

Village President Besson called the meeting to order at 6:45 p.m.

**1.0 ROLL CALL** – Present: Pres. D. Besson, Trustees: M. Bennett, L. Bergan, R. Brinkmeier, K. Meleski, D. Schwartz, & M. Stahl. Staff: Village Attorney J. Wesolowski, Administrator S. Kulik, DPW Director – M. Martin. Audience (1).

**2.0 PUBLIC COMMENT:** D. Nalbert, representing Holz Motors, 5961 S. 108<sup>th</sup> Place, Hales Corners addressed the Board regarding STH 100/ USH 45 project. Concerns were expressed to the Wisconsin Department of Transportation (DOT) and project managers at a business meeting held on Thursday, August 22, 2019. Elevations on the HWY 100 & Forest Home Ave. intersection as well as the intersections all along wavy and the elevations are uneven. Curb cut flaw where the 108<sup>th</sup> Place entrance is too narrow. The entry curb cut is 4 feet wider than where it exits and makes truck traffic very difficult. Poor designing and deteriorating concrete placed last year as well as a sidewalk to nowhere need to be addressed. Other sidewalk work seems placed without a plan as to why. Sloppy concrete work in areas where the stamped concrete is placed has also been noted. The southeast intersection wall needed to move the signs was supposed to have been a 1 inch slope and is in fact 1 foot and that work was supposed to be completed in the fall of 2018, but didn't actually start until after Holz began working on the parking lot. D. Nalbert further stated that DOT was not difficult to work with and have been on site to view the concerns but he overall his concerns were on the sloppy work for the project.

**3.0 CONSENT AGENDA**

- 3.1** Motion (Bergan, Stahl) to approve minutes: July 11, 2019 and August 13, 2019; unanimously approved.
- 3.2** Motion (Bergan, Stahl) to approve claims paid with July Check Register: \$287,319.00; unanimously approved.
- 3.3** Motion (Bergan, Stahl) to approve claims paid with the June PCard (\$26,822.14) and July Pcard (\$24,215.08); unanimously approved.
- 3.4** Motion (Bergan, Stahl) to approve payrolls for the periods ending 06/28/19 (\$136,152.67) and 07/12/19 (\$137,905.37); unanimously approved.
- 3.5** Motion (Bergan, Stahl) to approve operator licenses for B. Peterson, M. Rodriquez and K. Senna; unanimously approved.
- 3.6** Motion (Bergan, Stahl) to approve Temporary Class “B” / “Class B” Retailers License: St. Mary’s Royal Run, September 6, 2019 and Temporary Operator License K. Austing; unanimously approved.
- 3.7** Motion (Bergan, Stahl) to approve a massage license for Healthwise Chiropractic, 10731 W. Forest Home Avenue; unanimously approved.
- 3.8** Motion (Bergan, Stahl) to approve transfer of 2018 Flexible Spending Accounts residual balances in the amount of \$1,705; unanimously approved.

**4.0 STANDING COMMITTEE REPORTS**

**4.1 Committee of the Whole: - L. Bergan**

- 4.1.1** Motion (Bergan, Schwartz) to approve Resolution 19-68 confirming appointment to the Board of Appeals and the Building Board – J. Chesney; unanimously approved.
- 4.1.2** Motion (Bergan, Schwartz) to approve Resolution 19-69 authorizing certain officials to execute a declaration of restrictions to prohibit any structural building alterations for any use not permitted in the R-3 Residential District for the property located at 5640 South Monaco Place (Joni G. Tombari); unanimously approved.

- 4.1.3 Motion (Bergan, Schwartz) to approve Resolution 19-70 authorizing 2019 General Fund Budget Amendment for Legislative, Police, Fire, Inspection and Highway Departments; unanimously approved.
- 4.1.4 Motion (Bergan, Schwartz) to approve Ordinance 19-05 to amend the Municipal Code as it pertains to Presiding Officers of the Village Board. M. Bennett question regarding wording on the ordinance that would allow the position to pro-tem for an entire year and whether it was just to preside over meetings in his absence as it does not appear to be worded that way and request for clarification on whether it's just for presiding over meetings. J. Wesolowski commented that it prescribes what happens when the office is vacant or the President is incapacitated otherwise it's just for Village Board meetings. M. Bennett expressed concern that it does not allow for an election in the event of an incapacity that would occur potentially one month after election. D. Besson commented that it was intended for interim incapacity and not eliminate the Boards ability to do an election as the current by-laws do not address this potential issue and that previous issues were addressed as they arose were not handled legally. J. Wesolowski commented that his recollection was that when it came up in the past it was an ordinance or resolution that was passed which addressed the matter and that the ordinance as written appears to read that the pro-tem would be for the balance of the term but it could be added in to address the temporary nature of the amendment. D. Besson commented that it could be amended to accomplish it correctly. S. Kulik commented it should be deferred until it can be seen in its final form. Motion was withdrawn. No action to be taken until final form is available.
- 4.1.5 Motion (Bergan, Schwartz) to approve Ordinance 19-05 to Amend §15.02(4) Noises, of Chapter 15 Public Nuisances, of the Municipal Code to provide for Village Board decision-making upon permitting exceptions to the time of day requirements which may allow for loud or sharp noises between 8:00 p.m. and 6:00 a.m. M. Bennett commented that this will not affect the Highway 100 project as they have the ability to override us anyway and is concerned that the Board is acting to quickly and a more comprehensive noise ordinance be developed. Roll Call; Ayes: Bergan, Besson, Brinkmeier, Schwartz. Nay: Bennett, Meleski, Stahl. Motion passes 4-3.

