

VILLAGE BOARD MEETING
Monday, February 6, 2012
Earl McGovern Board Room, 6:30 P.M.



PLEASE TAKE NOTICE that a meeting of the Brown Deer Village Board will be held at the Village Hall of the Village of Brown Deer, 4800 West Green Brook Drive, Brown Deer, Wisconsin at the above noted time and date, at which the following items of business will be discussed and possibly acted upon:

- I. Roll Call
- II. Pledge of Allegiance
- III. Public Hearing
 - A) In the Matter of the Application for a Class "A" Fermented Malt Beverages License and a Class "C" Wine License by Joenette Diana Kelly-Kidd d/b/a Shop on Sherman, 7979 North Sherman Boulevard, Suite 220, to Allow for the Sale of Fermented Malt Beverages and Wine on the Site
- IV. Persons Desiring to be Heard
- V. Consideration of Minutes: January 23, 2012 – Regular Meeting
- VI. Unfinished Business
 - A) Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite 220
- VII. New Business
 - A) Discuss Pedestrian and Vehicle Traffic on N. 60th Between W. Bradley Road and W. Dean Road
 - B) Liquor License Agent Change for Pick 'N Save, 9200 North Green Bay Road
 - C) Resolution No. 12-, "Resolution Amending Resolution No. 12-03, Eliminating the Private Property I/I Charge from the Fee Schedule"
 - D) Ordinance No. 12-, "Creating Section 42-76 of the Brown Deer Village Code Pertaining to County Parks and Bus Violations"
 - E) Ordinance No. 12-, "Amending Section 14-2 of the Brown Deer Village Code Relating to Business Hours Regulated"
 - F) Community Services and Inspections Staffing Considerations
 - G) Review and Approve amendment to the Market Place Fifth Supplemental Development Agreement
- VIII. Village President's Report
- IX. Village Manager's Report
- X. Recess into Closed Session pursuant to §19.85(1) (c) and (e) Wisconsin Statutes for the following reasons:
 - (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction of exercises responsibility.
- XI. Reconvene into Open Session for Possible Action on Closed Session Deliberations
- IX. Adjournment


Russell Van Gompel, Village Manager
February 2, 2012

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE BUSINESS DAY PRIOR TO THE MEETING.

**BROWN DEER VILLAGE BOARD
JANUARY 23, 2012 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:30 P.M.

I. Roll Call

Present: Village President Krueger; Trustees: Baker, Boschert, Oates, Schilz, Springman, Weddle-Henning

Also Present: Russell Van Gompel, Village Manager; Matt Janecke, Assistant Village Manager; Chief Steven Rinzel, Brown Deer Police Department; Bridget Souffrant, Treasurer/Comptroller; Rebecca Boyle, Village Attorney; Nate Piotrowski, Community Services Director

II. Pledge of Allegiance

III. Persons Desiring to be Heard

Don Uebelacker, 6195 West Plaza Circle, asked to be heard under agenda item VII. C). His request was granted by Village President Krueger.

Supervisor Rice wished to make a short presentation to the Village Board under agenda item VII. C). His request was granted by Village President Krueger

Mike Christopulos, 8515 North 59th Street, asked if his comment could be heard under agenda item VII. C). His request was granted by Village President Krueger.

Augie Zanowski, 8614 North 56th Street, asked to be heard under agenda item VII. C). His request was granted by Village President Krueger.

IV. Consideration of Minutes: December 5, 2011 – Regular Meeting

It was moved by Trustee Springman and seconded by Trustee Boschert to approve the minutes of the December 19, 2011 regular meeting. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Weddle-Henning

No meeting.

B) Beautification Committee – Trustee Oates

No meeting.

C) Park and Recreation Committee – Trustee Springman

No meeting.

D) 4th of July Committee – Village President Krueger

Village President Krueger announced the committee authorized the entertainment contract, approving the same vendors from last year. Mary Kust has been picked by the committee to be this year's parade marshal.

E) Traffic and Public Safety – Trustee Boschert

Trustee Boschert reported the committee discussed a possible ordinance that would allow law enforcement personnel to respond and provide service to county park lands or county buses without having to wait for additional back-up service from a Milwaukee County Sheriff's Deputy. Discussion also took place about the early openings of Brown Deer businesses on "Black Friday" and recouping costs of providing extra law enforcement personnel for that day.

F) Library Board – Trustee Baker

Trustee Baker noted the board had discussions about the upcoming MCFLS/TEACH internet bandwidth upgrade, 2012 MCFLS cataloging costs, and the completion of the HVAC project. Staff has noticed the temperature was controlled better.

Trustee Weddle-Henning asked if painting was going to be done on the Library building. Trustee Baker replied and said yes both the interior and exterior of the building was going to be painted, and bid requests will be sent out this spring. Trustee Baker noted other potential projects he and staff are looking into.

G) Community Development Authority – Village President Krueger

No meeting.

H) Plan Commission – Village President Krueger

No Meeting.

I) Finance and Public Works – Trustee Oates

Trustee Oates was not at the meeting; Trustee Boschert provided the committee report.

1) Renew Contract with Community Investment Partners

Trustee Boschert provided the details of the contract. Community Investment Partners (CIP) was hired a year ago. CIP invested \$3,680,355 with gross earnings of \$45,859.99. With their fee of \$6,339.16, the Village had a net earning of \$39,529.83. If the Village invested the Local Government Investment Pool (LGIP) it would have only received \$4,879.78.

Trustee Weddle-Henning asked if CIP provided a quarterly update on the earnings. Trustee Boschert responded by saying they provide quarterly and year end updates.

It was moved by Trustee Boschert and seconded by Trustee Springman to approve the Renewal Contract with Community Investment Partners. The motion carried unanimously.

2) Engineer Consultant Contract

Trustee Boschert provided information on the engineering Request for Proposal process by saying six engineering firms' proposals were received. After a review of materials and internal deliberations, staff selected and awarded the contract to Ayres. Ayres was chosen based on their familiarity, responsiveness, and proximity to the Village. Furthermore, staff has worked with Ayres for the past 10 years, and to change engineering firm's mid-project would be a difficult task.

Trustee Springman asked what "total station" was in the engineering proposal. Mr. Piotrowski addressed Trustee Springman's question by saying the village has never incurred this cost in the past.

Trustee Weddle-Henning asked if staff has worked with other engineering firms. Mr. Piotrowski said they have, and civil engineering firms specialize in different areas and Ayres is good at identifying projects that lack knowledge and Ayres has been good at recommending other firms that have expertise on the project. Trustee Weddle-Henning commented that she would like other firms to have better consideration for the contract.

It was moved by Trustee Boschert and seconded by Trustee Springman to approve entering into an "Amendment of Agreement" with Ayres Associates, Inc. to continue serving as the Village's Civil Engineering Consultant for calendar years 2012 and 2013. The motion carried 6-1, with Trustee Weddle-Henning voting in opposition.

