

VILLAGE OF GRAFTON

VILLAGE BOARD MEETING MINUTES

JANUARY 17, 2011

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

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

Absent: Richard Rieck

Staff / Officials present: Director of Public Works / Village Engineer Dave Murphy, Utility Director Tom Krueger, Finance Director Paul Styduhar, Deputy Clerk Lisa Oppeneer, and Village Attorney Michael Herbrand

MINUTES

Motion by Trustee LaPean, seconded by Trustee Grant, to approve the 12-20-2010 Village Board meeting minutes and File the 12-14-2010 Plan Commission; 12-20-2010 Community Development Authority; 1-10-2011 Public Arts Board; 1-10-2011 Board of Public Works; 1-10-2011 Joint Library Board; and the 1-11-2011 Public Safety Committee meeting minutes, as presented. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

Presentation of Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) Fiscal Year Ended 12-31-2009
Materials Distributed

President Brunnquell awarded Finance Director Paul Styduhar with the Comprehensive Annual Financial Report Award. This is the Village's 18th consecutive year receiving this award. Mr. Brunnquell congratulated Mr. Styduhar and Village Staff on their hard work to achieve this award.

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Approval of the Fire Protection and Ambulance Services Agreement between the Grafton Volunteer Fire Department, Inc. and the Village of Grafton in the amount of \$244,394.66

Motion by Trustee Grant, seconded by Trustee Meinecke, to approve the Fire Protection and Ambulance Services Agreement between the Grafton Volunteer Fire Department, Inc. and the Village of Grafton in the amount of \$244,394.66, as presented. Approved unanimously.

Resolution No. 001, Series 2011, confirming the Grafton Fire Department Officers and Board of Directors was offered by Trustee LaPean.

Motion by Trustee Grant, seconded by Trustee Meinecke, to adopt Resolution No. 001, Series 2011, as presented. Approved unanimously.

Trustee Grant commented the Village is very fortunate to have all these residents volunteer their time to the Grafton Volunteer Fire Department.

Acceptance of \$10,000 donation from the Zaun Memorial Fund, LTD for the Public Arts Board Sidewalk Poetry project

Motion by Trustee Harbeck, seconded by Trustee Liss, to accept a \$10,000 donation from the Zuan Memorial Fund, LTD for the Public Arts Board Sidewalk Poetry project, as presented.

President Brunnuell commented the poems will be received from local residents and placed on sidewalks that are in the sidewalk replacement program area.

Director of Public Works/Village Engineer Dave Murphy commented the sidewalks being replaced are scheduled to be replaced in the middle of April.

The motion to approve the \$10,000 donation from the Zaun Memorial Fund, LTD was approved unanimously.

Approval of Pre-Annexation Agreement between Village of Grafton and Gauthier Properties, LLC

Motion by Trustee Liss, seconded by Trustee Grant, to approve the Pre-Annexation Agreement between Village of Grafton and Gauthier Properties, LLC, as presented.

Village Attorney Michael Herbrand stated the only changes to the agreement are the Gauthier Properties are responsible for paying the Town of Grafton property taxes, and any other applicable fees.

The motion to approve the pre-annexation agreement between Village of Grafton and Gauthier Properties, LLC was approved unanimously.

Items 1 & 2 / Report of the Plan Commission (tabled at 12-20-10 VB meeting)

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve Items 1 & 2 of the Report of the Plan Commission as follows: 1. Ordinance No. 001, Series 2011, annexing 10.38 acres from the Town of Grafton, located at 1333 and 1345 Ulao Road along with two remnant parcels, requested by owner, Gauthier Properties LLC (Michael and Stacy Gauthier) and designate said area as A-3 Agricultural Holding District, subject to satisfaction of the requirements of the Pre-Annexation agreement 2. Ordinance No. 002, Series 2011, rezoning the properties located at 1333 and 1345 Ulao Road from A-3 Agriculture Holding District to PID-Planned Industrial District to accommodate a 28,000 square feet

of office and support space on two floors, and 30,000 square feet of manufacturing space, as presented. Approved unanimously.

Items 1-5 / Report of the Board of Public Works

Motion by Trustee LaPean, seconded by Trustee Meinecke, to approve Items 1-5 of the Report of the Board of Public Works as follows: 1. Set the following 2011 fees: Interceptor Connection Fee Cap (per acre) - \$2,970.00, 8" Equivalent Sanitary Sewer Fee (per foot) - \$75.99, 8" Equivalent Water Main Charge (per foot) - \$61.57, Road Construction - \$184.81, I-43 Lift Station - \$1,904.32, I-43 Sewer & Water Crossing-Water main/per acre - \$469.85, and ERC Fee - \$808.00; 2. Approve the recommended changes to the 2011 Capital Equipment Fund program, for a net impact to the 5-year capital budget to be \$0; 3. Approve change order 3 to Ozaukee Excavating, Inc., Grafton, WI to reduce the general contractor cost by \$5,635 including extra charges related to transducer relocation and including credit on the SCADA allowance that was paid directly; 4. Approve the Bridge Street project close-out and final payment to the contractor, Ozaukee Excavating, Inc., Grafton, WI in the amount of \$36,277.65; 5. Approve amendment 1 to the UV Disinfection Project Engineering Services Agreement, as presented. Approved unanimously.

