

**BROWN DEER VILLAGE BOARD
DECEMBER 18, 2006 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Jaberg at 7:00 P.M.

I. Roll Call

Present: Village President Jaberg; Trustees: Boschert, Krueger, Oates, Schilz, Springman

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; Larry Neitzel, Superintendent of Public Works; Kathy Kasza, Treasurer/Comptroller; Rebecca Boyle, Village Attorney

Excused: Trustee Baker

II. Pledge of Allegiance

III. Persons Desiring to be Heard

Village President Jaberg announced that she would not be running for re-election.

The Board commended President Jaberg for her accomplishments while in office.

Trustee Krueger announced his candidacy for Village President and Trustee Springman announced his intent to run for re-election.

IV. Consideration of Minutes: December 4, 2006 – Regular Meeting

It was moved by Trustee Schilz and seconded by Trustee Boschert to approve the minutes of the December 4, 2006 regular meeting. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Krueger

Trustee Krueger reported on the sign reviews for Badger Automotive at 4730 West Bradley Road.

B) Beautification Committee – Trustee Oates

Trustee Oates reported that no meeting was held.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reported on the 2007 admission and permit fee approvals and stated that there will not be a meeting in January.

D) 4th of July Committee – Trustee Krueger

Trustee Krueger reported that no meeting was held.

E) Ad Hoc Pond Committee – Village President Jaberg

President Jaberg stated that no meeting was held.

F) Traffic and Public Safety – Trustee Boschert

Trustee Boschert reported that no meeting was held, but that he had received comments on the lighting along 60th Street.

Mr. Neitzel discussed that status of the re-installation of the light poles along North 60th Street.

G) Library Board – Trustee Baker

Mr. Van Gompel indicated that the minutes were available for review in the weekly packets.

H) Community Development Authority – Village President Jaberg

President Jaberg stated that a CDA meeting was scheduled for December 20, 2006.

I) Plan Commission – Village President Jaberg**1) Certified Survey Map for 8500 North 68th Street**

Mr. Thyes provided a summary of the proposal for the Board.

President Jaberg reviewed the discussions from the Plan Commission meeting.

Trustee Oates asked if the applicant was aware of the cost associated with providing the service lateral to the newly created parcel. President Jaberg indicated that the applicant was made aware of the cost and did not have an objection.

It was moved by President Jaberg and seconded by Trustee Krueger to approve the Certified Survey Map for 8500 North 68th Street contingent upon the provision of service laterals to the new parcel. The motion carried unanimously.

On other matters from the Plan Commission, President Jaberg reported that a public hearing for the rezoning of the property at 60th Street and Brown Deer Road for the proposed residential development was scheduled.

J) Finance and Public Works Committee – Trustee Krueger**1) Replacement of the Village Hall Computer Server**

Trustee Krueger summarized the committee's discussions on the matter and the recommendation.

Mr. Thyes provided a summary of the project scope for the Board.

Trustee Schilz asked about upgrading the operating systems to the new Microsoft Vista. Mr. Thyes indicated the server replacement should not conflict with the potential operating system upgrade.

It was moved by Trustee Krueger and seconded by Trustee Oates to approve the Replacement of the Village Hall Computer Server at a cost not to exceed \$23,500. The motion carried unanimously.

2) Bids for 2006 Beaver Creek Storm Water Treatment Devices Installation Project

Trustee Krueger summarized the committee's discussions on the matter and the recommendation.

Mr. Thyges provided a summary of the project scope for the Board.

Mr. Neitzel discussed the run-off modeling for particulate removal and the standards that need to be met.

Trustee Schilz asked about the grant offered by the Department of Natural Resources. Mr. Neitzel discussed how the grant covers a portion of the project cost.

It was moved by Trustee Krueger and seconded by Trustee Schilz to award the contract for the 2006 Beaver Creek Storm Water Treatment Devices Installation Project to Heartland Construction in the amount of \$211,280. The motion carried unanimously.

3) Replacement of the Public Works Loader/Backhoe

Trustee Krueger summarized the committee's discussions and their recommendation. Mr. Van Gompel added that the purchase is from the 2006 equipment replacement budget.

It was moved by Trustee Krueger and seconded by Trustee Boschert to approve the purchase of the Department of Public Works Replacement Loader/Backhoe from FABCO Equipment, Inc. at a cost of \$90,539. The motion carried unanimously.

4) Resolution No. 06- , "A Resolution Establishing Storm Water Rates for 2007"

Trustee Krueger introduced the matter.

President Jaberg briefly discussed the annual approval process for the rates.

It was moved by Trustee Krueger and seconded by Trustee Boschert to approve Resolution No. 06- , "A Resolution Establishing Storm Water Rates for 2007". The motion carried unanimously.

5) Resolution No. 06- , "A Resolution Establishing Sewer Rates for 2007"

Trustee Krueger introduced the proposed Resolution to the Board. Ms. Kasza discussed the budgeting and proposed rates.

Trustee Krueger recommended that agenda item VII. B) be taken up prior to acting on this matter. It was the consensus of the Board to take up item VII. B) Ordinance No.- 06, " An Ordinance Repealing and Recreating Article 1 of Chapter VI, Volume I, Section 619.04 of the Village of Brown Deer Code Relating to User Charges for Sanitary Sewer".

Mr. Van Gompel summarized the Ordinance and the financial status of the sewer utility fund.

It was moved by Trustee Krueger and seconded by Trustee Schilz to approve Ordinance No.- 06, "An Ordinance Repealing and Recreating Article 1 of Chapter VI, Volume I, Section 6-19.04 of the Village of Brown Deer Code Relating to User Charges for Sanitary Sewer". The motion carried unanimously.

It was moved by Trustee Krueger and seconded by Trustee Boschert to approve Resolution No. 06- , "A Resolution Establishing Sewer Rates for 2007". The motion carried unanimously.

6) Consideration of Vouchers

It was moved by Trustee Krueger and seconded by Trustee Springman to approve the payment of the vouchers and to ratify for payment, invoices due on or before December 18, 2006. The motion carried unanimously.

On other matters from the Finance and Public Works Committee, Trustee Krueger reported on the Village's fiscal policies and the review of the Village Hall HVAC project.

K) Personnel Committee – Trustee Baker

Mr. Van Gompel stated that a meeting is scheduled for January 3, 2007.

VI. Unfinished Business

None.

VII. New Business**A) Resolution No. 06-, “Resolution Assessing Service Charges for Recycling and Yard Waste Collection on Residential Units”**

Ms. Kasza presented the resolution to the Board and indicated that there would be no change to the service charges.

Trustee Oates asked if the fees cover the costs of the recycling. Ms. Kasza indicated that the fees do not create a surplus and a Department of Natural Resources grant covers the remaining costs.

It was moved by Trustee Krueger and seconded by Trustee Boschert to approve Resolution No. 06- , “Resolution Assessing Service Charges for Recycling and Yard Waste Collection on Residential Units”. The motion carried unanimously.

B) Ordinance No.- 06, “An Ordinance Repealing and Recreating Article 1 of Chapter VI, Volume I, Section 6-19.04 of the Village of Brown Deer Code Relating to User Charges for Sanitary Sewer”.

This matter was considered earlier in the meeting.

C) 2007 Village Board Meetings Tentative Schedule

Mr. Van Gompel discussed the proposed 2007 meeting schedule and asked the Board if a meeting on the fourth Monday versus the third Monday of January would be appropriate due to the observance of Dr. Martin Luther King day.

It was moved by Trustee Boschert and seconded by Trustee Schilz to approve the 2007 Village Board Meetings Schedule with the amended January 22, 2007 meeting date. The motion carried unanimously.

D) Resolution No. 06-, “A Resolution Voiding Prior Agreements for 4303-4435 West Bradley Road”

Mr. Thyges reviewed the resolution and the background information for the Board. Trustee Oates requested to review the items that are to be voided.

It was moved by Trustee Boschert and seconded by Trustee Schilz to approve Resolution No. 06- , “A Resolution Voiding Prior Agreements for 4303-4435 West Bradley Road”. The motion carried unanimously.

E) Demolition of the Vacant Kohl’s Food Store Building

Mr. Thyes reviewed the proposed project for the Board.

Trustee Oates asked for clarification of the estimates that were received. Mr. Thyes further discussed the differences in the bids that were submitted by the contractors. Mr. Van Gompel touched on the timeframe for the demolition.

President Jaberg asked about funding of the demolition. Mr. Van Gompel stated that the funding would be from the TIF district.

Trustee Krueger voiced concerns with abandoning the laterals to the main due to the potential for having to cut into the road more than once. Mr. Thyes and Trustee Schilz discussed the Water Utility’s concern with capping the lateral at the lot line versus full abandonment.

It was moved by Trustee Boschert and seconded by Trustee Schilz to award the demolition contract to the Tyler Company in the amount of \$137,280. The motion carried 5-1 with Trustee Krueger voting in opposition.

VIII. Village President’s Report

President Jaberg reported on the following:

- Attending the North Shore Fire Department’s board meeting
- Attending the ICC meeting and the discussions about EMS services contract

Trustee Schilz asked about the grass roots effort in Glendale to keep the consolidated fire department. President Jaberg discussed the background details of the effort.

IX. Village Manager’s Report

Mr. Van Gompel reported on the following:

- Sending a response letter to AT&T regarding the cable utility franchise agreement
- The recognition award for the Village’s quality financial reporting
- Property Tax information was available on the Village website
- Status of the pond building construction

Trustee Oates asked about the amount of taxes collected to date. Ms. Kasza stated that approximately \$2.5 million had been received.

X. Recess into Closed Session Pursuant to §19.85(1) (g) Wisconsin Statutes for the following reasons:

- (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

It was moved by Trustee Oates and seconded by Trustee Springman to recess into closed session at 8:27 p.m. The motion carried unanimously.

XI. Reconvene into Open Session

It was moved by Trustee Springman and seconded by Trustee Schilz to reconvene into open session at 9:04 p.m. The motion carried unanimously.

A) Regional Telecommunication Commission Participation Agreement

It was moved by Trustee Springman and seconded by Trustee Schilz to authorize the Village Manager to sign the Regional Telecommunication Commission Participation Agreement. The motion carried unanimously.

XII. Adjournment

It was moved by Trustee Springman and seconded by Trustee Schilz to adjourn at 9:05 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager