

VILLAGE OF GRAFTON
VILLAGE BOARD MEETING MINUTES

JUNE 21, 2010

President Brunnuquell 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, Sue Meinecke, David Liss, Lisa Harbeck, and Jim Brunnuquell

Staff / Officials present: Village Administrator Darrell Hofland, Director of Public Works / Village Engineer Dave Murphy, Police Captain Joe Gabrish, Village Attorney Michael Herbrand, Deputy Clerk Lisa Oppeneer

Statement of Public Hearing

Deputy Clerk Lisa Oppeneer stated the purpose of this public hearing is for public review of the proposed issuance of Village of Grafton, Wisconsin Industrial Development Revenue Bonds, Series 2010 (Midwestern Disaster Area Bond Financing) for the Grafton Medical Partners LLC (formerly CSM Grafton Partners, LLC) Project, in an amount not to exceed \$2,950,000.

President Brunnuquell stated the bond does not hold any financial obligation to the Village of Grafton. Grafton Medical Partners is able to utilize the Village's credit rating to obtain favorable interest rates on the bond issuance.

Administrator Hofland stated the bonds do not count against the Village's debt limit.

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

MINUTES

Motion by Trustee LaPean, seconded by Trustee Meinecke, to approve the 6-7-2010 Village Board meeting minutes and File the 6-3-2010 Village/School Liaison Committee; 6-7-2010 Finance Committee; 6-9-2010 Community Development Authority; 6-10-2010 Board of Review; and the 6-14-2010 Board of Public Works meeting minutes, as presented.
Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None

BUSINESS PRESENTED BY THE PRESIDENT

President Brunnuquell reviewed the materials presented for Village Board review.

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Resolution No. 018, Series 2010, - Final Resolution regarding Industrial Development Revenue Bond Financing for Grafton Medical Partners, LLC, (not to exceed \$2,950,000), was offered by Trustee Rieck.

Trustee Grant questioned if the Grafton area is labeled as a disaster area.

Administrator Hofland commented as a result of the storms that occurred in summer, 2008, a number of counties in Wisconsin experienced flood damage. Grafton experienced additional cost relating to the Wastewater Utility's collection system due to high water. Due to the storm damage, Governor Doyle recommended that the federal government declared certain counties in Wisconsin a disaster. Ozaukee County was declared a disaster county.

Motion by Trustee Liss, seconded by Trustee LaPean to adopt Resolution No. 018, Series 2010 as presented. Approved unanimously.

Item 1 & 2 / Report of the Finance Committee

Motion by Trustee LaPean, seconded by Trustee Grant, to approve items 1 & 2 of the Report of the Finance Committee as follows: 1. Approve the 2011-2015 5-Year Capital Improvement Program; 2. Approve the Conduit Bond Policy with a charge associated with the cost at \$1,000, as presented. Approved unanimously.

Item 1 / Report of the Board of Public Works

Resolution No. 019, Series 2010, accepting and dedicating roads, curb, gutter, and sidewalk in Falls Crossing Subdivision, Village of Grafton, Ozaukee County, Wisconsin was offered by Trustee Liss.

Motion by Trustee Meinecke, seconded by Trustee Harbeck, to adopt Resolution No. 019, Series 2010, as presented. Approved unanimously.

Item 2 / Report of the Board of Public Works

Resolution No. 020, Series 2010, accepting and dedicating roads, curb, gutter, and sidewalk in Cheyenne Estates Subdivision, Village of Grafton, Ozaukee County, Wisconsin was offered by Trustee Grant.

Motion by Trustee Rieck, seconded by Trustee Meinecke, to adopt Resolution No. 020, Series 2010, as presented. Approved unanimously.

Item 3 - 5 / Report of the Board of Public Works

Motion by Trustee LaPean, seconded by Trustee Meinecke, to approve items 3 – 5 of the Report of the Board of Public Works as follows: 3. Approve change order 4 on the Green Bay Road sewer extension project totaling \$2,211; 4. Approve change order 2 for Rawson Contractors, Inc.,

Sussex, WI which results in a project cost credit of \$10,471.09 to the Utility; 5. Approve the project closeout and final payment to Rawson Contractors, Inc., in the amount of \$16,909.00 contingent upon receipt of final lien waivers, as presented. Approved unanimously.

LICENSES

Motion by Trustee Rieck, seconded by Trustee Meinecke to approve the issuance of Operator's Licenses, as presented.

Trustee Grant commented that at the last Village Board meeting, the issue with Bridge Inn leaving the doors open while loud music is being played was discussed. Over the past weekend with the bike race going on, Mr. Grant noticed the Bridge Inn had their doors open again while playing loud music. If this is practice continues, the Police Department will need to issue a citation to the Bridge Inn.

The motion to approve the issuance of operator's licenses was approved 6-0 (D. Liss – abstain).

Motion by Trustee Grant, seconded by Trustee LaPean, to deny the issuance of Operator's Licenses to Matthew Zipter, Nichole Liebenstein, and Ashraf Khaled, as recommended by the Police Chief.

Nichole Liebenstein, 1986 Pleasant Valley Road, stated she forgot to list her traffic violations on her operator's application and it was not done intentionally. Ms. Liebenstein has held an Operator's License in the Village of Grafton for the previous two years.

Captain Gabrish stated he had spoke with Ms. Liebenstein and does believe she did not intentionally leave off the traffic violations and advised her to reapply for her Operator's License.

Matt Zipter, 1308 13th Avenue, distributed reference letters to Village Board members and staff to try and retain his license.

Captain Gabrish stated he had spoke with Mr. Zipter regarding the denial of his Operator's License. Mr. Zipter did not list his disorderly conduct tickets from 1999 and 2009. He has recently received his fourth DWI offense and will be sentenced within the next three weeks. Mr. Zipter is currently enrolled in AA. If the Village Board would take another direction and approve an Operator's License for him, then Chief Wenten would recommend at the end of Mr. Zipter's bartending shift he come to the Police Department and have a PBT done. A PBT is used to test for alcohol in a person's system. Mr. Zipter would be responsible for paying for the PBT which would cost \$5.00 each time one is taken.

Mr. Zipter was apologetic for all the inconvenience this has created. However, due the economy he has returned to bartending for financial reasons. Mr. Zipter also stated he has been attending AA since December 30, 2009 and is committed to not drinking

anymore. Mr. Zipter's shift at the Bridge Inn would be Fridays from Noon until 6:45 p.m. and then would be willing to go to the Police Department to have a PBT taken.

Trustee Grant commented from a safety stand point, we are in charge of the safety of the community and if the Police Department recommends not issuing an operator' license then we should stand behind them.

Trustee Grant questioned Mr. Zipter if bartending after receiving four DWIs is the best job for him. Bartending requires making good decisions on serving alcohol to patrons. It also requires the bartender to not consume too much alcohol and make the decision to get behind the wheel at the end of the night.

Administrator Hofland asked Captain Gabrish if he was aware of Chief Wenten's position on this matter. Captain Gabrish responded that Chief Wenten's recommendation is to deny the issuance of an operator's license to Mr. Zipter.

Village Attorney Michael Herbrand stated he would recommend caution in making the decision to issue an operator's license to Mr. Zipter. The Village Board does have good reason to deny the license due to most of Mr. Zipter's offenses being alcohol related.

President Brunnuell stated the two operator's license can be denied if this is the direction the Village Board would like to take and Ms. Liebenstein can reapply for her license.

The motion to deny the issuance of operator's licenses, as recommended, was approved unanimously.

Motion by Trustee Rieck, seconded by Trustee Liss to approve the issuance of various Class "A" and Class "B" Fermented Malt Beverage licenses and on "Class A" and "Class B" Intoxicating Liquor and Fermented Malt Beverage licenses and "Class C" Wine licenses, as presented. Approved unanimously.

Motion by Trustee Meinecke, seconded by Trustee Rieck to approve the issuance of a "Class B" Fermented Malt Beverage/Intoxicating Liquor license to Fausto Ramirez-agent (Corporation) Senor Luna, Inc. d/b/a Senor Luna / 2185 Wisconsin Avenue, contingent upon written notification from the Wisconsin Department of Revenue that all outstanding issues have been cleared, as presented. Approved unanimously.

Motion by Trustee LaPean, seconded by Trustee Liss to approve the issuance of Coin Machine Permit licenses, as presented. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Liss to approve the issuance of Cigarette/Tobacco Products licenses, as presented. Approved unanimously.

Administrator Hofland stated no bar establishment had applied for a cigarette machine license.

Motion by Trustee Liss, seconded by Trustee LaPean to approve the issuance of Special Class "B" Picnic License to Todd Boesch – Mike Boesch Memorial ALS event – July 7-11, 2010 at Centennial Park – 1370 17th Avenue, as presented. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

Director of Public Works / Village Engineer Murphy informed the Village Board that Brent Binder, with the DNR, has taken another position with the DNR. They have hired a new staff person to take over his position, and she will now oversee the NR333 requirements for the Bridge Street Dam.

President Brunnquell questioned if the new person taking over will be completing the review of the project. Mr. Murphy responded once plans are received from Ozaukee County, then the Village can submit to DNR for approval.

President Brunnquell questioned how the new Municipal Services Facility is coming along and how the new drop off site is working.

Mr. Murphy commented next week the concrete company will be coming and completing the floors for phase two. Mr. Murphy has received a lot of great feedback regarding the residential drop off site.

Administrator Hofland informed the Board that the Family Aquatic Center pool has a leak in one of the pipes behind the concrete wall. The leak is estimated to be the size of a finger tip. Parks and Recreation Director John Safstrom had pressure tests completed and some repairs have been done. Mr. Safstrom thought the problem had been repaired; however, over the last week the pool was found to still be leaking. Mr. Safstrom is going to have a consultant come in this week and see if the problem can be fixed. If the leak cannot be fixed, the pool may have to be drained in order to further investigate and make repairs.

Mr. Murphy commented the leak is somewhere in one of the pipes running between the building and the pool. It is losing approximately 10,000 gallons of water a day.

Mr. Hofland informed the Village Board members that business cards-sized maps have been distributed to identify available downtown public parking lots. Those businesses that recently attended a Downtown Business Association meeting received a pack of 100 or 150 to distribute to their customers. Businesses have an opportunity to order additional maps through Digital Edge.

Mr. Murphy stated bids will be going out by the end of August for the former Musbach property. Also, within the next few weeks bids will be going out for the Lions Park Pavilion.

REPORT OF BILLS

Motion by Trustee Meinecke, seconded by Trustee Harbeck, to approve the payment of Village expenditures in the amount of \$619,564.12, as presented. Approved unanimously.

OLD BUSINESS

President Brunnquell commented that Giro d' Grafton went well again this year and the attendance was up from previous years.

NEW BUSINESS

Administrator Hofland informed the Village Board that he has no new information to share in Closed Session therefore there will be no need to go into Closed Session.

ADJOURN

Motion by Trustee Grant, seconded by Trustee Rieck, to adjourn at 6:41 p.m. Approved unanimously.