## **5.0 SPECIAL COMMITTEE REPORTS**

- 5.1 Fire & Police Commission Meetings: July 9, 2019, July 16, 2019, July 20, 2019, July 29, 2019, August 12, 2019 and August 20, 2019 – M. Stahl reported and commented that the official appointment of the Fire Chief of Pete Jaskulski was approved effective August 24, 2019.
- 5.2 Plan Commission Meetings : July 15, 2019 & August 19, 2019 – R. Brinkmeier reported.
- 5.3 Public Work Commission Meetings: July 18, 2019 & August 15, 2019 -K. Meleski reported.
- 5.4 Library Board Meetings – July 25, 2019 & August 22, 2019 – L. Bergan reported that the July 25, 2019 meeting was cancelled due to lack of quorum and reported on August 22, 2019 meeting only.
- 5.5 Board of Health Meeting: August 14, 2019 – D. Schwartz reported.

## **6.0 VILLAGE OFFICIALS REPORT**

- 6.1 Health Department pay plan proposal – K. Radloff addressed the Board on zone 3 health departments pay ranges for the Public Health Nurse.
  - 6.1.1 Motion (Schwartz, Bennett) to approve Resolution 19-71 repealing and recreating Resolution 19-52 establishing 2019 Authorized Positions and

Pay Ranges and Compensation Rates for Non-Represented Positions to Create a Health Nurse Pay Grade; unanimously approved.

**6.2** 2019 Community Development Block (CDBG) Grant – S. Kulik reported on the dissolving of Interfaith who previously had Village authority to use CDBG funding and the request from the successor, ERAS to use funding

**6.2.1** Motion (Brinkmeier, Schwartz) to approve Resolution 19-72 repealing resolution 18-58 and authorizing a 2019 Community Development Block Grant (CDBG) application for Eras Senior Network; unanimously approved.

**6.3** Festival Foods store development – S. Kulik reported on change of agent required under the agreement however it is still Festival Foods.

**6.3.1** Motion (Schwartz, Meleski) to approve Development Agreement by and between CHIFest Properties Hales Corners, LLC and the Village of Hales Corners, tax increment revenue bond in the amount of \$1,650,000 transfer from CHIFest Properties Hales Corners, LLC to Skogen’s Foodliner, Inc. (“Festival Foods”); unanimously approved.

**6.4** Milwaukee Metropolitan Sewerage District (MMSD) 2018 Annual Report – S. Kulik commented on receipt and that the report would be placed on file.

**6.5** Public Works Facility Project Update – M. Martin updated the Board.

**6.6** STH 100 / USH 45 Update – no additional comments made.

#### **7.0 PRESIDENTS REPORT**

**7.1** Chief Executives Workshop – D. Besson reported on conference matters. The loss of a firefighter in Appleton who was on a call to assist a patient who was revived with Narcan who once revived ended up pulling a weapon and killing the firefighter. A discussion on this issue was in conjunction with a program that some communities use where each year police and fire personnel designate three people they wish contacted in the event they are hurt or worse that is kept on file for departmental use that assists in times such as the Village has gone through recently. Another topic was on libraries and schools working jointly to combine services and a program where other municipalities are working with schools to address joint insurance needs. A program on civility in board meetings was also addressed.

**8.0 ADJOURNMENT** – Motion to adjourn (Stahl, Schwartz) at 8:20 p.m. M. Bennett commented on matters addressed under 7.1. D. Besson reported on League program that is offered on this topic. M. Bennett commented she had other matters to discuss. D. Besson commented that the motion to adjourn was not debatable but that the Board could vote down the motion to adjourn if continued discussion on any matter was requested. Roll Call: Bennett, Bergan, Brinkmeier, Schwartz, Stahl. Nay: Besson, Meleski; Motion to adjourn passes 5:2.

  
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Sandra M. Kulik, Administrator/Clerk