

VILLAGE BOARD MINUTES
MONDAY, FEBRUARY 13, 2017
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE

Roll Call

Pledge of Allegiance –Richard Balistreri

Present: Trustees Stevens, Meyers, Compton, Landwehr, Swenson, Wallschlager, President Lamerand

Others: Administrator Cox, Finance Director Bailey, DPW Supervisor Gerszewski, Fire Chief Dean, Clerk Igl, Rec Director Yogerst, group of boy scouts, Mike Block, Linda Hansen, Heidi Braun, Tim Casey

Public Comments: (Please be advised the Village Board will receive information from the public for a three minute time period per person, with time extensions per the Village President's discretion. Be it further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.) None.

1. Motion (Meyers/Wallschlager) to approve Village Board minutes of January 23, 2017. Carried (7-0).
2. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of 460,243.67. Carried (7-0).
3. President Lamerand read a proclamation honoring Richard Balistreri in recognition of his achieving the rank of Eagle Scout. The proclamation was presented to Mr. Balistreri and congratulations were extended.
4. Consideration of actions related to Licenses and Permits
 - a. Actions related to the consideration of the issuance of a Class "B" Beer/"Class B" Liquor License for the premises located at 375 Cottonwood Ave. (Hogger's Pub, Linda Anson, Agent)
 - i. PUBLIC HEARING
President Lamerand opened the Public Hearing at 7:08 p.m. No comments were heard. Public Hearing declared closed at 7:09 p.m.
 - ii. Motion (Swenson/Meyers) to approve issuance of a Class "B" Beer/"Class B" Liquor License for Hogger's Pub conditioned on execution of an agreement related to the License. Carried (7-0).
 - b. Motion (Stevens/Compton) to approve applications for Operator's (Bartender) Licenses with a term ending June 30, 2018. Carried (7-0).

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5. Items related to a request for the Village to intervene in FDA regulations impacting Johnson Creek Industries and the vaping industry.
 - a. Comments and presentations from representatives of Johnson Creek Industries and the EVCA.

Mark Block, founder and director of the Electronic Vaping Coalition of America commented that the purpose of the proposed resolution to execute documents intervening in FDA regulations is an effort to force the FDA to coordinate on deeming regulations. He stated that he had purchased a vaping company and was in process of rebranding this company when the FDA issued deeming regulations which are onerous. He stated that the Coalition may use multiple strategies in an attempt to get the regulations repealed and replaced. He stated that the vaping industry recognizes that regulations are necessary but those recently implemented by the FDA will put 97% of the vaping industry out of business.

Linda Hansen, Deputy Director of the Electronic Vaping Coalition of America, explained that the process of coordination is a provision in Federal Law that requires Federal agencies to reach consistency with local governments before enforcing regulations to ensure that there will be no negative economic impact on the local community. She stated that the process is legal and that other efforts in coordination have been successful. She stated that the Village's support will be helpful in the attempt to repeal the onerous regulations and replace with appropriate legislation for the vaping industry.

Heidi Braun, President and CEO of Johnson Creek Industries, commented that if the FDA regulations go through as written it will cost upwards of \$1 million per flavor to just go through the process of getting the product up to the regulation standard. She stated that Johnson Creek has been self-regulating from the onset including child safety caps, warning labels on every product, and placement of shrink bands to protect children and pets. She stated that Johnson Creek Industries is for regulation that is stable and appropriate regulation, not regulation that will put them out of business or cost millions of dollars. Ms. Braun stated that the new FDA regulations will require every company that didn't have a product on the market by Feb. 15, 2007 to go through a "pre-market tobacco application" which essentially asks for permission to put products back on the market and would cost up to \$1 million per sku (Johnson Creek currently has over 200).

- b. Consideration of a motion to adopt Resolution 02/13/2017-01 "A Resolution Authorizing The Village President And Village Staff To Execute Documents Intervening In FDA Regulations Impacting Local Interests."

Motion (Meyers/Stevens) to adopt Resolution 02/13/2017-01 "A Resolution Authorizing The Village President And Village Staff To Execute Documents Intervening In FDA Regulations Impacting Local Interests". Carried (7-0).

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6. Items related to the Waukesha County Center for Growth
 - a. Presentation by Tim Casey, Director for WCCG

Tim Casey stated that the former Waukesha County Economic Development Corporation proved to be unsustainable and went out of business at the end of 2014. County Executive Paul Farrow wanted to focus on economic development and appointed a 40 person task force to look at economic development in the County. The County created the Waukesha Center for Growth in fall of 2016 in partnership with the Waukesha Business Alliance. Mr. Casey stated that the County will be contributing \$250,000 per year to fund operations. It is intended that municipalities will match that amount through contributions based on a formula that was developed.

It was stated that the organization is tax exempt and has four primary purposes: provide a single point of information for businesses, provide an active outreach to meet with businesses, work with businesses to identify workforce needs and have financial resources available to assist businesses.

There was discussion related to difficulties encountered by businesses in finding sources of labor. It was stated that it is often difficult to get workers to jobs in outlying areas. Mr. Casey stated that the Center will be working with the School to Skills program to expose young people to employment opportunities in trades and manufacturing. Staff of the Center for Growth will also be working closely with Waukesha County Technical College to build and promote programs to expand the workforce for manufacturing and skilled trades. The Village's contribution to become a member based on the formula would be \$6,602.13.

- b. Consideration of a motion to authorize execution of the Economic Development Cooperation Contract with Waukesha County Center for Growth, Inc.

Motion (Meyers/Swenson) to authorize execution of the Economic Development Cooperation Contract with Waukesha County Center for Growth, Inc. Carried (7-0).

7. Consideration of a motion to approve a contract with Five Star Fireworks Company, Oconomowoc, in the amount of up to \$17,000 for the 2017 fireworks display.

Rec Director Yogerst stated that the fireworks vendor requested a \$1,000 increase for the 2017 display. In addition, the vendor offered to provide a bigger grand finale for an additional \$1,000.

Motion (Meyers/Swenson) to approve a contract with Five Star Fireworks Company, Oconomowoc, in the amount of up to \$17,000 for the 2017 fireworks display. Carried (7-0).

8. Consideration of a motion to approve a reduction in the Letter of Credit for the Four Winds West development.

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Motion (Meyers/Swenson) to approve a reduction in the Letter of Credit for the Four Winds West development as recommended by staff. Carried (7-0).

9. Consideration of a motion to declare as surplus and authorize the disposal of a 2010 Chevrolet Impala.

Motion (Stevens/Wallschlager) to declare as surplus and authorize the disposal of a 2010 Chevrolet Impala. Carried (7-0).

10. Motion (Stevens/Swenson) to appoint Deputy Chief Bagin to the Lake Country Municipal Court Administrative Committee. Carried (7-0).

11. Announcements: The following individuals will be given an opportunity to make announcements at the meeting in regards to (1) activities taken since the previous meeting on behalf of the community, (2) future municipal activities, and (3) communications received from citizens. It is not contemplated that these matters will be discussed or acted upon. The following individuals may provide announcements: Village President or individual Village Board members or Village Administrator or other Village Staff members

President Lamerand reminded residents that a Spring Primary Election will be held on Tuesday, Feb. 21 with the polls open from 7 am to 8 pm at the Community Center.

12. Adjournment

Motion (Stevens/Landwehr) to adjourn at 7:48 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk