

OF THE BUTLER VILLAGE BOARD

Minutes not formally approved until Regular Board Meeting on July 2, 2013.

Village President Richard Ensslin called the Board Meeting to order at 7:30 PM at the Village Hall Board Room.

ROLL CALL

Present: President Richard Ensslin, Dave Hesselgrave, Susan Hesselgrave, William Benjamin, Robert Gundrum and Paul Kasdorf,

Also present: Village Administrator Jesse Thyges and Lt. Dave Wentlandt

New Business Items A, B and C on Agenda were taken out of order and discussed before Persons Desiring to be Heard.

(A) Motion by Benjamin; second by S. Hesselgrave to approve Certified Survey Map for Megal Development Corporation, 12650 West Lisbon Road, Brookfield, WI 53005 for a Canine Daycare (Doggy Office) at 4525 North 124 Street, South of Evergreen, pursuant to Title 13, Chapter 1, Article D, Section 13-1-76 SubSection (b) of the Village of Butler Code of Ordinances. The property is Zoned M-3, Heavy Industrial District. Motion carried 6-0.

(B) Public Hearing opened at 7:38 PM. No testimony for or against Doggy Day Care.
Public Hearing closed at 7:30 PM

(C) Motion by Benjamin; second by S. Hesselgrave to approve Conditional Use Permit for Megal Development Corporation, 12650 West Lisbon Road, Brookfield, WI 53005 for a Canine Daycare (Doggy Office) at 4525 North 124 Street, South of Evergreen, pursuant to title 13, Chapter 1, Article D, Section 13-1-76 SubSection (b) of the Village of Butler Code of Ordinances. The property is Zoned M-3, Heavy Industrial District. Motion carried 6-0.

PERSONS DESIRING TO BE HEARD

Village President Ensslin reviewed the Code provisions governing procedures for Persons Desiring to be Heard before opening the floor for the audience to begin speaking. Ensslin indicated there would be a five minute limit, no repeating until everyone else speaks. Also the Police Department was not on the agenda so there would not be a formal discussion at tonight's meeting. He also noted October Village Board meeting where there was a vote of 5-2 against outsourcing the Police Department so the Board will not be talking about this matter either. Trustee D. Hesselgrave indicated that the October action was pertaining to a financial cost comparison. Ensslin also indicated that there will be no Closed Session this evening.

Kathleen Gregovich, 12825 W. Stark Street, asked about number of applicants for Police Chief job. Village President Ensslin noted that there were approximately 25 applicants, two were interviewed including the Acting Chief. Gregovich opined that interview process was inadequate as all applicants were not interviewed. She placed blame on the former Chief Cosgrove and noted how he conveniently retired. She has concerns with how candidate can change atmosphere. What will be done with web monitoring and performance reviews. Opined disciplined officers should not be in Department. Lastly she asked about the Chief's policing philosophy and what will the new Chief do to address ethics?

Michael T. Thew, Sr., 4903 N. 126 Street, spoke in support of Police Department. He noted former Chief was not appropriate and he set low expectations. He spoke favorably about Lt. David Wentlandt. Opined concerns with media coverage.

Bobbi Lynn, 13735 W. River, opined that she was disgusted with shame brought on by investigation. Noted three officers came forward with complaints. She opined that the headlines could have been

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stopped. She noted media coverage concerns regarding past issues. She also opined that the process was to pit officer versus officer during interviews. She indicated Deputies were told at roll call that Detectives were out to ruin Butler Police Department. She opined about a cost comparison and an investigation not being a coincidence. She asked who leaked information about investigation? She opined media approached NAACP to create issues. She also opined that complaints about Chief led to slander of Police Department.

Dawn Crawford, 5017 N. 125 Street, indicated support of Police Department; noted that former boyfriend passed away and how Police Department showed kind treatment considering past circumstances with alcohol. She also spoke about the fast response to her 911 call.

Annette Andler, 12490 N. 126 Street, noted morning walk through Industrial Park and fast response times. Spoke favorable of Police Department and level of services. She said shame on them but that she still felt protected. She noted a newspaper article and voiced concerns about the Village Board.

Carol Zuba, 4629 N. 125 Street, noted what some did was wrong but added that the service level was maintained. She has faith in David Wentlandt, if named Chief, to turn Department around. She noted safe feeling. She also noted 4th of July events planned for the Village.

Roger Wollert, 4989 N. 127 Street, he opined his concerns with media coverage. He indicated one cop opened emailed and was disciplined. Whose responsibility to discipline Chief: Board or Administrator? He stated that he knows the former Chief and opined Board "passed the buck" to media coverage. He shared his opinion about integrity concerns and backstabbing in the Department. He also voiced concerns with Board doing their job. He noted Chad Rahn's apology. He noted past record of discipline of past Chief's and choose not to address issues. He also opined that maybe change is needed. He indicated town needs to come back and media to go away. He has minor concerns with David Wentlandt. He opined Mike Cosgrove had integrity; but did not discipline.

Nicole Zingsheim, 12721 W. Derby Place, spoke for support of Police Department; noted incident with son and how the Police Department helped. She added that she feels safe in the Village. She again noted the Police Department's compassion for the family.

Robert Grodowski, 4584 N. 126 Street, spoke about media simply reporting and doing their job; he supports Police Department but what they did was deplorable. Ethics should be part of training. He stated his opinion that he doesn't want Sheriff Department coverage. He asked why should residents be accepting of the misdeeds and questioned the integrity of former Chief Cosgrove because he left as soon as possible. He opined that nobody can get away with this except the cops. He further stated that we should not accept this kind of behavior from Police Department, and that the media and Waukesha were not wrong. He finished by saying that we should expect higher standards from Police Department.

Mike Hyland, 13011 W. Cameron Avenue, distributed various handouts and summarized the past issues with the Police Department: 1990 – Chief forced to resign; 1995 – officers burglarizing; 2009 – police personnel issues; 2010 – officer caught stealing; 2010 – conduct issues with Lt. Pergande; Chief took excessive comp days. 2013 - Administrator/President/Public Safety Chair in charge during the issues that were investigated. Need to fix these problems, and learn from history. Opined the President not taking responsibility, and asked why couldn't officers approach the Village President?

Michael T. Thew, Sr., 4903 N. 126 Street, spoke a second time, he spoke of how a Search Committee was used for the search for a new Chief. He also noted how the Trustees were not necessarily allowed information due to an ongoing active investigation taking place.

CONSIDERATION OF MINUTES:

Motion by Benjamin; second by Gundrum to approve the minutes of the June 4, 2013 Regular Board Meeting. Motion carried 6-0.

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COMMUNICATIONS

- Letter from Mike Hyland, 13011 W. Cameron Avenue, requesting the Village Board consider recording future meetings.
- Letter from Library Board requesting the Village Board consider reevaluating the Chamber of Commerce Lease terms or possible assistance with utility bills.

Trustee D. Hesselgrave requested both of these items should be put on future agenda. It was the consensus of the Village Board to have these two matters placed on a future meeting agenda.

COMMITTEE REPORTS*(A) Building Board – Trustee Benjamin*

Present: Benjamin, D. Hesselgrave and Klibowitz

Also Present: Administrator Thyges, Village President Ensslin and S. Hesselgrave

1. Occupancy Permit(s):

- a. Motion by Klibowitz; second by D. Hesselgrave to approve Occupancy Permit for Personal Use, “Front” 12525 W. Rohr Avenue (no previous occupancy on file). Motion carried 3-0.
- b. Committee discussed outdoor storage issues. Motion by D. Hesselgrave; second by Klibowitz to approve Occupancy Permit for Auto Parts and Salvage of Milwaukee, LLC, 12726 W. Arden Place. Motion carried 3-0.

2. Building Permit(s):

- a. Committee reviewed plans and there were no new ammonia tanks. Motion by Klibowitz; second by D. Hesselgrave to approve building permit for -10 degree Freezer Addition at 4700 N. 132 Street,. Motion carried 3-0.
- b. Motion by D. Hesselgrave; second by Klibowitz to approve building permit for replacement of Fence at 13034 Lucille Lane,. Motion carried 3-0.
- c. Motion by D. Hesselgrave; second by Klibowitz to approve building permit for Fence at 12722 W. Eggert Place. Motion carried 3-0.
- d. Motion by Klibowitz; second by D. Hesselgrave to approve building permit for Fence at 13030 W. Stark Street. Motion carried 3-0.

Motion by Klibowitz; second by D. Hesselgrave to adjourn Building Board meeting. Motion carried 3-0. The meeting adjourned at 7:17 PM.

(B) Finance Committee – Trustee D. Hesselgrave

Present: D. Hesselgrave, S. Hesselgrave and Kasdorf

Also present: Administrator Thyges

Administrator Thyges reviewed past inquiries for the Committee.

Motion by S. Hesselgrave; second by Kasdorf for Finance Committee to review and send current invoices to Village Board for approval. Motion carried 3-0.

Motion by S. Hesselgrave; second by Kasdorf for Finance Committee to review and send May Statement of Revenues and Expenditures to Village Board for approval. Motion carried 3-0.

Motion by S. Hesselgrave; second by Kasdorf to adjourn Finance Committee meeting. Motion carried 3-0. The meeting adjourned at 7:33 PM.

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(C) Library Board – Trustee Gundrum

Trustee Gundrum noted that there will be a full report at next meeting.

REPORT OF THE ADMINISTRATOR

- On June 6th, Waukesha County released the informational report detailing their findings during the course of the investigation of former Chief Cosgrove. In response, I met with various media outlets.
- In an effort to keep the Board apprised of the distribution of the “Waukesha County Investigation Report”, a list of the parties who have received a copy of the report is attached. This list includes only those parties who have made a records request of Waukesha County. The Village has fulfilled two requests for the same record to Attorney John Fuchs and Rick Napierala.
- Trustee Appointment Update: at the time this report was prepared, I have received one letter of interest for the position, which I believe each of the Board members were also copied. Further, an article from the June 4th edition of JSOnline is attached which emphasizes the point that the discussions about the pending appointment are to be held in open session.
- On June 8th, I attended the Milwaukee Area Municipal Employers Association meeting
- On June 12th, the Administrative Offices computers were out of service due to complications involving an update to our previously expired anti-virus software.
- A violation letter has been sent to the Butler Food Mart for unauthorized signage.
- A letter has been sent to property owners along the south side of Silver Spring Drive informing them that they are responsible for mowing the lawn out to the back of the curb or to the centerline of the ditch.
- Letters have been sent to Butler Youth Baseball and to Land O’ Lakes baseball leagues reminding them to clean up after their games.
- The Board of Review heard one assessment objection on June 11th. The assessment was upheld by the Board.
- Staff is continuing to try to make contact with Waukesha County over ongoing complaints about manhole covers that rattle on Hampton Avenue when a vehicle passes over it.
- The Administrator will be attending a Municipal Managers state association conference in La Crosse from 6/19 – 6/21 and will be out of the office.

NEW BUSINESS

New Business items (A), (B), and (C) were taken out of order earlier in the meeting.

- (D) Motion by Kasdorf; second by S. Hesselgrave to approve the bills as presented for \$131,572.60. Motion carried 6-0.

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- (E) Motion by Kasdorf; second by S. Hesselgrave to approve May Statement of Revenues and Expenditures. Motion carried 6-0.
- (F) Administrator Thyges proposed expanding the scope of a Capital Project to include additional software that would look to address concerns raised during a recent review of the Police Department. The original project scope called for the purchase of new computers not associated with the Department therefore a new project scope was needed. Motion by S. Hesselgrave; second by D. Hesselgrave to approve authorization to expand the scope of the "Computers" Capital Project Item to include the purchase of software. Motion carried 6-0.
- (G) Village President Ensslin noted that the National Night Out event is scheduled for the first Tuesday in August and noted that a resolution would be required to reschedule the Village Board meeting. Motion by S. Hesselgrave; second by Benjamin to approve Resolution 13-16; a Resolution Rescheduling the village Board and Committee Meetings Due to the National Night Out Event. Motion carried 6-0.
- (H) S. Hesselgrave was excused from this discussion item. Motion by Kasdorf; second by D. Hesselgrave to approve 2013-2014 Bartender's Licenses Motion carried 5-0.
- (I) Motion by Kasdorf; second by Gundrum to approve Applications for Alcohol Beverage Licenses. Motion carried 6-0.
- (J) S. Hesselgrave was excused from this discussion item. Motion by Kasdorf; second by Benjamin to approve Applications for Licenses to Sell Soda Water. Motion carried 5-0.
- (K) Village Board briefly reviewed a past Butler Food Mart issue. Motion by S. Hesselgrave; second by Benjamin to approve Applications for Licenses to Sell Cigarettes. Motion carried 6-0.
- (L) Motion by S. Hesselgrave; second by Kasdorf to approve Applications for Game Licenses. Motion carried 6-0.

THERE WAS NO CLOSED SESSION HELDADJOURNMENT

Motion by S. Hesselgrave to adjourn; second by D. Hesselgrave. Motion carried 6-0. The meeting was adjourned at 8:49 PM.

Submitted by:
Jesse Thyges
Administrator/Clerk

Approval Date: _____

Correction/Amendment:
