

**VILLAGE OF GRAFTON**  
**VILLAGE BOARD MEETING MINUTES**  
**SEPTEMBER 3, 2013**

President Brunnuell called the Village Board meeting to order at 6:03 p.m. The Pledge of Allegiance followed.

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

Board members excused: Richard Rieck

Staff/Officials present: Village Administrator Darrell Hofland, Director of Administrative Services Paul Styduhar, Village Attorney Mike Herbrand, Village Clerk Kelly Popp, Village Deputy Clerk Jilline Dobratz

Others Present: Resident William and Sue Hass

**MINUTES**

Motion by Trustee Grant, seconded by Trustee Harbeck to Approve the 08-19-2013 Village Board meeting minutes and File the 08-19-2013 Board of Public Works; 08-20-2013 Public Safety Commission; 08-21-2013 Park and Recreation Board; 08-22-2013 Architectural Review Board; 08-26-2013 Library Board and 08-27-2013 Plan Commission meeting minutes, as presented. Motion carried.

Trustee Meinecke requested Public Safety Commission minutes be amended on page 2 in the second paragraph under Overtime / June and July, for Trustee Meinecke having inquired about the safety measures for all the schools, not just the high school .

Motion carried, as presented and amended.

**PERSONS REQUESTING TO BE HEARD**

None

**BUSINESS PRESENTED BY THE PRESIDENT**

None

**RESOLUTIONS/ORDINANCES/ACTION ITEMS**

Adopt resolution to end participation in the Wisconsin length of service award program

Village Administrator Hofland stated the Grafton Volunteer Fire Department has made the transition from a volunteer department to a Village department with paid employees. Grafton Volunteer Fire Department is requesting the Village close out and terminate their participation in the program. Volunteers who have participated in the program in the past will receive a lump sum payment. The

Town of Grafton will also have to agree to this request. Trustee Grant questioned the total amount that is in the fund. Mr. Hofland stated that past payments were made into this state-sponsored program and the funds are not in any Village funds.

Resolution No. 0020, Series 2013 adopting the resolution to end participation in the Wisconsin length of service award program offered by Trustee Meinecke.

Motion by Trustee Harbeck, seconded by Trustee Antoine to adopt the resolution to end participation in the Wisconsin length of service award program. Motion carried.

Adopt resolution to amend the 2013 General Fund Budget – Salaries

Village Director of Administrative Services Paul Styduhar commented this was general housekeeping moving funds to the correct fund lines.

Resolution No. 0021, Series 2013, adopting the resolution to amend the 2013 General Fund Budget – Salaries offered by Trustee Liss.

Motion by Trustee Grant, seconded by Trustee Antoine to adopt the resolution to amend the 2013 General Fund Budget – Salaries. Motion carried.

Item 1/Report of Public Safety Commission

Motion by Trustee Antoine, seconded by Trustee Meinecke to approve the Lakefront Marathon Race on October 6, 2013. Motion carried.

**LICENSES**

Approval of Operators Licenses

Motion by Trustee Meinecke, seconded by Trustee Harbeck to approve the Operators Licenses, as presented. Motion carried.

Approval of Class “A” Fermented Malt Beverage (Beer)/”Class A” Intoxicating Liquor License

Motion by Trustee Liss, seconded by Trustee Antoine to approve issuance of “Class A” Fermented Malt Beverage (Beer)/”Class A” intoxicating liquor license for the period ending June 30, 2014, for Sagar Shrestha-agent/Ka-Kai Marketing, LLC, d.b.a., Grafton Food and Gas, 1020 Washington Street, Grafton, as presented.

Trustee Grant questioned the appearance of the outside of the business. Village Administrator Darrell Hofland stated he met with the owners in May regarding the signage and appearance. As of yet, the business has not made changes. Trustee Grant asked if a license can be held until the owners cooperate. Attorney Herbrand stated the Village cannot deny a liquor license because of appearance of building and suggested a referral be made to the Building Inspector.

Motion to approve the license to Ka-Kai Marketing, LLC, d.b.a., Grafton Food and Gas was carried.

Approval to issue Cigarette and Tobacco Products License

Motion by Trustee Antoine, seconded by Trustee Meinecke to approve issuance of Cigarette and Tobacco Products License for the period ending June 30, 2014, for Sagar Shrestha-agent/Ka-Kai Marketing, LLC, d.b.a, Grafton Food and Gas, 1020 Washington Street, Grafton, as presented. Motion carried.

#### Approval of Special Class "B"/"Class B" Picnic License

Motion by Trustee Grant, seconded by Trustee Liss to approve issuance of Special Class "B"/"Class B" Picnic License to David F. Scherzer-agent for St. Paul Lutheran Church / St. Paul Lutheran Church & School for Sweetest Day Auction located at 701 Washington Street on October 19, 2013. Motion carried.

Motion by Trustee Grant, seconded by Trustee Liss to approve issuance of Special Class "B"/"Class B" Picnic License to Jay Batista-agent for North Shore Academy of the Arts (NSAA) for Comedy Night Grafton located at 1111 Broad Street (All of Block 6 Addition) / Parcel 10-074-06-01-000 on November 9, 2013. Motion carried.

