

**VILLAGE OF GRAFTON**

**JOINT VILLAGE BOARD – PLAN COMMISSION  
MEETING MINUTES**

**FEBRUARY 2, 2009**

President Jim Brunnquell called the Joint Village Board / Plan Commission 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, Dave Liss, Jim Brunnquell

Absent: Scott Volkert

Plan Commission members present: Jim Brunnquell, Richard Rieck, Mark Paschke, Amy Plato, Al Schlecht, Carl Harms

Absent: Randy Silasiri

Staff/Officials present: Village Administrator Darrell Hofland, Village Clerk Teri Dylak, Director of Public Works / Village Engineer Dave Murphy, Community Activities Director John Safstrom, Village Attorney Michael Herbrand

Commence Public Hearing

The Statement of Public Notice was given by Village Clerk Teri Dylak.

The purpose of this public hearing is for public review and comment on the Village of Grafton Comprehensive Plan 2035 (Plan).

Planner MaryKay Buratto indicated that Wisconsin Act 1999, known as the “Smart Growth” law, requires municipalities to complete a Comprehensive (Master) Plan prior to January 1, 2010. She stated that local government’s development ordinances will become invalid if the plan is not adopted on time.

Ms. Buratto briefly reviewed the nine element requirements of the Plan. She indicated that the Village of Grafton, in cooperation with Ozaukee County and 13 surrounding municipalities, have worked on the plan. The participating municipalities and Ozaukee County received a grant from the Wisconsin Department of Administration. An agreement was developed between Ozaukee County, Southeastern Wisconsin Regional Planning Commission (SEWRPC) and each municipality. SEWRPC assisted each municipality with an inventory of data required by the plan criteria.

President Brunnquell commended Planner MaryKay Buratto and Director of Planning Michael Rambousek, as well as staff, for the comprehensive work that was completed on the Plan document.

Tom Richart, 840 Fifth Avenue, and an Ozaukee County Supervisor, congratulated the Plan Commission, Village Board and staff for their work on the Plan. Mr. Richart indicated that considerable work has gone into preparing this document. Mr. Richart also suggested that the Village consider a large scale colored map of the land use options to better assist potential developers.

Mr. Richart thanked the Village for their swift action on this plan and stated that there are only two communities in Ozaukee County remaining to complete the process. He also commented that it is likely that Ozaukee County will be the first or second county in the state to complete the adoption process.

Trustee Grant questioned the definition of affordable housing.

Ms. Buratto responded that the Housing Element outlines affordable housing as housing that can be purchased by someone who makes the median household income for the Village.

Trustee Grant questioned what affect the plan requirements will have on future building and also questioned if affordable housing is subsidized housing. President Brunnuell stated that a home priced in the \$160,000 - \$200,000 would be considered affordable housing in the Village of Grafton. The Plan recognizes all of the different income levels in the community.

Director of Planning Michael Rambousek commented that the Plan does not restrict development options in the community. The Plan only requires that we acknowledge affordable housing. Mr. Rambousek indicated that, currently, approximately 35 percent of the housing in the Village falls within the affordable housing category. It would be desirable to maintain a 30 percent ratio in that price range which will likely occur naturally, as housing ages. In addition, the elderly housing component will also fall into this category.

Trustee Grant expressed concern that the completion of the new hospital will impact the housing market. The need for housing will increase and since the facility will provide good paying jobs the housing values will likely be higher than the median. This will likely skew the housing ratios.

Planner Buratto responded that there are many ways to provide affordable housing. There is nothing in the Plan that requires a specific number of affordable housing units. The Plan says to pay attention to the types of development and maintain a good balance.

President Brunnuell questioned if, in the future, the Village could establish specific home value requirements of developers. Ms. Buratto responded yes. She reminded the members that the Plan is a guideline to be utilized in establishing the development character of the Village.

President Brunnquell commented that this has been a group effort and the Plan meets the requirements established by the State for the creation of the Plan. He commended all involved for the considerable amount of work that went into preparing this document.

There being no further discussion on this item, the public hearing discussion was closed at 6:20 p.m.

**VILLAGE BOARD ACTION ON ORDINANCE ADOPTING THE COMPREHENSIVE PLAN 2035**

Motion by Trustee Rieck, seconded by Trustee Meinecke, to approve Ordinance No. 004, Series 2009, adopting the Comprehensive Plan 2035, as presented. Approved 5-1 (J. Grant-nay).

**CLOSE JOINT VILLAGE BOARD / PLAN COMMISSION MEETING AND COMMENCE REGULAR VILLAGE BOARD MEETING**

Motion by Trustee Rieck, seconded by Trustee LaPean, to close the Joint Village Board / Plan Commission meeting and commence the regular Village Board meeting, at 6:21 p.m. Approved unanimously.

**MINUTES**

Motion by Trustee LaPean, seconded by Trustee Liss, to approve the 1-19-2009 Village Board meeting minutes, as corrected and File the 1-19-2009 Finance Committee; 1-21-2009 Sustainable Grafton Ad-Hoc Committee; and the 1-27-2009 Plan Commission meeting minutes, as presented. Approved unanimously.

**PERSONS REQUESTING TO BE HEARD**

Steve Cain, N50 W6890 Western Road, Cedarburg, WI, introduced himself to the Village Board. Mr. Cain is a candidate for the position of Mid-Moraine Municipal Court Judge. Mr. Cain informed the members that he was compelled to run for this office because of the considerable problems that have plagued the Municipal Court over the past 8-years. Mr. Cain is a lawyer with Houseman and Feind, LLP.

Stephanie Metz, owner of Vino 100 - 1239 Washington Street, and Vicki Shafer, owner of Sweet Trio – 1225 Washington Street, were present to inform the Village Board that there are still considerable parking issues in the municipal parking lot at the Grafton Village Center.

Mrs. Metz stated that since the opening of Black Swan, the ability to find a parking space in the lot has gotten much worse. She stated that the Black Swan was allowed to open with a provision that they must have valet parking. Mrs. Metz informed the Board that valet parking has only been offered at two of the events at the facility and only for a limited time period. She indicated that she spoke with Peter Sheperd, owner of the facility, and was told that it was too cold outside to offer valet parking at several of the scheduled events. The tenants at the Grafton Village Center are very concerned with

the parking issue and business has suffered due to the lack of available parking in the lot.

President Brunnquell responded that valet parking is a condition of occupancy for the Black Swan venue. The Plan Commission will be reviewing the conditional use permit for the Black Swan at their meeting on February 24. President Brunnquell stated that he is aware of the frustration of the Village Center tenants and the matter will be addressed by the Plan Commission. On a positive note, the Village's Community Development Authority (CDA) has just acquired another downtown parcel that will be utilized for public parking.

Vicki Shafer, 1225 Washington Street, owner of Sweet Trio, questioned the procedure that is utilized when a business does not follow the requirements of their approval. She stated that the Black Swan has not followed their approval requirements. She questioned who the tenants in the Village Center should call when they witness violations of the parking requirements. President Brunnquell responded that the Police Department should be called as well as Director of Planning Michael Rambousek.

Both Mrs. Metz and Ms. Shafer agreed that the leasing of the parking spaces is a great idea; unfortunately, people are not adhering to the limited time parking hours.

Trustee Rieck questioned if the businesses in the Village Center are requiring their employees to park in the lot on the north side of Highway 60 on 13th Avenue. Both owners responded that the majority of their employees utilize street parking south of Bridge Street.

Trustee LaPean commented that everyone is trying to make the downtown a destination area. Unfortunately, one business is creating problems for all of the business owners in this area. He questioned at what point does the Village stop the Black Swan from violating its approval conditions. President Brunnquell responded that the Plan Commission will address the issue at the February meeting.

