use of water is up during the summer months more than during the winter months. So the credit does not account for that. These are some of the reasons behind amending the ordinance.

Village Administrator Hofland stated that many customers called regarding the size of the credit. As a follow up to several of the calls, he researched 2010 and 2012 in addition to 2011. Due to the very dry 2012 year, water usage was up significantly for many customers. As a result, the amount of the 2012 credit was significantly higher than the prior years for the same customers.

President Brunquell commented on the option of the deduct meter. In order to measure accurately, a deduct meter could be set up on a customer's account and they would still be given credit. The meter is \$9 a quarter or \$36 a year for the meter. This would require a certified plumber to be sure it was installed correctly, but this would be a onetime cost. Heavy watering would merit the customer installing a deduct meter. Once installed it would be a quarterly charge, regardless of the time of year.

Trustee Grant inquired how much the average customers' use is. Utility Director Krueger stated this last year was approximately a \$51 average credit. There are about 4400 customers; approximately 657 customers were issued credits. Trustee Grant felt that the elimination of the credit was a tax increase passed to the customer.

President Brunquell stated what is implied here is that if the homeowner wishes to conserve, they have that option. If they opt to have the green lawn, then they can choose this as well. This is putting the village decision back onto the homeowner.

Mr. John Hagen, 1949 Surrey Lane, stated he did complain and thought it was like a tax to the customer. He had a \$286 rebate. He felt an honest approach was not made here.

Trustee Harbeck stated some communities have never had a credit. Over the past years, she thought she was just fortunate to have had the available sprinkling credit.

Motion for the adoption of ordinance amending Section 12.08.090, Sewerage Service (eliminating sprinkling credit) of the Village of Grafton Municipal Code was approved 4-3 (Antoine, Grant, and Liss-nay).

2. Adoption of Ordinance amending Section 12.08.050 (G), Sewer Construction (Garage floor drains) of the Village of Grafton Municipal Code

Motion by Trustee Rieck, seconded by Trustee Liss for the adoption of Ordinance amending Section 12.08.050 (G), Sewer Construction (Garage floor drains) of the Village of Grafton Municipal Code. Approved unanimously.

Director of Public Works /Village Engineer Dave Murphy stated he looked at the policy. The owners of a property wanted a rain garden. They wanted to be permitted a garage floor draining into a rain management pond, infiltration basins, and dry ponds. This gives owners an option to take the water to a stormwater management feature rather than a sanitary sewer.

3. Adoption of Ordinance amending Section 10.32.010, Stop Intersections (Badger Court at Cheyenne Avenue) of the Village of Grafton Municipal Code

Director of Public Works /Village Engineer Dave Murphy stated a stop sign was needed on Cheyenne Avenue and Badger Court for safety reasons.

Motion by Trustee Liss, seconded by Trustee Meinecke for the adoption of Ordinance amending Section 10.32.010, Stop Intersections (Badger Court at Cheyenne Avenue) of the Village of Grafton Municipal Code. Approved unanimously.

4. Adoption of Ordinance amending Section 10.36.010. No Parking at Any Time (Badger Court) of the Village of Grafton Municipal Code

Motion by Trustee Grant, seconded by Trustee Harbeck for the adoption of Ordinance amending Section 10.36.010 No Parking at Any Time (Badger Court) of the Village of Grafton Municipal Code. Approved unanimously.

Trustee Grant inquired about stop signs on private property such as Pick 'n Save. Chief Wenten stated this depends on where the stop signs are placed. No authority is allowed by the Grafton Police Department on private property. The Police Department cannot issue a failure to stop if the sign is on private property; they are very limited.

I. Report of the Public Safety Committee

1. Approval of the Fire Chief job description including the assignment of Pay Grade 21

Motion by Trustee Liss, seconded by Trustee Meinecke for the approval of the Fire Chief Job Description including the assignment of Pay Grade 21.

Village Administrator Hofland mentioned that the job description contains a requirement for a CPAT (Candidate Physical Ability Test) under education and experience. The candidates must pass the standards as an active member of the Fire Department. Village Administrator Hofland thought it is reasonable for the Village to require these tests and for the individual to meet these expectations.

