

VILLAGE OF GRAFTON
VILLAGE BOARD MEETING MINUTES

MAY 18, 2009

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

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

Absent: Scott Volkert

Staff / Officials present: Village Administrator Darrell Hofland, Director of Public Works / Village Engineer Dave Murphy, Finance Director Paul Styduhar, Chief of Police Charles Wenten, Village Attorney Michael Herbrand, and Deputy Clerk Lisa Bohn

MINUTES

Motion by Trustee LaPean, seconded by Trustee Rieck, to approve the 5-4-2009 Village Board meeting minutes and File the 5-4-2009 Finance Committee; 5-7-2009 Architectural Review Board; 5-11-2009 Board of Public Works; 5-11-2009 Joint Library Board; 5-12-09 Village/School Liaison Committee and the 5-12-2009 Public Safety Committee meeting minutes, as presented. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

Approval of additional Board, Committee, Commission appointments

Motion by Trustee Grant, seconded by Trustee Liss to approve the additional Board, Committee, Commission appointments, as presented. Approved unanimously.

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Award contract for Village Hall Remodeling Project

Motion by Trustee Meinecke, seconded by Trustee Liss, to enter into a contract with KPH Construction Corporation, Milwaukee, WI, for \$1,068,938, which includes both Alternate #1 and Alternate #2, for the remodeling of the future Village Hall facility located at 860 Badger Circle, as presented. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Meinecke, to approve a budget of \$1,415,953 for the Village Hall remodeling project with a contingency amount of \$110,440 of which all change orders over \$10,000 must be presented to the Village Board for review and approval.

Administrator Hofland commented he was pleased with all the bids that were received and the bids were consistent with the architects estimates. October 30, 2009 is the expected completion date for the new Village Hall.

Motion to award the contract for Village Hall Remodeling Project was approved unanimously.

Change Order No. 1 / Green Bay Road/Falls Road storm water pond project

Motion by Trustee Rieck, seconded by Trustee Liss, to approve Change Order No. 1 / Green Bay Road / Falls Road storm water pond project, as presented.

Director of Public Works / Village Engineer Murphy stated the main pond area has many sharp rocks and stones which could puncture the plastic pond liner. The option that would work best to correct this would be to lay down a fabric over the stones to protect the plastic liner. This is also the least expensive option. The fabric is a non-woven material designed to release the pressure of sharp objects. Also, the Muttland Meadows Association has requested gravel material be placed over the storm water pipe and the existing ditch area. The Village and Muttland Meadows have come to an agreement to place a gravel path over the storm sewer area and a woodchip path over the ditch area. This would benefit both Muttland Meadows and the Village.

The motion to approve Change Order No. 1 for the Green Bay Road / Falls Road storm water pond project was approved unanimously.

Report of the Finance Committee / Items 1 - 4

Motion by Trustee LaPean, seconded by Trustee Liss, to approve items 1 – 4 of the Report of the Finance Committee, as follows: 1. Accept the Comprehensive Annual Financial Report for the year ending December 31, 2008; 2. Approve pay grade changes for the following positions: Office Assistants (Inspection) and Senior Coordinator/ Recreation Program Supervisor; the revised position title and the pay grade changes for the following positions: Deputy Clerk (Clerk/Finance), Office Assistant (Parks and Recreation), and Assessment Technician (Inspection); and the revised pay scale for the AFSCME, AFL-CIO union position of Assistant Utility Clerk per approved Letter of Understanding; as presented; 3. Approve the 2010 – 2014 5 Year Capital Improvement Program as presented; 4. Approve Ehlers & Associates, Brookfield, WI, as the Village's financial advisor, effective immediately, as presented. Approved unanimously.

Item 1 / Report of the Board of Public Works

Motion by Trustee LaPean, seconded by Trustee Meinecke, to award the contract to Miron Construction Corporation, Neenah, WI, for the construction project to include the Municipal Services Facility and the residential drop-off area by accepting the base bid, alternates 1, 2, 3, 6, 7, 9, 10, P-1, H-1, E-2, and E-3 for a total amount of \$5,198,096, as presented.

John Wellencamp, architect with Kueny Architects, was present and briefly reviewed the bid summary sheet and discussed all other alternates. The new DPW building plans are rated at a thirty one point and are close to achieving a Leed "silver status" designation for the new building. This is 20.9 percent better than the base line. The dollar amount being approved does not include the waste drop off site.

Director of Public Works / Village Engineer Murphy commented he wants to see the new facility kept within the budgeted amount. Due to the building being built over a pond there are a lot of unknowns.

Trustee LaPean questioned if items are being reduced until the unknowns are known.