Motion by Trustee Grant, seconded by Trustee Liss to approve issuance of Special Class "B"/"Class B" Picnic License to Jay Batista-agent for North Shore Academy of the Arts (NSAA) for Silent Auction – Grafton Dam Benefit located at 1300 14<sup>th</sup> Avenue (Lot 1/Block 15-Johnson's Addition) / Parcel 10-073-15-01-000 on October 5, 2013. Motion carried.

Motion by Trustee Grant, seconded by Trustee Liss to approve issuance of Special Class "B"/"Class B" Picnic License to Nicole Vaculik-agent for St. Joseph Congregation / Family Fun Night located at 1619 Washington Street (lower level of church and school)/ Parcel 10-060-03-01-002 on October 18, 2013. Motion carried.

#### **DEPARTMENT AND OFFICERS REPORT**

None

#### **REPORT OF BILLS**

Motion by Trustee Grant, seconded by Trustee Antoine to approve the payment of Village Expenditures in the amount of \$906,534.24.

Trustee Antoine inquired on General Code, contractual services. It was explained this is for the re-codification project.

Trustee Harbeck inquired whether Badger Truck Center on Page 3, is a Utility Department item. Village Director of Administrative Services Paul Styduhar confirmed it is a utility expense. Trustee Harbeck inquired on Bridgewater Condominium, Page 4, and whether it had been distributed yet. Village Director of Administrative Services Paul Styduhar stated the funds are released after Village Board approval. Trustee Harbeck inquired on City of Cedarburg expenditure on Page 5. Village Administrator Darrell Hofland stated this sewer televising equipment is a joint expense between Village of Grafton and City of Cedarburg.

Motion to approve the payment of Village Expenditures carried.

**OLD BUSINESS**

Trustee Antoine mentioned he attended the breakfast at school on Tuesday, August 27, 2013 with Village Administrator Darrell Hofland. The video, Go Grafton Go Great, was presented. It brought spirit to the new school year.

**NEW BUSINESS**

None

**CONVENE TO CLOSED SESSION**

President Brunnuell commented the Village Board would be moving to Closed Session.

Motion by Trustee Liss, seconded by Trustee Harbeck to convene to Closed Session at 6:15 p.m., pursuant to Wisconsin State Statutes 19.85 (1)(g) UPAD litigation on judgment and 19.85 (1)(e) Milwaukee River riverwalk easement on 1200 block motion carried by roll call vote.

President Brunnuell- Aye Trustee Harbeck-Aye Trustee Liss-Aye  
Trustee Meinecke-Aye Trustee Antoine-Aye Trustee Grant-Aye

During the Closed Session of 11 minutes, Village Board discussed UPAD litigation on judgment and Milwaukee River easement on the 1200 block.

**RECONVENE TO OPEN SESSION**

Motion by Trustee Harbeck, seconded by Trustee Meinecke to adjourn Closed Session and reconvene to open session at 6:26 p.m. Motion carried by roll call vote.

President Brunnuell- Aye Trustee Harbeck-Aye Trustee Liss-Aye  
Trustee Meinecke-Aye Trustee Antoine-Aye Trustee Grant-Aye

**PERMANENT RIVERWALK EASEMENT BETWEEN THE BRIDGEWATER CONDOMINIUM ASSOCIATION, THE VILLAGE OF GRAFTON AND PORT WASHINGTON STATE BANK**

Motion by Trustee Grant, seconded by Trustee Antoine to approve the permanent Riverwalk Easement between the Bridgewater Condominium Association, the Village of Grafton and Port Washington State Bank. Motion carried.

**RELEASE AGREEMENT BETWEEN THE VILLAGE OF GRAFTON, GRAFTON COMMUNITY DEVELOPMENT AUTHORITY, AND PORT WASHINGTON STATE BANK ON ISSUES ASSOCIATED WITH PROPERTIES LOCATED ON WATER TERRACE**

Motion by Trustee Liss, seconded by Trustee Harbeck to approve the release agreement with the Village of Grafton, Grafton Community Development Authority and

Port Washington State Bank on issues associated with properties located on Water Terrace. Motion carried.

**SETTLEMENT AND RELEASE AGREEMENT BETWEEN THE VILLAGE OF GRAFTON, GRAFTON COMMUNITY DEVELOPMENT AUTHORITY, DILLON GROUP, LLC, URBAN PLANNING AND DEVELOPMENT, LLC, GRAFTON RIVERSITE PARTNERS, LLC, AND PETER SHEPERD.**

Motion by Trustee Harbeck, seconded by Trustee Antoine to approve the settlement and release agreement between the Village of Grafton, Grafton Community Development Authority, Dillon Group, LLC, Urban Planning and Development, LLC, Grafton Riversite Partners, LLC, and Peter Sheperd. Motion carried.

**ADJOURN**

Motion by Trustee Grant, seconded by Trustee Antoine, to adjourn the Village Board meeting at 6:35 p.m. Motion carried.