

**BROWN DEER VILLAGE BOARD
FEBRUARY 20, 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: Baker, Boschert, Krueger, Kundinger, Schilz, Springman

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; John Fuchs, Village Attorney; Nathaniel Piotrowski, Planning/Zoning Specialist; Kathy Kasza, Treasurer/Comptroller; Chad Hoier, Park and Recreation Director; Chief Steven Rinzel, Brown Deer Police Department

II. Pledge of Allegiance

III. Persons Desiring to be Heard

None.

IV. Consideration of Minutes: February 6, 2005 – Regular Meeting

It was moved by Trustee Krueger and seconded by Trustee Springman to approve the minutes of the February 6, 2005 regular meeting. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Krueger

Trustee Krueger reported on the ongoing discussions about updating the sign ordinance and the first approval for a home in Deer Brook Estates subdivision.

B) Beautification Committee – Trustee Kundinger

Trustee Kundinger reported on discussions about publications and promotions of Committee sponsored activities.

Trustee Springman asked about the shoe recycling program. Trustee Kundinger stated that the program is being promoted through the school district and the Committee is exploring ways to utilize the recycled material within the Village.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reported on the pond budget, the proposed admission punch card for the pond, the purchase of the diving board, and the status of the Recreation Supervisor position.

Trustee Boschert asked if the pond budget accommodates increased energy costs. Trustee Springman stated that a utility adjustment was deemed unnecessary by Village staff.

President Jaberg inquired about the pond admittance punch card proposal. Trustee Springman stated that the Park and Recreation Department staff is looking into the matter to finalize a design of the card.

1) Creation of Skateboard Park Ad hoc Committee

Trustee Springman, the Village Board's representative on the Committee, reviewed the proposed members of the Committee. They include: Captain John Graeber, Brown Deer Police Department; Chad Hoier, Park and Recreation Director; Dennis Miller and Tara Baars, adult representatives; and Drew Jones and Brandon Anthony, student representatives.

President Jaberg asked about the meeting schedule. Trustee Springman stated the Ad hoc committee will meet as needed and will report to the Park and Recreation Committee.

It was moved by Trustee Springman and seconded by Trustee Krueger to approve, in addition to himself, Captain John Graeber, Brown Deer Police Department; Chad Hoier, Park and Recreation Director; Dennis Miller and Tara Baars, adult representatives; and Drew Jones and Brandon Anthony, student representatives as members of the Skateboard Park Ad Hoc Committee. The motion carried unanimously.

D) 4th of July Committee – Trustee Krueger

Trustee Krueger reported that an appointment for the Chairperson of the Kiddie Parade will be brought forward at the next Board meeting, and that a fireworks vendor has been selected.

Trustee Springman asked if committee application forms are posted on the Village website. President Jaberg replied that the forms are available online; however, word of mouth has been the most prominent way to garner interest in serving on a committee.

E) Ad Hoc Pond Committee – Village President Jaberg

President Jaberg reported that no meeting was held.

F) Traffic and Public Safety – Trustee Kundinger**1) Ordinance No. 06-, “Creating Section 5-1.10 (B) of Article 1, Chapter V of Volume I of the Brown Deer Code of Ordinance Regarding a Demerit System for Alcoholic Beverage Licenses”**

Trustee Kundinger summarized the demerit system and the history of its creation.

Police Chief Rinzel discussed the revisions that were made to the ordinance through feedback from the business owners and stated that only one establishment would have had problems if the ordinance were already in place.

President Jaberg asked about a point assessment procedure and the need for Village Board action. Chief Rinzel summarized how points would be assessed and when Village Board action would be required as a part of the process. Chief Rinzel discussed the time and effort in preparing a case against an establishment using the standards contained in the State Statutes.

Trustee Springman asked about the licensing for dart machines, pool tables and video poker machines. Chief Rinzel stated that video poker machines must be kept below a certain number per establishment. Mr. Van Gompel discussed the amusement device licensing requirements.

President Jaberg voiced concerns with making policy in response to one occurrence.

A discussion ensued about potential scenarios that could occur under the proposed ordinance, and how

demerit points would be assessed versus existing procedure using the vague statutory definitions.

It was moved by Trustee Kundinger and seconded by Trustee Schilz to approve Ordinance No. 06-, "Creating Section 5-1.10 (B) of Article 1, Chapter V of Volume I of the Brown Deer Code of Ordinance Regarding a Demerit System for Alcoholic Beverage Licenses". The motion carried 5-2, with Trustee Krueger and President Jaberg voting in opposition.

On other matters from the Traffic and Public Safety Committee, Trustee Kundinger reported on the North 60th Street project and on-street parking issues on Dean Road.

President Jaberg inquired about a non-smoking ordinance for the Village. Trustee Kundinger stated that the Committee would be willing to look into the matter.

G) Library Board – Trustee Baker

Trustee Baker reviewed the Library Board's discussions on a proposed policy for the usage of the Community Room, and discussed the upcoming plant and tote bag sale fundraisers.

