

**BROWN DEER VILLAGE BOARD
JANUARY 22, 2007 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, 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; Nate Piotrowski, Planning/Zoning Specialist; Rebecca Boyle, Village Attorney

II. Pledge of Allegiance

III. Persons Desiring to be Heard

Mike Christopoulos, 8515 North 59th Street, announced that a farewell dinner for School Superintendent Bruce Connolly is scheduled.

**IV. Consideration of Minutes: December 18, 2006 – Regular Meeting
January 8, 2007 - Special Meeting**

It was moved by Trustee Oates and seconded by Trustee Schilz to approve the minutes of the December 18, 2006 regular meeting. The motion carried unanimously.

It was moved by Trustee Oates and seconded by Trustee Schilz to approve the minutes of the January 8, 2007 special meeting. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Krueger

Trustee Krueger stated that he was unable to attend the meeting. Mr. Thyges reported that several single-family residences in the Deerbrook Estates subdivision and the conceptual review for General Capital's condominium development were considered at the meeting.

B) Beautification Committee – Trustee Oates

Trustee Oates reported on the committee's DNR Forestry Grant discussions, the Deer Run recycling event, the receipt of a rain garden grant from MMSD, and the committee's discussions on the new bath house landscaping.

1) Resolution No. 07-, "A Resolution Proclaiming April 27, 2007 as Arbor Day"

It was moved by Trustee Oates and seconded by Trustee Krueger to approve Resolution No. 07-, "A Resolution Proclaiming April 27, 2007 as Arbor Day". The motion carried unanimously.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reported that no meeting was held.

D) 4th of July Committee – Trustee Krueger

Trustee Krueger reported that a live band had been hired for the event and that the discussions regarding possible changes to the entertainment and a new parade marshal are ongoing.

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.

Trustee Baker asked about the placement of temporary stop signs along North 60th Street. President Jaberg noted that there are to be future discussions at the committee level on the matter.

G) Library Board – Trustee Baker

Trustee Baker indicated that the meeting minutes were included in the packet and that discussions have begun regarding a succession plan for the Library Director.

H) Community Development Authority – Village President Jaberg

President Jaberg stated that staff is coordinating a joint meeting with the Finance and Public Works Committee for late February.

I) Plan Commission – Village President Jaberg

President Jaberg summarized the committee's discussions and recommendations on each of the agenda items.

Mr. Piotrowski discussed the draft Cook/Gen Cap Development Agreement for the Board.

Trustee Springman asked about the Committee's response to allowing short-term leasing. Mr. Piotrowski stated that it was requested by the developer in order to jump start a revenue stream. Steve Sirkis, General Capital, further discussed the need for allowing the short-term leasing prior to the beginning of unit sales.

Mr. Sirkis presented the site plan and discussed the construction timetable for the Board.

Trustee Boschert voiced concerns with the short-term leasing allowance. Mr. Sirkis discussed the two-year limit on the leasing of units, after which units may only be sold.

Trustee Springman asked for clarification of the lease terms. A discussion ensued regarding the types of leases and how the two-year timetable would be enforced.

President Jaberg asked about the turnover of the development to a Condominium Owners Association. Mr. Piotrowski indicated that there is not a specific timeframe for the turnover; however the Development Agreement stipulates control of the development by an owners association.

Trustee Baker inquired about the design of the units. Mr. Sirkis discussed why the units would not include a basement.

1) Certified Survey Map for the Northwest Corner of N. 60th Street and W. Brown Deer Road

It was moved by President Jaberg and seconded by Trustee Schilz to approve the Certified Survey Map for the Northwest Corner of N. 60th Street and W. Brown Deer Road. The motion carried unanimously.

2) Rezone 8899-8907 N. 60th Street from B3-Commercial and R2-Residential to RPD-Residential Planned Development.

It was moved by President Jaberg and seconded by Trustee Schilz to approve the Rezoning of 8899-8907 N. 60th Street from B3-Commercial and R2-Residential to RPD-Residential Planned Development. The motion carried unanimously.

3) Development Agreement with Cook/Gen Cap LLC for a condominium project at 8899 N. 60th Street

President Jaberg reviewed the recommended revisions for the Board.

Trustee Springman asked if there would be a 1-year review. President Jaberg stated that there would not be a review of the Agreement.

It was moved by President Jaberg and seconded by Trustee Schilz to approve the Development Agreement with Cook/Gen Cap LLC for a condominium project at 8899 N. 60th Street with the revisions as noted. The motion carried unanimously.

J) Finance and Public Works Committee – Trustee Krueger

1) Replacement of the Village Hall HVAC System

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

Mr. Van Gompel briefly reviewed the scope of the project and the phased implementation approach.

It was moved by Trustee Krueger and seconded by Trustee Boschert to award the contract for design and engineering services to Fredericksen Engineering at a cost not to exceed \$23,000. The motion carried unanimously.

2) Upgrade Administrative Services Workstations and Carpeting Replacement

Trustee Krueger summarized the committee's discussions on the matter and the recommendation. Ms. Kasza discussed the project timeline.

