

## **VILLAGE OF GRAFTON**

### **COMMUNITY DEVELOPMENT AUTHORITY MEETING MINUTES**

**SEPTEMBER 1, 2010**

The Community Development Authority (CDA) meeting was called to order at 6:17 p.m. by Chair John Gassert.

CDA members present: Alan Kletti, Roger Kirgues, Dan McKelvey, Al Richards, John Gassert

CDA members absent: Jim Grant, Ron LaPean

Staff/Officials present: Village Administrator Darrell Hofland, Director of Planning and Development Michael Rambousek, Building Inspector Tom Johnson, Village Clerk Teri Dylak

#### **MINUTES**

Motion by Roger Kirgues, seconded by Alan Kletti, to approve the August 18, 2010, Community Development Authority meeting minutes, as corrected. Approved unanimously.

#### **HEAR PERSONS REQUESTING TO BE HEARD**

Paul Rushing, Mueller Hotel, LLC, was present to provide an update to the CDA on the status of the Grafton Hotel renovation project. Mr. Rushing indicated that he anticipates presenting a modification to the project Development Agreement at the next CDA meeting. The modification consists of pushing back the closing on the sale of the property by the CDA to Mueller Hotel, LLC to October, 2010. Construction on the project is expected to be completed within 12 months from closing.

Mr. Rushing indicated that they expect to hear from HUD by mid-September on the status of the project approval. The final loan commitment is anticipated within 30 days of the initial HUD action. The closing would not likely occur until the second or third week in October. The project is still viable and on schedule. Unfortunately, the process is very slow and cumbersome.

#### **RECONSIDERATION OF FAÇADE DESIGN MODIFICATIONS FOR BRIDGE INN LOCATED AT 1216 BRIDGE STREET**

Director of Planning and Development Michael Rambousek informed the members that he met with Bridge Inn owner Bill Gruetzmacher, following the August 18, 2010 CDA meeting, to discuss the revisions made to the deck/patio project.

Mr. Rambousek identified that Mr. Gruetzmacher agreed to revise the plans to reflect his recommendations. Plan changes include: an the addition of brick piers on the front elevation and east elevation of the building; removal of one course of block at the base

wall of the patio; addition of a cast-on-site cap to the top of the base wall for the entire perimeter, including over the piers; installation of railings along the entire length of the front and east side of patio; the piers should line up with the mullion line of the screens; the addition of an additional pier on the east elevation and samples of the proposed siding material to be submitted and approved by Staff. Mr. Rambousek indicated that the siding material should not be vinyl but an alternate material that looks more natural such as wood, masonry or plastic composite.

Roger Kirgues questioned if the grant funding request was being changed because of the modifications to the project. Mr. Rambousek responded no.

Bridge Inn owner Bill Gruetzmacher stated that he is agreeable to the Planner recommended changes. He questioned if can obtain his building permit this week, if the CDA approves the project amendment. Building Inspector Tom Johnson responded that Mr. Gruetzmacher will need to be in the office at 8:00 a.m. on Thursday, September 2, to pick-up the permit because Mr. Johnson will be leaving before Noon for a 10-day vacation.

Jill Gruetzmacher commented that they were hoping to use maintenance free siding material. Mr. Gruetzmacher responded that he will be sure the siding material has a "natural" look.

Bill Hass, 1226 Water Terrace, commented that while he is all for business expansion, he is concerned with the appropriateness of the project and the impact it will have on the surrounding area. There are residences across from this location and Mr. Hass is concerned that there will be additional noise, etc. resulting from the outdoor area.

Mr. Hass asked the following questions regarding the proposed project:

1. What is purpose of the deck? Mr. Gruetzmacher responded the patio will provide an area for patrons to smoke. Alcohol will also be allowed on the patio. Village Clerk Teri Dylak indicated that the Village Board has approved the expansion of the premises to include the patio area for alcohol consumption.
2. How will noise from the patio be addressed? Mr. Gruetzmacher responded that they will attempt to control noise as much as possible. The structure will have glass on the south side and the weather will play into the number of patrons utilizing the patio. If there are complaints from the surrounding property owners, the issue will be taken care of immediately.
3. How does the glass area affect the State smoking enclosure requirements? Mr. Gruetzmacher responded that there are other areas on the patio can open to meet the 25 percent requirement.
4. Will the existing "green space" between the bar and the parking lot remain after the patio is completed? Mr. Gruetzmacher responded that the "green space" area is owned by the Village of Grafton. Village Administrator Hofland indicated that after reviewing the lengths of the parking stalls and the drive aisle, the area will be utilized to expand the width of the parking lot.

5. Are there any additional parking requirements due to the expansion? Director Rambousek responded that there are no specific parking requirements, for the commercial portion of the business, in the CBD district. If the upper level of the building remains residential there may be parking requirements.

