

## VILLAGE BOARD MEETING AND LIQUOR LICENSE HEARING – June 4, 2012

Village President, Jeffery Flaws, called the Regular Village Board meeting to order at 7:00 p.m.

Members Present: Jeffery Flaws, David Lang, Eugene Mayernick, Ken Mace and Wolfgang Henschik (7:30)

Excused: Risa Kuhlman

Also present: Clerk Tamez; Jason Dreger, Walgreen's; Traci Fronk, 9000 W. Concordia Ave. Milwaukee; and Dale Swenson, 108 E. Oak Crest, Wales

Clerk Tamez noted that proper notice of this meeting had been posted in accordance with the open meeting laws of the State of Wisconsin.

### **PUBLIC COMMENTS**

No comments were received.

### **APPROVAL OF MINUTES**

On a motion by Trustee Mayernick, second by Trustee Lang, Board members approved the Village Board minutes of the May 21, 2012, meeting and acknowledged receipt of the April 24, 2012, Plan Commission meeting minutes and waived reading of both. Trustee Mace abstained.

### **2012 – 2013 LIQUOR LICENSE HEARING AND APPROVAL OF APPLICATIONS**

The following applications have passed inspection by the Waukesha County Health Department, Waukesha County Sheriff's Department, the Wales/Genesee Fire Department, the Village of Wales Building Inspector and by the Village staff. Except as noted.

Motion by Trustee Lang to approve the application for a "Reserve Class B" liquor license for the Legend at Brandybrook LLC, d/b/a The Legend at Brandybrook, 1 Legend Way, Wales and grant a license for the 2012 – 2013 licensing year, second by Trustee Mayernick, passed.

Motion by Trustee Mayernick to approve the application for a "Class A" liquor license for Kwik Trip Inc. #687, 415 N. Wales Rd., Wales and grant a license for the 2012 – 2013 licensing year, second by Trustee Mace, passed.

Motion by Trustee Mace to approve the application for a "Class A" liquor license for Kwik Trip Inc. #358, 230 W. Summit Ave., Wales and grant a license for the 2012 – 2013 licensing year, second by Trustee Lang, passed.

Motion by Trustee Lang to approve the application for a "Class B" liquor license for F.B.G., Inc. d/b/a Finn's Bar and Grill, 222 W. Summit Ave., Wales and grant a license for the 2012 – 2013 licensing year, second by Trustee Mayernick, passed.

## VILLAGE BOARD MEETING AND LIQUOR LICENSE HEARING – June 4, 2012

Motion by Trustee Mayernick to approve the application for a "Reserve Class B" liquor license for Jach, Inc., d/b/a Mama Mia's, 200 W. Summit Ave., #180, Wales, and grant a license for the 2012 – 2013 licensing year, second by Trustee Mace, passed.

Motion by Trustee Mayernick to approve the application for a combination Class "B" Beer and "Class C" Wine license for Mama D's Coffee, LLC., 104 W. Main Street, Wales and grant a license for the 2012 – 2013 licensing year, second by Trustee Mace, passed.

Ultra Mart Foods, Inc., d/b/a Pick 'N Save did have one (1) compliance check violation. The Manager has written a letter stating the procedures they use to train employees to sell alcohol and that they will be retraining to assure the violation won't occur again. Motion by Trustee Mace to approve the application for a "Class A" liquor license for Ultra Mart Foods Inc., d/b/a Pick 'N Save, 405 N. Wales Rd., Wales for the 2012 – 2013 licensing year, second by Trustee Lang, passed.

Walgreen's had its second compliance check violation in two (2) years. Jason Dreger, Store Manager, addressed the board and presented a written letter stating their 2012 compliance plan. The Board was satisfied with Mr. Dreger's explanation, description of what happened and letter stating what they are doing to ensure the violation won't occur again.

Motion by Trustee Lang to approve the application for a "Class A" liquor license for Walgreen Co., Store #12021, 320 W. Summit Avenue, Wales, and grant a license for the 2012 – 2013 licensing year, second by Trustee Mace, passed.

### **PLAN COMMISSION RECOMMENDATIONS**

#### **Conditional Use Permit for Bright Ideas Learning Community—110 E. Oak Crest Drive, Fronks**

Motion by Trustee Mace to accept the Plan Commission's recommendation and issue a Conditional Use Permit for Bright Ideas Learning Community to operate a daycare facility at 110 E. Oak Crest Drive, as presented, second by Trustee Lang, passed. The property is currently operating under a conditional use because it is a duplex where one side is utilized as residence and the other side as a music lesson studio. The conditional use permit is required because of a change of use from a music studio to a daycare facility. The property is currently zoned B-2.

#### **Business Plan of Operation and Signage for Bright Ideas Learning Community—110 E. Oak Crest Drive, Fronks**

Motion by Trustee Mace to accept the Plan Commission's recommendation and approve the Business Plan of Operation and Signage (to be located on the right side of the driveway) for Bright Ideas Learning Community, 110 E. Oak Crest Drive, as presented, second by Trustee Mayernick, passed.

**Business Plan of Operation for Music Lessons by Michelle—200 W. Summit Avenue, Jacobi**

Motion by Trustee Lang to accept the Plan Commission's recommendation and approve the Business Plan of Operation for Music Lessons by Michele, 200 W. Summit Avenue, Suite 220, as presented, second by Trustee Mace, passed.

**Conceptual and Final Plats for Tenby Harbor Development at Hwy 83 and 18—Peter Ogden and Roger Duchow**

Motion by Trustee Mace to accept the Plan Commission's recommendation and approve both the conceptual and final plats for the Tenby Harbor Development at Hwy 83 and 18 as presented, second by Trustee Mayernick, passed.

**Certified Survey Map, Town of Genesee/Village of Wales—S22 W30776 Boettcher Road**

Motion by Trustee Mayernick to accept the Plan Commission's recommendation and conceptually approve the Certified Survey Map for lands at S22 W30776 Boettcher Road (Welsh/Whitmore), Town of Genesee/Village of Wales as presented, second by Trustee Mace, passed. The Map will need to be updated with parcel identification numbers, correct wording and title for Village and Town Officials, attaching said parcel to appropriate adjacent lands, dissolving current tax key and creating a new corporate boundary.

Details on the above items can be found in the Plan Commission minutes of May 22, 2012.

**CONSULTATION WITH VILLAGE ENGINEER**

The Village Engineer was not required to attend. A memo outlining various projects was distributed.

**2<sup>ND</sup> DRIVEWAY REQUEST FOR 444 BLACK EARTH ROAD—STIVERSONS**

Homeowner decided not to proceed with the 2<sup>nd</sup> driveway request at this time.

**PAY REQUEST NO. 1 FOR THE 2012 PAVING PROGRAM, WOLF PAVING CO.,**

Motion by Trustee Mace to approve the Village Engineer's recommendation and authorize Pay Request No. 1 to Wolf Paving Company for work completed to date in the amount of \$111,418.67, second by Trustee Mayernick, passed. The amount reflects a retainage of \$5,864.14, 5% of the first 50%.

**CONTRACT WITH WOLF PAVING TO PROVIDE THE VILLAGE WITH SNOW AND ICE REMOVAL SERVICES**

This agenda item will be readdressed at the next regular meeting after questions regarding fuel rate and the automatic increase are addressed.

**ANNUAL REVIEW OF EXISTING CONDITIONAL USE PERMITS**

Conditional Use Permits are reviewed annually by the Village Board to verify that they are operating in compliance with their allowed use. There have been no problems reported at any of the applicant's businesses and all are complying with their stated use.

Motion by Trustee Lang to approve renewing the following existing Conditional Use Permits for this year: Christman—323 E. Summit Ave., Antique Sales; Krukar—226 W. Main Street, Clothing Sales; Kummrow—247 W. Main Street, Sign Business; Wales Super Lube—130 W. Summit Ave., Oil Change Business; Kwik Trip Store #358—230 W. Summit Ave., Gas Station; Kwik Trip Store #687—415 N. Wales Rd., Gas Station; Wilkes Auto—250 W. Summit Ave., Auto/Truck Service; Music Dynamics—110 Oak Crest Dr., Music Store; Legend Golf Course—1 Legend Way, Golf Course; Pedal'rs Inn—101 James Street, B & B; Snap Fitness—200 W. Summit Ave., Health Club; Maddison Automotive—210 N. Wales Road, Auto Repair and Oil Change Facility; Janice Braaken—306 Llamberris Pass, Ground Mounted Solar System, second by Trustee Mayernick, passed..

**2012 – 2013 CIGARETTE LICENSE APPLICATIONS**

Motion by Trustee Hemschik to approve the cigarette license application for Kwik Trip Inc. #687 for the 2012 – 2013 licensing year, second by Trustee Mayernick, passed.

Motion by Trustee Mayernick to approve the cigarette license application for Kwik Trip Inc. #358 for the 2012 – 2013 licensing year, second by Trustee Mace, passed.

Motion by Trustee Mace to approve the cigarette license application for Ultra Mart Foods LLC. d/b/a Pick 'N Save for the 2012 – 2013 licensing year, second by Trustee Lang, passed.

Motion by Trustee Lang to approve the cigarette license application for Walgreen's Store #12021 for the 2012 – 2013 licensing year, second by Trustee Hemschik, passed.

Motion by Trustee Hemschik to approve the cigarette license for the Legend at Brandybrook LLC, d/b/a The Legend at Brandybrook, for the 2012 – 2013 licensing year, second by Trustee Mayernick, passed.

**2012 – 2013 OPERATOR'S LICENSE APPLICATIONS**

Motion by Trustee Mace to approve the attached list of Operator's license applications as presented, for the 2012 – 2013 licensing season, second by Trustee Mayernick, passed. List attached hereto and incorporated thereby into the official record.

**STIPULATION AND ORDER AMENDING THE JUDGEMENT WHICH ESTABLISHED THE BORDER AGREEMENT WITH THE TOWN OF GENESEE, CORRECTING AN ERROR IN THE LEGAL DESCRIPTION REMOVING LANDS FROM THE VILLAGE OF WALES AND PLACING THEM BACK IN THE TOWN OF GENESEE**

The Village's Special Counsel will be reviewing the *Stipulation and Order Amending the Judgement Which Established the Border Agreement with the Town of Genesee, Correcting an Error in the Legal Description Removing Lands from the Village of Wales and Placing Them Back in the Town of Genesee* to verify that lands left in the Village of Wales will be attached to the adjacent property and the current tax key dissolved.

Motion by Trustee Mayernick to approve of the Stipulation and Order Amending the Judgement Which Established the Border Agreement with the Town of Genesee, Correcting an Error conditioned on the final review and approval of the Village's Special Counsel that verifies attachment of lands left in Village to adjacent property, second by Trustee Lang, passed.

**BILLS APPROVED FOR PAYMENT**

Bills submitted for 2012 expenses were approved on a motion by Trustee Henschik, second by Trustee Mace, passed.

Correspondence, Sheriff's Department reports and miscellaneous files were submitted.

**ADJOURNMENT**

The Board adjourned at 8:21 p.m. on a motion by Trustee Mace, second by Trustee Lang, passed.

Submitted by:  
Gail E. Tamez, Clerk