

VILLAGE OF GRAFTON
VILLAGE BOARD MEETING MINUTES

JUNE 15, 2009

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

Village Board members present: Jim Grant, Ron LaPean, Richard Rieck, Sue Meinecke, David Liss, Scott Volkert, Jim Brunnuquell

Staff / Officials present: Village Administrator Darrell Hofland, Finance Director Paul Styduhar, Public Works Director / Village Engineer Dave Murphy, Village Attorney Michael Herbrand, Deputy Clerk Lisa Bohn

MINUTES

Motion by Trustee Rieck, seconded by Trustee Meinecke, to approve the 6-1-2009 Village Board and the 6-8-2009 Special Village Board meeting minutes and File the 5-26-2009 Plan Commission; 6-1-2009 Finance Committee; 6-4-2009 Board of Review; 6-8-2009 GFD Resource Management Ad-Hoc Committee; and the 6-8-2009 Board of Public Works meeting minutes, as presented. Approved unanimously.

PERSONS REQUESTING TO BE HEARD

None.

BUSINESS PRESENTED BY THE PRESIDENT

Presentation of Distinguished Budget Presentation Award for the fiscal year beginning January 1, 2009

President Brunnuquell presented the award to Village Board Members and Staff. The Village has been receiving this award each year for the past 17 years, and is currently second in the state for the greatest number of consecutive municipal awards. Only the City of Appleton has more awards. The criteria for this award are budget related.

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

RESOLUTIONS/ORDINANCES/ACTION ITEMS

Approve the purchase of a Village Hall-based terminal server including installation and licenses from Taylor Computer Services, Hartland, WI, at a cost not to exceed \$6,943.30

Motion by Trustee Liss, seconded by Trustee Rieck to approve the purchase of a Village Hall-based terminal server including installation and

licenses from Taylor Computer Services, Hartland, WI, at a cost not to exceed \$6,943.30, as presented. Approved unanimously.

President Brunnuell commented this is the best way to move forward for faster server connections between each municipal building. .

Resolution No. 023, Series 2009, amending the 2009 General Fund Budget – Terminal Server was offered by Trustee Grant.

Motion by Trustee Meinecke, seconded by Trustee Rieck, to adopt Resolution No. 023, Series 2009, as presented. Approved unanimously.

Administrator Hofland commended Director of Public Works / Village Engineer Murphy for finding a \$4,000 savings in his budget to fund this item.

Item 1 / Report of the Finance Committee

Motion by Trustee Grant, seconded by Trustee Liss, to appoint Harris Bank NA, Chicago, IL, as the Village's banking services provider, as presented.

Finance Director Styduhar stated the Village will be entering into a four year contract with Harris Bank. Harris Bank is currently offering the highest investment interest rate and no banking fees.

Trustee Volkert questioned if any of the other proposals offered services similar to Harris Bank.

Mr. Styduhar stated there were two other banks that came close; however, Harris Bank offered the best services.

Trustee LaPean commented he would have liked to see a local bank selected for the Village's banking services.

Motion to approve Item 1 of the Report of the Finance Committee was approved 6-1 (S. Volkert – nay).

Item 2 / Report of the Finance Committee

Resolution No. 024, Series 2009, amending the 2009 General Fund Budget – Salaries was offered by Trustee Liss.

Motion by Trustee Meinecke, seconded by Trustee Grant, to adopt Resolution No. 024, Series 2009, as presented. Approved unanimously.

Item 3 / Report of the Finance Committee

Resolution No. 025, Series 2009, declaring Official Intent to Reimburse Expenditures on purchase of property and Municipal Services Facility from proceeds of borrowing was offered by Trustee Grant.

Motion by Trustee Rieck, seconded by Trustee LaPean, to adopt Resolution No. 025, Series 2006, as presented. Approved unanimously.

Items 1, 2, 4, 5 / Report of the Board of Public Works

Motion by Trustee Volkert, seconded by Trustee Meinecke, to approve items 1, 2, 4, & 5 of the Report of the Board of Public Works as follows: 1. Reject the Tecumseh Power Company proposal to reduce the back-billed charges by one half or equivalent to \$3,108.91; 2. Approval of Change Order No. 4 to the Digester Project for a change in the roofing system for a net savings of \$300; 4. Authorize the purchase of a dump body, spreader, plow, wing, and hydraulic system with anti-icing tank as well as the carbide cutting edge and the stainless steel dump body from Casper's Truck Equipment, Appleton, WI for \$65,309; 5. Authorize staff to construct in 2009 the multi-modal path on STH 60 from First Avenue to Canary Court with the use of \$10,305 from the Street Reconstruction account (405.573350.885), as presented.

Mr. Murphy commented if the Utility were to reduce the back-billed charges for Tecumseh Power Company, then they would also need to rebate others for back-billed charges and the Utility cannot afford to do this.

Motion to approve items 1, 2, 4, & 5 of the Report of the Board of Public Works was approved unanimously.

Item 3 / Report of the Board of Public Works

Resolution No. 026, Series 2009, Preliminary Assessment for the Grafton Avenue water project and schedule a public hearing for July 6, 2009 was offered by Trustee Volkert.