3) Village Hall Technology and Network Upgrade

Trustee Boschert provided the background for the network upgrade. Due to age, lack of storage space and the lack of ability to accept the new accounting software the server needs replacing. Staff has received proposals and Digicorp has the second lowest bid, CC&N submitted the lowest proposal but having an incomplete proposal staff could not recommend them to the board. Digicorp comes highly recommended from the school district and has performed work at the village in the past.

Trustee Weddle-Henning asked what part of the budget is this project being funded from. Mr. Janecke responded that this project is part of a larger Capital Improvement Plan project of \$25,000 that includes purchasing a device to view paperless packets. Digicorp's proposal of \$17,209 was slightly higher than the \$17,000 budgeted for the project.

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the purchase of a Server for Village Hall from Digicorp at a not to exceed amount of \$17,209. The motion carried unanimously.

4) Consideration of Vouchers

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the vouchers from November 23, 2011 to December 22, 2011 in the amount of \$720,682.85. The motion carried unanimously.

J) Personnel Committee

Mr. Van Gompel informed the Board of some of the recent retirements and some of the discussion at the last meeting. He continued to report on the Subsidy Program brought forth by the Milwaukee Metropolitan YMCA. The program is being considered by the Wellness Team and they have asked employees to provide their input as to whether or not they will be interested in taking advantage of the program if offered.

VI. Unfinished Business

VII. New Business

A) Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite 220

Mr. Van Gompel gave a description of the store and the kind of alcohol the liquor license allows for, and noting the purchase of alcohol will be for off premise consumption only. Ms. Kelly-Kid added to Mr. Van Gompel's description by highlighting her professional career as a City of Milwaukee Police Officer and vowing not to sell to underage buyers.

Trustee Baker asked how much of the total sales of merchandise at the store will come from alcohol. Ms. Kelly-Kid's approximation was 10%. Trustee Schilz asked that a public hearing be held before the liquor license approved, the Village Board agreed.

It was moved by Trustee Schilz and seconded by Trustee Boschert directing staff to hold a public hearing concerning the approval of a Liquor License Application for Shop on Sherman, 7979 North Sherman Boulevard, Suite 220. The motion carried unanimously.

B) Draw Candidate's Names for Ballot Placement for Spring Election on April 3, 2012

Village President Krueger drew candidates' names for ballot placement for the spring election on April 3rd; Trustee Schilz will be first on the ballot, followed by Trustee Oates.

C) Resolution No. 12-,"A Resolution for an Advisory Referenda concerning Public Support for, or the opposition to, Reduction in the Size and Compensation of the Milwaukee County Board of Supervisors on the Election Ballot for the Tuesday, April 3, 2012 Election"

Mr. Van Gompel updated the board on the resolution and that since the December 5, 2011 Village Board meeting, there has been some request from the Village Board to have this agenda item be placed back on the agenda. The proposed resolution pertains to the size and compensation of the County Board. Some Milwaukee County communities have approved the resolution.

Former District #1 County Supervisor Joe Rice gave a brief description of the resolution and its purpose.

Don Uebelacker, Mike Christophulos and Augie Zanowski all expressed their concern over having the referenda resolution placed on the April 3, 2012 Milwaukee County Election Ballot.

A conversation ensued about the relativity of the resolution being placed on the April 3, 2012 Election Ballot.

It was moved by Trustee Boschert and seconded by President Krueger to adopt Resolution No. 12,"A Resolution for an Advisory Referenda Concerning Public Support for, or the opposition to, Reduction in the Size and Compensation of the Milwaukee County Board of Supervisors on the Election Ballot for Tuesday, April 3, 2012 Election". The motion carried unanimously.

D) Transfer of "Class B" Liquor License issued to Wigley Enterprises to Celebrations, LLC, 4740 West Bradley Road.

Mr. Van Gompel informed the Village Board an operating plan was received from Barry and Kathleen Mimis to open and operate Celebrations at 4740 West Bradley Road. The Village received notification that the current lessee and liquor license holder for 4740 West Bradley Road (Theresa L. Wigley, Terri Lynn's on Bradley) will cease operations at this location on March 5, 2012. Barry Mimis is being recommended as the appointed agent for Celebrations and has completed all the necessary steps to obtain a liquor license. Mr. and Mrs. Mimis' stated that their intent is to have a banquet hall and lounge and are present at the board meeting to answer questions. A brief conversation ensued about some of the past property maintenance issues.

It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the Transfer of "Class B" Intoxicating Liquor and Intoxicating Beer License held by Wigley Enterprises (Terri Lynn's on Bradley) to Celebration, LLC to operate Celebrations located at 4740 West Bradley Road. The motion carried unanimously.

E) Resolution No. 12-,"A Resolution Establishing a Schedule of Fees for the Village of Brown Deer"

Mr. Janecke provided a brief overview of the resolution and noted when the Village Code was re-codified it contained an open reference to "fee established by the Village Board". Created for convenience is one document that includes all the fees and charges in one location, making it easier to review and modify by resolution.

It was moved by Trustee Oates and seconded by Trustee Schilz to adopt a Resolution No. 12-, "A Resolution Establishing a Schedule of Fees for the Village of Brown Deer". The motion carried unanimously.

F) Amendment to Brown Deer Business Park Development

Mr. Piotrowski informed the board that the Village was approached by the owners of the Brown Deer Business Park, HAS Commercial, with a request to amend an existing development agreement to allow light manufacturing uses within the development. The request is in an attempt to lure additional tenants to fill some of its larger warehouse spaces. The current layout of the park is suitable for light manufacturing, and is different from the heavier manufacturing that is allowed in the area of 55th Street and Brown Deer Roads and would prohibit uses with "external impacts across property lines". The Cities of Milwaukee and West Allis have similar agreements.

Trustee Oates asked if there is a specific tenant staff has in mind. Mr. Piotrowski responded that staff has spoken with a potential tenant, but at this time no agreement has been made.

It was moved by Village President Krueger and seconded by Trustee Weddle-Henning to approve the Amendment to Brown Deer Business Park Development Agreement. The motion carried unanimously.

VIII. Village President's Report

Village President Krueger reported on the following:

- Being elected to the Milwaukee Intergovernmental Cooperation Council
- Attending his first Milwaukee Metropolitan Sewerage District as a council member

IX. Village Manager's Report

Mr. Van Gompel reported on the following:

- Alternative Staffing Levels
- Updating Records in the Statewide Voter Registration System

X. Recess into Closed Session pursuant to §19.85(1) (c) and (e)Wisconsin Statutes for the following reasons:

- (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
- (e) Deliberating or negotiating the purchase of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require closed sessions.