Trustee Boschert asked if the library was working to phase out VHS tape technology as a form of cost savings. Trustee Baker stated that more DVD's are being purchased instead of the VHS tapes, and stated that the Library Board has been discussing the matter.

H) Community Development Authority – Village President Jaberg

President Jaberg stated that draft minutes from the latest meeting have been prepared, however they have not been approved.

Trustee Krueger asked about the status of the former Diamond Jim's restaurant site. Mr. Van Gompel stated that several license applications were taken out but not returned.

I) Plan Commission – Village President Jaberg

President Jaberg reported on the public hearings that are scheduled for March 13, 2006 and stated that there were no items that required Village Board action at this time.

J) Finance and Public Works Committee – Trustee Krueger

1) Purchase of a Top Soil Screener

Trustee Krueger introduced the matter and summarized the committee's discussions.

Mr. Van Gompel summarized the report that was prepared and added that the screener would be paid for within three years when factoring in rental and transportation charges.

Trustee Springman inquired about the delivery cost of the new equipment. Mr. Van Gompel clarified the mileage based charges.

It was moved by Trustee Krueger and seconded by Trustee Kundinger to approve the Purchase of a Top Soil Screener in the amount of \$55,950 and the \$422 delivery charge. The motion carried unanimously.

2) 2006 Budget Adjustment, Account No. 010-130-513-21-10, Village Attorney Services

Trustee Krueger introduced the proposal and discussed the expense figure that will be covered by fund balance.

President Jaberg asked if the adjustment would negatively affect the Village's fund balance ratio. Mr. Van Gompel stated that the fund balance is sufficient to handle the expense and still be within the acceptable limits.

It was moved by Trustee Krueger and seconded by Trustee Kunding to Approve the 2006 Budget Adjustment to Account No. 010-130-513-21-10 for Village Attorney Services. The motion carried 6-1, with Trustee Schilz voting in opposition.

3) Consideration of Vouchers

Trustee Springman inquired about the large number of checks written to village residents. Trustee Krueger stated that the checks were refunds for overpayment of taxes.

It was moved by Trustee Krueger and seconded by Trustee Kunding to approve the payment of the vouchers and to ratify for payment, invoices due on or before February 20, 2006. The motion carried unanimously.

On other matters from the Finance and Public Works Committee, Trustee Krueger reported on the North 60th Street reconstruction project.

Mr. Van Gompel briefly discussed the bid process for the 60th street project as it was handled by the State of Wisconsin.

Mr. Thyges added that Jim Buske, the Village's Engineering Manager, scheduled the other street rehabilitation projects well away from the 60th Street corridor.

Trustee Schilz asked if any other committee's were involved with the project. Mr. Van Gompel stated that most of the committee work was handled by the Finance and Public Works Committee. Trustee Kunding added that Jim Buske will have a report for the Traffic and Public Safety Committee.

K) Personnel Committee – Trustee Baker

Trustee Baker reported that the next meeting is scheduled for February 27th.

VI. Unfinished Business

None.

VII. New Business

A) Resolution No. 06-, “Approving an Amendment to the Deed Restrictions of Deer Brook Estates”.

President Jaberg introduced the matter, and Mr. Piotrowski summarized the proposed changes in the language of the Deed Restrictions.

Trustee Krueger reviewed the Building Board's discussion on the matter and their recommendation.

Trustee Schilz asked if the restrictions were similar to the Donges Woods covenants. Mr. Thyges stated that the Deer Brook Estates restrictions are different than those used in Donges Woods.

Trustee Krueger discussed the Building Board's enforcement practices. President Jaberg added that the

Building Board has the ability to hold the developer to higher standards.

It was moved by Trustee Krueger and seconded by Trustee Springman to approve Resolution No. No. 06-, "Approving an Amendment to the Deed Restrictions of Deer Brook Estates". The motion carried unanimously.

B) Review and Approval of a New Garage Located in the Original Village Planned Development District, Located at 8567 North 42nd Street

Mr. Piotrowski summarized the matter for the Board.

Trustee Krueger discussed the review of the proposal by the Building Board and the positive recommendation forwarded by the Building Board.

Trustee Boschert asked about the roofline. Trustee Krueger clarified the roof measurements.

It was moved by Trustee Krueger and seconded by Trustee Springman to approve a New Garage Located in the Original Village Planned Development District, located at 8567 North 42nd Street. The motion carried unanimously.

VIII. Village President's Report

President Jaberg reported on the following:

Attending Steve Novak night at Brown Deer High School
Attending the ICC meeting and the MMSD meeting.
Attending the League of Wisconsin Municipalities "lobby day" in Madison
Being named the president of the North Shore Fire Department's Board of Directors.

IX. Village Manager's Report

Mr. Van Gompel reported on the following:

Milwaukee County's request for cost sharing on the reconstruction of Good Hope Road.
The proposed Tax Payer Protection Act that is in the State Legislature.
A Wireless Network proposal for the Village of Brown Deer
Status of the lagoon dredging project and possible legal action against the Village.

A discussion ensued about the proposed Tax Payer Protection Act.

X. Adjournment

It was moved by Trustee Boschert and seconded by Trustee Schilz to adjourn at 8:25 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager