

VILLAGE OF GRAFTON

VILLAGE BOARD MEETING MINUTES

FEBRUARY 1, 2010

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

Board members present: Jim Grant, Ron LaPean, Richard Rieck, David Liss, Scott. Volkert, and Jim Brunnuell

Absent: Sue Meinecke

Staff/Officials present: Village Administrator Darrell Hofland, Director of Planning and Development Michael Rambousek, Village Attorney Michael Herbrand, Deputy Clerk Lisa Bohn

Statement of Public Notice

The purpose of this public hearing is for public review and comment on the proposed reissuance and amendment of Village of Grafton, Wisconsin Industrial Development Revenue Bonds, Series 1995 (Calibre, Inc. Project), in an aggregate amount not to exceed \$1,095,000, pursuant to Section 66.1103 of the Wisconsin Statutes. Said project owned by Jonathon A. Reno, and leased to Calibre, Inc., a Wisconsin Corporation. The purpose of the proposed amendment is to modify the interest rate on said bonds.

Village Administrator Darrell Hofland stated that Wisconsin Industrial Development Revenue Bonds (IRBs) are requested by local businesses and currently about a half dozen have been issued in Grafton. In 1995, Calibre, Inc., requested an IRB. Calibre would like to modify the current interest rate on the IRB and in order to do so a public hearing is required. Due to a lack of information on the new interest rate, Mr. Hofland recommended that this public hearing be continued until the February 15 Village Board Meeting.

Motion by Trustee LaPean, seconded by Trustee Rieck, to approve continue the public hearing on the amendment of the IRB for Calibre, Inc. to the February 15 Village Board meeting. Approved unanimously.

There being no further discussion on this issue, the public hearing was closed.

MINUTES

Motion by Trustee Liss, seconded by Trustee Grant to approve the 1-18-2010 Village Board meeting minutes and file the 12-3-2009 Historic Preservation Commission; 9-3-2009, 9-17-2009 and the 1-7-2010 Zoning Board of Appeals; 1-14-2010 Architectural Review Board; 1-20-2010 Sustainable Grafton Ad-Hoc Committee; 1-20-2010 Parks and Recreation Board; 1-26-2010 Plan Commission, and the 1-27-2010 Community Development Authority meeting minutes, as presented. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Item 1 / Report of the Plan Commission

Motion by Trustee LaPean, seconded by Trustee Liss, to approve Ordinance No. 003, Series 2010, repealing and recreating Section 19.03.0403 (F) and (G) Planned Unit Developments and amending Section 19.03.0603 Permitted and Conditional Use Table of the Grafton Municipal Code, as presented.

Director of Planning and Development Michael Rambousek stated that the Planned Unit Development column (PUD) in the use table of the zoning code will be removed as a result of this code change. The amendment will establish additional criteria for conditional and permitted uses in a PUD district. The additional criteria will be beneficial for development in the downtown.

Motion to approve Ordinance No. 003, Series 2010, was approved unanimously.

Item 2 / Report of the Plan Commission

Motion by Trustee Grant, seconded by Trustee Liss, to approve Ordinance No. 004, Series 2010, rezoning the property located at 1312 Wisconsin Avenue owned by the Community Development Authority, known as the Grafton Hotel property from CBD Central Business District to PUD Planned Unit Development to allow mixed use development including Retail-Commercial space and Residential apartments, as presented.

Trustee Rieck questioned if this action includes the site plan that was presented at the January 26, 2010 Plan Commission meeting. President Brunnuell stated the ordinance is only for the rezoning of the property.

Motion to approve Ordinance No. 002, Series 2010, was approved 6-1 (R. LaPean – nay).

Item 3 / Report of the Plan Commission

Resolution No. 002, Series 2010, approving a Certified Survey Map for the division of a 20 acre property, owned by the Village of Grafton and located adjacent to Falls Crossing Subdivision, west of Port Washington Road and south of Falls Road being part of the southwest quarter of the Northeast quarter of Section 30, Town 10 North, Range 22 East, Village of Grafton, Ozaukee County, Wisconsin, was offered by Trustee LaPean.

Motion by Trustee Liss, seconded by Trustee Rieck, to adopt Resolution No. 002, Series 2010, as presented. Approved unanimously.

Ordinance Rezoning 10.14 acres / Owned by the Village of Grafton

Motion by Trustee Liss, seconded by Trustee Volkert, to approve Ordinance No. 005, Series 2010, rezoning 10.14 acres, owned by the Village of Grafton, located north of River Bend Road from A-3 Agricultural Holding zoning district to

PR Park and Recreation zoning district (from December 22, 2009 meeting), as presented. Approved unanimously.

Action on Amended Developers Agreement

Motion by Trustee Liss, seconded by Trustee Grant, to approve the amended Developers Agreement between the CDA, Village of Grafton and Mueller Hotel, LLC – Historic Grafton Hotel Building and Site – 1312 Wisconsin Avenue, as presented.

Administrator Hofland stated this item has previously been before the Village Board and Community Development Authority for review. He informed the Board that there will be no tax revenue on the property for 2010, because the CDA owned the property as of January 1, 2010 making the property tax exempt. In the past, when construction was delayed, the developer incentive was decreased. However, the developer incentive amount was not decreased on this project to provide the Developers with additional funding for the project to move forward. The Developers anticipate beginning construction in June, 2010.

Trustee LaPean questioned if this is the first time the Developer Agreement is being amended. Mr. Hofland stated this is the third amendment to the agreement.

Trustee LaPean questioned if the Village is rushing the Developers. Administrator Hofland stated the Developers are working on getting financing through HUD and due to the state of the economy, financing is more difficult.

Trustee LaPean questioned if something regarding taxes could be built into the agreement. Mr. Hofland commented if the Developers are unsuccessful in obtaining financing then the Community Development Authority can declare the agreement null and void.

Motion to approve the Amended Developers Agreement was approved 6-1 (S. Volkert – nay).

LICENSES

Motion by Trustee LaPean, seconded by Trustee Rieck, to approve the issuance of a “Class A” Fermented Malt Beverage and Intoxicating Liquor License to Benjamin N. Goodness-agent – Target Corporation d/b/a Target Store #1212 / 1250 Port Washington Road, as presented and the issuance of Operators Licenses, as presented. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Rieck, to deny the issuance of an Operator’s License to Thomas Perren, as presented. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

None.

REPORT OF BILLS

Motion by Trustee Grant, seconded by Trustee Volkert to approve the payment of Village expenditures in the amount of \$248,447.36, as presented. Approved unanimously.

OLD BUSINESS

None

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

Motion by Trustee LaPean, seconded by Trustee Grant, to Convene to Closed Session at 6:12 p.m., pursuant to Wisconsin Statutes 19.85(1)(c) for Personnel Matters-Compensation (union contracts and personnel policy provisions) and 19.85(1)(e) for Real Estate and Competitive Bargaining Matters (purchase of property for redevelopment purposes / Riverwalk Easement Agreement modification.) Approved unanimously by roll call vote.

During the Closed Session of 33 minutes, the Village Board discussed possible negotiation strategies associated with implementing additional firefighting/EMS duties for employees and negotiation strategies associated possible amendments to the existing Riverwalk Easement in light of planned fish passage construction project.

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

Motion by Trustee Grant, seconded by Trustee LaPean to adjourn the closed session and reconvene into the Regular Order of Business at 6:45 p.m.
Approved unanimously by roll call vote.

ADJOURN

Motion by Trustee Volkert, seconded by Trustee LaPean, to adjourn at 6:46 p.m. Approved unanimously.