

VILLAGE OF GRAFTON

VILLAGE BOARD MEETING MINUTES

OCTOBER 4, 2010

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

Board members present: Jim Brunnquell, Jim Grant, Ron LaPean, Sue Meinecke, David Liss, Lisa Harbeck

Board members absent: Richard Rieck

Staff/Officials present: Village Administrator Darrell Hofland, Police Chief Charles Wenten, Finance Director Paul Styduhar, Director of Public Works/Village Engineer Dave Murphy, Utility Director Tom Krueger, Senior Coordinator / Recreation Supervisor Karin Sevener, Administrative Assistant Rachel Reiss, and Village Attorney Michael Herbrand

COMMENCE ALCOHOL BEVERAGE LICENSE SUSPENSION HEARING / HAROLD F. GRUEHN-AGENT – H. F. GRUEHN ENTERPRISES, LLC D/B/A SCOOTERS PLACE, 1412 WISCONSIN AVENUE

Attorney Herbrand stated this matter is before the Village Board due to the requirements of the Village's demerit point ordinance. Scooters Place accumulated three violations within a year for a total of 175 demerit points. Mr. Gruehn has signed a stipulation agreement for a 10 day suspension of his liquor license. The suspension period would begin at 6:00 a.m. on October 5, and end on October 14.

HEAR ALL INTERESTED PERSONS OR THEIR AGENTS

Chief Wenten reviewed the violations outlined in the stipulation. Mr. Gruehn has met with Chief Wenten to address the concerns. The recommendation is in-line with the ordinance.

Trustee Grant questioned why only a 10 day suspension. Chief Wenten stated there were many factors considered. Mr. Gruehn has been very proactive and cooperative in attempting to rectify the situation.

Mr. Gruehn stated he takes full responsibility for the problems at his establishment. Two violations were accumulated on one evening and the bartender was fired the next day. Mr. Gruehn is working with employees to do better; however, the Village should consider amending the ordinance to make bartenders responsible for the infractions as well as the bar owner. The bartender that was fired was hired by another establishment in Grafton.

DELIBERATIONS AND ACTION ON ALCOHOL BEVERAGE LICENSE SUSPENSION HAROLD F. GRUEHN-AGENT – H. F. GRUEHN ENTERPRISES, LLC D/B/A SCOOTERS PLACE, 1412 WISCONSIN AVENUE

Motion by Trustee LaPean, seconded by Trustee Meinecke to approve the Stipulation Agreement as presented. Approved 5-1 (J. Grant-nay).

There being no further discussion, the hearing was closed.

MINUTES

Motion by Trustee LaPean, seconded by Trustee Liss, to approve the 9-20-2010 Village Board meeting minutes and File the 9-20-2010 Board of Public Works; 9-22-2010 Parks and Recreation Board; 9-28-2010 Joint Review Board and the 9-28-2010 Plan Commission meeting minutes as corrected. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

The presentation of the Water Star Gold Star Award for water quality has been delayed until the October 18 meeting.

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Update on Lime Kiln Dam removal

Mr. Murphy stated the Ozaukee County Public Works Committee tabled the bid results for the Lime Kiln Dam removal. It is anticipated that next week the removal of material from the raceway will allow staff to see what the dam is made up of. Mr. Murphy stated to date it has been found that an old culvert was buried in the raceway. This will assist in the draw-down of the impoundment.

This work will now be completed by the Village crew. It is hoped that the removal of some tasks from the original specification package will significantly reduce future bids.

There will be another update on the Lime Kiln Dam removal at the November 1 Village Board meeting.

Memorandum of Understanding with Ozaukee County on Lime Kiln Dam Removal

Mr. Murphy stated Ozaukee County drafted a Memorandum of Understanding stating the Village will be responsible for costs to remove the Lime Kiln Dam above the grant funding. Mr. Murphy suggested the Village Board table this item until more information is received.

There was a consensus of the Board that staff work with County representatives stating the Village Board has not agreed to any funding for the removal of the Lime Kiln Dam. It is the Board's understanding that Ozaukee County and the NOA Grant would be funding this project.

Administrator Hofland stated he and Mr. Murphy will speak with County staff to rectify this situation.

Resolution designating public depositories

Resolution No. 025, Series 2010 – Designating public depositories was offered by Trustee Meinecke.

Motion by Trustee Grant, seconded by Trustee Liss, to adopt Resolution No. 025, Series 2010, as presented. Approved unanimously.

Revised Tax Incremental District No. 3 Development Agreement- Mueller Hotel, LLC
Administrator Hofland stated this item was before the Board in January. There was a delay in HUD financing. In light of the delay, the \$1.6 million property valuation guarantee by the developers will be as of January 1, 2012.

This item will also be reviewed by the Community Development Authority this week.

Motion by Trustee Grant, seconded by Trustee LaPean to approve the revised Tax Incremental District No. 3 Development Agreement with Mueller Hotel, LLC as presented. Approved unanimously.

Report of the Parks and Recreation Board

Motion by Trustee Liss, seconded by Trustee Meinecke, to approve the proposed Youth Basketball League with fees of \$20 for Residents and School District Residents and \$40 for Non-residents.

Karin Sevener informed the Board the dates for the new program have not been confirmed. Staff is working with the Grafton School District to set up the schedule.

The motion to approve the proposed Youth Basketball League with fees of \$20 for Residents and School District Residents and \$40 for Non-residents was approved unanimously.

Report of the Plan Commission

Motion by Trustee Grant, seconded by Trustee Harbeck to approve Ordinance No. 020, Series 2010, amending Section 20.04.140(d)(1) of the Village of Grafton Sign Code to allow multi-light color lighting.

Trustee LaPean questioned if Chief Wenten had concerns regarding multi-color signs. Chief Wenten stated there will always be a concern with new distractions for motorists; however, they will be worked through. These signs are in most communities.

The motion to approve Ordinance No. 020, Series 2010 was approved unanimously.

LICENSES

Motion by Trustee Liss, seconded by Trustee Harbeck, to approve the issuance of Operator's licenses, as presented. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

Mr. Murphy stated the Municipal Service Facility open house is on Saturday, October 16 from 11:00 a.m. to 2:00 p.m. Everyone is invited to attend.

REPORT OF BILLS

Motion by Trustee Grant, seconded by Trustee Liss, to approve the payment of Village expenditures in the amount of \$571,870.42, as presented. Approved unanimously.

OLD BUSINESS

Andrew Struck from Ozaukee County spoke in regards to the Memorandum of Understanding from Ozaukee County. Mr. Struck stated it was the hope that the NOAA Grant would be sufficient to pay for the removal of the Lime Kiln Dam; however, expenses will most likely exceed those funds. A similar agreement has been signed by the City of Mequon and the Village of Thiensville.

President Brunquell stated there seems to be a disconnect. It was not the expectation of the Village to expend funds for this project.

Mr. Struck stated he has been in contact with Village staff throughout this process. The County will not be able to accept a bid that is not funded. Mr. Struck will continue to work with Village staff to find a solution acceptable by both the Village and County.

NEW BUSINESS

None

CONVENE TO CLOSED SESSION

Motion by Trustee Grant, seconded by Trustee Liss, to convene to closed session at 6:42 p.m. pursuant to Wisconsin Statutes 19.85(1)(c) for Personnel related matters (Non-represented employees 2011 compensation, union negotiations with LAW Police Officers, Teamsters, AFSCME, and LAW-Telecommunicators for 2011), 19.85(1)(e) for Real Estate and competitive bargaining matters (sale of Village property), and 19.85(1)(g) for litigation related matters (Grafton Direct, LLC). Approved unanimously by roll call vote.

The Village Board discussed negotiation strategies relating to 2011 compensation for union and non-represented employees, and negotiation strategies relating to the sale of excess Village property (adjacent to right-of-way).

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

Motion by Trustee LaPean, seconded by Trustee Grant, to adjourn closed session and reconvene into the regular order of business at 7:16 p.m. Approved unanimously by roll call vote.

ADJOURN

Motion by Trustee Liss, seconded by Trustee Harbeck, to adjourn at 7:16 p.m. Approved unanimously.