Motion by Trustee Liss, seconded by Trustee Meinecke, to adopt Resolution No. 026, Series 2009, as presented. Approved unanimously.

Mr. Murphy stated this special assessment is being put into place for anticipated future property development.

Request to update municipal bond schedule

Motion by Trustee Grant, seconded by Trustee Rieck, to approve the request to update the municipal bond schedule, as presented. Approved unanimously.

President Brunquell commented the Mid-Moraine Municipal Court bond schedule is for fourteen participating local municipalities.

LICENSES

Motion by Trustee Meinecke, seconded by Trustee Vokert, to approve the issuance of a Special Picnic License to Kris Raymond-agent for Grafton Blues Association / June 26 and June 27 / Lime Kiln Park – 2020 S. Green Bay Road, as presented. Approved unanimously.

Motion by Trustee Liss, seconded by Trustee Meinecke, to approve the issuance of Fermented malt beverages, Wine and Intoxicating Liquors licenses, as presented. Approved 6-1 (J.Grant – nay).

Motion by Trustee Liss, seconded by Trustee Volkert, to approve the issuance of a / “Class B” Fermented malt beverages and Intoxicating liquors license to Brian A. Bernier - agent Paramount Grille & Bakehouse, LLC – d.b.a. Paramount Grill & Bakehouse - 1304 12th Avenue, as presented. Approved unanimously.

Motion by Trustee Rieck, seconded by Trustee LaPean, to approve the issuance of Operators licenses, as presented. Approved 6-1 (J.Grant – nay).

Motion by Trustee Liss, seconded by Trustee Rieck, to approve the issuance of tobacco products licenses, as presented. Approved 6-1 (J.Grant – nay).

Motion by Trustee LaPean, seconded by Trustee Grant, to approve the issuance of coin machine permits, as presented. Approved unanimously.

Motion by Trustee Rieck, seconded by Trustee Meinecke, to deny an Operator’s License for Karl D. Johnson, as presented.

Karl Johnson, 1803 Green Bay Road, stated he has made poor decisions in the past and would like to move forward with his life. Mr. Johnson is asking for another chance and questioned if it would be possible to have a probationary license to prove he is a good citizen and makes responsible decisions. Mr. Johnson has lived in Grafton for the past four years. He would like to go to college and being able to bartend would help him accomplish that goal with the flexibility of work hours.

Desiree Hansen, 1966 Edgewater Drive, stated she has been friends with Karl Johnson for the past ten years and stated he has good character. Mr. Johnson was employed for the past eighteen years at another job; however, due to the economy his place of employment has closed.

President Brunnuell asked Village Attorney Herbrand if the State Statute relating to the issuance of an Operator’s license to an applicant with a felony conviction is mandatory or does the Village of Grafton have some discretion in this matter.

Mr. Herbrand responded the State Statute does speak for itself and states no license shall be granted. The habitual felony charge is preventing Mr. Johnson from receiving an Operator's License.

Mrs. Hansen distributed previous court case documents to the Village Board members and staff. The documents submitted are similar cases in the State of Wisconsin relating to felons receiving an Operator's License.

Mr. Herbrand commented it may be possible for a municipality to issue an Operator's License; however he would need to research the matter further before a determination is made.

Trustee Grant commented he does not think there is enough information, at this time, to take action the issuing of this license.

President Brunquell commented it is Mr. Herbrand's decision to go forward.

Mr. Herbrand requested that the Board table this item to allow additional review of the statutes.

Trustee Rieck and Trustee Meinecke withdrew their motions.

Motion by Trustee Grant, seconded by Trustee Meinecke to table action on the issuance of an Operators licenses to Karl D. Johnson, to allow the Village Attorney time to review the matter. Approved unanimously.

DEPARTMENT AND OFFICERS REPORTS

Trustee Liss questioned the status of the new retention pond project on S. Green Bay Road.

Mr. Murphy responded the restoration of the pond is currently being completed and the fences are being reinstalled. The site will be cleaned up and finished the week of July 22.

REPORT OF BILLS

Motion by Trustee Grant, seconded by Trustee Meinecke, to approve the payment of Village expenditures in the amount of \$524,858.53, as presented. Approved unanimously.

OLD BUSINESS

Trustee Grant stated the Village is losing \$68,000 of State funding.

Mr. Hofland stated the Village received a letter from the State of Wisconsin stating the State Shared Revenue funds are being cut by approximately \$68,000. The funding percentage received every year is based on population, property values, and tax base. Mr. Hofland also commented that landfill tipping fees will be increasing as well.

NEW BUSINESS

None.

CONVENE TO CLOSED SESSION

Motion by Trustee Volkert, seconded by Trustee Rieck, to convene to closed session at 6:26 p.m., pursuant to WI Statutes 19.85(1)(e) for Real Estate and Competitive Bargaining Matters (lease negotiations.)

Approved unanimously by roll call vote.

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

Motion by Trustee Grant, seconded by Trustee Volkert, to adjourn the closed session and reconvene into the regular order of business, at 6:29 p.m. Approved unanimously by roll call vote.

ADJOURN

Motion by Trustee Volkert, seconded by Trustee Grant, to adjourn at 6:30 p.m. Approved unanimously.