

TOWN OF GRAFTON
BOARD OF SUPERVISORS - MEETING AGENDA – JUNE 13, 2018 - 7:00 PM

Grafton Town Hall - 1230 11th Ave., Grafton, WI, 53024



THE FOLLOWING BUSINESS WILL BE BEFORE THE BOARD FOR DISCUSSION, CONSIDERATION, DELIBERATION, AND POSSIBLE FORMAL ACTION:

- I. **CALL TO ORDER**
- II. **VERIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW**
- III. **PLEDGE OF ALLEGIANCE TO THE FLAG**
- IV. **REVIEW AND ADOPT AGENDA**
- V. **APPROVE MINUTES FROM PREVIOUS MEETING (AND ANY ASSOCIATED CLOSED SESSION)**
- VI. **PUBLIC HEARINGS**
- VII. **RESIDENT CORRESPONDENCE / PERSONS WISHING TO BE HEARD**
- VIII. **OLD BUSINESS**
- IX. **NEW BUSINESS**
 - A. Discussion and possible action regarding **uses listed within the Town of Grafton Zoning Code**
 - B. Discussion and possible action regarding **an additional Brush Pickup in Summer 2018**
 - C. Discussion and possible action regarding **Annual Liquor License Applications / Renewals:**
 - 1. **Walia Investments, Inc., d/b/a Welcome Mobil Mart**, 112 N. Port Washington Road, Harjeet S. Walia, Agent – Combination Class "A" Beer & "Class A" Intoxicating Liquor Licenses
 - 2. **RMS Golf Ventures, d/b/a Fire Ridge Golf Club**, 2241 Hwy W, Paul D. Melotik, Agent – Combination Class "B" Beer & "Class B" Intoxicating Liquor Licenses
 - 3. **Edgewater Golf Club, Inc.**, 1762 Cedar Creek Road, David L. Hubacek, Agent – Combination Class "B" Beer & "Class B" Intoxicating Liquor Licenses
 - 4. **Juice's Ghost Town, Inc., d/b/a Juice's Ghost Town**, 990 Ulao Road, Michael J. Gannon, Agent – Combination Class "B" Beer & "Class B" Intoxicating Liquor Licenses
 - 5. **Grafton Dells LTD, d/b/a Grafton Dells**, 622 Green Bay Road, Christopher Schultz, Agent – Combination Class "B" Beer & "Class B" Intoxicating Liquor Licenses
 - 6. **The Family Farm of Ozaukee County, LLC, d/b/a The Family Farm**, 308 N. Port Washington Road, Marko Musich, Agent – Combination Class "B" Beer & "Class B" Intoxicating Liquor Licenses
 - D. Annual Cigarette License Applications –
 - 1. **Walia Investments, Inc., d/b/a Welcome Mobil Mart**, 112 N. Port Washington Road
 - 2. **RMS Golf Ventures, LLC, d/b/a Fire Ridge Golf Club**, 2241 Hwy W
 - E. Annual Operator's License Applications –
 - 1. **Walia Investments, Inc., d/b/a Welcome Mobil Mart:** Harjeet Walia, Deepak Pandey, Raju Bharndari
 - 2. **RMS Golf Ventures, d/b/a Fire Ridge Golf Club:** Carrie Duvall-Toutenhoofd, Steve Smith, Molly Sharp, Alex T. Nennig, Abigail M. Valerius, Gretchen Fennema
 - 3. **Edgewater Golf Club, Inc.:** Todd Boesch, Jack S. Corrao, Daniel D. Hubacek, David Hubacek, Jean Hubacek, Mary E. Robertson, Jason Collins, James C. Hoberg, Carol Pinzer, Jodi Collins
 - 4. **Juice's Ghost Town, Inc., d/b/a Juice's Ghost Town:** Antoinette Mary Anheier, Catherine A. Krueger, Doug Goeman, Kevin McCarthy, Kim Johnson, Michael Gannon, Robert Matusinec
 - 5. **Grafton Dells LTD, d/b/a Grafton Dells:** Wolfgang Schulz, Karene Schultz, Nancy Schultz, Steve Schultz, Christopher Schultz, Linda Proeber, Megan Schultz, Michael Schultz, Lindalee Schultz
 - 6. **The Family Farm of Ozaukee County, LLC, d/b/a The Family Farm:** Marko Musich, Jeanne Kasza, Bruce Corgiat
- X. **TOWN STAFF UPDATES**
 - A. Town Planner
 - B. Town Engineer
 - C. Town Attorney
 - D. Town Treasurer
 - E. Town Building Inspector
 - F. Town Weed Commissioner
 - G. Town Public Safety Commissioners
- XI. **APPOINTMENTS OF COMMITTEES**



- A. **Town of Grafton Plan Commission:** Appointment / Reappointment of **3 members** to serve a two-year term, expiring June 30, 2020
- B. **Town of Grafton Plan Commission Alternate** – Appointment and/or Reappointment of **1 member** to serve a two-year term, expiring June 30, 2020
- C. **Town of Grafton Board of Appeals:** Appointment / Reappointments of **1 member** to serve a two-year term, expiring June 30, 2020
- D. **Town of Grafton Board of Appeals Alternate:** Appointment / Reappointments of **1 member** to serve a two-year term, expiring June 30, 2020

XII. REPORTS – FOR INFORMATION, DISCUSSION AND ACTION

- A. Chair
- B. Supervisors
- C. Clerk
- D. Monthly Treasurer’s Report

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF INVOICES

XIV. ADJOURN

Amanda L. Schaefer, Clerk

Members of the Town Plan Commission, Board of Appeals, or other committees, boards, commissions, and authorities may attend and participate at this meeting, but will not take official action unless notice so provides. No qualified individual with a disability shall, by reason of that disability, be excluded from participation in or denied the benefits of the services, programs or activities of the Town of Grafton, or be subjected to discrimination by the Town. If you are disabled and require special accommodations, please advise the Town no later than 5 working days before the scheduled meeting or activity.

**TOWN OF GRAFTON
BOARD OF SUPERVISORS MEETING
April 11, 2018 – 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 Grabow
Supervisor Tom Sykora
Supervisor Paul Melotik
Supervisor Karron Stockwell

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

Absent:

None

II. VERIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW

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

I. PLEDGE OF ALLEGIANCE TO THE FLAG

II. REVIEW AND ADOPT AGENDA

1. **ACTION:** Supervisor Sykora moved to adopt the agenda, seconded by Supervisor Grabow. Motion carried 5-0.

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

1. **ACTION:** Supervisor Stockwell moved to approve the March minutes as corrected, seconded by Supervisor Sykora. Motion carried 5-0.

IV. PUBLIC HEARINGS

1. NONE

V. RESIDENT CORRESPONDENCE/PERSONS WISHING TO BE HEARD

1. NONE

VI. OLD BUSINESS

1. NONE

VII. NEW BUSINESS

- A. Discussion and possible action regarding an amendment to Resolution 2018-02: Town Depositories and Investments (addition of Promontory Interfinancial Network) and an associated presentation by Erik Stanton from Cornerstone Community Bank
 1. Erik Stanton provided information to the Board about balances past insurable deposit amounts made at Cornerstone – Promontory Interfinancial Network is now a new option
 2. Promontory is easily accessible and very user friendly
 3. **ACTION:** Supervisor Grabow moved to approve the amendment to Resolution 2018-02, seconded by Supervisor Stockwell. Motion carried 5-0.
- B. Discussion and possible action regarding Resolution 2018-07: An Interim Control Resolution Imposing a Temporary Moratorium on the Consideration, Approval, or Authorization of Conditional Use Permits for a Period Not to Exceed 120 Days from the Effective Date of this Resolution, but Expiring Upon the Adoption of an Amended Town of Grafton Zoning Ordinance, in Order to Allow the Town Board of Supervisors, Town Plan Commission, Town Attorney, and Town Planner to Review 2017 Wisconsin Act 67 to Determine Whether Changes to the Zoning Ordinance are Necessary in Order to Comply with the Requirements of the Act



1. Attorney MacCarthy provided a brief presentation to the Board as a summary of the Resolution and past events that have led us to this effort as a municipality
2. Questions were raised by Supervisors regarding clarification on shift in authority and how this will impact existing CUPs; Attorney MacCarthy responded
3. **ACTION: Supervisor Sykora moved to approve Resolution 2018-07, seconded by Supervisor Grabow. Motion carried 5-0.**

C. Discussion and possible action regarding the renewal of the Town of Grafton's MS4 Permit

1. Engineer Kimmes provided educational information to the Board about the background of our MS4 permit (What is the MS4 Permit? Why do we need an MS4 Permit? What is on the MS4 Permit?), its current standing, and future efforts
2. Informing the public is a very important piece of the MS4 Permit puzzle
3. The Town of Grafton is one of few townships that is MS4 permitted
4. The highest standards in the industry are associated with the MS4 Permit
5. The Town of Grafton will be applying for the new MS4 Permit next week; the Annual Report was submitted today.
6. Discussion continued about sources of contaminants
7. The major outfalls in the Town were highlighted and discussed
8. **ACTION: NO ACTION REQUIRED**

D. Discussion and possible action regarding the Village of Grafton Fire Department Capital Plan 2019-2023

1. Chief Rice presented information to the Board regarding the proposed 5-year plan; this information is in the official packet
2. Chief Rice highlighted items for clarification on why they would be larger expenses – Stryker cots, thermal camera, EMT vehicle
3. "Fall" calls are becoming more common
4. Grafton will be part of a pilot program for fall prevention
5. Standards for gear and apparatus replacement were discussed
6. Discussion continued about upcoming future contract discussions with Village and Town
7. This 5-Year CIP should be approved by both the Village and Town Board
8. **ACTION: NO ACTION TAKEN.**

VIII. TOWN STAFF UPDATES

- A. **Town Planner – Conditional Uses discussion will start at Plan Commission; Open Book took place today**
- B. **Town Engineer – Beechwood is complete; Road Tour will be scheduled soon – possibly May 10th**
- C. **Town Attorney - NONE**
- D. **Town Treasurer – NONE**
- E. **Town Building Inspector – NONE**
- F. **Town Weed Commissioner – Inspection will start soon**
- G. **Town Public Safety Commissioners – NONE**

XI. APPOINTMENTS OF COMMITTEES

- A. **NONE**

XII. REPORTS – FOR INFORMATION, DISCUSSION AND ACTION

- A. **Chair**
 1. **NONE**
- B. **Supervisors**

1. **Electronics Recycling Day date needs to change due to the Giro; it will now tie in with Brush Pickup week and take place September 15th**
2. **Supervisor Grabow shared information about the upcoming Clean Sweep**
3. **Supervisor Grabow stated that the County picked up the junk at the Boat Launch**
4. **Supervisor Grabow shared info about the NRC looking at drain tile through LIDAR; other info may be uploaded**

C. Clerk

1. **NONE**

D. Monthly Treasurer's Report

1. **A report was presented.**

XIII. DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF INVOICES

1. **ACTION: Supervisor Grabow moved to pay bills as presented, seconded by Supervisor Sykora. Motion carried 5-0.**

XIV. ADJOURN

1. **ACTION: Supervisor Grabow moved to adjourn subject to the payment of bills, seconded by Supervisor Sykora. Motion carried 5-0.**

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



TOWN OF GRAFTON
BOARD OF SUPERVISORS COMMUNICATION FORM

MEETING DATE: June 13, 2018
SUBJECT: Conditional Uses in Zoning Code
FROM: Amanda Schaefer, Clerk/Planner

ISSUE SUMMARY:

Town of Grafton Response to Wisconsin Act 67

<http://www.malleryandzimmerman.com/changes-to-wisconsins-conditional-use-permits-may-warrant-revisions-to-zoning-ordinances/>:

Without much fanfare or public attention, the Wisconsin legislature recently enacted 2017 Wisconsin Act 67. One component of this legislation was to create and amend statutes pertaining to conditional use permits (CUPs) at the county, town and city levels. Given the changes to Wisconsin law in this regard, which became effective November 28, 2017, it may necessitate local governments updating, or wholesale revising, their zoning ordinances. Such revisions may be appropriate to: (1) ensure the ordinances comply with Wisconsin law; (2) try and retain, to the extent still possible, some discretion over the granting of CUPs; and (3) ensure that the conditional uses listed in the ordinance are still acceptable in light of the possibility of some loss of control and discretion as to where and when these may occur.

The Town of Grafton Plan Commission, along with Town Staff, has thoroughly reviewed the Town of Grafton Zoning Code and is proposing many amendments to be made. The proposed amendments were emailed to you on June 4th.

The proposed amendments will receive a final review at Plan Commission in July (July 11th, as July 4th falls on the first Wednesday in June), and then have an Ordinance ready and up for Public Hearing in July at Board (July 18th) so the amendments can be implemented.

Within the amendments, please note that all highlight yellow, underlined font is text that is proposed to be ADDED to the Zoning Code. All highlight yellow, strikethrough font is text that is proposed to be REMOVED from the Zoning Code.

The only item still up for discussion in July at Plan Commission is the decision on whether to leave Landscaping Business Levels 1, 2, and 3 in Residential Conditional Uses or remove it. Staff's recommendation is that it is removed from the Residential Conditional Uses, given the recent (and time-consuming) issues it has caused the Town. Other more fitting districts can allow for landscaping business opportunities.

Also, please note the suggested updates to the Landscaping Business definition at the end of the code in highlight yellow, red text.

RECOMMENDATIONS FROM OTHER BODIES/AGENCIES:



STAFF RECOMMENDATION:

- Approve
- Table
- Deny
- No Action Required
- No Staff Recommendation

FILE



TOWN OF GRAFTON
BOARD OF SUPERVISORS COMMUNICATION FORM

MEETING DATE: June 13, 2018

SUBJECT: Liquor, Cigarette, and Operators' Licenses

FROM: Amanda Schaefer, Clerk/Planner

ISSUE SUMMARY:

Staff has the information available in the Town Office for review prior to the Board Meeting.

Staff will alert the Board at the meeting if there are any situations that could suggest denial of any of the applications.

RECOMMENDATIONS FROM OTHER BODIES/AGENCIES:

STAFF RECOMMENDATION:

- Approve
- Table
- Deny
- No Action Required
- No Staff Recommendation