Alan Kletti questioned the capacity of the patio. Mr. Gruetzmacher indicated that the area will hold about 6 tables and allow for approximately 30 patrons.

Motion Alan Kletti, seconded by Roger Kirgues, to approve the revised plans for Bridge Inn located at 1216 Bridge Street subject to the following conditions: 1) the cast-on-site cap be extended over all of the piers; 2) each pier must line up with the mullion lines of the screen structure and railing; 3) there must be one brick pier for each vertical mullion line on the east elevation/on the south elevation the two end brick piers must be centered on the appropriate mullion line and the middle brick pier be balanced accordingly between the brick piers and remaining mullion lines; 4) the siding consisting of real wood, masonry, or plastic composite (pvc) and the final material must be submitted, reviewed and approved by the Planning and Development Staff; 5) the masonry brick piers must be installed to look like they were originally part of the project, not looked as if they were tacked on or added on later. The mortar between the bricks and the block (on the outside edges of the piers) must look professional and no larger than if the brick fastened against smooth concrete block. The Planning and Development Department reserves the right to have the brick piers re-installed if not done in a professional manner; 6) No other changes or modifications are allowed at any point in this project without conferring with the Planning and Development Staff and possibly the CDA; 7) the applicant must return to the CDA upon completion of the project prior to the grant being released; and 8) a final elevation drawing with all modifications added as approved must be provided to the Planning and Development Department by September 7, 2010.

Director Rambousek informed the members that he is concerned with one additional issue. The original deck was to include an access door for the outside basement stairs. The stairs are accessed from the outside of the building via old fashioned cellar doors. Mr. Rambousek stated that the concrete stairwell remains open under the patio. If the area is to be covered it will require structural calculations to ensure that it meets safety requirements.

Mr. Gruetzmacher stated that the first step to the basement is now too high for regular use. The basement stairs will be used to expedite the removal of recyclables from the basement via the patio.

Building Inspector Tom Johnson questioned if the stairway can be abandoned. He is concerned with possible fall and injury implications. Mr. Gruetzmacher responded that the area could be filled in. Mr. Johnson also stated that existing stair rise may not be in

compliance with the standards of the IBC. Mr. Gruetzmacher stated that the stairway is not utilized to go in and out of the basement, which is really only a crawl space. He reiterated that, if needed, the area can be filled in. Mr. Johnson stated that this matter will need to be finalized prior to the granting of final occupancy.

Bill Hass questioned if the second floor door to the flat roof of the bathroom addition is required to have a railing around the area. Mr. Johnson responded that if it is a new door or is used as an exit door or jump platform a railing will be required. The area will be reviewed and Mr. Gruetzmacher will complete any necessary work to bring the area into compliance.

The motion to approve the revised plans for Bridge Inn located at 1216 Bridge Street subject to the listed conditions was approved unanimously.

**FORMER BREWERY SITE PROPERTY LOCATED AT 1032 AND 1038 12<sup>TH</sup> AVENUE: NUISANCE DESIGNATION**

Building Inspector Tom Johnson informed the CDA that the maintenance concerns on the properties at 1032 and 1038 12<sup>th</sup> Avenue have existed for a very long time. Mr. Johnson indicated that he has been with the Village of Grafton for 23 years and the site has looked basically the same all of that time, and longer.

Mr. Johnson indicated that the existing municipal ordinance does contain language that can, and in the recent past, has been used to address similar situations. The process has been used in the past with good results. Mr. Johnson briefly reviewed the nuisance designation and abatement process.

The first step in the process involves correspondence to the property owner from the Village Attorney. In the event that the letter from the Attorney does not achieve the requested result, the provisions of Grafton Municipal Code Section 8.28 – Public Nuisance Generally, Section 8.32 – Public Nuisances Affecting Health and/or Section 8.36 – Abatement of Nuisances will be utilized. Mr. Johnson also indicated that this process does not require approval from any Board or Commission. It is implemented by his Department.

Mr. Johnson indicated that he is aware that the CDA previously discussed addressing this situation via a zoning amendment. He indicated that the problem with this option is that the property will become non-conforming and is basically “frozen in time” as is. The nuisance abatement process allows the Village to move quickly to begin the process.

Alan Kletti agreed that the site is in need of clean-up; however, they cut the grass and trim the shrubs so the only major concern is the signs on the property. He stated that there are other properties in the Village that could use some clean-up as well.

Mr. Johnson continued stating that included in the letter from the Village Attorney is a time line for compliance. In the event the matter is not resolved by this point in the process, a hearing is held before the Village Board. The Village Board determines if a

nuisance exists and if so directs the abatement of the nuisance. In the event the owner does not comply, the Village of Grafton will abate the nuisance and the cost of such abatement will be placed on the tax bill for the property.

The owner can decide to “cure” the nuisance at any time in the process.

Chair Gassert commented that due to the age of the signs on the property there may be hazardous materials to consider. It is very likely that the signs contain PCBs or mercury. Building Inspector Johnson concurred.

Roger Kirgues commented that the Village has been very tolerant of this situation and has attempted to contact the owner regarding the property conditions in the past with no results.

Dan McKelvey agreed and questioned if the issue can be forced with this process. Mr. Johnson responded yes. In addition to the abatement process, there are penalty provisions and daily fines for non-compliance.

Sue Hass, 1226 Water Terrace, commented that, as a new resident to Grafton, she was appalled at the condition of this very visible property. She stated that the property appears blighted and she is concerned with possible safety issues on site.

The members briefly discussed the abatement process. Mr. Kirgues stated that there has to be a sunset date for the process. Mr. Johnson indicated that the sunset date and compliance process will be included in the letter from the Village Attorney. The timeline will be based on other similar situations.

The CDA has discussed this site on numerous occasions. Whatever process is in place should be utilized to clean-up this site.

Mr. McKelvey commented that, unfortunately, because this site has looked the same for so long, people tend to drive by and not really see the property.

Al Richards questioned if the building was currently being utilized. Mr. Johnson responded that there is a business in the adjacent building located on 13<sup>th</sup> Avenue; however, he pretty sure the Holland Trust property’s building is vacant.

Mr. Johnson informed the CDA that it was his intent to proceed with this matter and he will be contacting the Village Attorney on Thursday, to begin the process.

### **CONVENE TO CLOSED SESSION**

Motion by Alan Kletti, seconded by Dan McKelvey, to convene to closed session, at 6:57 p.m., pursuant to Wisconsin Statutes 19.85(1)(g) for Litigation matters (Status of loan negotiations – Direct Development, LLC Receivership and purchase of property for redevelopment purposes).  
Approved unanimously by roll call vote.

A closed session of approximately 45 minutes was held. During the closed session Village Administrator Darrell Hofland discussed negotiation strategies related to the receivership of the Direct Development LLC (Village Center property). Mr. Hofland and Director Rambousek also reviewed a potential future redevelopment opportunity for the Village and negotiation strategies relating to the possible acquisition of the property.

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

Motion by Roger Kirgues, seconded by Dan McKelvey, to re-convene to open session and the regular order of business at 7:42 p.m. Approved unanimously by roll call vote.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

Present results of the Downtown Vision 2025 workshop (June 12, 2010)

Director Rambousek informed the members that on Saturday, June 12, 2010, the Village of Grafton held a Downtown Vision Workshop 2025 at the Grafton Multi-purpose Senior Center. The purpose of the workshop was to plan the future direction the Village will take in continuing to improve, redevelop, and sustain the quality of life in this area for the next 15 years. He indicated that 21 people were in attendance at the workshop.

The workshop was divided into two sessions. The first part of the workshop consisted of a design review of Downtown projects. The second section consisted of a brainstorming session. Five groups were created and five main topics were discussed. Each group consisted of approximately four individuals. The five main topics included Redevelopment, Land Use and Linkage, Transportation and Parking, Architecture and Aesthetics, and Marketing. Each topic included two questions for discussion: 1) what do you like about the downtown that has occurred? and 2) what would you like to see improved in the future?

Director Rambousek stated that the results of the workshop will be utilized as a guide for downtown development for the next 15 years. He also indicated that he will be meeting with the Downtown Business Association on September 30, to review the workshop results and receive input from this important organization.

Roger Kirgues commented that a considerable number of accomplishment have occurred since the 1998 Downtown Workshop was held. The before and after pictures included in the report are a testament to all of the hard work completed in the downtown.

Chair Gassert thanked staff and all who participated in the workshop. He commented that it would be a good idea to make the before and after photos available for the general public to see. The impact of how much the community has changed is evident in these photographs.

Director Rambousek responded that he will see about placing the report on the Village of Grafton website.

Administrator Hofland commented that the Paramount Plaza is being utilized more and more for community events drawing people to the downtown. Once the Grafton Hotel project is completed, this area will be a focal point in the downtown.

The HAWK pedestrian crossing signal installation at 13<sup>th</sup> Avenue/STH 60 should commence soon.

Al Richards questioned if the Village is considering making 13<sup>th</sup> Avenue, north of STH 60, one-way only. Mr. Hofland responded that one-way traffic would have a major affect on access in and out of the Harris Bank.

The CDA will meet, prior to the next regularly scheduled meeting, if it is determined that a meeting is necessary to accommodate the timeline for the Grafton Hotel redevelopment project.

#### **ADJOURN**

Motion Alan Kletti, seconded by Roger Kirgues, to adjourn the meeting at 7:52 p.m. Approved unanimously.