Mr. Murphy stated there should be more known within four to six months. Also, the Lakefield Road entrance may need to have a security system in place to let residents in and out of the site.

Trustee LaPean questioned why the tennis courts are budgeted in the new DPW facility budget.

Trustee Meinecke commented Finance Director Styduhar did an analysis regarding money for the tennis courts and it is a budgeted item in the new DPW facility budget.

Administrator Hofland stated due to relocating the tennis courts for the new DPW facility the tennis courts are budgeted in the new DPW facility budget.

Mr. Murphy commented he is comfortable with the dollar amount being voted on.

President Brunnuell commented change orders can always be completed and are not uncommon in these situations.

Trustee Grant questioned if this was the lowest bid received. Mr. Hofland responded yes and the most qualified. However, there was a bidder that walked in two minutes late and the bid was not opened.

Motion to approve Item 1 of the Report of the Board of Public Works was approved unanimously.

Item 2 / Report of the Board of Public Works

Motion by Trustee Grant, seconded by Trustee Rieck, to approve Change Order No. 1 for Project 09-01 / First Avenue Reconstruction in the amount of \$87,784.70, as presented.

Director of Public Works / Village Engineer Murphy stated because this project received such good construction numbers, he evaluated additional streets in the vicinity that are in need of repair and is recommending adding approximately 500 feet of West Highland Drive (First Avenue to Audubon Avenue) to the First Avenue reconstruction project.

President Brunquell questioned if the additional streets that are being added were rated. Mr. Murphy stated the streets were rated a 3 and had multiple and severe cracks.

Motion to approve Item 2 of the Report of the Board of Public Works was approved unanimously.

Item 3 / Report of the Board of Public Works

Motion by Trustee Rieck, seconded by Trustee LaPean, to approve additional fees of \$550 to Guelig Waste Removal and Demolition, Eden, WI, for Project 09-04 / House Razing, as presented. Approved unanimously.

Item 4 / Report of the Board of Public Works

Motion by Trustee LaPean, seconded by Trustee Grant, to approve an ordinance amending Chapter 8.20 relating to garbage and refuse and Chapter 8.21 relating to recycling, as presented.

Director of Public Works / Village Engineer Murphy stated this ordinance is being changed due to the need of updating the ordinance and statute numbers. Commercial buildings are allowed no more than two 96 gallon carts to be placed out for pick up each week with the new garbage and recycling program. If that would not accommodate the commercial building then they would need to contract out with another company. Another change to the ordinance is that the garbage and recycling carts would need to be placed behind the front façade of the building. However, staff did not want to recommend this because Police Officers have higher priority issues.

Chief Wenten stated since this was discussed he has taken the opportunity to drive through the Village and take a look at the placement of the garbage / recycling carts. The carts were not noticeable to the Chief; however, if it was something that you are looking for when driving around, then yes the placement of the carts are noticeable. Chief Wenten stated which ever direction the Village Board chooses to take, the Police Department will follow their direction; however, if the provision to only allow carts behind the front façade is implemented it will cause added duties to the Police Officers.

President Brunnquell stated he really hasn't received any phone calls or emails regarding this issue. Usually when there is a bigger issue he will receive a number of calls and emails. Rather than passing an ordinance he would rather see something be placed in the Village Newsletter and on message boards to get the message out on where carts should be placed.

Trustee LaPean stated when driving through the Village the carts are being placed in front of the homes and does not make the Village look attractive. However, if the Ordinance is not going to be passed he will vote against it.

President Brunnquell stated the role of Village Government is to provide Fire and Police protection, Library Services, Department of Public Works Services, etc. The Village should not dictate where the carts should be placed. If the Village were to pass this Ordinance it could open the door to other issues down the road.

Trustee LaPean commented that a few years ago an ordinance was passed to not allow Recreational RV campers or trailers be parked on the street because it did not look attractive.

Trustee Meinecke commented that having a recreational RV camper or trailer is a personal choice. However the new garbage and recycling system is not a choice and the Village should not dictate the placement of the carts.

Trustee Grant commented this is a result of few homes in the community. Chief Wenten would do some research to see if this issue could be categorized in the home maintenance ordinance. This issue should go to the Public Safety Commission for further review.

Bob Meier, 1967 W. Acorn Drive, commented a lot of the language in this section of the code needs to be cleaned up and is not consistent. Mr. Meier agrees the Village Newsletter and message boards are a great way to get the message out. Also, the garbage / recycling program is new for the residents and they need time to adjust to the system.

Trustee Grant requested to withdraw his second to the motion on the floor.

