

**VILLAGE OF THIENSVILLE  
COMMITTEE OF THE WHOLE  
MINUTES**

**DATE: Monday, May 2, 2016**

**LOCATION: 250 Elm Street  
Thiensville, WI**

**TIME: 6:00 PM**

**I. CALL TO ORDER**

President Mobley called the meeting to order at 6:00 PM.

**II. ROLL CALL**

President:	Van Mobley	
Trustees:	Kim Beck	Kenneth Kucharski
	Ronald Heinritz (excused)	David Lange
	Rob Holyoke	Elmer Prenzlow
Administrator:	Dianne Robertson	
Staff:	Director of Public Works Andy LaFond	
	Police Chief Scott Nicholson	
	Asst. Administrator Colleen Landisch-Hansen	
	Clerk Amy Langlois	
	Village Attorney Robert Feind	

**III. BUSINESS**

**A. Review Capital Expenditures List**

Administrator Robertson reported that there was nothing to add to the 2016 Capital Expenditures List.

**B. Review and recommendation regarding Use of Molyneux Park by the Thiensville Business Association to have Jazz in the Park**

In attendance from the Thiensville Business Association (TBA) were Jesse Daily, Marc Mrugala and Amy Ollman. Ms. Ollman presented to the Board the idea of "Week in the Ville." This event will be held the week of Family Fun Before the 4<sup>th</sup>. The event will start on Tuesday with the Village Market, Wednesday will have something planned, Thursday's event will be Jazz in the Park at Molyneux Park with the hours of 6:00 PM to 9:00 PM and then Friday will be Screen on the Green with Family Fun Before the 4<sup>th</sup> on Saturday.

On Thursday for Jazz in the Park, the TBA is hoping to sell beer and wine as well as use the parking lot for this event. The TBA has been looking for another event as there will no longer be Ladies Night Out. The TBA hopes to continue to do this event bi-weekly or weekly through August.

Administrator Robertson shared that a liquor license would need to be applied for.

**MOTION** by Trustee Lange, **SECONDED** by Trustee Kucharski to recommend to the Board approving Use of Molyneux Park by the Thiensville Business Association for Weekly Events. **MOTION CARRIED UNANIMOUSLY.**

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- C. Review and recommendation to Enter Into a Franchise Agreement with The Cheel, 105 South Main Street, To Allow Outdoor Seating and Serving of Liquor in the Public Right-Of-Way

Administrator Robertson shared that the Franchise Agreement presented was recommended from the Plan Commission for approval. Owner of the Cheel, Jesse Daily was in attendance and is proposing to have three tables with chairs along the east side of the building at 105 South Main Street. The seating is on the public right-of-way which requires this Agreement with the Village.

**MOTION** by Trustee Beck, **SECONDED** by Trustee Kucharski to recommend to the Board to Enter Into a Franchise Agreement with The Cheel, 105 South Main Street, To Allow Outdoor Seating and Serving of Liquor in the Public Right-Of-Way. **MOTION CARRIED UNANIMOUSLY.**

- D. Review and recommendation to Adopt Ordinance No. 2016-01 Repealing, Replacing and Renaming Article V. of Chapter 18 of the Village Code To "Street Vendors"

President Mobley prefers a more restrictive rather than less restrictive Code regarding street vendors. Attorney Robert Feind explained that the current Code is entitled "Peddlers, Itinerant Merchants." An Itinerant Merchant is any individual that engages in retail sale of merchandise at any place in the Village temporarily and who does not intend and does not become a permanent merchant of such place. There are exceptions to this: a person delivering newspapers, fuel, dairy products or baker goods; any permanent merchant or employee who takes orders at the home of the buyer for merchandise regularly offered for sale by such merchant and who delivers such merchandise in their regular course of business; or a person who has an established place of business where the merchandise being sold is offered for sale on a regular basis, and in which the buyer has initiated contact with, and specifically requested, a home visit by such person.

Right now there is a fairly broad definition of what an itinerant merchant is. The new ordinance would more specifically define this as a street vendor with two classifications: push cart and motorized licensed vehicle food truck.

Police Chief Scott Nicholson reported that in the past, motorized food vendors have been stopped and informed that a permit must be obtained. There are home remodeling companies that do come through looking to solicit business.

President Mobley shared that our current license seems to be working well. Trustee Lange inquired as to how, if today a food truck came to town, how would they be licensed? Attorney Feind explained that this would be considered an Itinerant Merchant and would need a permit. The permits do not come to the Village Board for approval. The Police Department conducts a background check and then the license is issued. It is approved administratively.

The current Ordinance does not prohibit food trucks. Trustee Kucharski questioned if the Village could just prohibit food trucks in the ordinance. Attorney Feind confirmed that a new ordinance can be crafted to meet the needs of the Village. As the process stands now, if a food truck came to town and filled out a Peddler's Permit, it would be hard to stop them.

Trustee Beck would like to see an ordinance that is more restrictive as well.

Trustee Prenzlou shared the concern that the food trucks may bring additional trash concerns and does not feel that the streets in the Village can facilitate these trucks.

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President Mobley summarized the consensus of the Board that if any new policy is adopted, the Board would like this to be more restrictive, not less than the current policy and does not regulate the vendors at the Farmer's Market. Attorney Feind stated that this does not regulate the sale of product or other perishable products at retail or wholesale value.

Trustee Beck echoed President Mobley expressing the hopes of not to restrict those vendors at the Farmer's Market or Harley events and do not want the food trucks on the Village streets and also agreed that an ice cream cart is a different consideration than a food truck.

Trustee Lange suggested keeping the current Ordinance and adding information pertinent to a cart. Administrator Robertson added possibly limiting this as well to a certain number of days or period.

Trustee Holyoke inquired as to how to amend the existing ordinance without restricting it too much. President Mobley believes the current ordinance is working well.

Trustee Prenzlow suggested an ordinance that allows the activity under the umbrella of an organized community event.

Trustee Beck inquired as to if someone would like to have a motorized vehicle in the future, that this be brought before the Board for consideration.

Attorney Feind will work on amending the existing Ordinance.

- E. Review and recommendation regarding Temporary Class B Beer and Class B Wine For Thiensville Mequon Lions Club for Lionfest 2016 on June 10, 11 and 12, 2016; 2016 Farmer's Market on Tuesdays from June 14-October 25, 2016; and Applefest on October 2, 2016

**MOTION** by Trustee Beck, **SECONDED** by Trustee Holyoke to recommend to the Board approving the Temporary Class B Beer and Class B Wine For Thiensville Mequon Lions Club for Lionfest 2016 on June 10, 11 and 12, 2016; 2016 Farmer's Market on Tuesdays from June 14-October 25, 2016; and Applefest on October 2, 2016. **MOTION CARRIED UNANIMOUSLY.**

**F. Operator's Licenses – Renewal**

1. **glaze, llc**  
Heather Anne Albrecht, Philip Gerald Eckert, Nancy Elizabeth Grittner, Skye Fisher Marach
2. **Remington's River Inn**  
Charise Elaine Albers
3. **Shully Catering, Inc.**  
Douglas Hogan, John Janz, Scott S. Jones, Mark D. Lavine, Steven Thuilliez, Jane F. Weske

**MOTION** by Trustee Lange, **SECONDED** by Trustee Holyoke to recommend to the Board approving the following Operator's Licenses – Renewal: glaze, llc: Heather Anne Albrecht, Philip Gerald Eckert, Nancy Elizabeth Grittner, Skye Fisher Marach; Remington's River Inn: Charise Elaine Albers; Shully Catering, Inc.: Douglas Hogan, John Janz, Scott S. Jones, Mark D. Lavine, Steven Thuilliez, Jane F. Weske. **MOTION CARRIED UNANIMOUSLY.**

G. Operator's Licenses – New  
1. Falafel Guys  
Daemon James Randall

**MOTION** by Trustee Kucharski, **SECONDED** by Trustee Lange to recommend to the Board approving the following Operator's License – New: Falafel Guys: Daemon James Randall. **MOTION CARRIED UNANIMOUSLY.**

