

VILLAGE OF GRAFTON
VILLAGE BOARD MEETING MINUTES

AUGUST 8, 2014
*Amended

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

Board members present: Jim Brunnquell, Sue Meinecke, David Liss, Lisa Harbeck, Jim Grant and Dean Proefrock

Board members excused: David Antoine

Staff/Officials present: Village Administrator Darrell Hofland, Director of Planning and Development Jessica Wolff, Director of Public Works Dave Murphy, Building Inspector Tom Johnson, Police Chief Charles Wenten, Fire Chief William Rice, Grafton Fire Department EMS Coordinator Matt Schaezner, Village Attorney Mike Herbrand, and Village Clerk Kelly Meyer

Others present: Ozaukee Press Reporter Carol Pomeday, News Graphic Reporter Melanie Boyung, Greg Eichstaedt, Tim Hertel, Gerald Liska, and Citizens of the Community

MINUTES

Motion by Trustee Liss, seconded by Trustee Harbeck to Approve 07-07-2014 Village Board and 07-07-2014 Finance Committee and File the 7-10-2014 Architectural Review Board; 07-16-2014 Community Development Authority; 07-22-2014 Plan Commission; and 07-22-2014 Public Safety Commission meeting minutes, as presented.

Amended changes were requested to reflect the correct vote of "Nay" in the 07-22-2014 Public Safety Commission meeting minutes for Trustee Grant on the motion to buy Fire Department equipment. A second correction request was made under the agenda items of New and Old Business to an addition to reflect the discussion in regard to 16th Avenue and Falls Road and the dangers in the area.

Motion carried with corrections to minutes, as amended.

PERSONS REQUESTING TO BE HEARD

A lengthy discussion took place in regard to the concerns of a foreclosed property located at 251 West Lilac Lane with concerned citizens/neighbors on the property's total disrepair, environmental health hazard and danger to the community. Documentation on

the property was distributed by Mr. Greg Eichstaedt of 236 West Lilac Lane and placed in record. Those heard were the following:

Greg Eichstaedt 236 West Lilac Lane

Mr. Eichstaedt commented he was speaking on behalf of concerned citizens in regard to the poor condition at a foreclosed property in the Village of Grafton on 251 West Lilac Lane. It has fallen into total disrepair, a health hazard and a danger to the community.

President Brunnquell thanked Mr. Eichstaedt for coming forward. He noted, in the course of one day, Departments of Public Works, Inspection, Legal Counsel and Village Administration have been in discussion to provide some results for the neighborhood and community. In the course of the afternoon, per findings, BMO Harris Bank as the current owner of the property has been contacted and agreed this is a definite concern.

Director of Public Works Dave Murphy was instructed to have the grass cut tomorrow.

Village of Grafton Building Inspector Tom Johnson noted he had contacted the Village Attorney approximately one month ago and at the time was unaware that BMO Harris Bank owned the property. Village Attorney Mike Herbrand stated that he had *made* the attempt to contact the owners but had been unable to contact them and received no responses to his phone calls.

Mr. Eichstaedt thanked the Village Board. President Brunnquell commented that the Village will keep Mr. Eichstaedt, as the neighborhood contact person, informed on the status of the property as things progress.

Tim Hertel, 221 W. Lilac Lane

Mr. Hertel briefly spoke, stating his concern was the delay in response to his prior call in regard to the matter.

President Brunnquell noted that he is currently in the process of attempting to rectify the situation. He apologized for the delay.

Attorney Herbrand noted that the Village has not been given authorization to access the interior of the home to determine the condition.

Gerald Liska, 231 W Lilac Lane

Mr. Liska noted he also has a complaint in regard to the property. He stated his concerns are in regard to the icy sidewalk in the winter, the poor condition of the exterior, and terrible smell of the home.

BUSINESS PRESENTED BY THE PRESIDENT

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Item 1/Report of Finance Committee

Motion by Trustee Meinecke, seconded by Trustee Harbeck for authorization of the Village Clerk to convey the Village Board's support for Ozaukee County funding of the 2015 purchase of new election voting equipment at 80 percent. Motion carried.

Item 1/Report of Plan Commission

Director of Planning and Development Jessica Wolff noted the proposed ordinance is proactive in nature. Earlier this year the Village was contacted by a rehabilitation facility. The current ordinance does not currently address a facility such as this. Therefore, this is to prepare for future possible facilities.

Motion by Trustee Liss, seconded by Trustee Proefrock to approve the Ordinance amending the Village of Grafton Zoning section 19.03.0602 Table of permitted and conditional used in all Residential Zoning Districts and Section 19.03.0702. Motion carried.

Item 2 / Report of Plan Commission

Director of Planning and Development Jessica Wolff stated the Plan Commission has worked for several months on the sign amendments. The amendments are for maintenance of signage and rules for temporary signs. The Plan Commission requested input from Grafton Area Chamber of Commerce members and the opportunity for input given at two different meetings with little attendance.

Trustee Harbeck inquired how home sale signage are affected. Ms. Wolff stated Real Estate sign advertising on the property is allowed. Directional signs for real estate are not typically allowed. This is not currently being enforced as the signs have been manageable. This could be enforced if need be. If the signage become unmanageable, then enforcement may be necessary.

Motion by Trustee Meinecke, seconded by Trustee Proefrock to approve Ordinance amending the Sections of Title 20-20.04.010, 20.04.020, 20.04.050, 20.04.055, 20.04.070, 20.04.075, 20.04.080, 20.04.120, and 20.04.170. Motion carried.

Item 1 / Report of Public Safety Commission

Trustee Grant stated the intent of the Commission's request is for the review of the current code for any necessary changes to parking a trailer on private property. The complaint is that some residential property owners have trailers parked in the middle of the driveway and some neighboring residents do not care for this. The complaints are typically made in the summer. This is a review of the current ordinance and what should be done with this, possibly looking at other communities' ordinances in regard to trailers and boats. He stated that it is a neighbor-to-neighbor matter at this point

Village Building Inspector Tom Johnson noted some subdivisions have a specific deed restriction that deal with trailers. These protections are in place; this is a contract

between neighbors. President Brunnquell asked if this could be tabled. Trustee Grant maintained that this should be reviewed.

President Brunnquell directed the Village Board and Village Attorney Herbrand to review Title 14 pertaining to Trailers and bring comments to the next Public Safety Commission meeting.

Motion by Trustee Meinecke, seconded by Trustee Proefrock to approve the review of Title 14 pertaining to Trailers, prior to any enforcement action. Motion carried.

Item 2 / Report of Public Safety Commission

Motion by Trustee Grant, seconded by Trustee Proefrock to approve request of downtown street closures during August 5 Ladies Night Out event. Motion carried.

Item 3 / Report of Public Safety Commission

Motion by Trustee Harbeck, seconded by Trustee Liss to approve additional Crossing Guard at Washington Street / 17th Avenue. Motion carried.

Item 4 / Report of Public Safety Commission

Motion by Trustee Grant, seconded by Trustee Liss to approve Crossing Guard hours to be expanded. Motion carried.

Item 5 / Report of Public Safety Commission

Motion by Trustee Liss, seconded by Trustee Harbeck to approve the Grafton Fire Department to purchase two 2014 Braun ambulances from North Central Emergency Vehicles, Lester Prairie, MN, for a total cost of \$279,792, including trade-in of two current ambulances no more than 21 days after delivery of the new ambulances. Motion carried.

Item 6 / Report of Public Safety Commission

Trustee Grant commented that the Public Safety Commission minutes were amended at the beginning of the meeting to reflect his “nay” vote. He informed those present that it was not about the necessity of the purchase of the vehicle, but about the assignment of the new vehicle within the Fire Department.

*Trustee Meinecke inquired on the cost of both vehicles. She noted she would like to see the total cost to put the vehicle in service completely, with all necessities and after-purchase add-ons, prior to approval.

Grafton Fire Department Fire Chief Bill Rice commented that he budgeted appropriately for these purchases. He clarified that the use for the existing vehicle would be for the EMS responders. This vehicle would go home at night with some of the EMTs. This is a new program that is being put into place for EMS. The new paramedic program is just starting and this would tie into it also. In the evenings, the vehicle would only be for the EMTs. He has estimated his mileage and thought that this new vehicle would be a great use for the current demands. He will put more miles on the new vehicle and it would be primarily used by him. The other vehicle would be used with less mileage by the EMTs and day errands.

President Brunnquell asked that the motion include the total cost not to exceed the budgeted amounts.

Motion by Trustee Harbeck, seconded by Trustee Liss to approve the Grafton Fire Department to purchase a 2015 Chevrolet Tahoe for use as a Command/First Responder vehicle, at a cost of \$34,207, and a 2015 Ford F250 4X\$ Crew Cab pickup for use as a Utility vehicle, at a cost of \$38,883, from Ewald Automotive Group, Oconomowoc, WI, for a total cost of \$73,090, not to exceed the budgeted costs. Motion passed 4-2 (Meinecke and Grant - Nay).

Adoption of Resolution to sell Village property on 17th Avenue, near Wichita Lane
Resolution offered by Trustee Meinecke.

Motion by Trustee Grant, seconded by Trustee Liss to adopt Resolution No. 015, Series 2014, to sell Village property on 17th Avenue, near Wichita Lane. Motion carried.

Adoption of Resolution to approve the 2014 wage increase for Teamsters "General" Local No. 200

Resolution offered by Trustee Liss.

Motion by Trustee Proefrock, seconded by Trustee Meinecke to adopt Resolution No. 016, Series 2014, to approve the amended 2014 wage increase for Teamsters "General" Local No. 200.

President Brunnquell noted this Resolution would bring the Village into compliance with Act 10. Trustee Harbeck inquired on when the Village realized the error in the permitted wage increase. Village Administrator Darrell Hofland commented the original contract was agreed upon in April; he was notified in May of the error. Legal counsel was contacted by both parties. The amount of 1.66 percent was the correct amount determined by both legal counsels based on Act 10, not 2.00 percent. Consistent with Act 10, the Village has continued to meet with the Teamsters to further negotiate. The last offer provided to the Teamsters was rejected.

Village Board members asked how information can be obtained in the future regarding correct wage increase percentages. Administrator Hofland stated that the State has now posted maximum wage percentages related to effective dates of both past and future collective bargaining agreements. It was determined after checking with the Village and the union attorneys, this contract was entered into in error and this is not in compliance. Therefore, the agreement must be amended specifically to the wage increase percentage.

Motion passed 5-1(Harbeck-nay).

DEPARTMENT AND OFFICERS REPORT

Director of Public Works Dave Murphy noted that the Bridge Street dam gate was open about a month and a half ago. The east wall washed out. Since then, contractors have come back and corrected the issues. He commented Staab's contract is paid by the cubic yard of concrete. So the additional cubic yards of concrete will be owed to the contractor. The concrete that was removed was credited, but there will be charges for the new concrete. There have been no additional costs associated with Ayres design or inspection work.

Village Attorney Mike Herbrand stated erosion was discovered behind the wing wall. He met with Director of Public Works Dave Murphy to go over the contract. Public Works Director Murphy stated there is a credit for the improperly built wall for approximately \$600. There will be charges for the new concrete, restoration and sod. It is estimated to be approximately \$20,000 for the charges. It was noted that Staab acknowledged they made a mistake; therefore, they are crediting the Village for the first concrete work.

President Brunquell stated this will be reviewed by the Village's legal counsel.

LICENSES

Item 1/Approval of Operators Licenses

Motion by Trustee Grant, seconded by Trustee Proefrock to approve the operators' licenses, as presented. Motion carried.

Item 2/Approval to issue a Class "B" Fermented Malt Beverage and "Class C" Wine License for the period ending June 30, 2015, to Terrance Goodman – agent / Ciao, LLC., d/b/a Rosati's Pizza / 1955 Wisconsin Avenue, subject to the satisfaction of passing all necessary inspections and completing any required financial obligations and permitting of premise.

Director of Planning and Development Jessica Wolff noted after inquiry, Rosati's Pizza is expected to open at the end of August.

Motion by Trustee Grant seconded by Trustee Meinecke to approve the issuance of Class "B" Fermented Malt Beverage and "Class C" Wine License for the period ending June 30, 2015, to Terrance Goodman – agent / Ciao, LLC., d/b/a Rosati's Pizza / 1955 Wisconsin Avenue, subject to the satisfaction of passing all necessary

inspections and completing any required financial obligation and permitting of premise. Motion carried.

REPORT OF BILLS

Motion by Trustee Proefrock, seconded by Trustee Liss to approve the payment of Village expenditures in the amount of \$1,116,119.46.

Several expenditures were inquired on in the Report of Bills and were either clarified or will be clarified by Village Staff.

Trustee Grant suggested perhaps the Expenditure listing could be sent electronically prior to the Village Board meeting to be reviewed and questioned directed to Village Staff. Trustees noted they had not received an electronic copy. Administrator Hofland stated Director of Administrative Services typically handles this. President Brunquell directed that Village Expenditure listing be sent electronically prior to the Village Board meetings.

Motion carried.

OLD BUSINESS

IQM2 iPad 2's

Trustee Harbeck inquired about the three purchased iPads distribution, the scheduled meeting of distribution and the status of the remainder of the iPads to be ordered.

Confirmation that the three iPad 2s would be distributed to three of the Finance Committee members for use at the next Finance Committee meeting was explained. The order of the remainder of the iPads to be used by Village Board of Trustees was to be made upon satisfaction of the current iPad's usability during the Finance Committee meeting

NEW BUSINESS

*Trustee Grant indicated his request for discussion and review of employee residency rules at next finance meeting.

ADJOURN

Motion by Trustee Proefrock, seconded by Trustee Harbeck to adjourn the Village Board meeting at 7:10 p.m. Motion carried.