President Birmingham called the meeting to order at 7:04 p.m. in the Board Room of Village Hall.

Roll Call

Present: Trustee Barbian, Trustee Ouellette, Trustee Cyborowski, Trustee Sell, Trustee Genz, Trustee Chadwick, President Birmingham
Absent: None
Also Present: Sarah Weishar, Assistant Village Manager
Don Kloss, Police Lieutenant
Kenneth Robers, Director of Inspection Services

Old Business:

A) Discussion and necessary regarding the special event permit for the Hills Have Eyes Event at the Rock Sports Complex

This item was tabled at the September 17th Board meeting. The Village did receive an approval letter from Milwaukee County for this event. Attorney Macy provided the Board with a recommended motion including contingencies on violations of the time and/or noise ordinance.

Scot Johnson, The Rock Sports Complex, stated imposing a restriction of 10:00 pm would significantly impact the event because of the timeline. They were told on September 5th that they needed a special event permit, they applied for the permit a few hours after they were told they needed it. They had already sold tickets. He wants to work with the Village.

Motion by Trustee Barbian, seconded by Trustee Ouellette to approve the special community event permit for The Hills Have Eyes with the dates listed in the application, contingent on the following:

- The portion of the event occurring in Greendale must be completed by 10:00 pm, in line with the special use permit issued for this property on November 5, 2013.
- The event must comply with all requirements of Section 17.365(d) Special community events (attached) of the Greendale Village ordinance as well as the special use permit issued for the property issued on November 5, 2013 and all other applicable Village ordinances specifically Greendale’s sound and noise ordinances.
- Any violations of these conditions as well as any Village ordinances including but not limited to the operation time and/or noise ordinance occurring in the Greendale portion of the property is subject to the maximum violation of $1,000 per occurrence and the Village bond schedule is amended to establish the bond amount for any such violation at $1,000.00.

Discussion:
There was discussion on the history of the property and issues that have occurred there, if there are any safety issues with running the ski lift in warmer weather and why this permit wasn’t applied for in the past.

Trustee Genz requested an amendment to the motion to add a reference to the noise ordinance and to increase the bond amount to $24,000.

Assistant Manager Weishar stated the Attorney had reviewed our ordinances and the maximum bond amount is $1,000.

Trustee Barbian and Trustee Ouellette agreed to Trustee’s Genz request to amend the motion adding the reference to the sound and noise ordinance (highlighted above)

Lieutenant Kloss came up to speak on the noise citation process. The way the noise complaints are handled now most noise complaints originate on this property from the City of Franklin, we log complaints and the City of Franklin check’s the decibel meter monitor and they would issue a citation if there was a violation. If the source of the noise comes from Greendale the Police Department can try to address. They would have to establish that the noise is occurring within the Village of Greendale. They would meet with the original complainant and see what they are hearing from their point of
view, if the noise is gone they would take a statement from them. If the noise is still occurring they would need to investigate where the noise is coming from, if they can determine the noise is coming from the Greendale portion they could issue a citation. He said finding the source of the noise can sometimes be easier said than done.

There was discussion that the original special use permit for this portion of the property has been 10:00 pm based on the proximity to the homes.

Director of Inspection Services Robers stated the hill is on County property so the noise has to be off the property line, the County property is a large parcel.

There was discussion on how a special event permit wasn’t applied for in the past for this event and what permits were issued for this event in the past.

Scot Johnson, proposed coming up with a decibel level for all events that could be agreed upon and enforceable, which would be lower than Franklin’s maximum, 65-69 decibel with a 15 minute correction period (measured from the North and East station, which are the closest to Greendale), shorten the Franklin fireworks permit by 1 hour (he believes the current permit is until 11:00 pm).

There was discussion on this proposal and whether this could be the beginning of a compromise regarding some of the complaints that have been occurring with the Ballpark Commons.