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to recess into Closed Session at 8:00 p.m. The motion carried unanimously.

It was moved by Trustee Springman and seconded by Trustee Baker to reconvene into Open Session at 9:39 p.m. The motion carried unanimously.

XI. Reconvene into Open Session for Possible Action on Closed Session Deliberations

- 1) Approve Collective Bargaining Agreement with Wisconsin Professional Police Association.

It was moved by Village President Krueger and seconded by Trustee Springman to approve the Collective Bargaining Agreement with Wisconsin Professional Police Association. The motion carried unanimously.

XII. Adjournment

It was moved by Trustee Schilz and seconded by Trustee Weddle-Henning to adjourn at 9:40 p.m. The motion carried unanimously.



Russell Van Gompel, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION:	Village Board
ITEM DESCRIPTION: Public Hearing and Application for a Class "A" Beer License and Class "C" Wine License to Joenette Diana Kelly-Kidd, d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220	
PREPARED BY:	Russell Van Gompel, Village Manager 
REPORT DATE:	February 2, 2012
MANAGER'S REVIEW/COMMENTS: <ul style="list-style-type: none"><input type="checkbox"/> No additional comments to this report.<input type="checkbox"/> See additional comments attached.	
RECOMMENDATION: To consider the application for a Class "A" Beer License and Class "C" Wine License to Joenette Diana Kelly-Kidd, d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220.	
EXPLANATION: Joenette Diana Kelly-Kidd has filed an application for a Class "A" Beer and Class "C" Wine license d/b/a Shop on Sherman located at 7979 North Sherman Boulevard, Suite 220. All individuals, corporations and limited liability companies applying for an alcohol beverage license must appoint an agent, which must be approved by the municipality. Ms. Kelly-Kidd is applying to be the appointed agent for the liquor license. It will be necessary for Ms. Kelly-Kidd to provide documentation that she has completed a Responsible Beverage Server's Course. A background check of Joenette Diana Kelly-Kidd was completed by the Police Department, with the recommendation that Ms. Kelly-Kidd be considered as Agent. A notice of this pending liquor license application was published on January 5, 2012 and a notice of the public hearing was published on February 2, 2012 in <i>The North Shore Now</i> . In addition the notice of the public hearing was mailed to property owners within 1000 feet of the store.	

In the Matter of the Application for a Class "A" Fermented Malt Beverages License and a Class "C" Wine License by Joenette Diana Kelly-Kidd d/b/a Shop on Sherman, 7979 North Sherman Boulevard, Suite 220, to allow for the sale of fermented malt beverages and wine on the site.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Village Board of the Village of Brown Deer on Monday, February 6, 2012, at 6:30 P.M. or as soon thereafter as the matter can be heard in the Village Hall, 4800 West Green Brook Drive, Brown Deer, Wisconsin. The purpose of the public hearing is to solicit public comment on an application for a Class "A" Fermented Malt Beverages License and a Class "C" Wine License by Joenette Diana Kelly-Kidd d/b/a Shop on Sherman, 7979 North Sherman Boulevard, Suite 220, to allow for the sale of fermented malt beverages and wine on the site.

PLEASE TAKE FURTHER NOTICE, that at such time and place, any interested party may appear in person, or by attorney or agent, and be heard on this matter.

DATED this 24th day of January, 2012.



Russell Van Gompel, Village Manager/Clerk



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Pedestrian and Vehicle Traffic on N. 60 th Between W. Bradley Road and W. Dean Road
PREPARED BY:	Russell Van Gompel, Village Manager 
REPORT DATE:	February 2, 2012
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION:	To discuss Pedestrian and Vehicle Traffic on North 60th Street Between West Bradley Road and West Dean Road
EXPLANATION:	<p>On Tuesday January 24, 2012, the Police Department responded to a car versus a pedestrian injury crash at North 60th Street and West Fairlane Avenue. This incident was preceded by a Car versus Pedestrian Injury Crash which occurred on January 6, 2012 at North 60th Street and West Tower Avenue.</p> <p>Following the January 24, 2012 New Release from the Police Department, Trustee Oates sent an email requesting that this item of concern be placed on the Village Board agenda as well as the agenda for the Traffic and Public Safety Committee. I have created an item called "Pedestrian and Vehicle Traffic on North 60th Between West Bradley Road and West Dean Road". I hope this item is sufficient to discuss the concerns raised by Trustee Oates.</p> <p>For your reference, I have attached the two press releases, an aerial view of North 60th Street, and the Construction plan sheets from the 2007 reconstruction project.</p> <p>It is possible that Dr. Deb Kerr, and possibly a representative from TAPCO, will be in attendance to participate in the discussion. Dr. Kerr and Village staff met with representatives from TAPCO to discuss additional signage.</p>

**BROWN DEER, WISCONSIN
POLICE DEPARTMENT**

NEWS RELEASE

DATE AND TIME: January 6, 2012 7:04am

CASE NO: 12-157

TYPE OF CASE: Car vs. Pedestrian Injury Crash

INJURIES: Pedestrian – non-life threatening injuries

PLACE OF OCCURRENCE: North 60th Street at West Tower Avenue

DETAILS:

On January 6, 2012 at 7:04am, Brown Deer Police Officers and the North Shore Fire Department were dispatched to a report of a car versus pedestrian accident with injuries on North 60th Street at West Tower Ave.

Upon arrival, the striking vehicle and driver were on scene and the pedestrian was down in the roadway of the intersection.

The investigation indicates that the driver, a 49 year old female from Milwaukee, was driving her gray 2007 Honda Accord northbound on North 60th Street. The pedestrian, a 15 year old male from Brown Deer, was walking east to the Brown Deer High School in the crosswalk from W Tower Avenue crossing North 60th Street.

The driver of the vehicle did not see the pedestrian and struck him in the crosswalk. The pedestrian sustained non life threatening injuries, including a possible broken leg, and was transported by North Shore Ambulance to a local area hospital. The parents of the pedestrian were notified.

The vehicle sustained minor damage and the driver was not injured. The driver was cited for failure to yield to a pedestrian in a crosswalk and released from the scene.

Witness statements were taken and a State Crash Report will be submitted upon completion of the investigation.

January 6, 2012 11:00am
Date and Time

George King #307
Reporting Officer

Lieutenant of Police
Assignment

**BROWN DEER, WISCONSIN
POLICE DEPARTMENT**

NEWS RELEASE

DATE AND TIME: January 24, 2012 3:19 P.M. CASE NO: 12-713

TYPE OF CASE: Car vs. Pedestrian Injury Crash

INJURIES: Pedestrian – non-life threatening injuries

PLACE OF OCCURRENCE: North 60th Street at West Fairlane Avenue

DETAILS:

On Tuesday, January 24, 2012 at about 3:19 P.M., Brown Deer Police Officers and the North Shore Fire Department were dispatched to a report of a pedestrian down in the roadway on North 60th Street at West Fairlane Avenue.

Upon arrival, it was determined that the pedestrian, a 13-year-old male from Milwaukee, had been struck by a vehicle. The striking vehicle and driver were on scene.

The investigation indicates that the driver, a 74-year-old female from Milwaukee, was driving her 2007 Hyundai Santa Fe southbound on North 60th Street. The pedestrian, was walking westbound in the crosswalk from West Fairlane Avenue crossing North 60th Street.

The driver of the vehicle struck the pedestrian in the crosswalk. The pedestrian sustained non-life threatening injuries and was transported by North Shore Ambulance to a local hospital. The parents of the pedestrian were notified and responded to the scene.

There was no visible damage to the striking vehicle and the driver was not injured. The driver was cited for failure to yield to a pedestrian in a crosswalk and was released from the scene.

Witness statements were taken and a State Crash Report will be submitted upon completion of the investigation.

**January 24, 2012 4:30 P.M..
Date and Time**

**Daniel J. Krohn
Reporting Officer**

**Lieutenant of Police
Assignment**

6220 8400 8401

W DEAN RD

6238 6216 6194 6164 6136 6116 6098 6052 6012

DEL AVE

6230 6233 6224 6207 6180 6187 6152 6153 6126 6129 8327 8371 6035 8352 8332 8312

W VILLA LN

6226 6229 6206 6209 6182 6181 6150 6155 6124 6129 6106 8275 6038 8292 8272 8252

W FAIRLANE AVE

6230 6241 6206 6215 6180 6185 6154 6151 6126 6137 8185 8209 8212 8202 8192 8182 8172

W ARCH AVE

6228 6243 6208 6213 6182 6183 6152 6153 6128 6139 8147 6109 8172 8162 8152 6036

W TOWER AVE

8103 8093 8077 8065 54 8055 44 8045 34 8035 24 8025 6155 8125 8116 8102 8096 8082 8074 8062 8056 8042 8036 8027

DDRICH LN

6257 6229 6209 6185 6155 6129 8185 8116 8102 8096 8082 8074 8062 8056 8042 8036 8027

N 60TH ST



Village of Brown Deer

8355

8200

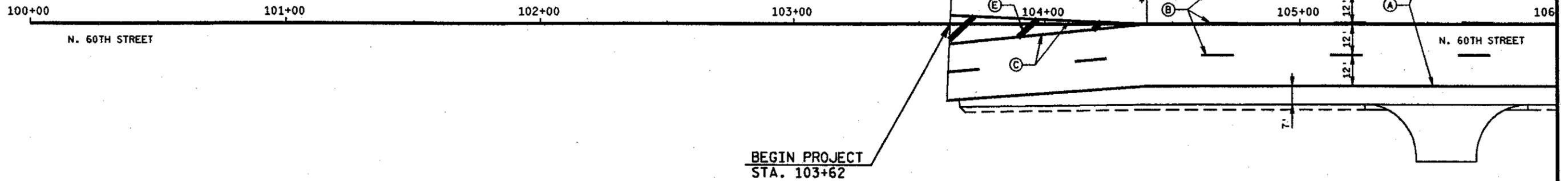
5600

W BRADLEY RD

N 55TH ST

8366 8350 5427 5410 5421 5411 5420 5410 8316 8306 8284 8274 8264 8254 8244 8234 8224 8214 8206 5441 8080 8070 8058 8046 8036 8026 8016 8004

W. BRADLEY ROAD



PAVEMENT MARKING LEGEND

- (A) PAVEMENT MARKING EPOXY 4-INCH (EDGE LINE)
- (B) PAVEMENT MARKING EPOXY 4-INCH ~~(DASHED YELLOW)~~ *DOUBLE*
- (C) PAVEMENT MARKING EPOXY 4-INCH (YELLOW) *DOUBLE*
- (D) PAVEMENT MARKING EPOXY 8-INCH (WHITE) *YELLOW*
- (E) PAVEMENT MARKING DIAGONAL EPOXY 12-INCH (WHITE)
- (F) PAVEMENT MARKING CROSS WALK EPOXY 12-INCH (WHITE)
- (G) PAVEMENT MARKING STOP LINE EPOXY 18-INCH (WHITE)
- (H) PAVEMENT MARKING CURB RAMP EPOXY (YELLOW)
- (I) PAVEMENT MARKING ARROWS TYPE 2 (WHITE)
- (J) PAVEMENT MARKING WORDS EPOXY (WHITE)

PROJECT NO: 2415-07-70

HWY: N. 60TH STREET

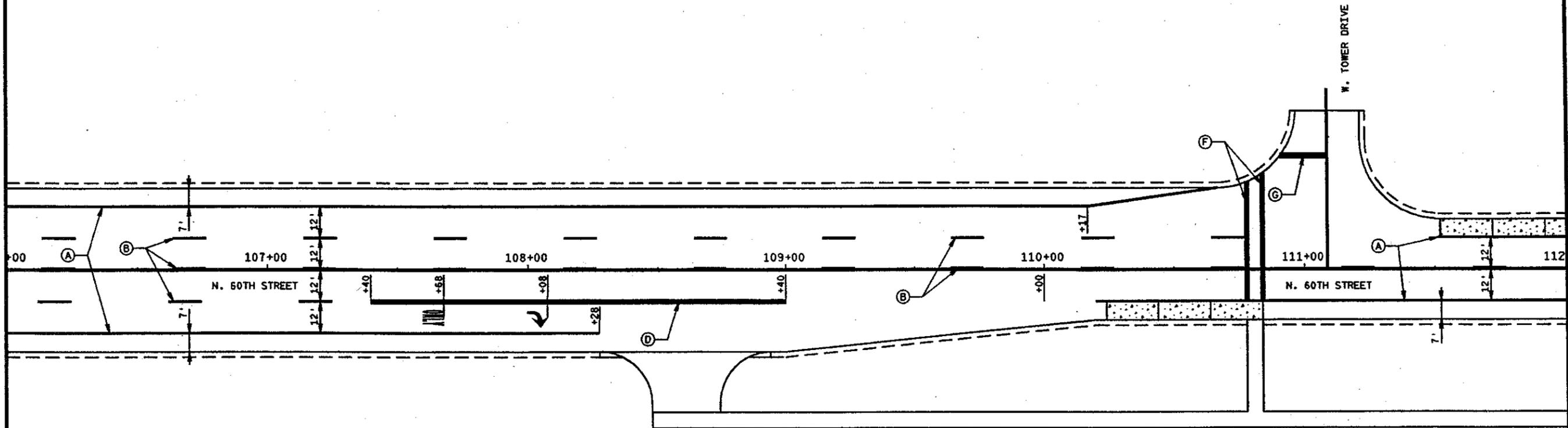
COUNTY: MILWAUKEE

PAVEMENT MARKING

SCALE, FEET

SHEET 43

E



PAVEMENT MARKING LEGEND

- (A) PAVEMENT MARKING EPOXY 4-INCH (EDGE LINE)
- (B) PAVEMENT MARKING EPOXY 4-INCH *DOUBLE* DASHED YELLOW
- (C) PAVEMENT MARKING EPOXY 4-INCH (YELLOW) *DOUBLE*
- (D) PAVEMENT MARKING EPOXY 8-INCH (WHITE) *YELLOW*
- (E) PAVEMENT MARKING DIAGONAL EPOXY 12-INCH (WHITE)
- (F) PAVEMENT MARKING CROSS WALK EPOXY 12-INCH (WHITE)
- (G) PAVEMENT MARKING STOP LINE EPOXY 18-INCH (WHITE)
- (H) PAVEMENT MARKING CURB RAMP EPOXY (YELLOW)
- (I) PAVEMENT MARKING ARROWS TYPE 2 (WHITE)
- (J) PAVEMENT MARKING WORDS EPOXY (WHITE)

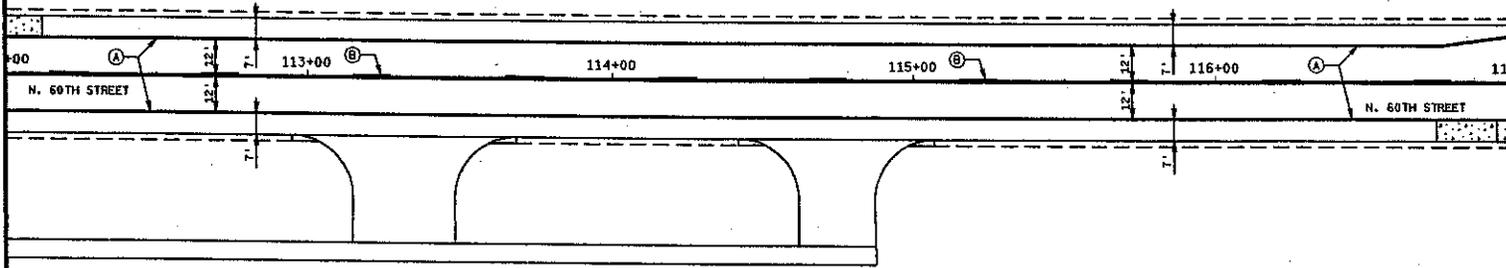
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STA. 112+00



STA. 117+00

2



PAVEMENT MARKING LEGEND

- (A) PAVEMENT MARKING EPOXY 4-INCH (EDGE LINE)
- (B) PAVEMENT MARKING EPOXY 4-INCH ^{DOUBLE} (DASHED YELLOW)
- (C) PAVEMENT MARKING EPOXY 4-INCH (YELLOW)
- (D) PAVEMENT MARKING EPOXY 8-INCH (WHITE)
- (E) PAVEMENT MARKING DIAGONAL EPOXY 12-INCH (WHITE)
- (F) PAVEMENT MARKING CROSS WALK EPOXY 12-INCH (WHITE)
- (G) PAVEMENT MARKING STOP LINE EPOXY 18-INCH (WHITE)
- (H) PAVEMENT MARKING CURB RAMP EPOXY (YELLOW)
- (I) PAVEMENT MARKING ARROWS TYPE 2 (WHITE)
- (J) PAVEMENT MARKING WORDS EPOXY (WHITE)

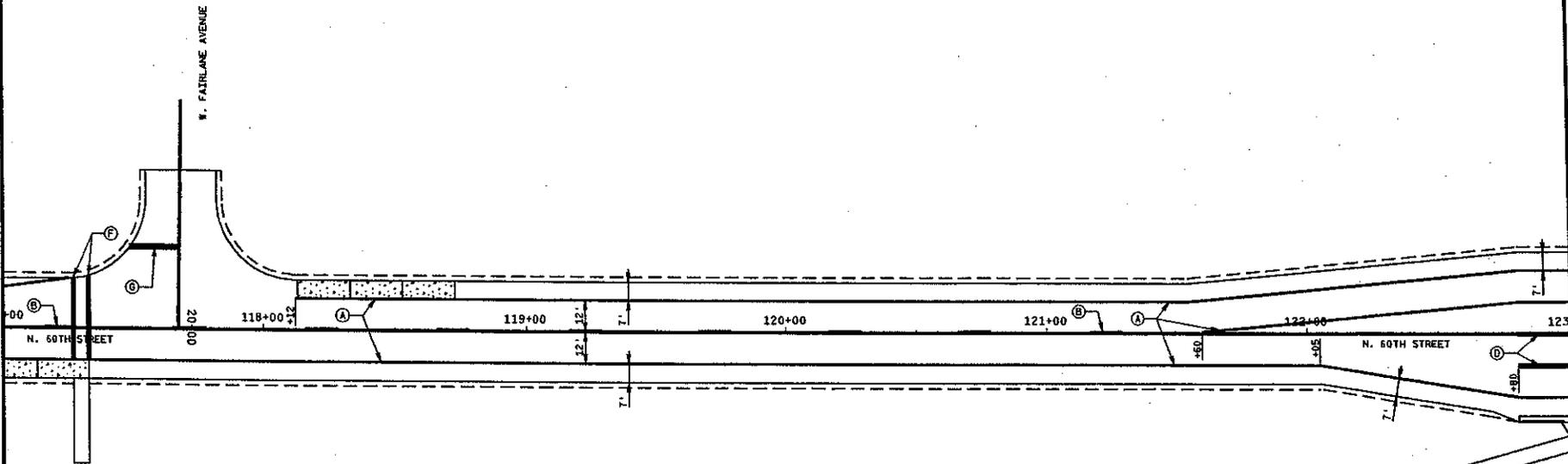
MATCH LINE

MATCH LINE

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STA. 117+00

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2



PAVEMENT MARKING LEGEND

- (A) PAVEMENT MARKING EPOXY 4-INCH (EDGE LINE)
- (B) PAVEMENT MARKING EPOXY 4-INCH (DASHED YELLOW)
- (C) PAVEMENT MARKING EPOXY 4-INCH (YELLOW)
- (D) PAVEMENT MARKING EPOXY 8-INCH (WHITE)
- (E) PAVEMENT MARKING DIAGONAL EPOXY 12-INCH (WHITE)
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- (H) PAVEMENT MARKING CURB RAMP EPOXY (YELLOW)
- (I) PAVEMENT MARKING ARROWS TYPE 2 (WHITE)
- (J) PAVEMENT MARKING WORDS EPOXY (WHITE)

MATCH LINE

MATCH LINE

PROJECT NO: 2415-07-70

HWY: N. 60TH STREET

COUNTY: MILWAUKEE

PAVEMENT MARKING

SCALE, FEET 0 20 40

SHEET 46

E



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Change of Agent Appointment for Pick 'N Save Store #6867
PREPARED BY:	Russell Van Gompel, Village Manager
REPORT DATE:	January 25, 2012
MANAGER'S REVIEW/COMMENTS:	<p><input checked="" type="checkbox"/> No additional comments to this report.</p> <p><input type="checkbox"/> See additional comments attached.</p> <p><i>R V - Gompel</i></p>
RECOMMENDATION:	To appoint Benjamin Nathaniel Goodness as Agent for the Class "A" Intoxicating Liquor License and Class "A" Beer License held by Mega Marts, Inc., d/b/a Pick 'N Save Store #6867.
EXPLANATION:	<p>Mega Marts, Inc., d/b/a Pick 'N Save Store #6867, has submitted a request to appoint Benjamin Nathaniel Goodness as the new Agent for the Class "A" Intoxicating Liquor License and Class "A" Beer License. Mr. Goodness has provided a copy of the Wisconsin Responsible Beverage Server Training Course Certificate issued to him on January 7, 2012, which meets the State of Wisconsin criteria to be appointed an Agent. A background check of Mr. Goodness was completed by the Police Department, with the recommendation that Mr. Goodness be considered as Agent. The previous agent that was appointed in November of 2011, John Joseph Wiman, has been transferred to another store location.</p> <p>The applicant has paid the Village \$30.00 for these proposed changes. There is a \$15.00 fee to re-issue the liquor license and change the Agent and a \$15.00 publication fee. The ad appeared in the Legal Section of the <i>North Shore Now</i> on February 2, 2012.</p> <p>Pursuant to State Statutes and the Village Code, all changes that pertain to intoxicating liquor licenses, including agent appointments, must be presented for consideration and approved by the Village Board.</p>



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION:	Village Board
ITEM DESCRIPTION:	Amendment to the Fee Schedule Resolution
PREPARED BY:	Matt Janecke, Assistant Village Manager
REPORT DATE:	January 24, 2012
VILLAGE MANAGER'S REVIEW/COMMENTS:	<input checked="" type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.

R. U. Lopez

BACKGROUND:

The initial adoption of the fee schedule listed a charge for the unapproved Private Property I/I Program that should not have been listed. Upon noticing this, staff has prepared a resolution removing the charge from the previously approved fee schedule.

RECOMMENDATION:

To adopt the attached resolution amending the Fee Schedule Resolution.

A Resolution Amending Resolution
No. 12-03, Eliminating the Private
Property I/I Charge from the Fee Schedule

Resolution No. 12-

WHEREAS, the Village Board adopted Resolution 12-03, “A Resolution Establishing a Schedule of Fees for the Village of Brown Deer” on January 23rd, 2012; and,

WHEREAS, the fee schedule included a charge for Private Property I/I; and,

WHEREAS, the Village Board has not approved a “Private Property I/I Charge” listed in the fee schedule included in Resolution 12-03; and,

WHEREAS, the Village Board has eliminated the “Private Property I/I Charge” from the fee schedule adopted on the 23rd day of January, 2012.

NOW, THEREFORE BE IT RESOLVED by the Village Board for the Village of Brown Deer that it hereby amends Resolution No. 12-03, “Resolution Establishing a Schedule of Fees for the Village of Brown Deer”, by eliminating the “Private Property I/I Charge” from the adopted fee schedule.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this 6th day of February, 2012.

Carl Krueger, Village President

Russell Van Gompel, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Ordinance No. 12-, "Creating Section 42-76 of the Brown Deer Village Code Pertaining to County Parks and Bus Violations"
PREPARED BY:	Russell Van Gompel, Village Manager
REPORT DATE:	February 2, 2012
MANAGER'S REVIEW/COMMENTS:	<input checked="" type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached. 
RECOMMENDATION:	To adopt Ordinance No 12-, "Creating Section 42-76 of the Brown Deer Village Code Pertaining to County Parks and Bus Violations"
EXPLANATION:	<p>This ordinance will assist the Police Department in adequately enforcing the rules and ordinances that exist for the parks in the Milwaukee County Parks System and certain violations that may occur in or on Milwaukee County Transit vehicles or structures. This would apply to both Hansen and Algonquin Parks, Milwaukee County buses and bus stops.</p> <p>Currently when a violation of a Milwaukee County Ordinance occurs in a Milwaukee County Park System or on Milwaukee County Transit property, Brown Deer Police Officers must stand by and wait for a Milwaukee County Sheriff's Department squad to respond to issue the citation for the violation.</p> <p>This can cause an officer to be out of service for extended periods of time, and with Milwaukee County budget cuts to the Sheriff's Department, deputy response times could be significantly longer than they currently are. In addition, the issuance of municipal citations by our agency's officers would allow for violations to be handled locally by our municipal court judge.</p> <p>The adoption of the Chapter 47 ordinances would address violations occurring upon Milwaukee Park System properties, and Chapter 63 allows for the enforcement of violations involving those that occur on Milwaukee County Transit vehicles and at bus stops that may not be covered by current State Statute and local ordinance. Violations of these ordinances would result in a \$150.00 fine plus prosecution costs.</p> <p>The Traffic and Public Safety Committee is recommending adoption of this Ordinance.</p>

An Ordinance Creating Section 42-76
of the Brown Deer Village Code Pertaining
to County Parks and Bus Violations

Ordinance No. 12-

The Village President and the Village Board of the Village of Brown Deer, Milwaukee County, Wisconsin, do herewith ordain as follows, to-wit:

SECTION I

Section 42-76 of the Brown Deer Village Code is hereby created to provide as follows:

DIVISION 5. COUNTY PARKS

42-76. County Parks – Regulations

The following sections of the Milwaukee County Code of General Ordinances, exclusive of any provisions therein relating to the penalties to be imposed for the punishment for violations of that chapter, are herewith adopted by reference and made a part of this chapter as though more fully set forth herein. Any act required to be performed or prohibited by Chapter 47 and sections 63.065 and 63.067 of the Milwaukee County Code of General Ordinances incorporated herein by reference are required or prohibited by this Code:

Chapter 47

47.01. - Definitions. 47.021. - Handbill, etc. within any park or parkway.

47.022. - Noise.

47.04. - Sales and solicitation for sale prohibited without permit, distribution of advertisements; regulation of.

47.05. - Use of firearms, fireworks; hunting with bow and arrow and trapping; throwing of missiles; making of fires; deposit or breakage of tin cans, bottles and glassware; prohibitions.

47.06. - Animals in parks.

47.08. - Injury to, destruction, or removal of public property.

47.081. - Use of skateboards prohibited.

47.09. - Use of parks for aircraft prohibited except with permit.

47.10. - Use of motor vehicles in parks.

47.11. - Regulation of bicycle riders.

47.12. - Horseback riding regulations.

47.15. - Fortunetelling, gambling, prohibited; bingo.

47.16. - Disorderly conduct; smoking prohibited.

47.17. - Possession of alcoholic beverages in park areas.

47.24. - Improper use of park furniture.

47.25. - Sleeping, camping or lodging in parks forbidden.

47.26. - Interference with park employees unlawful.

47.27. - Park hours.

Chapter 63

63.065. - Graffiti and other vandalism in or on county parks and parkways and in or on Milwaukee County transit system buses, structures, and buildings.

63.067. - No smoking, playing of electronic devices capable of creating disturbing noise or consumption of beverages on buses.

SECTION II

All ordinances or parts of ordinances contravening the terms and provisions of this ordinance are hereby to that extent repealed.

SECTION III

This Ordinance shall take effect upon passage and publication as provided by law, and the Village Clerk shall so amend the Brown Deer Code, and shall indicate the date and number of this amending ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this _____ day of _____, A.D. 2011.

Carl Krueger, Village President

Russell Van Gompel, Village Manager/Clerk



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Ordinance No. 12-, "Amending Section 14-2 of the Brown Deer Village Code Relating to Business Hours Regulated"
PREPARED BY:	Russell Van Gompel, Village Manager <i>R V Gompel</i>
REPORT DATE:	February 2, 2012
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION:	To adopt Ordinance No. 12-, "Amending Section 14-2 of the Brown Deer Village Code Relating to Business Hours Regulated".
EXPLANATION:	This ordinance will amend the Section of the Village Code relating to Business Hours. It adds addition criteria in (7) and adds a provision to require the reimbursement of public safety costs when additional hours are approved. The Traffic and Public Safety Committee is recommending adoption of this Ordinance

An Ordinance Amending Section 14-2
of the Brown Deer Village Code Relating
to Business Hours Regulated

Ordinance No. 12-

The Village President and the Village Board of the Village of Brown Deer, Milwaukee County, Wisconsin, do herewith ordain as follows, to-wit:

SECTION I

- A. Section 14-2 relating to Business Hours Regulated, is hereby amended to provide as follows:

Section 14-2. Business hours regulated.

It shall be unlawful for any person, firm or corporation to operate any business establishment between the hours of 11:00 p.m. and 6:00 a.m. This section shall not be applicable to:

- (1) Any person, firm, or corporation engaged in the manufacturing business.
- (2) Any person, firm, or corporation engaged in the transportation business.
- (3) Any person whose business requires multiple employment work shifts as part of their general business operation, and whose workforce and agents are present during the hours of 11:00 p.m. to 6:00 a.m. to conduct their business, but which are not otherwise open to the public during such hours.
- (4) The emergency operation of any business.
- (5) Lodging accommodations and operations of hotels, motels and roominghouses, but the closing hours imposed by Wis. Stats. ch. 125 or any successor statutory regulation shall be applicable to any bar or restaurant portion of such business holding a class B intoxicating liquor license.
- (6) A restaurant or business holding a class B intoxicating liquor license, but the closing hours imposed by Wis. Stats. ch. 125 or any successor statutory regulation shall be applicable to any bar or restaurant portion of such business holding a class B intoxicating liquor license.
- (7) Any person who has obtained the written permission of the Village Board to operation under the terms and conditions of a development agreement providing for specific hours of operation, or as otherwise authorized by the Village Board. The Village Board, in its sole discretion, may extend the hours of any retail business, upon request of such retail business, for special events. The Village Board shall consider the following criteria in determining whether, how often, and to what

extent to extend hours, and may impose such conditions it deems necessary to protect the public health, welfare, and safety:

- (a) The nature of the special event and the reasons for the request.
- (b) The impact on public health, welfare, and safety.
- (c) The impact on surrounding businesses or residences
- (d) The frequency of the requests by the retail business seeking the exception to closing hours.
- (e) The cost to the Village, if any, for the provision of increased public safety, whether in the form of police, fire, or other Village services and personnel. Without limitation by enumeration in this provision, the Village Board may require reimbursement to the Village for the direct and actual costs attendant with the provision of public safety or other personnel as a condition to the extension of hours.

SECTION II

All ordinances or parts of ordinances contravening the terms and provisions of this ordinance are hereby to that extent repealed.

SECTION III

This Ordinance shall take effect upon passage and publication as provided by law, and the Village Clerk shall so amend the Brown Deer Code, and shall indicate the date and number of this amending ordinance therein.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this _____ day of _____, A.D. 2012.

Carl Krueger, Village President

Russell Van Gompel, Village Manager/Clerk



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION:	Personnel Committee and Village Board
ITEM DESCRIPTION:	Community Services and Inspection Department Staffing Recommendation
PREPARED BY:	Nathaniel Piotrowski, Community Development Director
REPORT DATE:	January 16, 2012
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input checked="" type="checkbox"/> See additional comments attached. 

BACKGROUND INFORMATION:

The recent retirement of long time Building Inspector Bob Premo led to an evaluation of staffing needs within the department. This evaluation involved three options:

- 1) Hiring a new full time inspector
- 2) Sharing inspection responsibilities with another community
- 3) Hiring a private consultant to undertake inspection services through a contractual agreement.

Based upon the department's historical and existing workload it became evident very quickly that the amount of inspection work in Brown Deer provided for a full 40 hours of work a week. Because of this, the option of sharing an inspector proved to be impractical. Thus, Staff focused its analysis on comparing the option of hiring a full time inspector versus contracting with a private firm for inspection duties. The only private firm offering such services in the area is Independent Inspections Limited. Independent was solicited to provide a draft contract (see attached) that detailed the cost and extent of services to be offered. Below is a comparison of Independent's services and costs and those of a full time in-house building inspector.

<u>Independent Inspections</u>	<u>In-House Inspector</u>
Conduct all inspections for UDC Construction, HVAC, Electrical, Plumbing; Commercial Construction, HVAC, Plumbing, Electrical; Compliance Inspections	Conduct all inspections for UDC Construction, HVAC, Electrical, Plumbing; Commercial Construction, HVAC, Plumbing, Electrical; Compliance Inspections
Private vehicle provided	Staff vehicle
Field communication provided	Staff cell phone
No additional follow up paperwork	Process paperwork as part of job responsibilities
Attend meetings at additional cost of \$48.00/hr	Attending meetings as part of job responsibilities
No commercial land use plan review, conditional use review, land divisions review, rezoning review, etc.	Assist with plan and land use reviews as part of job responsibilities
Building Code violation investigation at	Building Code violation investigation part of

\$65.00/hr	job responsibilities
Cost: 50% of permit fees collected by Village. The 5 year average (2007-2011) of permit fees for the Village is \$188,476. Fifty percent = \$94,238/yr	The Building Inspector midpoint salary is \$67,938. After factoring in all benefits (health, life, ltd, WRS, FICA) total compensation= \$95,042

The key difference between the two options in the above table are that an in-house position could be more responsive to Village needs by being able to attend Staff, Board and committee meetings while being more proactive in identifying issues in the field and more responsive to dealing with complaints.

