

VILLAGE OF GRAFTON
JOINT VILLAGE BOARD /
BOARD OF PUBLIC WORKS MEETING MINUTES

JULY 18, 2011

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

Village Board members present: Sue Meinecke, Lisa Harbeck, David Liss, Jim Grant, Dave Antoine, and Jim Brunnquell

Board members absent: Richard Rieck

Board of Public Works members absent: Pat Murray and Edwin Dietrich

Staff/Officials present: Village Administrator Darrell Hofland, Finance Director Paul Styduhar, Director of Public Works/Village Engineer Dave Murphy, Utility Director Tom Krueger, Police Chief Charles Wenten, Village Attorney Michael Herbrand, and Administrative Assistant Melissa Depies.

Others Present: Bonestroo representatives: Dale Buser, Brian Lennie, and Carrie Ann Hewitt; Ehlers representative: Todd Taves, and many concerned citizens.

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Resolution No. 013, Series 2011 / authorizing the issuance and sale of \$4,995,000 taxable general obligation refunding bond, was offered by Trustee Grant.

Todd Taves of Ehlers explained that the balloon payment for TID No. 4 was due; therefore, the Village needs to refinance the loan balance. The new bond will allow annual debt payments which should coincide with the revenues. Mr. Taves indicated that Baird was the lowest bid with an interest rate 4.24 percent. Based on this interest rate the cash flow chart shows that the Village will be paying \$304,000 less than the original estimate.

Bill Harbeck, 907 17th Avenue, questioned if this refinancing will have any impact on the 2012 budget. Mr. Styduhar indicated that this is a TID 4 No. savings and there is no tax savings in the General Fund.

Motion by Trustee Meinecke, seconded by Trustee Harbeck, to adopt Resolution No. 013, Series 2011, as presented. Approved unanimously.

PRESENTATION AND DISCUSSION ON BRIDGE STREET DAM WEST ABUTMENT STUDY:

Dale Buser, Representative of Bonestroo, presented a [power point presentation](#) regarding the various options to repair the west abutment to the Bridge Street dam and bring it into compliance with NR333.

President Brunnuell stated that the purpose of this meeting is to provide direction to staff on which option is being considered. He stated that while making this recommendation we must remember why this is being done, because residents voted to keep the dam impoundment. All the ideas presented here are not consistent with the original premise.

PRESENTATION AND DISCUSSION ON BRIDGE STREET DAM RESERVOIR DREDGING REPORT

Brian Lennie of Bonestroo presented various diagrams regarding dredging various areas to remove the accumulated sediment behind the Bridge Street Dam.

Mr. Lennie stated that this work is not required; however, it would provide a more scenic impoundment and allow more recreational activities in the area.

There are four areas being recommended for dredging: 1) located along the west bank north of Veterans Memorial Park – approximately 24,400 cubic yards of material will need to be removed; 2) located just north of the Washington Street bridge along the east bank – approximately 1,560 cubic yards; 3) located just south of the Washington Street bridge along the east bank – approximately 1,314 cubic yards; and 4) also located just south of the Washington Street bridge, in the area of the fish passage – approximately 1,300 cubic yards.

Mr. Lennie explained that area 1 could be mechanically dredged at an approximate cost of \$13.00 per cubic yard, while areas 2, 3 and 4 would need to be hydraulically dredged for an estimated cost of \$60 per cubic yard. Water depth and dewatering determine which method of dredging is necessary. A water depth and sediment depth diagram was displayed.

Mr. Lennie stated that the DNR would determine the permit requirements for the dredging project as well as where the sediment could be placed. The proposal is to put the sediment into the athletic field at the high school and have the sediment land spread. Preliminary tests have been done on the sediment to determine that it would be safe for land spreading.

QUESTIONS/ANSWERS ON BRIDGE STREET DAM WEST ABUTMENT STUDY AND THE RESERVOIR DREDGING REPORT

Trustee Grant questioned what the benefits were to dredging these areas. Mr. Lennie replied that it would increase water quality, wildlife habitat, and improve aesthetics.