Trustee Grant commented the Fire Chief should be considered a Firefighter first. Hofland stated if there is a need for minor modifications with the test, it could be worked with.

Trustee Harbeck inquired if the other members of the Fire Department must also be able to pass this test as well. Village Administrator Hofland stated yes.

President Brunquell stated that he would like to see a serious candidate, making this his committed occupation and being physically fit.

Motion that the Fire Chief Job Description including the assignment of Pay Grade 21 was approved unanimously.

2. Approval to authorize the recruitment of the Fire Chief

Motion by Trustee Harbeck, seconded by Trustee Antoine the approval to authorize the recruitment of the Fire Chief. Approved unanimously.

J. Report of Finance Committee

1. Approval of Personnel Handbook changes regarding health care-related benefits

Motion by Trustee Rieck, seconded by Trustee Antoine the approval of Personnel Handbook changes regarding health care-related benefits. Approved unanimously.

Hofland stated these are housekeeping changes regarding the 125 accounts for employees.

2. Approval of the one-year contract for 2013 assessment services with Mass Appraisals, LLC, West Bend, WI for \$35,000

Motion by Trustee Grant, seconded by Trustee Antoine the approval of the one-year contract for 2013 assessment services with Mass Appraisals, LLC, West Bend, WI for \$35,000. Approved unanimously.

Village Administrator Hofland stated in 2014 the Village will discuss a multi-year contract. This past year, Grafton's equalized-assessment ratio was beyond the state-mandated 10 percent range. It has been almost seven years since the Assessor did a statistical reevaluation. In addition to the 2014 reassessment, the Assessor will be required to include new features on the assessment software.

## **LICENSES**

Motion by Trustee Grant, seconded by Trustee Antoine, to approve the issuance of Operators Licenses, as requested. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Antoine, to approve the issuance of Tobacco Products License to SR&K Investor, LLC of 1020 Washington Street, Grafton, as presented. Approved unanimously.

## **DEPARTMENT AND OFFICERS REPORTS**

It was inquired whether the wayfinding signs are being corrected. It was stated, the wayfinding signs are being corrected, but the company is very slow. Trustee Meinecke stated that the Woodview Elementary sign is spelled incorrectly. Trustee Brunnequell asked that the vendor be contacted and the signs be corrected.

Utility Director Krueger stated that the regional water supply report/test has been completed. He invited everyone to attend the next meeting where the test results will be discussed.

## **REPORT OF BILLS**

Motion by Trustee Antoine, seconded by Trustee Liss, to approve the payment of Village expenditures in the amount of \$171,085.98, as presented. Approved unanimously.

Trustee Harbeck inquired on the bill for the replaced window. Chief Wenten stated the rear defroster element broke off of the window on the squad car and it had to be replaced.

## **OLD BUSINESS**

Village Administrator Hofland stated the tree lighting ceremony was done well; he commended Trustee Dave Antoine for the job very well done.

## **NEW BUSINESS**

None

## **CONVENE TO CLOSED SESSION**

Motion by Trustee Liss, seconded by Trustee Harbeck to convene to closed session at 7:03 p.m., pursuant to Wisconsin Statutes 19.85(1)(e) for negotiation purposes (Intergovernmental Agreement for Fire Services with the Town of Grafton) and 19.85(1)(e) for Real Estate and Competitive Bargaining matters (purchase of former industrial property for redevelopment purposes). Approved unanimously by roll call vote.

During a 35 minute Closed Session, the Village Board discussed potential negotiation strategies (Public Safety Committee role, Equipment Replacement Fund, and Police and Fire Commission responsibility) with the Town of Grafton for contracted fire service and potential negotiation strategy for the purchase of a former industrial property for redevelopment purposes.

### **RE-CONVENE TO OPEN SESSION AND THE REGULAR ORDER OF BUSINESS**

Motion by Trustee Grant, seconded by Trustee Antoine, to re-convene to open session and the regular order of business at 7:38 p.m. Approved unanimously by roll call vote.

### **ADJOURN**

Motion by Trustee Grant, seconded by Trustee Harbeck, to adjourn at 7:38 p.m. Approved unanimously.