

VILLAGE OF GRAFTON
VILLAGE BOARD MEETING MINUTES

DECEMBER 21, 2009

The Village Board meeting was called to order at 6:00 p.m. by Village President Brunnuquell. The Pledge of Allegiance followed.

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

Staff/Officials present: Village Clerk Teri Dylak, Director of Public Works/Village Engineer Dave Murphy, Director of Parks and Recreation John Safstrom, Village Attorney Michael Herbrand

MINUTES

Motion by Trustee Rieck, seconded by Trustee Liss, to approve the 11-16-2009 Village Board and the 10-29-2009 and 11-30-2009 Special Village Board meeting minutes, as corrected, and File the 11-18-2009 Sustainable Grafton Ad-Hoc Committee; 11-24-2009 Plan Commission; 12-10-2009 Architectural Review Board; 12-14-2009 Board of Public Works; 12-14-2009 Joint Library Board; and the 11-18-2009 and 12-16-2009 Parks and Recreation Board meeting minutes, as presented.
Approved unanimously.

PERSONS REQUESTING TO BE HEARD

News Graphic reporter Laurie Arendt informed the Board of the correct flag location protocol. The American Flag should be to the left and the other flags to the right as you look at the Board dais.

Tim Adams, 759 Nantucket Court, Town of Grafton, was present to express his displeasure with the Village Board decision to remove the Lime Kiln Park dam. He stated that he first found out about this project from an article in the newspaper. Mr. Adams stated that he does not understand why he was not notified of this project earlier. He indicated that the first Village notification he received on this project was a certified letter for the December 14 meeting. He has spoken with Director of Public Works/Village Engineer Dave Murphy several times on this project.

Mr. Adams stated that he has been told that his property is not affected by the dam removal, which he thinks is untrue. He questioned the reasoning behind the removal of the Lime Kiln Park dam.

President Brunnuquell stated that the decision to remove the Lime Kiln Park dam was made in December 2008. The decision was based on a recommendation from the DNR

and the indefinite costs to maintain the structure, which is need of significant repair. There have been a number of meetings on the project and significant press coverage.

Director of Public Works/Village Engineer Dave Murphy stated that, per Brent Binder of the DNR, the dam does not have to meet the 500 year flood overflow criteria; however, the structure must be inspected a minimum of 3 times every 10 years.

This project is part of the NOAA grant between Ozaukee County and several municipalities in the County.

Mr. Adams again expressed his displeasure with the removal of Lime Kiln Park dam. He argued that Mr. Binder did not say that the dam needs to be inspected.

Mr. Murphy indicated that, at this point in the project process, if Mr. Adams wishes to officially object to the dam removal he would need to request a court hearing before the DNR.

Trustee LaPean stated that the Board of Public Works reviewed this project and made a recommendation to the Village Board to remove the structure. The Village Board approved the project and the matter is closed.

Mr. Adams stated that he is concerned with the decision made by Village Board.

Kevin Kotes, Nantucket Court – Town of Grafton, commented that he owns property above and below the dam. He was also previously told that he was not affected by the removal of the Lime Kiln Park dam. He disagrees and stated that he was not notified of the decision to remove the structure.

President Brunnuell stated that the decision was public and well publicized.

Mr. Adams and Mr. Kotes expressed their displeasure with the removal of the Lime Kiln Park dam and requested comment from the Village Board members on why they voted to remove this structure. Mr. Adams questioned the cost for inspection of the dam structure. He also commented that he thinks his property valuation will decrease as a result of the dam removal.

President Brunnuell responded that, from experience, he can state that his property value did not decrease when the Chair Factory Dam was removed and the river looks better now than when the dam was in place.

Trustee Meinecke stated that the Lime Kiln Park dam removal project is part of the NOAA grant. In order for Ozaukee County to obtain the grant this project had to be included.

Mr. Adams again requested an explanation on why the Village Board agreed to remove the dam.

Village Attorney Michael Herbrand stated that the Village Board is not required by statute to receive public comments and President Brunnquell has been generous in allowing this discussion to continue. He stated that Mr. Adams may be better served contacting Village staff with any additional questions on this project.

Mr. Adams stated that he thinks the process omitted property owners that are directly affected by the removal. He has not received concise answers on this decision and no one seems to be able to provide a logical reason for removing the dam except for the fact that federal funds are being received to do so.

RESOLUTIONS / ORDINANCES / ACTION ITEMS

2010 Appointment of Officials

Motion by Trustee Rieck, seconded by Trustee LaPean, to approve the annual appointment of Officials, as follows: Civil defense Director – Robert Sehmer and Weed Commissioner – David Murphy, as presented. Approved unanimously.

