

VILLAGE OF GRAFTON

VILLAGE BOARD MEETING MINUTES

NOVEMBER 2, 2009

President Brunnquell 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, Scott Volkert, Jim Brunnquell

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

MINUTES

Motion by Trustee Grant, seconded by Trustee Liss, to approve the 10-19-2009 Regular Village Board, 10-22-2009 and 10-28-2009 Public Hearings Before the Village Board meeting minutes and File the 10-17-09 2009 Committee of the Whole Budget Workshop; 10-21-2009 Sustainable Grafton Ad-Hoc Committee; and the 10-21-09 Parks and Recreation Board meeting minutes, as presented. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Resolution No. 044, Series 2009, adopting the 2010 Annual Program Budget and Establishing the 2009 Tax Levy was offered by Trustee Liss.

Motion by Trustee Meinecke, seconded by Trustee Rieck, to adopt Resolution No. 044, Series 2009, as presented.

President Brunnquell stated the 2010 budget has been presented to the Village Board and has been through the public hearing. He congratulated Village staff and Administrator Hofland for all the hard work and effort that was put into the annual budget.

The motion to adopt Resolution No. 044, Series 2009, was approved unanimously.

Item 1 / Report of the Plan Commission

Motion by Trustee Rieck, seconded by Trustee Meinecke, to approve Ordinance No. 022, Series 2009, creating Chapter 5.30 Garage and Rummage Sales of the Grafton Municipal Code, as presented.

President Brunnquell commented the ordinance is being put into place so if a resident makes a complaint regarding rummage sales, there will now be proper procedures to address the complaint.

Director of Planning & Development Mike Rambousek stated this ordinance will only be enforced on a complaint basis. Village staff will not be actively seeking residents having rummage sales. If a complaint does come in, he will have staff from his department investigate and if a problem does persist then it will be turned over to the Police Department.

Trustee Volkert questioned why this ordinance is being put into place when recently the Village tried to pass an ordinance regarding where residents can and cannot place garbage/recycling bins. It was addressed at that meeting that the Grafton Police had other important issues to deal with rather than where residents are placing their garbage/recycling bins.

Mr. Rambousek commented this is due to a previous complaint the Village has received regarding a few residents running businesses out of their homes and putting the items for sale outside of their homes on a weekly basis. Without the ordinance the Village has no grounds to act on, with the ordinance in place the Village can now take proper action.

Trustee LaPean questioned what the difference is between the ordinance regarding rummage sales or garbage/recycling bins. At the last meeting regarding the garbage/recycling bin ordinance, the Village Board indicated they would not have local government tell residents where they can or cannot put garbage/recycling bins

Administrator Hofland stated this past summer Village staff learned there were residents running businesses out of their homes and displaying the items outside of their home. Without their being an ordinance in place the Village did not have anything to act on.

Trustee LaPean commented about 97 percent of the Village will suffer due to a small number of residents doing things illegally.

Mr. Hofland stated the ordinance will allow residents to have four rummage sales each summer and does not see this being an issue for residents.

Trustee Volkert questioned if any other municipalities have an ordinance similar to this. Mr. Rambousek commented he has researched other community ordinances in the state of Wisconsin and found some of the language in similar ordinances. Some communities require a permit to have a rummage sale; Mr. Rambousek thinks there is no need to have permits issued.

Motion to approve Ordinance No. 022, series 2009, was approved 5-2 (S. Volkert, R. LaPean-nay).

LICENSES

Motion by Trustee Grant, seconded by Trustee Liss, to approve the issuance of Operators licenses, as presented. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Meinecke, to deny the issuance of an Operator's license to Kelly A. Gierach, as presented.

Chief Wenten stated he is recommending Kelly Gierach's license be denied due to leaving out criminal history information on the application.

President Brunquell questioned where the applicants fill out the applications. Chief Wenten stated most of them are filled out at Village Hall and some applicants have already previously filled out the application when handing them in at Village Hall.

President Brunquell questioned if somewhere on the application it could be made more obvious to include "all" prior criminal history. Chief Wenten stated he is currently working with Village Clerk Teri Dylak, to come up with a new application.

Motion to deny the issuance of an Operator's License to Kelly A. Gierach was approved unanimously.

Motion by Trustee Grant, seconded by Trustee Meinecke, to approve the issuance of a Special Picnic license to Kris Raymond-agent - Grafton Blues Association / Humpday Blues event / Black Swan Banquet Room – 1218 13th Avenue / November 18, 2009 from 6:00 p.m. to 10:00 p.m., as presented. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

Trustee Meinecke questioned if there will be a new security certificate due to having a new server. Administrator Hofland commented due to recent server update a new security certificate will need to be issued and will be taken care of.

Finance Director Styduhar commented he will look further into the security certificate and advised the Trustees if they have any further questions to call him.

REPORT OF BILLS

Motion by Trustee Liss, seconded by Trustee LaPean, to approve the payment of Village Expenditures in the amount of \$453,153.10, as presented.

Trustee Meinecke questioned if the check made out to the Ozaukee Sheriff's Department was for lunches. Chief Wenten stated the Village is responsible for paying prisoners lunches that are arrested in the Village of Grafton.

Motion to approve the payment of Village Expenditures was approved unanimously.

OLD BUSINESS

[Attorney Mike Herbrand updated the Village Board and staff regarding the fire suppression kits possibly being a liability if not placed in Police squad cars.](#) It will not be a liability issue if the fire suppression kits are not placed in the squads and also are currently not known as a fire danger.

Bob Meier, Village of Grafton Electrical Inspector, stated after reading a set of Village minutes, he read that the Village had opened a job position for another electrical inspector due to him being unavailable for inspections.

Building Inspector Tom Johnson stated the reason for the opening of a new electrical inspector was that the Inspection Department always had three inspectors. Rick Hench retired over the past year and passed away. Mr. Hench's position had never been filled. It was time to fill the third position.

President Brunquell commented he thinks Mr. Meier does a fantastic job and is not aware of any issues. This additional inspector is not a reflection on Mr. Meier job performance.

Chief Wenten questioned if the bid has been accepted for the purchase of the two 2010 marked squad cars and two extended service plans from Ewald Automotive. President Brunquell stated yes.

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

Motion by Trustee Liss, seconded by Trustee Meinecke, to Convene to Closed Session at 6:19 p.m., pursuant to Wisconsin Statutes 19.85(1)(g) (Conferring with legal counsel related to potential dam removal litigation).
Approved unanimously by roll call vote.

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

Motion by Trustee Volkert, seconded by Trustee Rieck, to adjourn the closed session and reconvene to the regular order of business at 7:01 p.m. Approved unanimously by roll call vote.

ADJOURN

Motion by Trustee Meinecke, seconded by Trustee Liss, to adjourn at 7:03 p.m. Approved unanimously.