Items 1-3 / Report of the Public Safety Committee

Motion by Trustee Grant, seconded by Trustee Liss, to approve Items 1-3 of the Report of the Public Safety Committee as follows: 1. Approve the Tour de Cure bike ride on June 18, 2011; 2. Approve a walk to benefit Multiple Sclerosis on April 16, 2011; 3. Approve the closure of 13th Avenue from Bridge Street to Washington Street for the Music Festival on May 21, 2011, as presented. Approved unanimously.

LICENSES

Motion by Trustee Meinecke, seconded by Trustee Harbeck, to approve the issuance of Operators licenses, as presented. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Liss, to approve the issuance of Special Picnic License to Kris Raymond-agent, Grafton Blues Association / Black Swan Banquet Hall – 1218 13th Avenue / January 22, 2011, as presented. Approved unanimously.

Motion by Trustee Grant, seconded by Trustee Meinecke, to approve the issuance of a Special Picnic License to Brenda Cline-agent, St. Joseph's Parish – 1619 Washington Street / January 30, 2011, as presented. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

Director Murphy informed the Board that he nominated Public Works Crewperson Jack Knetter for the American Red Cross Brave Heart award for his heroic effort in saving the life of a resident and he won the nomination. The award will be presented to Mr. Knetter on April 7 at a banquet held in Milwaukee. Any Village Board member or staff is welcomed to attend the banquet.

Mr. Murphy commented he is still waiting for the poles from HAWK signal and is hoping to have them by the end of the month. Mr. Murphy distributed three drawings of the fish passage. Two drawings were of the entrance north of WIS 60 and the third drawing was of the transition between the open channel and closed box of the fishway. The three foot wall separating the river has now been changed to a one foot wall. The Village is requesting a form liner be used on all exposed sections of the fishway wall. The form liner will give the wall a more decorative appearance to match the Bridge Street bridge wall. The project is expected to begin in June and be completed by September.

REPORT OF BILLS

Motion by Trustee LaPean, seconded by Trustee Liss, to approve the payment of Village expenditures in the amount of \$595,415.44, as presented. Approved unanimously.

OLD BUSINESS

None.

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

Motion by Trustee Grant, seconded by Trustee Meinecke, to convene to closed session, at 6:18 p.m., pursuant to Wisconsin Statutes 19.85(1)(e) for Real Estate and Competitive Bargaining matters (Highland Ridge agreement amendments, Stipulation Agreement-Cedarburg Pharmaceuticals, and Grafton Hotel development agreement amendment.) Approved unanimously by roll call vote.

A closed session of approximately 15 minutes was held. During the closed session the Village Board discussed negotiations associated with the revised terms of the Highland Ridge Development agreements. The members also discussed litigation strategies associated with the outstanding loan agreement with Cedarburg Pharmaceuticals.

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

Motion by Trustee Grant seconded by Trustee LaPean, to adjourn closed session and reconvene into the regular order of business at 6:37 p.m. Approved unanimously by roll call vote.

HIGHLAND RIDGE SUPPLEMENTAL AGREEMENT REGARDING LOT 1 CERTIFIED SURVEY MAP NO. 3726

Motion by Trustee Grant, seconded by Trustee Harbeck to approve the Highland Ridge Supplemental Agreement regarding Lot 1, Certified Survey Map No. 3726, as presented. Approved unanimously.

HIGHLAND RIDGE AMENDMENT TO TAX INCREMENT DISTRICT NO. 4 DEVELOPMENT AGREEMENT REGARDING LOT 2 OF CSM NO. 3726

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve the Highland Ridge Amendment to Tax Increment District No. 4 Development

Agreement Regarding Lot 2, Certified Survey Map No. 3726, as presented.
Approved unanimously.

CEDARBURG PHARMACEUTICALS STIPULATION FOR SETTLEMENT AND ORDER OF DISMISSAL

Motion by Trustee Liss, seconded by Trustee Grant, to table the Cedarburg Pharmaceuticals Stipulation for Settlement and Order of Dismissal, as presented. Approved unanimously.

ADJOURN

Motion by Trustee LaPean, seconded by Trustee Grant, to adjourn at 6:40 p.m.
Approved unanimously.