11th Amendment to Municipal Court Agreement

Motion by Trustee Liss, seconded by Trustee Rieck, to approve the 11th Amendment Agreement for the operation of the Mid-Moraine Municipal Court, as presented. Approved unanimously.

Appointment of Election Inspectors

Motion by Trustee Grant, seconded by Trustee LaPean, to approve the appointment of Election Inspectors for the 2010-2011 election cycle, as presented. Approved unanimously.

Report of the Board of Public Works

Motion by Trustee LaPean, seconded by Trustee Rieck, to approve Items 1 and 2 of the Report of the Board of Public Works, as follows: 1. Reduce the length of the parking spaces on Wisconsin Avenue between Bridge Street and Beech Street as presented to create three additional parking spaces and to approve the Village Engineer contracting with a company to perform the work; 2. Approve purchase and installation of three vertical storage tanks from Casper's Truck Equipment, Appleton, WI for \$8,533.

Director of Public Works/Village Dave Murphy indicated that currently downtown parking spaces on Wisconsin Avenue, between Bridge Street and Beech Street, are 25 feet long. By decreasing the parking space length to 22 feet, three additional parking spaces can be achieved.

The motion to approve the Report of the Board of Public Works, as presented, was approved unanimously.

Item 1 / Report of the Parks and Recreation Board

Director of Parks and Recreation John Safstrom indicated that the proposed change to the Parks and Recreation Department business hours is to provide uniform business hours at the new Municipal Services Facility. The Department of Public Works hours are 7:00 a.m. to 3:30 p.m. In addition, it is anticipated that opening an hour earlier will provide residents with the opportunity to conduct department business on their way to work. The Department has received comments that residents cannot get to the office before the current 4:30 p.m. close time.

Trustee Rieck asked if each Department will “cover” when the other Department is not staffed. Mr. Safstrom responded not at this time due to the complexity of each Department.

Trustee LaPean asked what will happen if one Department is staffed after hours and the other is not. Both Director Safstrom and Director Murphy indicated that every effort will be made to assist the individual.

Motion by Trustee Rieck, seconded by Trustee Liss, to approve Item 1 of the Report of the Parks and Recreation Board as follows: 1 Change the hours of operation for the Parks and Recreation Department from 8:00 a.m. to 4:30 p.m. to 7:00 a.m. to 3:30 p.m., with a review after 1 year of operation. Approved unanimously.

Item 2 - 4 / Report of the Board of Public Works

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve Items 2-4 of the Report of the Parks and Recreation Board, as follows: 2. Accept the donation of \$500 from the Grafton Lions Club for the repair of the scoreboard at Centennial Park; 3. Accept the donation of \$150 from the Grafton Softball Association for the repair of the scoreboard at Centennial Park; 4. Accept the donation of \$100 from Senior Ozaukee Softball for the repair of the scoreboard at Centennial Park. Approved unanimously.

Trustee Meinecke thanked Trustee Liss for obtaining this generous donation from the Grafton Lions Club.

LICENSES

Motion by Trustee Rieck, seconded by Trustee LaPean, to approve the issuance of Operators Licenses as follows: Benjamin Rohde-Vino 100, Robert Britt-Sendik’s Food Market, Naomi Gonwa-Sendik’s Food Market, Sherry Becker-Sendik’s Food Market, Todd Oilschlager-Aldi Foods, Kanwar Ghuman-Grafton Clark Station, and Dennis Stachowiak- Aldi's Food Market. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

None.

REPORT OF BILLS

Motion by Trustee Liss, seconded by Trustee Volkert, to approve the payment of Village expenditures in the amount of \$391,355.97. Approved unanimously.

Trustee Meinecke questioned the magnet locator expenditure. Village Clerk Dylak indicated she would research the expenditure and forward the information.

OLD BUSINESS

The Board briefly discussed the possible use of the storm water retention pond across from Lime Kiln Park for ice skating. Director Safstrom stated that there is no parking allowed on South Green Bay Road in this area and he is concerned with people crossing this busy area at night.

Village Clerk Dylak stated that if this area is endorsed for ice skating, the Village will have to monitor the ice depth and keep the ice clear for skating otherwise there could be liability issues.

It was decided that this area would not be suitable for an ice skating pond.

NEW BUSINESS

The Board members congratulated Jim and Carol Grant on their 50th wedding anniversary on Christmas Eve.

President Brunnquell stated that he has received a request from the City of Cedarburg to create a Joint City/Village Ad-Hoc Committee to discuss matters of mutual importance. This group would meet on an as-needed basis. It was the consensus of the Board that this would be a beneficial committee and directed President Brunnquell to contact the City of Cedarburg to begin the process to create the Committee. Trustee Grant volunteered to serve on the Committee, if needed.

ADJOURN

Motion by Trustee LaPean, seconded by Trustee Meinecke, to adjourn at 6:30 p.m. Approved unanimously.