

VILLAGE OF GRAFTON

VILLAGE BOARD MEETING MINUTES

APRIL 21, 2009

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

Village Board members present: Jim Grant, Ron LaPean, Richard Rieck, Sue Meinecke, David Liss, Jim Brunnuell

Village Board members absent: Scott Volkert

Staff / Officials present: Village Administrator Darrell Hofland, Chief of Police Charles Wenten, Director of Planning and Development Mike Rambousek, Village Attorney Michael Herbrand, Deputy Clerk Lisa Bohn

MINUTES

Motion by Trustee LaPean, seconded by Trustee Liss, to approve the 4-6-2009 Village Board meeting minutes and File the 4-9-2009 Architectural Review Board; 4-13-09 Public Informational Meeting on Emerald Ash Borer & Board of Public Works; 4-14-09 Public Safety Committee; 4-15-09 Sustainable Grafton Ad-Hoc Committee meeting minutes, as presented. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

President Brunnuell reviewed the materials distributed for Village Board member review.

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Items 1 & 3-6 / Report of the Board of Public Works

Motion by Trustee Rieck, seconded by Trustee Meinecke, to approve Items 1 & 3-6 of the Report of the Board of Public Works as follows: 1. Award the construction contract for improvements to the Green Bay Road lift station to the low bidder, Rawson Contractors, Inc., Sussex, WI for a cost of \$228,000; 3. Award project 09-01 / First Avenue Reconstruction to Ozaukee Excavating, Grafton, WI for a cost of \$493,212.20; 4. Approval of Change Order No. 1 to Bonestroo for the design changes to the parking lot construction at 1231 13th Avenue in the amount of \$1,481; 5. Award project 09-05 / Parking Lot Construction – 1231 13th Avenue to Poblocki Paving, Wauwatosa, WI for \$32,908; 6.

Approval of Public Works Facility Change Order No. 2 to Kueny Architects LLC, Pleasant Prairie in the amount of \$5,130, as presented. Approved unanimously.

Resolution No. 015, Series 2009 accepting and dedicating water main for Our Savior Lutheran Church, 1332 Arrowhead Road, was offered by Trustee Grant.

Motion by Trustee Liss, seconded by Trustee Meinecke, to adopt Resolution No. 015, Series 2009, as presented. Approved unanimously.

Public Parking Lot Easement and Maintenance Agreement with Greg Heitz, Barb Kuehl, and Brian Behrens

Motion by Trustee Liss, seconded by Trustee Meinecke, to approve the Public Parking Lot Easement Agreement with Greg Heitz, Barb Kuehl, and Brian Behrens, as presented.

Motion by Trustee Grant, seconded by Trustee Rieck, to approve the Maintenance Agreement with Greg Heitz, Barb Kuehl, and Brian Behrens, as presented.

Planning and Development Director Rambousek stated this agreement originated at the Community Development Authority (CDA) level last year, due to the need for additional public parking between 11th Avenue and 12th Avenue in the downtown. The Public Parking Lot Easement Agreement will provide four additional public parking spaces for the general public to use. The maintenance agreement outlines the requirements and responsibilities for each party involved.

President Brunnquell questioned the issue of snow storage in some of the parking spaces. Mr. Rambousek stated Mr. Behrens has three designated parking spaces and can use up to two spaces for snow storage. However, the snow piles can be no higher than ten feet high.

Trustee LaPean questioned what will happen if an owner decides to sell. Mr. Rambousek stated the agreements stay with the properties forever.

The motions to approve the Public Parking Lot Easement Agreement and the Parking Lot Maintenance Agreement between the Village of Grafton, Greg Heitz, Barb Kuehl, and Brian Behrens were approved unanimously.

LICENSES

Motion by Trustee LaPean, seconded by Trustee Grant, to approve the issuance of an Operator's License to Dean Wolf, as presented. Approved unanimously.

Motion by Trustee Meinecke, seconded by Trustee Grant, to deny the issuance of Operator's License's to Charles Kroening and Ashley Pintor, as presented.

Chief Wenten informed the Board that a criminal history check and driver's license check was completed on Mr. Charles Kroening. During these reviews it was found that from 1991 to present there have been alcohol related offences and one OWI in 2006. Mr. Kroening also has a conviction from 2004, for open intoxicants in a motor vehicle that was overlooked. During the time Mr. Kroening was owner of the Office Tavern and as license holder, he received two convictions for serving beverages to intoxicated individuals. After reviewing these convictions Chief Wenten determined that it does not appear that Mr. Kroening makes good decisions when it comes to alcohol.

Chief Wenten stated he completed a criminal history check and reviewed Ashley Pintor's driving record. After reviewing Ms. Pintor's records, he found that there was a drug related conviction and numerous traffic violations. However, Ms. Pintor did not include any of these convictions on her application when applying for the Operator's License. The application clearly asks if the individual has had any contact with police.

It was the consensus by Trustee Meinecke and Trustee Grant to withdrawal their original motion from consideration.

Motion by Trustee Meinecke, seconded by Trustee Grant, to deny the issuance of an Operator's License to Charles Kroening, due to his prior alcohol related violations as cited by the Police Chief. Approved unanimously.

Motion by Trustee LaPean, seconded by Trustee Liss, to deny the issuance of an Operator's License to Ashley Pintor, due to her untruthfulness in applying for the license. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

None.

REPORT OF BILLS

Motion by Trustee LaPean, seconded by Trustee Meinecke, to approve the payment of Village expenditures in the amount of \$337,942.06, as presented. Approved unanimously.

OLD BUSINESS

None.

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

Motion by Trustee Liss, seconded by Trustee Rieck, to Convene to Closed Session, at 6:15 p.m., pursuant to WI Statutes 19.85(1)(e) for Real Estate and Competitive Bargaining Matters (Status of negotiations/negotiation strategies –Grafton Little League Lease Agreement / Grafton Village Center loan / park land acquisition / sale of Village-owned lot). Approved unanimously by roll call vote.

During Closed Session, the Village Board discuss the terms of the land lease with the Grafton American Little League, Inc. and the terms of the loan agreement with Grafton Direct for the Village Center, negotiation strategies associated with park land acquisition and sale of a Village-owned lot on 17th Avenue.

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

Motion by Trustee Grant, seconded by Trustee Meinecke to adjourn the Closed Session and re-convene into the regular order of business at 6:40 p.m. Approved unanimously by roll call vote.

APPROVAL OF LITTLE LEAGUE COMPLEX LEASE WITH GRAFTON AMERICAN LITTLE LEAGUE, INC.

The Village Board asked Mark Koehler, President of Grafton Little League if the terms of the lease were acceptable. He confirmed that they were.

Motion by Trustee Grant, seconded by Trustee Liss to approve the lease agreement between the Grafton American Little League, Inc. and the Village of Grafton, as presented. Approved unanimously.

ADJOURN

Motion by Trustee Grant, seconded by Trustee LaPean to adjourn at 6:41 p.m. Approved unanimously.