Trustee Grant commented that another 22 days is a long time to wait until action is taken on this matter. The violations need to stop now. Trustee LaPean agreed and suggested that the tenants contact the Police Department when violations are witnessed.

Trustee Grant also requested that the tenants contact Director of Planning Rambousek when problems arise.

#### **BUSINESS PRESENTED BY THE PRESIDENT**

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

## **RESOLUTIONS/ORDINANCES/ACTION ITEMS**

### Action on Grafton Little League site layout plan

Village Administrator Darrell Hofland summarized past action on this item. He indicated that, in January, the Village Board directed the Grafton Little League to utilize Concept "D" as the base plan for the development of the site. The Little League contracted with R. A. Smith to prepare an updated concept plan for the proposed project.

The revised plan takes into consideration the Village's setback requirements, right-of-way dedication requirements, topography and the wetland area. Mr. Hofland indicated that the amount of area previously allocated for the Department of Public Works west of the wetlands has been reduced from 2.5 acres to 1.2 acres and the access point has been relocated to the north.

Mr. Hofland informed the Board that a lease agreement between the Village and the Little League is in process. The agreement will detail issues such as the who will be responsible for the costs associated with the DNR required "visual barrier" of the composting area, and any use restrictions for the site. The agreement will be discussed during the closed session portion of tonight's meeting and should be finalized in the next two week.

Trustee LaPean expressed concern with the limited Department of Public Works (DPW) area. He commented that, if this plan is approved, the Village Board will need to accept total responsibility for finding an alternate location for storage of the ash trees diseased by the borer should that become an issue.

Mark Koehler, 2195 Shoshoni Street, stated that the plan does infringe into the setback area and will likely require several variances to allow construction. He commended R. A. Smith National for working with the Little League and Village representatives to design the site layout. Conceptually they were able to make everything fit onto the site area; however, the actual building locations may need to be adjusted as the plan process proceeds. Mr. Koehler stated that the firm was able to include approximately 297 parking spaces which was the original target amount needed to accommodate tournaments.

President Brunnuell commended all of the parties involved in this endeavor for working together on this project.

Trustee Rieck questioned if the 1.2 acres allocated for the DPW could that be utilized for overflow parking. Mr. Koehler responded that he would prefer green space; however, the area could also be used for parking. Trustee Rieck commented that the proposed \$2.5 million Little League complex will be an asset to the community and the Village Board and residents need to support this project.

Director of Public Works/Village Engineer Dave Murphy commented that he can work within the reduced space allocated; however, the Village Board may need to make

future decisions for wood storage should the Emerald Ash Borer become an issue in the community.

Motion by Trustee Rieck, seconded by Trustee Grant, to approve the concept site plan dated January 15, 2009, submitted by the Grafton Little League for the use of the Village-owned 40 acre parcel located at the intersection of River Bend Road and Lakefield Road, subject to finalization of the lease agreement between the two groups.

Trustee LaPean commented he is thrilled to have this project proceed and is sure that the Little League and DPW can co-exist on the site. Trustee LaPean also reiterated that the citizens of Grafton need to be aware that it may be necessary to purchase additional land, in the future, should tree/wood storage become an issue.

The motion to approve the concept site plan dated January 15, 2009, submitted by the Grafton Little League for the use of the Village-owned 40 acre parcel located at the intersection of River Bend Road and Lakefield Road, subject to finalization of the lease agreement between the two groups was approved unanimously,

Revised Amendment - Option to purchase property – Aurora Health Care, Inc.

Village Administrator Hofland informed the Board that the previous option to purchase between Aurora Health Care, Inc. and the Village of Grafton expired in January. The amendment before the Board is to extend the option to allow the purchase of the property at 971 Badger Circle (6.88 acres) to proceed. Both parties have reviewed the amended option and are in agreement with all conditions.

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve the revised amendment to the option to purchase between Aurora Health Care Inc. and the Village of Grafton for the purchase of the property at 971 Badger Circle. Approved unanimously.