H. BOARD APPOINTMENTS:

<u>Ozaukee County Bike Trails Committee</u>	Ronald G. Heinritz, One-Year Term
<u>Board Representative to Mid-Moraine</u>	David A. Lange, One-Year Term
<u>Community Development Authority</u>	Rob Holyoke, Four-Year Term Vacant
<u>Farmland Preservation Committee</u>	Ronald G. Heinritz, One-Year Term
<u>Historic Preservation Commission</u>	Ronald G. Heinritz, One-Year Term
<u>M-T Bikeway Commission</u>	Ronald G. Heinritz, Three-Year Term
<u>Telecommunication &amp; IT Oversight</u>	Rob Holyoke, One-Year Term
<u>TBRC</u>	Kim C. Beck, One-Year Term David A. Lange, One-Year Term
<u>Weyenberg Library Board</u>	Rob Holyoke, Three-Year Term

Trustee Holyoke offered to leave the Telecommunication & IT Oversight Committee. Trustee Prenzlou accepted the appointment. Trustee Prenzlou was on the Telecommunication & IT Oversight Committee as a Citizen Appointment; now that position is vacant.

Administrator Robertson stated that a Board Appointment will also need to be considered to the Community Development Authority. Trustee Treffert previously held this position. Trustee Beck accepted this appointment.

**MOTION** by Trustee Holyoke, **SECONDED** by Trustee Lange to recommend to the Board to approve the following Board Appointments: Ozaukee County Bike Trails Committee: Ronald G. Heinritz, One-Year Term; Board Representative to Mid-Moraine: David A. Lange, One-Year Term; Community Development Authority: Rob Holyoke, Four-Year Term, Kim Beck, Four-Year Term; Farmland Preservation Committee: Ronald G. Heinritz, One-Year Term; Historic Preservation Commission: Ronald G. Heinritz, One-Year Term; M-T Bikeway Commission: Ronald G. Heinritz, Three-Year Term; Telecommunication & IT Oversight: Elmer Prenzlou, One-Year Term; TBRC: Kim C. Beck, One-Year Term, David A. Lange, One-Year Term; Weyenberg Library Board: Rob Holyoke, Three-Year Term. **MOTION CARRIED UNANIMOUSLY.**

**I. CITIZEN APPOINTMENTS:**

<u>Community Development Authority</u>	Todd Ruhkick, 408 Oakwood Drive, Four-Year Term
<u>Historic Preservation Commission</u>	Bob Blazich, 317 West Street, Three-Year Term Mary Giuliani, 409 Susan Lane, Three-Year Term
<u>Weyenberg Library Board</u>	Mary (Mimi) Rosing, 512 Alta Loma Drive, Three-Year Term

**MOTION** by Trustee Lange, **SECONDED** by Trustee Beck to recommend to the Board approval of the following Citizen Appointments: Community Development Authority: Todd Ruhkick, 408 Oakwood Drive, Four-Year Term; Historic Preservation Commission: Bob Blazich, 317 West Street, Three-Year Term, Mary Giuliani, 409 Susan Lane, Three-Year Term; Weyenberg Library Board: Mary (Mimi) Rosing, 512 Alta Loma Drive, Three-Year Term. **MOTION CARRIED UNANIMOUSLY.**

**J. STAFF APPOINTMENTS:**

<u>Auditor</u>	John Knepel, CPA, Annually
<u>Emergency Government Director</u>	Andy J. LaFond, Two-Year Term
<u>Planner</u>	Jonathan P. Censky, Annually

**MOTION** by Trustee Kucharski, **SECONDED** by Trustee Beck to recommend to the Board the approval of the following Staff Appointments: Auditor: John Knepel, CPA, Annually; Emergency Government Director: Andy J. LaFond, Two-Year Term; Planner: Jonathan P. Censky, Annually. **MOTION CARRIED UNANIMOUSLY.**

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NEXT RESOLUTION NUMBER:	2016-07
NEXT ORDINANCE NUMBER:	2016-03

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**IV. BUSINESS FROM THE FLOOR**

**A. Citizens to be Heard**

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

Jesse Daily and Marc Mrugala addressed with Board with the need for a part-time employee to help with administrative duties for the Farmer's Market and possibly other events the TBA is involved in. Mr. Mrugala suggested the TBA write a grant from the Village and the Village could grant the TBA money to pay for this employee to avoid putting another person on the payroll. The TBA would fill the role of looking for an independent contractor but is seeking help from the Village to help fund the expense.

Mr. Daily suggested that this employee could be involved with the Farmer's Market as well as any community event. Each year Mr. Daily and Mr. Mrugala spend about 685 hours just managing and facilitating the Farmer's Market. At some point Mr. Daily and Mr. Mrugala would like to pass this responsibility along as they are both in their third year of the Market.

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Administrator Robertson inquired as to how this person would get paid. A few years ago an independent contractor had worked for the Market. Unfortunately, she left to go to law school. Mr. Mrugala would like this position to maybe head up the festivals in Thiensville; one person that is dedicated to these events and possibly be able to help out Director of Public Works LaFond if needed.

The TBA has the ability to issue a 1099. The Farmer's Market brings in between \$12,000 - \$20,000, depending on the season. This money is used within the TBA.

This year the TBA is organizing the Family Fun Before the 4<sup>th</sup> parade and also organizing the Village Rummage Sale on Saturday, June 18<sup>th</sup>. The week before the Fun Before the 4<sup>th</sup> will start on Tuesday with the Market, on Wednesday a walking tour to visit the historic landmarks and visit businesses, Thursday will be Jazz in the Park, Friday will be Screen on the Green, and then Saturday will be Family Fun Before the 4<sup>th</sup>. Right now this is referred to as "Week in the Ville" and the TBA has hopes to bring other events weekly to promote the Village.

Trustee Lange inquired as to if this is a year-round position. Mr. Mrugala recommended this be a part-time position at this time as a 501c3 as there are no income restrictions, is not for profit and donations are tax deductible. President Mobley inquired as to the amount of the grant being sought. Mr. Daily suggested the salary of \$25,000-\$30,000. Mr. Mrugala agreed with \$25,000 and suggested that the TBA help supplement this and does not feel the Village would need to be responsible for the entire expense.

Trustee Holyoke inquired as to if there was room for the fees to be increased for the Village Market vendors. Mr. Daily shared that fees were raised, however, the number of vendors was reduced in order to not have vendors in the parking lot. The hours were also shortened to 9:00 AM to 3:00 PM because the afternoon crowd was thin and after Labor Day it was almost non-existent. The idea of have an evening Market once per month was shared to cater to those that cannot come during the day.

President Mobley inquired of the Board if there was any opposition to entertaining a grant proposal for a part-time employee. No opposition was expressed. President Mobley suggested to Mr. Daily and Mr. Mrugala to submit a proposal.

**V. MISCELLANEOUS BUSINESS BY TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD**

- A. Inter-Governmental Committee with Mequon
- B. Use of 101 Green Bay Road, Old Village Hall & Fire Station
- C. Acceptance/Report of Gifts Received:
  - 1. \$500.00 to the Thiensville Police Department-Auxiliary from the T-M Lions Club, Inc.
  - 2. \$350.00 to the Thiensville Police Department-Baseball Cards from the T-M Lions Club, Inc.
  - 3. \$350.00 to the Thiensville Police Department-Bike Safety from the T-M Lions Club, Inc.
  - 4. \$1,331.69 to the Village of Thiensville-Village Park Playground Improvements from the T-M Lions Club, Inc.
  - 5. \$500.00 to the Thiensville Volunteer Fire Department Co. from the T-M Lions Club, Inc.
- D. Dialog with Mequon regarding water utility service
- E. Review next month's meeting date schedule

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**MOTION** by Trustee Lange, **SECONDED** by Trustee Holyoke to recommend to the Board acceptance of the following gifts: \$500.00 to the Thiensville Police Department-Auxiliary from the T-M Lions Club, Inc.; \$350.00 to the Thiensville Police Department-Baseball Cards from the T-M Lions Club, Inc.; \$350.00 to the Thiensville Police Department-Bike Safety from the T-M Lions Club, Inc.; \$1,331.69 to the Village of Thiensville-Village Park Playground Improvements from the T-M Lions Club, Inc.; and \$500.00 to the Thiensville Volunteer Fire Department Co. from the T-M Lions Club, Inc. with much gratitude. **MOTION CARRIED UNANIMOUSLY.**

**VI. ADJOURNMENT**

**MOTION** by Trustee Prenzlou, **SECONDED** by Trustee Lange to adjourn the meeting at 6:45 PM. **MOTION CARRIED UNANIMOUSLY.**

Submitted by,



Amy L. Langlois  
Village Clerk

Approved by,



Dianne S. Robertson  
Administrator