Trustee Antoine questioned if the Village would need to follow the same guidelines as wastewater. Mr. Lennie stated that the permit requirements would be different for dewatering than it is for wastewater.

President Brunnuell questioned if a gate was installed at the west abutment could the areas that need to be hydraulically dredged be done mechanically, which would create a savings in dredging fees. Mr. Lennie stated that it would depend on the length and depth of the gate.

Trustee Grant commented that after dredging the areas they would be at least 4 feet deep, and questioned what will keep the sediment from going downstream. Mr. Lennie responded that based on the sedimentation rate it would take 25 to 50 years to fill in the areas to where they are today.

Trustee Antoine questioned how the proposed land spreading would work at the high school field. Mr. Lennie responded that the material would be spread out, compacted, and stabilized. After one year the area would be re-compacted and re-stabilized.

Trustee Harbeck questioned if a portable air bladder was investigated rather than installation of a gate as a cost saving option. She then questioned if the DNR would even approve a gate. Mr. Lennie responded that the design of the gate would in fact need to be approved by the DNR. Mr. Murphy stated that he has talked with a representative from the DNR and they have indicated that they are open to the idea of a gate system.

President Brunnuell reminded all present that the Village must comply with NR333 at a minimum. The options presented here tonight are very expensive and we must focus on the west abutment while waiting to hear from the DNR regarding the east abutment.

The options presented were: extending the weir, putting in a gate, or making an "L" shape by extending the weir perpendicular. President Brunnuell indicated that he was not in favor of the "L" shape option.

Jerry Kiesow, 1690 Dellwood Court, stated now that we are discussing water quality and wildlife habitat wouldn't we be better off taking the dam out, that would have solved everything. President Brunnuell responded that, that is no longer an option due the outcome of the referendum. Mr. Kiesow suggested holding another referendum.

Cheryl Neen, representative from Milwaukee Riverkeeper, stated that anything would be an improvement to what the dam currently is. Any option that would allow canoes to go through would be awesome. She suggested supporting option three which allows improvements to let canoes and kayaks to go down river. President Brunnuell reiterated that this was not the intent of the referendum.

Tara Wisdorf, 1232 Water Terrace, stated that these improvements are not fiscally responsible at this time. She does not think the Village of Grafton should fund these improvements.

Elizabeth Schneider, 1118 Riverview Court, stated she does not support option 3 due to the costs.

Trustee Meinecke and Trustee Grant both agreed that option 3 should be removed from consideration.

President Brunnquell questioned if the Village wanted to consider another option to draw down the dam, is there some value to having some kind of gate system that will allow the Village to manage the height of the river for flooding and/or maintenance matters.

Trustee Meinecke questioned what the smallest gate was that could be installed for the purpose of dewatering. She questioned if the DNR would allow a 4 foot gate and would that help with the sediment at the bottom of the river. Mr. Buser responded that the cost for a 2 foot gate would be approximately \$80,000, the cost of a 4 foot gate would be approximately \$110,000 and neither would help much with sediment on the bottom.

Trustee Grant stated that if you put in a gate at the bottom of the dam, wouldn't it draw down the dam slowly. Was a Cofferdam considered? Mr. Buser stated that a Cofferdam is very expensive.

Trustee Harbeck stated that the DNR has indicated that the Village needs to modify the east and west abutments of this dam. She questioned if there was a way to dewater the area for maintenance without installing a gate.

Ted Warwick, 1742 Falls Road, questioned if the cost of dredging included bringing in the various types of equipment. He suggested that the price per cubic yard would be less if the same method was used to dredge all locations. Mr. Lennie responded that the cost for hydraulic dredging is \$60 per cubic yard and the cost for mechanical dredging is \$13 per cubic yard. He noted that there are different contractors for each method.

Bill Harbeck, 907 17th Avenue, stated that he fully supports the goal of dredging the impoundment; it was his opinion that this needed to be done to improve the downtown. He questioned why the area near River Island Park was excluded and how the lagoon could be mechanically dredged. Mr. Lennie stated that the lagoon area is shallow enough and can be dewatered enough for dredging without a gate. The benefit of a gate would allow the lower areas to be dredged mechanically rather than hydraulically for a cost savings of \$47 per cubic yard.

Mr. Harbeck stated that the River Island park area looks awful. There is a large pile of muck by the peninsula area that needs to be taken care of. He then questioned if disposing of the material by area farmers was investigated. Mr. Lennie stated that for purposes of this study they only looked at disposal areas where the Village has some control. If the material needed to be trucked any distance, this would add additional costs to the dredging fees.

Rex Borgenhagen, 1985 Port Washington Road, questioned if there were potential future savings and if the savings were significant enough to allow installation of a gate at this time. Mr. Murphy stated that the main reason to install a gate would be to complete inspections and future dredging. Dale Buser stated that the gate would allow manipulation of the water so nothing else would need to be done with the Riverwalk.

Trustee Grant stated that we now have an opportunity to reduce or eliminate the flooding of the riverwalk, this is something that we should consider.

Les Blum, 1108 Sunset Court, stated that River Island Park is a mess and should be considered for dredging. He also stated that having a canoe portage would be a nice option; however, we need to keep the evasive species in mind. The issue of the gate could be determined by what the DNR allows.

Sue Hass, 1226 Water Terrace, the Village needs to try their best at maintaining the barrier function of the dam and go with the lowest cost for repairs. Option 1 would be the lowest cost; however, she would like to see some small changes to the design such as making the observation deck larger.

Cheryl Nenn stated that there is a benefit to having the gate if the Village is responsible for maintaining the dam. The gate may pay for itself in the future as maintenance issues arise due to the age of the dam. She stated that this is the oldest dam in the river.

Bill Harbeck stated that the cost of a 20 foot crest gate ranges from \$550,000 to \$570,000 which is the cheapest options to allow for full dewatering. Mr. Buser stated that this is the cheapest mechanical gate; however, the Village could install a log gate. Mr. Harbeck then stated by spending \$640,000 for full dewatering you save \$140,000 in dredging costs, does that make sense. Mr. Buser stated that there are other benefits to having a gate besides dredging.

President Brunnquell stated that the full gate option is no longer being considered as it does not create a barrier; however, the Village may still consider a partial gate. A gate control will aid the Village with flooding issues on the riverwalk. There is also a value to the Village to be able to lower the water level to inspect the weir. He stated that the Village is looking for options that would last over the next 50 years or more, in order to maintain the integrity of the impoundment the Village must also look toward the future.

President Brunnquell stated that if the Village goes with an option that has a 2 to 4 foot gate, the gate would be large enough to allow some dewatering, would aid in minimizing flooding of the riverwalk, and could include the portage concept. The Village needs to be sure that the gate is large enough to be effective.

Trustee Harbeck reiterated that option 3 is no longer being considered, She is willing to consider options 1 and 2. President Brunnquell again stated that the gate should be large enough to include a portage, allow dewatering to inspect the weir, and allow dredging.

Trustee Grant stated that the language in the referendum was if the residents wanted to keep the mill pond or not. It was not meant to have the Village do all this work to the dam to allow recreational activities and have the areas dredged. President Brunnquell agreed; however, the silt keeps filling in and islands are being created and algae is forming.

Trustee Meinecke confirmed that adding the gate would eliminate and/or reduce the flooding of the riverwalk. Mr. Murphy stated that a partial gate would reduce the flooding but would not eliminate it. Mr. Murphy stated that the Village currently spends a couple thousand dollars each year replanting and maintaining the riverwalk.

Mr. Murphy stated that dredging all areas would cost the Village approximately \$900,000.

Trustee Harbeck felt that this was not a solid quote. Mr. Lennie stated that the numbers were pretty accurate as they did come from various contractors and from other bids they have that were recently awarded.

Elizabeth Schneider questioned who decides when the gate should be open or how long it stays open and how the gate would operate. Mr. Murphy responded that the responsibility would probably fall onto the Public Works Director, and he would open the gates when water levels are high, to do inspections, or at the direction of the Village Board.

Trustee Harbeck stated that she would like to see the area around River Island park included in the dredging project. She commented that this area looks awful and is often used by the Park and Recreation Department. President Brunnquell stated that this area is outside of the downtown district, is not visible from the downtown, therefore cannot be included in the funding by the TID, which was the original intent of the referendum. By using TID funds there is not a direct impact on taxpayers for this project, however it will lengthen the term of the TID loan. Mr. Murphy stated that this area would need to be funded by the property tax dollars.

Erin Blum, 1108 Sunset Court, questioned if there was any DNR funding available for dredging since the sediment came from the dam removals up river.

Les Blum, 1108 Sunset Court, stated that it was his understanding that the Village could extend the boundary of the TID to include River Island Park. Paul Styduhar, Finance Director, responded that the Village cannot extend the boundaries to this TID because it is a donor TID which changes some of the rules that govern TIDs.

President Brunnuell noted that it is apparent that those present were in favor of dredging all four areas of the river.

The Board took a five minute break to allow the room to clear.

MINUTES

Motion by Trustee Liss, seconded by Trustee Meinecke, to approve the June 27, 2011, Joint Village of Grafton/City of Cedarburg (joint portion of meeting only) and the 7-5-2011 Village Board meeting minutes and file the 7-5-2011 Finance Committee; 7-11-11 Joint Public Arts Board/Historic Preservation Commission; 7-13-2011 Public Safety Committee meeting minutes, as presented.

Trustee Grant stated that in the Public Safety Committee meeting minutes on page 2 in the section Old/New Business – Cedar Creek Road Speed Limit states “the Town approved the reduction from 43 mph to 35 mph” should read 45 mph.

Trustee Antoine noted that in the City of Cedarburg Common Council minutes his name is spelled incorrectly.

Requested changes to the July 5 Village Board Meeting Minutes are as follows:

- Page 4, second paragraph states “the Village will lose the NOAA funds that were to be used to assist in the repair of the west abutment in conjunction with the fishway installation.” It should state the east abutment.
- Page 4, fourth paragraph stated that “ the west abutment study and reservoir dredging options will be discussed at a Joint Village Board / Board of Public Works meeting tentatively scheduled for July 18. There was nothing said at the meeting that the dredging would be discussed tonight, therefore that portion of the comment should be removed.

The motion to approve the minutes with the noted changes was approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

None

BUSINESS PRESENTED BY THE PRESIDENT

Appointment of Joint Initiative Executive Committee members

Motion by Trustee Harbeck, seconded by Trustee Antoine, to appoint Jim Grant, Sue Meinecke, and David Liss to the Joint Executive Committee as recommended by Village President Jim Brunnuell. Approved unanimously.

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Resolution No. 014 , Series 2011 / commending Captain Joseph Gabrish for his designation as Police Officer of the Year by the Ozaukee County Council of the American Legion and Ozaukee County Law Enforcement Officer of the Year, was offered by Trustee Liss.

Motion by Trustee Meinecke, seconded by Trustee Antoine, to adopted Resolution No. 014, Series 2011, as presented.

Village President Brunnuell explained that Captain Gabrish has been awarded the Police Officer of the Year award as well as the Ozaukee County Law Enforcement of the Year designation.

Trustee Grant commented that this award is not only outstanding for Captain Gabrish but it reflects on the quality of our entire Police Department.

The motion to adopt Resolution No. 014, Series 2011, was approved unanimously.

Resolution No. 015, Series 2011 / commending former Village Trustee Ron LaPean for his years of service to the Village of Grafton, was offered by Trustee Grant.

Motion by Trustee Liss, seconded by Trustee Harbeck to adopt Resolution No. 015, Series 2011, as presented.

Village President Brunnuell commented that Ron LaPean is being recognized for his accomplishments and years of service to the Grafton Village Board. He hoped that Mr. LaPean would be available to receive his plaque and recognition at the next Village Board meeting.

The motion to adopt Resolution No. 015, Series 2011, was approved unanimously.

Report of Finance Committee

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve the Report of the Finance Committee, as presented; 1. Approval of the updated Conduit Revenue Bond Policy, as presented. Approved unanimously.

Item 1 / Report of Public Safety Committee

Motion by Trustee Antoine, seconded by Trustee Grant, to approve Item 1 of the Report of the Public Safety Committee, as presented: 1. Ordinance 017, Series 2011 creating Chapter 9.47 / Chronic Nuisance Premises.

Chief Wenten stated that from time to time there are locations that Police Officers are called to on a regular basis and although we are able to handle the situation at hand it becomes a nuisance. This ordinance will assist the property owner with information on how to handle the problems themselves by offering resources as well as a financial component.

The motion to approve Ordinance 017, Series 2011, creating Chapter 9.47 / Chronic Nuisance Premises was approved unanimously.

Item 2 / Report of the Public Safety Committee

Motion by Trustee Antoine, seconded by Trustee Grant, to approve Item 2 of the Report of the Public Safety Committee, as presented: 2. Begin the hiring process for one (1) vacant Telecommunicator position.

Chief Wenten explained that he has received a resignation from a Telecommunicator due to the uncertainty of the position at this time; however, the Department needs to continue to operate. He noted that he will explain the possible future changes during the hiring process to the applicants.

The motion to begin the hiring process for one vacant Telecommunicator position was approved unanimously.

Report of Public Works Items – 7-18-11

Motion by Trustee Meinecke, seconded by Trustee Antoine, to approve the Report of the Board of Public Works, as presented; 1) Approve Ordinance 018 amending Chapter 12.16.050 of the Village Code to identify that only the Utility is authorized to perform bacteriological testing as required with application for a private well operation permit except as noted in follow-up to an unsafe sample; 2) Approve the engineering services agreement with Donohue & Associates, Inc., Sheboygan, WI to study alternate anaerobic digestion technologies for process expansion at a cost not to exceed \$11,940; and 3) Authorize the purchase of a 125 Gallon Melter Applicator (cracksealer) from Sherwin Industries, Inc., Milwaukee, WI for \$38,785.66.

Director of Public Works/Village Engineer Dave Murphy stated that the crackfiller is the best piece of equipment we have to maintain the quality of our roads. Mr. Murphy noted that Village Crews used the equipment as a demonstration this year and crews were able to complete 315 percent of the benchmark goal and were able to complete the project with one less Crewperson.

Utility Director Tom Krueger stated that the changes to the well ordinance will expedite the well sampling by having Utility personnel handle the sampling.

Utility Director Tom Krueger stated that the engineering services agreement is to complete a study for expanding the capacity of the digesters.

The motion to approve the Report of the Board of Public Works, as presented was approved unanimously.

LICENSES

Motion by Trustee Liss, seconded by Trustee Antoine, to approve the issuance of Operators Licenses, as presented. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

Employee Health Insurance Committee update

Village Administrator Hofland reported that he and Village Clerk Dylak have been working with an insurance broker reviewing plans and various options. The first employee committee meeting will be held on July 26. Mr. Hofland also noted that staff is trying to obtain a policy that matches the existing benefit levels.

Mr. Hofland updated the board on the status of the PTO policy. He stated that an employee benefit consultant is are working pro-bono with him to investigate possible disability policies. A list of employees' gender and age have been provided.

The consultant did state that no health insurance premiums can be confirmed until we are within a 60 day timeframe of the effective coverage date.

Water Tower No. 1

Utility Director Tom Krueger stated that the improvements to Water Tower No. 1 are now complete. This is the first water tower to feature the current Village logo.

REPORT OF BILLS

Motion by Trustee Antoine, seconded by Trustee Meinecke, to approve the payment of Village expenditures in the amount of \$265,678.60, as presented. Approved unanimously.

OLD BUSINESS

None

NEW BUSINESS

Trustee Antoine noted that GALA is hosting free concerts at Veterans Memorial Park every Thursday at 6:30 p.m.

ADJOURN

Motion by Trustee Grant, seconded by Trustee Meinecke, to adjourn the meeting at 8:24 p.m. Approved unanimously.