Item 1 / Report of the Finance Committee

Motion by Trustee Rieck, seconded by Trustee Meinecke, to approve Item 1 of the Report of the Finance Committee, as follows: 1. Approval of Village Hall project not to exceed \$1,410,953, and authorize the development of bid specifications and bidding of the project.

Trustee Grant requested a breakdown of the funds that will be utilized to pay for the site acquisition and renovation of the building.

Village Administrator Hofland stated that the Village will be receiving funds from several sources for this project. An appraisal will be completed in the upcoming months of the current Village Hall facility. It is hoped that the sale of the Village Hall building will be around \$800,000 to \$850,000. The Village will receive a negotiated payment from Aurora in the amount of \$1.4 million. The net cost to the Village will be between \$350,000 and \$400,000 for the acquisition and remodeling of the Village Hall building.

The motion to approve Item 1 of the Report of the Finance Committee was approved unanimously.

Item 2 / Report of the Finance Committee

Motion by Trustee Grant, seconded by Trustee Liss to approve Item 2 of the Report of the Finance Committee, as follows: 2. Approval of changes to the Employee Recognition Program as presented. Approved unanimously.

Report of the Sustainable Grafton Ad-Hoc Committee

Motion by Trustee Meinecke, seconded by Trustee Liss, to approve the Report of the Sustainable Grafton Ad-Hoc Committee, as follows: 1. Approval of Sustainability Policy Guidelines for the Village of Grafton.

President Brunnuell stated that the Sustainable Policy Guidelines pertain to how Village government, businesses and residents can implement “Green” procedures. He commented that both the Village Hall and Department of Public Works projects will include sustainable components.

Trustee Grant commented that since the original Committee appointments have expired is there a problem with this action. Attorney Michael Herbrand responded no. In addition, Village Clerk Dylak informed the Board that staff is looking at making this a standing committee since the focus of the group has expanded. An ordinance will be coming forward in the near future to make this change.

The motion to approve the Report of the Sustainable Grafton Ad-Hoc Committee was approved unanimously.

**LICENSES**

None.

**DEPARTMENT AND OFFICERS REPORTS**

Village Administrator Hofland informed the Board that staff has worked with the design group for the new Village hall facility and was able to utilize the existing building footprint, eliminating the need for a 1,200 square foot addition as originally recommended by Jansen Construction. The current Village Hall building is approximately 8,400 square feet and the new building is 11,197 square feet, a 34 percent increase. This size is slightly less than what the original consultant study by Plunkett-Raysich Architects recommended for the facility.

**REPORT OF BILLS**

Motion by Trustee Grant, seconded by Trustee Meinecke, to approve the payment of Village expenditures in the amount of \$352,387.51, as presented. Approved unanimously.

**OLD BUSINESS**

None.

**NEW BUSINESS**

Village Administrator Hofland informed the Board that last week Friday the Village's CDA closed on the purchase of the Smith property. Mr. and Mrs. Smith will have occupancy of the property until the end of February. Following their vacation of the property, the demolition of the structure and construction of the municipal parking lot will begin. It is anticipated that the parking lot will have between 12 and 16 spaces and will be completed sometime in May.

**CONVENE TO CLOSED SESSION**

Motion by Trustee Grant, seconded by Trustee Liss, to convene to closed session, at 6:55 p.m., pursuant to WI Statutes 19.85(1)(e) for real estate and competitive bargaining matters (status of negotiations – Grafton Little League Lease Agreement). Approved unanimously by roll call vote.

A closed session of approximately 20 minutes was held. During the closed session the Village Board discussed the lease agreement with the Grafton Little League for their use of the Village-owned 40 acre parcel.

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

Motion by Trustee Liss, seconded by Trustee LaPean, to reconvene to open session and the regular order of business at 7:18 p.m. Approved unanimously by roll call vote.

**ADJOURN**

Motion by Trustee LaPean, seconded by Trustee Rieck, to adjourn at 7:18 p.m. Approved unanimously.