

TOWN OF GRAFTON
BOARD OF SUPERVISORS MEETING
November 16, 2016 – Official Minutes

I. CALL TO ORDER: CHAIRMAN BARTEL CALLED THE MEETING TO ORDER AT 7:00 P.M.

Present:

Chairman Lester A. Bartel, Jr.
Supervisor Tom Sykora
Supervisor Karron Stockwell
Supervisor Tom Grabow

Clerk / Planner Amanda Schaefer
Town Attorney Sara MacCarthy
Town Engineer Kevin Kimmes

Absent: Supervisor Steve Schaefer

II. VERIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW

1. **Clerk/Planner Schaefer assured that the meeting was properly noticed.**

III. PLEDGE OF ALLEGIANCE TO THE FLAG

IV. REVIEW AND ADOPT AGENDA

1. **ACTION: Supervisor Grabow moved to adopt the agenda, seconded by Supervisor Sykora. Motion carried 4-0.**

V. APPROVE MINUTES FROM PREVIOUS MEETING (AND ANY ASSOCIATED CLOSED SESSION)

1. **ACTION: Supervisor Grabow moved to approve the minutes from the previous meeting, seconded by Supervisor Sykora. Discussion continued. Supervisor Stockwell noted the correction of it being Chairman Bartel's idea for Recycling Day cost absorption, not hers. Supervisor Grabow moved to amend the original motion and approve the minutes as corrected, seconded by Supervisor Sykora. Motion carried 4-0.**

VI. PUBLIC HEARINGS

- A. Ordinance 2016-05: An Ordinance Amending Title 9, Chapter 1, Section 4.04(F) Conditional Uses – Public and Semipublic Uses, of the Code of Ordinances, Town of Grafton, Wisconsin, Addressing Indoor and Outdoor Columbaria**
1. Attorney MacCarthy provided an overview to the Board; this dovetails with what was presented by Rep. Ott at the Town's Annual Meeting.
 2. **Chairman Bartel opened the Public Hearing at 7:08pm.**
 3. **No one wished to speak.**
 4. **Chairman Bartel closed the Public Hearing at 7:08pm.**
 5. Supervisor Grabow would like to see the dimension set at 6'.
 6. Supervisor Grabow noted a typo.
 7. **ACTION: Supervisor Sykora moved to approve Ordinance 2016-05 as corrected, seconded by Supervisor Stockwell. Motion carried 4-0.**
- B. Ordinance 2016-06: An Ordinance Amending Title 9, Chapter 1, Section 4.07 Conditional Uses – Residential Uses, of the Code of Ordinances, Town of Grafton, Wisconsin, Addressing Agricultural Uses as Conditional Uses in Residential Districts**
1. Attorney MacCarthy and Clerk/Planner Schaefer provided an overview to the Board. There is also the idea of having an affidavit of mailing to neighboring properties.
 2. **Chairman Bartel opened the Public Hearing at 7:16pm**
 3. **Neal Hobbs, 876 Fox Tail Lane, asked about the process if a property is sold. Chairman Bartel shared the fact that a CUP does not transfer with a change in ownership. That new owner would need to apply for a new permit.**

4. **Joe Doyle, 705 Lakeshore Road, thanked the Board of Supervisors for moving this forward. He is currently on the December Plan Commission agenda for a Hobby Farm CUP. He has gained a lot of support from surrounding neighbors. There was a suggested change to “notified” not “supported.”**
5. **Chairman Bartel closed the Public Hearing at 7:26pm.**
6. Chairman Bartel and Supervisor Grabow asked for clarification about the notification process
7. Attorney MacCarthy provided more information about this supplemental notification process which is the responsibility of the applicant.
8. Mr. Doyle provided information about what he has done
9. Supervisor Grabow asked for more information about the notification process
10. The applicant will need to send the ENTIRE application to the adjacent property owners
11. **ACTION: Supervisor Sykora moved to approve Ordinance 2016-06 as amended, seconded by Supervisor Stockwell. Motion carried 4-0.**

VII. RESIDENT CORRESPONDENCE/PERSONS WISHING TO BE HEARD

1. **Mary McIntosh, Lakeshore Road, stated thought that everything east of I-43 was supposed to be residential. The cement plant is an example. She is opposed to the project.**

VIII. OLD BUSINESS

- A. Discussion and possible action regarding a request from the Open Space Commission to investigate potential developer incentives for Legacy Trail easement donations (Proposed Staff Plan)**
1. Engineer Kimmes and Clerk/Planner Schaefer provided information to the Board.
 2. It boils down to the vision of the community
 3. Engineer Kimmes spoke with a Stantec colleague about thoughts in other communities
 4. Existing Town tools were highlighted
 5. Chairman Bartel stated that we can't be half in this. We're either all in it or we're not.
 6. Tangible information needs to come along with a survey, if a survey is chosen
 7. What have we learned from where we are?
 8. We have more information from where we started
 9. **Staff will suggest an outline to the process – approach, survey, questions, supplemental info for people to make an informed decision; is there a need for a trail?; is there a desire?; will it significantly enhance the experience of living in the Town or will it have no effect? What would the timeframe be? Funding? Maintenance? Property values? Overall value?**
 10. **ACTION: NO ACTION TAKEN.**

IX. NEW BUSINESS

- A. Discussion and possible action regarding a Code Amendment Petition within the BP-3 Zoning District (Conditional Uses – Rental Storage Units) by BPRE LLC (Brian Parrish), 11801 W. Silver Spring Drive, Milwaukee**
1. Clerk/Planner Schaefer provided information to the Board.
 2. Supervisor Grabow asked about the input from the Village of Grafton and clarification of uses
 3. **ACTION: Supervisor Sykora moved to bring forward an Ordinance addressing this change, seconded by Supervisor Stockwell. Motion carried 4-0.**

B. Discussion and possible action regarding a donation to All My Friends playground within Centennial Park

1. Chairman Bartel addressed the Board. This will be a \$400K project in the Village. It will be a wonderful thing to have in our community. Most of the funding will be through donations.
2. A \$2,000 donation is suggested by Chairman Bartel; we want to remain a player in this community.
3. **ACTION: Supervisor Stockwell moved to donate \$2,000 to the All My Friends playground from the Park and Open Space Fund, seconded by Supervisor Sykora. Discussion continued. Supervisor Grabow commented that the OSC has previously voted against this. It is ultimately an elected officials' decision. Supervisor Stockwell commented that this park will be a unique asset to the community. Our support for this is important. Supervisor Stockwell commented she is passionate about this given the nature of the park – it is for disabled children as well as others. Commissioner Wilkinson stated that the OSC is an open space commission with desire to retain open space; there may be an opportunity in the future for the OSC that would require a lot of the OSC funding. He would like to see preservation of the existing funds for this future purchase. Chairman Bartel noted the Fiscal Impact Analysis and the creation of a Park and Open Space Fee. Future funding of the OSC fund was discussed. Motion carried 4-0.**

C. Discussion and possible action regarding a Municipal Flood Control Grant

1. Clerk/Planner Schaefer and Andy Holschbach provided information to the Board
2. Chairman Bartel shared feedback about concern with taking a property off of the tax roll; there is no payment back to the Town. Is this property no longer viable? The Town needs to understand that there is no other option.
3. Mr. Holschbach shared more details on the items in the packet; the taxation amount to the Town is around \$426
4. Ms. Carter, Town of Grafton resident, was in attendance. There is currently \$3K each year for flood insurance; 150' trees fall, she loses power often, and having running water 10' from your house is scary.
5. Ms. Carter stated that life in the house is a way of life
6. Chairman Bartel stated that these applications need to be scrutinized
7. Chairman Bartel shared that this area used to be filled with summer cottages; now they are year-round homes; if these properties weren't here, the area would be undevelopable
8. Engineer Kimmes noted that Dave Fowler is now at Stantec; he is very familiar with these types of topics and likes to promote community resiliency as that is the new trend with FEMA
9. Mr. Holschbach noted the next steps of this process
10. Chairman Bartel stated that sometimes the Town applies for grants but in the long run chooses not to accept them
11. **ACTION: Supervisor Grabow moved to accept the Municipal Flood Control Grant, seconded by Supervisor Stockwell. Motion carried 4-0.**

D. Discussion and possible action regarding a lease associated with the Town of Grafton facilities, expiring December 31, 2016

1. Clerk/Planner Schaefer provided information to the Board.
2. The Board discussed the lease terms – most would be comfortable with up to 2 years
3. The new consensus is 1 year.

4. **ACTION: Supervisor Stockwell moved to renew the lease for 1 year at a rate of \$33,300, or \$2,775.00 per month, seconded by Supervisor Grabow. Motion carried 4-0.**

E. Discussion and possible action regarding the delinquent personal property tax associated with Precision Excavating

1. Clerk/Planner Schaefer provided information to the Board.
2. The amount of \$470.17 is the base amount, interest also applies.
3. Attorney MacCarthy stated that a Small Claims action would be needed – that would cost \$135; Chairman Bartel shared that we would come out ahead
4. Clerk/Planner Schaefer shared that Treasurer Bartel offered the idea of writing it off
5. The Board felt that it should attempt to be made whole for \$135.
6. Attorney MacCarthy shared more information on fees; the original charges for filing would be recovered if there is the ability to collect
7. **ACTION: Supervisor Sykora moved to pursue collection, seconded by Supervisor Stockwell. Motion carried 4-0.**

F. Discussion and possible action regarding the designation of a segregated account for future landfill expenses

1. Chairman Bartel provided information to the Board – an ADM account will be established for the recently received checks.
2. The Town of Grafton has reached a settlement with the Denow landfill! The Town has received a payment of \$500,000, as well as an additional payment. We will be putting this money into a segregated account to pull from for our future Denow expenditures in an effort to tax the current expenses off of the tax roll, per Chairman Bartel! This additional money could be placed into the Highway Budget.
3. **ACTION: Supervisor Stockwell moved create a designated account for the Denow Landfill settlement check amounts, seconded by Supervisor Sykora. Motion carried 4-0.**

II. TOWN STAFF UPDATES

- A. **Town Planner – NONE**
- B. **Town Engineer – Payne and Dolan Payment Request**
 1. The amount needed is \$104,656.11.
 2. **ACTION: Supervisor Sykora moved to pay the request of \$104,656.11, seconded by Supervisor Grabow. Motion carried 4-0.**
- C. **Town Attorney - NONE**
- D. **Town Treasurer - NONE**
- E. **Town Building Inspector - NONE**
- F. **Town Weed Commissioner - NONE**
- G. **Town Public Safety Commissioners - NONE**

III. APPOINTMENTS OF COMMITTEES

- A. **Town of Grafton Open Space Commission – Appointment and/or Reappointment of 1 member to serve a two-year term, expiring June 1, 2018**
 1. **ACTION: WILL COME AT A LATER DATE.**

IV. REPORTS – FOR INFORMATION, DISCUSSION AND ACTION

- A. **Chair**
 1. **The current Ozaukee County Highway Department “To-Do List” was discussed with Engineer Kimmes. Everyone is staying on top of these things.**
 2. **Chairman Bartel thanked all of the Election Workers and Staff for all of their hard work on Elections – it was very successful. Discussion continued about the details of Election Day.**

B. Supervisors

1. **Supervisor Stockwell recently attended the Sea Grant Water Levels Meeting. There will be a need for a Town of Grafton rep on this new up and coming committee.**
2. **Supervisor Stockwell shared that the 25mph signs are up on River Bend Road; there is confusion about the speed limits shown and the speed limit on the curve**
3. **Supervisor Stockwell thanked Bonnie for alerting the Board about the check that was received from GAFRI.**

C. Clerk

1. **NONE**

D. Monthly Treasurer's Report

1. **A report was presented.**

V. DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF INVOICES

1. **ACTION: Supervisor Grabow moved to pay bills as presented, seconded by Supervisor Sykora. Motion carried 4-0.**

VI. ADJOURN

1. **ACTION: Supervisor Grabow moved to adjourn subject to the payment of bills, seconded by Supervisor Sykora. Motion carried 4-0.**

**Respectfully Submitted,
Amanda L. Schaefer, Clerk**