The motion to approve an ordinance amending Chapter 8.20 relating to garbage and refuse and Chapter 8.21 relating to recycling, as presented, was defeated 1-5 (R. LaPean –aye / J. Grant, R. Rieck, J. Brunnquell, S. Meinecke, and D. Liss- nay)

President Brunnquell suggested that the ordinance be revised to eliminate sections 8.20.065 & 8.21.115.

Motion by Trustee Liss, seconded by Trustee Meinecke to approve Ordinance No. 012, Series 2009 amending Chapter 8.20 relating to

garbage and refuse and Chapter 8.21 relating to recycling with the removal of sections 8.20.065 & 8.21.115. Approved 5-1 (R. LaPean – nay).

Item 5 / Report of the Board of Public Works

Motion by Trustee Grant, seconded by Trustee Liss, to approve Change Order No. 11 for 2009 groundwater monitoring to AECOM, Sheboygan, WI in the amount of \$22,967, as presented. Approved unanimously.

Item 6 / Report of the Board of Public Works

Resolution No. 019, Series 2009, allowing construction of a pedestrian path on State Trunk Highway 60 from Lone Oak Subdivision and First Avenue was offered by Trustee Liss.

Motion by Trustee LaPean, seconded by Trustee Rieck, to adopt Resolution No. 019, Series 2009 as presented. Approved unanimously.

Item 7 / Report of the Board of Public Works

Motion by Trustee Liss, seconded by Trustee Meinecke, to enter into an agreement with Ozaukee County Highway Department for the construction of the pedestrian path along STH 60 from Lone Oak Subdivision to First Avenue, as presented. Approved unanimously.

Item 8 / Report of the Board of Public Works

Resolution No. 020, Series 2009, to accept the 2008 Compliance Maintenance annual Report and submit the report electronically to the DNR as required was offered by Trustee LaPean.

Motion by Trustee Liss, seconded by Trustee Meinecke, to adopt Resolution No. 020, Series 2009 as presented. Approved unanimously.

Item 1 / Report of the Public Safety Committee

Motion by Trustee Grant, seconded by Trustee Liss, to authorize to close Chateau Drive between Wisconsin Avenue and Green Bay Road on the following dates and times: Friday, August 28, 2009 from 6:00 p.m. to midnight, Saturday, August 29, 2009 from 11:00 a.m. to midnight, and Sunday, August 30, 2009 from 12:00 p.m. to 6:00 p.m. in conjunction with the 2009 Luna Fest, as presented. Approved unanimously.

LICENSES

None.

DEPARTMENT AND OFFICERS REPORTS

None.

REPORT OF BILLS

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve the Payment of Village Expenditures in the amount of \$322,007.40, as presented. Approved unanimously.

OLD BUSINESS

Director of Public Works / Village Engineer Murphy stated that Dumpster Day had a great turnout. There were four 30 foot dumpsters; 75 yards of material and 29 yards of scrap metal were collected. Mr. Murphy stated that due to the short notice he was impressed with the turnout. In the future, dumpster day will be advertised in advance and will most likely see a much greater turnout.

Bob Meier, 1967 W Acorn Drive, commented he thinks the Ash Borer Public Hearing went very well. Mr. Meier questioned if there would be any more information coming up regarding Ash Borer.

Mr. Murphy stated not at this time. There have been many areas around the surrounding states that have been quarantined.

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

Motion by Trustee Grant, seconded by Trustee Liss, to Convene to Closed Session at 6:46 p.m. Pursuant to WI Statutes 19.85(1)(e) for Real Estate and Competitive Bargaining Matters (Sale of municipal property / purchase of property for municipal purposes.) Approved unanimously by Roll Call vote.

The Village Board discussed negotiation strategies associated with the purchase of land along Green Bay Road for a future aquatic center and the sale of the existing Village Hall.

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

Motion by Trustee Grant, seconded by Trustee Rieck, to adjourn Closed Session and reconvene into the regular order of business at 7:10 p.m. Approved unanimously by Roll Call vote.

Resolution No. 021, Series 2009, authorizing the sale of municipal property (Village Hall) was offered by Trustee Liss.

Motion by Trustee Rieck, seconded by Trustee Meinecke to adopt Resolution No. 021, Series 2009, as presented. Approved unanimously.

Resolution No. 022, Series 2009, authorizing the purchase of property for municipal purposes (Aquatic Center) was offered by Trustee Meinecke.

Motion by Trustee Grant, seconded by Trustee Liss, to adopt Resolution No. 022, Series 2009, as presented. Approved unanimously.

ADJOURN

Motion by Trustee Grant, seconded by Trustee Rieck, to adjourn at 7:12 p.m. Approved unanimously.