It was moved by Trustee Krueger and seconded by Trustee Boschert to award the contract for the upgrade of the Administrative Services Workstations and Carpeting Replacement to CJ & Associates, Inc. in the amount not to exceed \$35,195. The motion carried unanimously.

3) Consideration of Vouchers

It was moved by Trustee Krueger and seconded by Trustee Boschert to approve the payment of the vouchers and to ratify for payment invoices due on or before January 22, 2007. The motion carried unanimously.

On other matters from the Finance and Public Works Committee, Trustee Krueger reported on the review

of the Village's fiscal policies. Mr. Van Gompel discussed the Green Bay Road service drive ditching project and the associated plantings.

K) Personnel Committee – Trustee Baker

1) Ordinance No. 07-, “Amending Section 4-6.03, Salary Ranges Established”

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

Trustee Krueger asked if the citizen members of the committee provided any input on the matter. Trustee Baker stated that it was the citizen member who motioned for a favorable recommendation to the Board.

Trustee Schilz asked about the impact on the Village budget. Trustee Baker indicated that the impact would be small.

Trustee Krueger indicated that the April, 2009 effective date is acceptable. President Jaberg added that at that time it will have been 15 years since the last pay increase.

It was moved by President Jaberg and seconded by Trustee Baker to approve Ordinance No. 07-, “Amending Section 4-6.03, Salary Ranges Established” with the pay increases to take effect in April of 2009. The motion carried unanimously.

VI. Unfinished Business

None.

VII. New Business

A) Change of Agent for Applebee's Neighborhood Grill and Bar, 9080 North Green Bay Road

Mr. Van Gompel summarized the matter for the Board and forwarded the recommendation from the Police Department.

Trustee Oates inquired about the responsible server class requirement. Mr. Van Gompel stated that the class is required by Village Ordinance and State Statutes and briefly discussed the scope of the class.

Trustee Schilz asked when the previous agent had left. Mr. Van Gompel stated that the previous agent left in December of 2006 and touched on the potential penalties.

Trustee Springman asked if the violation would fall under the Village's demerit system. Attorney Boyle stated that the demerit system generally applies to serving violations.

It was moved by Trustee Krueger and seconded by Trustee Boschert to approve the change of Agent for Applebee's Neighborhood Grill and Bar, 9080 North Green Bay Road. The motion carried unanimously.

B) Change in Liquor License for Bradley's, 4740 West Bradley Road

Mr. Van Gompel discussed the history of the development and the outstanding issues.

Attorney Lynette McNealy, on behalf of Bradley's, discussed the error on the previous license application and the need for correction.

Village Attorney Boyle discussed how the application was granted and the conditions that were placed on it, as well as the relationship between the two business entities involved with Bradley's. Attorney Boyle also recommended that the matter be forwarded to her office for further review.

Mr. Van Gompel discussed the need for a release of the license to be furnished by Arlis Jones.

A discussion ensued regarding the ownership conflicts with the business partners and how it effects the liquor license situation.

President Jaberg requested a complete listing of the permits and approvals that have been granted for the jazz club operation.

Trustee Krueger commended the representatives from Bradley's on their work to improve the site.

Mr. Van Gompel indicated that the matter would be placed on a future Village Board meeting agenda.

No Action was taken by the Village Board on this matter.

C) Purchase Radios for Public Works, North Shore Health Department and Water Utility

Mr. Van Gompel discussed the grant that was received for the funding of the radio purchase and how the timing of the grant necessitated Village Board action.

President Jaberg asked about the number of radios that will be purchased. Mr. Neitzel discussed how the 33 radios would be distributed among the Public Works Department, the Water Utility, and the Health Department.

Ms. Kasza discussed the reallocation of funds to cover the costs of the purchase.

Mr. Van Gompel discussed the county wide radio upgrade for emergency service communications.

It was moved by Trustee Springman and seconded by Trustee Baker to accept the grant and to purchase the radios in an amount not to exceed \$68,000. The motion carried unanimously.

D) Resolution No. 07-, "Honoring Jason Baughman in Earning the Rank of Eagle Scout."

Trustee Oates noted that Mr. Baughman is a very deserving individual

It was moved by President Jaberg and seconded by Trustee Schilz to approve Resolution No. 07-, "Honoring Jason Baughman in Earning the Rank of Eagle Scout." The motion carried unanimously.

VIII. Village President's Report

President Jaberg reported on the following:

Attending the North Shore Fire Department's board meeting
Attending the swearing in of Milwaukee County Sheriff David Clark

Trustee Krueger asked if the North Shore Fire Department has upgraded their radios. President Jaberg stated that they have begun the upgrade process.

IX. Village Manager's Report

Mr. Van Gompel reported on the following:

- The updated Administrative and Organizational Plan for the Village
- The status of the Pond Building construction and the Kohl's food store building demolition
- The ongoing AFSCME negotiations
- The format of the spring election ballot

X. Adjournment

It was moved by Trustee Krueger and seconded by Trustee Schilz to adjourn at 9:15 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager