

VILLAGE OF GRAFTON
VILLAGE BOARD MEETING MINUTES

JUNE 16, 2014
*Amended

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

Board members present: Jim Brunnuell, David Antoine, Sue Meinecke, David Liss, Lisa Harbeck and Dean Proefrock

Board members excused: Jim Grant

Staff/Officials present: Village Administrator Darrell Hofland, Public Works Director Dave Murphy, Fire Chief William Rice, Director of Planning and Development Jessica Wolff, Utility Superintendent Tim Nennig, Utility Program Coordinator Larry Roy, Village Attorney Mike Herbrand, and Village Clerk Kelly Meyer

Others present: News Graphic Reporter Melanie Boyung and Citizens of the Community

MINUTES

Motion by Trustee Meinecke, seconded by Trustee Proefrock to Approve the 06-02-2014 Village Board and 06-02-2014 Finance Committee meeting minutes and File the 06-04-2014 Board of Review; 06-04-2014 Community Development Authority; 06-09-2014 Board of Public Works; 06-10-2014 Public Safety Commission; and 06-12-2014 Historical Preservation Commission meeting minutes, as presented.

Amended changes were requested for the 06-02-2014 Finance Committee meeting minutes to correct the year 2103 to 2013, in the first paragraph under 2013 Community Survey and 2014 Community Survey questions.

Motion carried with correction to Finance Committee minutes, as amended.

PERSONS REQUESTING TO BE HEARD

None

BUSINESS PRESENTED BY THE PRESIDENT

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Consider Grafton Lion's Club Request for Waiver of \$50 Temporary Sign Permit (Chicken Roast Event)

Village Attorney Mike Herbrand addressed the Village Board, noting this agenda item should not be acted on from those with a common interest in it. It was advised whoever has a protected interest in the Grafton Lion's Club should abstain; tabling may be the best direction.

This agenda item was briefly discussed on the potential of setting precedence for non-profits.

Motion by Trustee Harbeck, seconded by Trustee Antoine to table the waiver of a \$50 temporary sign permit (chicken roast event).

Motion carried.

Approve Amendment of Lease between the Village of Grafton and North Shore Academy of the Arts, Inc., for the building located at 1111 Broad Street

Village Attorney Mike Herbrand noted the draft proposal between the Village of Grafton and North Shore Academy of the Arts, Inc. (NSAA) is to amend and essentially waive the payments toward the elevator improvements that happened approximately in 2009. This amounts to approximately another \$10,000 dollars. The Village would also be agreeing to waive any State-mandated elevator testing related costs.

Village Administrator Hofland commented that the State mandate for elevator inspections went into effect following the negotiation of the original lease agreement with NSAA. The cost is about \$300 annually. The Village cost would be approximately \$150 annually.

It was noted that NSAA President Sheri Bestor did sign the proposed amendment of the lease. The amendment does not alter NSAA's responsibility for future repairs of the heating system or the elevator.

Motion by Trustee Liss, seconded by Trustee Antoine to approve amendment of Lease between the Village of Grafton and North Shore Academy of the Arts, Inc., for the building located at 1111 Broad Street. Motion carried.

Item 1/Report of Finance Committee

Contract with Baker Tilly Virchow Krause, LLC.

Motion by Trustee Liss, seconded by Trustee Harbeck for approval to extend the contract with Baker Tilly Virchow Krause, LLC, Madison, WI, for auditing services for the years ending December 31, 2014, 2015, 2016, 2017 and 2018.

President Brunnuell commented this is a well-known company that has been doing the Village's audit work and they do an excellent job.

Motion carried.

Item 1/Report of Board of Public Works

Village Administrator Darrell Hofland commented that the contract award under consideration was recommended for approval by the Board of Public Works. Currently two other towers are under a maintenance contract with Utility Service Company. Staff is recommending proceeding with this bid award. There are outstanding issues associated with paying prevailing wages on a prior contract. Therefore, it is recommended that this be approved contingent upon all outstanding issues, with all existing contract agreements be resolved.

Motion by Trustee Meinecke, seconded by Trustee Antoine, for authorization for the Village to enter into a 14 year maintenance contract with Utility Service Company, Perry, Georgia, for Tower 3 that includes major renovations and annual maintenance not to exceed \$687,486 with the initial contract years, not to exceed \$83,198, conditioned upon all outstanding contract issues being resolved. Motion carried.

Item 2/Report of Board of Public Works

Motion by Trustee Liss, seconded by Trustee Harbeck for approval of Bridge Street dam change order 3 to the Construction Contract for Staab Construction Company for a total cost of \$21,988.

Public Works Director Dave Murphy reported there were a few changes with landscaping and the railing, which will complete the project on Staab's behalf. This should be buttoned up within the next couple of weeks.

Motion passed 5-1 (Meinecke-Nay).

Item 3/Report of Board of Public Works

Motion by Trustee Antoine, seconded by Trustee Proefrock for approval of contract for the Primary Clarifier 1 Rehabilitation project to Crane Engineering, Kimberly, WI in the amount of \$65,980.

Utility Program Coordinator Larry Roy commented that the Utility is in the process of rehabilitating the clarifiers; this is the second to be completed.

Motion carried.

Item 4/Report of Board of Public Works

Motion by Trustee Antoine, seconded by Trustee Meinecke, to award the Sludge Thickener Replacement Pumps project to L.W. Allen, Madison, WI in the amount of \$39,943.

Public Works Director Dave Murphy reported the contractor will be replacing existing pumps that have met their life consistency; this is an upgrade.

Motion carried.

Item 5/Report of Board of Public Works

Trustee Antoine offered Resolution.

Motion by Trustee Meinecke, seconded by Trustee Harbeck, adopt Resolution to accept 2013 Compliance Maintenance Annual Report and submit the report to the DNR as required.

Utility Superintendent Tim Nennig stated the annual report card for wastewater operations for the year of 2013 scored A's in all ten categories again this year, much like retired Utility Director last year. In the eyes of the state regarding wastewater operations, the Village is doing a fantastic job. President Brunquell offered his commendation.

Motion carried.

Item 1/Report of Public Safety Commission

Motion by Trustee Liss, seconded by Trustee Proefrock, for training grant awarded to the Grafton Police Department by the Ozaukee County Department of Social Services, in the amount of \$4,464.

Village Administrator Darrell Hofland stated Grafton Police Wenten identified Ozaukee County is working with us for the training grant. The purpose of the grant is to send two officers to crisis training.

Motion carried.

Item 2/Report of Public Safety Commission

Motion by Trustee Proefrock, seconded by Trustee Harbeck to approve the Grafton Fire Department purchase of two cardiac monitors from Physio Controls, Redmond, WA, at a cost of \$46,913.

Fire Chief William Rice noted that when he put the capital costs together last year, estimated costs were about \$40,000. When those costs were put together, it was an estimation of costs at that time. The costs have increased since that time. The additional cost will be paid with identified savings by using a lower cost option for fixing the women's shower area.

Motion carried.

DEPARTMENT AND OFFICERS REPORT

Update on Foreclosure and Stipulation Regarding Default of the Economic Development Revolving Loan program loan to WIGBY, LLC, Don Colber and Debra Treskow

Village Administrator Mr. Hofland identified that the Village issued a low-cost loan with WIGBY, LLC. Unfortunately, the company has not made loan payments consistent with the terms of the loan. Due to a potential conflict of interest with Houseman and Feind being their attorney, the Village is working with another attorney in regard to this particular case. Friday, June 20 and Monday, June 23 were deadlines for the company owners to sign an agreement which identifies the repayment schedule. Signatures were not obtained. Director of Administrative Services Mr. Styduhar did arrange with the company owners to pay off the loan by making two installment payments.

LICENSES

Item 1/Approval to issue Class "A" Fermented Malt Beverage, "Class A" Fermented Malt Beverage and Intoxicating Liquor, Class "B" Fermented malt beverage, "Class B" Fermented Malt Beverage and intoxicating liquor, and "Class C" Wine licenses.

Motion by Trustee Meinecke, seconded by Trustee Antoine, to approve the issuance of Class "A" Fermented Malt Beverage, "Class A" Fermented Malt Beverage and Intoxicating Liquor, Class "B" Fermented malt beverage, "Class B" Fermented Malt Beverage and intoxicating liquor, and "Class C" Wine licenses for the July 01, 2014 to June 30, 2015 licensing period, subject to the satisfaction of all outstanding financial obligations to the Village of Grafton and completion of passing inspection at those establishments whose premise failed. Motion carried.

Item 2/Approval to issue Tobacco Products Licenses

Motion by Trustee Liss, seconded by Trustee Proefrock to approve the issuance of Tobacco Products licenses, as presented. Motion carried.

Item 3/Approval to issue Coin Machine (Amusement devices) permits

Motion by Trustee Harbeck, seconded by Trustee Meinecke to approve the issuance of Coin Machine permits, as presented. Motion carried.

Item 4/Approval of The Hutch Expansion of Premise

Motion by Trustee Proefrock, seconded by Trustee Meinecke to approve The Hutch expansion of premise for the time and date as noted. Motion carried.

Gail LeCavalier, 1335 11th Avenue

Ms. LeCavalier of Heritage of Grafton Condominiums is aware that The Hutch is holding the event as a fundraiser for the community and this is for a good cause. But she noted

that patrons of The Hutch recently knocked over a Village planter for the second year in a row. Garbage is being dumped constantly during evening hours. She asked that The Hutch be respectful and please keep the community in mind when they hold the event.

President Brunquell directed Administrator Hofland to contact the Grafton Police Department and let them know of the noted concerns.

Motion to approve The Hutch expansion of premise for the time and date as noted carried.

Item 5/Approval of Operators Licenses

Motion by Trustee Liss, seconded by Trustee Harbeck to approve the operators' licenses, as presented. Motion carried.

Administrator Hofland noted Operator Applicant Vincent Cole has requested additional time to accurately complete the application; Administrator Hofland recommends postponing action by the Village Board on this application.

Motion by Trustee Harbeck, seconded by Trustee Antoine to postpone Vincent Cole's operators' licenses, as presented. Motion carried.

REPORT OF BILLS

Motion by Trustee Liss, seconded by Trustee Proefrock to approve the payment of Village expenditures in the amount of \$310,832.52.

Trustee Harbeck inquired on Moraine Environmental, Inc. on page 13. She asked if this was in fact for the Riverwalk Project. It was noted not to be for the Riverwalk, but for the downtown TID project.

Trustee Harbeck also inquired on the background of the expenditure for Taylor Computer Services, Inc. Village Administrator Darrell Hofland stated this is for two Dell Tablets which are compatible with the new IT Permit software system for the Inspection Department. The two Dell tablets are taken out in the field while on inspections. He will verify that is the correct explanation and will follow with an e-mail to the Village Board of Trustees.

Motion carried.

OLD BUSINESS

None

NEW BUSINESS

Trustee Harbeck inquired on the iPads and IQM2. Village Clerk Kelly Meyer updated the Village Board, stating another IQM2 Agenda and Minutes training will be attended by conference tomorrow. One of the three tablets has been programmed and is ready.

The second iPad was security locked. This has been rectified, enabling preparation for programming. The third tablet will be programmed as well.

Village Administrator Darrell Hofland followed by noting Deputy Clerk Jilline Dobratz has tendered her resignation today. He asked for the Village Board's consensus to initiate recruitment for the Deputy Clerk position. Authorization to post was reached by consensus of the Village Board.

Trustee Harbeck inquired on the Village permitting tuition reimbursement for further education opportunities. Administrator Mr. Hofland stated that it is an option as listed in the Employee Handbook with the Department Head's approval, sufficient departmental funding, and if the coursework benefits the Village.

CONVENE TO CLOSED SESSION

President Brunnuquell commented the Village Board would be moving into closed session.

Motion by Trustee Liss, seconded by Trustee Antoine to Convene to Closed Session at 6:33 p.m., pursuant to Wisconsin State Statutes 19.85(e) for real estate and competitive bargaining matters (amendment of Highland Ridge development incentive agreements)

President Brunnuquell-Aye	Trustee Liss-Aye	Trustee Antoine-Aye
Trustee Harbeck-Aye	Trustee Meinecke-Aye	Trustee Proefrock-Aye

Motion carried by roll call vote.

During the Closed Session of 19 minutes, the Village Board discussed negotiation strategies for amending the Highland Ridge development incentive agreement.

RECONVENE TO OPEN SESSION

Motion by Trustee Harbeck, seconded by Trustee Antoine to adjourn Closed Session and reconvene to open session at *6:52 p.m.

President Brunnuquell-Aye	Trustee Liss-Aye	Trustee Antoine-Aye
Trustee Harbeck-Aye	Trustee Meinecke-Aye	Trustee Proefrock-Aye

Motion carried by roll call vote.

ADJOURN

Motion by Trustee Proefrock, seconded by Trustee Antoine to adjourn the Village Board meeting at *6:52 p.m. Motion carried.