Ayes: Barbian, Genz, Birmingham
Nays: Ouellette, Cyborowski, Chadwick, Sell
Motion to approve: Failed

Motion by Trustee Ouellette, seconded by Trustee Sell to approve the special community event permit as presented (10:00 pm Thursdays/Sundays, 11:00 pm Fridays/Saturdays) for The Hills Have Eyes with the dates listed in the application, contingent on the following:

- The portion of the event occurring in Greendale must be completed by 11:00 pm.
- The event must comply with all requirements of Section 17.365(d) Special community events (attached) of the Greendale Village ordinance as well as the special use permit issued for the property issued on November 5, 2013 and all other applicable Village ordinances specifically Greendale’s sound and noise ordinances.
- Any violations of these conditions as well as any Village ordinances including but not limited to the operation time and/or noise ordinance occurring in the Greendale portion of the property is subject to the maximum violation of $1,000 per occurrence and the Village bond schedule is amended to establish the bond amount for any such violation at $1,000.00.

Ayes: Ouellette, Cyborowski, Sell
Nays: Barbian, Chadwick, Genz, Birmingham
Motion to approve: Failed

Scot Johnson said the 11:00 pm still limits them on Fridays/Saturdays. They are willing to sign something with the proposed decibel changes and other issues discussed.

Through discussion it was discovered that the ticket office is closing at 10:00 pm on Thursdays/Sundays and 11:00 pm on Fridays/Saturdays with it taking an hour to go through the event so they really are requesting approval for 11:00 pm on Thursdays/Sundays and 12:00 am Fridays/Saturdays.

President Birmingham stated he hoped we could still move forward with discussions even if it doesn’t pass as they wanted.

Scot Johnson stated that would be up to his boss. He wants to work with the Village, but it is out of his hands if this is not approved. It severely limits them in a negative way if they cannot operate until midnight on Friday/Saturday.

Motion by Trustee Genz, seconded by Trustee Barbian to approve the special community event permit for The Hills Have Eyes with the dates listed in the application, contingent on the following:
The portion of the event occurring in Greendale must be completed by 10:00 pm, in line with the special use permit issued for this property on November 5, 2013.

The event must comply with all requirements of Section 17.365(d) Special community events (attached) of the Greendale Village ordinance as well as the special use permit issued for the property issued on November 5, 2013 and all other applicable Village ordinances specifically Greendale’s sound and noise ordinances.

Any violations of these conditions as well as any Village ordinances including but not limited to the operation time and/or noise ordinance occurring in the Greendale portion of the property is subject to the maximum violation of $1,000 per occurrence and the Village bond schedule is amended to establish the bond amount for any such violation at $1,000.00.

Ayes: Barbian, Genz
Nays: Ouellette, Cyborowski, Chadwick, Sell, Birmingham
Motion to approve: Failed

Motion by Trustee Genz, seconded by Trustee Barbian to approve the special community event permit for The Hills Have Eyes with the dates listed in the application, contingent on the following:

- The portion of the event occurring in Greendale must be completed by 11:00 pm.
- The event must comply with all requirements of Section 17.365(d) Special community events (attached) of the Greendale Village ordinance as well as the special use permit issued for the property issued on November 5, 2013 and all other applicable Village ordinances specifically Greendale’s sound and noise ordinances.
- Any violations of these conditions as well as any Village ordinances including but not limited to the operation time and/or noise ordinance occurring in the Greendale portion of the property is subject to the maximum violation of $1,000 per occurrence and the Village bond schedule is amended to establish the bond amount for any such violation at $1,000.00.

Ayes: Birmingham, Ouellette, Cyborowski, Sell
Nays: Barbian, Chadwick, Genz
Motion to approve: Carried

Adjournment

Trustee Sell moved, seconded by Trustee Ouellette, to adjourn.

Ayes: Barbian, Ouellette, Cyborowski, Sell, Genz, Birmingham
Nays: NONE
Motion to approve: Carried

The meeting adjourned at 9:00 P.M.

Respectfully submitted,

Sarah Weishar,
Assistant Village Manager