Lastly the intangible issue of an in-house inspector likely being more vested in the community cannot be overlooked. An in-house inspector should gain a more intimate knowledge of the community over time, have his/her reputation based upon the condition of the Brown Deer built environment and create stronger relationships with other Staff over time. This intangible factor was noted in discussions with other area municipal officials as one key drawback when checking Independent Inspections' references.

RECOMMENDATION:

After comparing Independent with a full time in-house position it is Staff's recommendation to advertise for a new full time in-house building inspector. Since the cost is almost equal between a new hire and Independent Inspections, it is the added responsiveness and intangibles of having a full time in-house inspector at Village Hall that makes it the more attractive option.

Please contact Nate Piotrowski with any questions or comments at 371-3061.



MANAGER'S COMMENTS

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Additional Comments – Community Services and Inspections Staffing Considerations
PREPARED BY:	Russell Van Gompel, Village Manager 
REPORT DATE:	February 1, 2012
RECOMMENDATION:	To authorize the Village Manager to proceed with the hiring of a Building Inspector and part-time Administrative Assistant for the Community Services Department.
ADDITIONAL COMMENTS:	<p>Attached are revised Position Descriptions for the Building Inspector and Administrative Assistant. Both positions were included in the 2012 Annual Budget, but with the recent retirements in these two positions, I would like authorization from the Village Board to proceed with filling these two openings.</p> <p>Due to the acquisition of a permitting software application, staff is recommending filling the Administrative Assistant position with a part-time employee. Staff is anticipating the modifications will occur with the permitting process including changes with the payment processing.</p>

Village of Brown Deer
POSITION DESCRIPTION

TITLE: Building Inspector

DEPARTMENT: Community Services

SUPERVISED BY: Director of Community Development

POSITION SUMMARY:

This position is responsible for the administration and enforcement of the building and zoning regulations of the Village of Brown Deer and to ensure that buildings and structures located within the Village are constructed and maintained in a safe manner.

DUTIES, RESPONSIBILITIES AND WORK PERFORMED:

Essential functions include, but are not limited to:

1. Review, approve/deny and issue building, heating, cooling permits for new and existing residential and commercial buildings and inspect the same during construction.
2. Responsible to ensure proper administration and enforcement of the applicable plumbing codes, or, if certified, review, approve/deny and issue permits for the installation of plumbing systems for both commercial and residential properties and inspect and approve the same during construction.
3. Responsible to ensure proper administration and enforcement of the applicable electrical codes or if certified, review, approve/deny and issue permits for the installation of electrical systems for both commercial and residential properties and inspect and approve the same during construction.
4. Review, approve/deny and issue permits for the installation of fencing, swimming pools and all accessory uses. Administer/enforce all rules pertaining to the installation and maintenance of aforementioned uses.
5. Perform occupancy inspections to ensure compliance with building and zoning regulations. Issue occupancy certificates and maintain appropriate records.
6. Inspect all residential buildings prior to title transfer in accordance with the certificate of compliance ordinance and require compliance with said ordinance prior to allowing property to transfer ownership.
7. Review, approve/deny and issue permits for and to control the movement of building structures within Village limits and the demolition of buildings structures within the Village.
8. Review, approve/deny and issue permits for site filling and excavation and enforce the provisions of the Village Code as necessary.
9. Issue directives to require unsafe buildings or structures to be razed in conjunction with applicable codes.
10. Coordinate with Community Services Staff for the issuance of permits for the erection of signs when found to be in compliance with Village regulations. Inspect signs to ensure compliance with approved plans and surveys.
11. Coordinate plan review with other Village Staff, including but not limited to; Engineering, Public Works, Police Department, North Shore Fire Department and the Water Utility, to ensure that new

- construction/occupancy or redevelopment plans comply with applicable Village Codes including but not limited to; grading, zoning, erosion control, infrastructure connections, fire prevention, security lighting.
15. Assist with the processing of permits, reports, correspondence and database maintenance related to Inspection Department activity and answer incoming calls, correspondence, and front counter customers and direct or provide information as needed.
 16. Require and witness the proper abandonment of unsafe water wells and sanitary disposal systems.
 17. Administer and enforce building and site regulations as identified by Chapter 105 of the Village Code of Brown Deer.
 18. Serve as staff liaison to the Building Board and Board of Appeals.
 19. Prepare and submit to the Director of Community Development an annual budget for the inspection department and the Capital Improvement Budget related to the inspection department.
 20. Forward to the Director of Community Development applications for conditional uses, land divisions, rezoning requests, zoning code amendments, and any other matters of which the Plan Commission and Village Board are required to act upon.
 21. Initiate and review from time to time the provisions of all ordinances which this position is responsible to administer and enforce, and provide any recommendations for revisions to the Community Development Director. Review and recommend changes to fee schedules for various permit categories.
 22. Assist Community Services Staff with the administration and enforcement of the following provisions of the Village Code as they relate to nuisances: Parking violations, junk vehicles, refuse and garbage, animal complaints, noise complaints, business hours, lighting complaints, exterior storage complaints, smoke odor, and electrical interference complaints.
 24. Assist with the maintenance of the Village Hall as necessary.
 25. Performs other duties as circumstances may require at the direction of the Director of Community Development.

EDUCATION, EXPERIENCE, TRAINING AND CERTIFICATES:

1. At least five (5) years professional experience in as an architect, engineer, building inspector, building contractor, or superintendent of building construction, some of which experience shall have been in a responsible supervisory capacity, and/or equivalent combination of training and experience which provides the required knowledge, skills and abilities.
2. State of Wisconsin Uniform Dwelling Code Certification for One and Two Family Dwelling Code, Building, Plumbing, Electrical, and HVAC.
3. State of Wisconsin Commercial Building Inspector Certification.
4. State of Wisconsin Commercial Plumbing Inspector Certification (preferred)
5. State of Wisconsin Commercial Electrical Inspector Certification (preferred)

ESSENTIAL KNOWLEDGE AND ABILITIES:

1. Working knowledge of Wisconsin laws, codes, rules, and regulations pertaining to building construction, building methods and materials.
2. Ability to implement departmental plans, goals and objectives.
3. Skilled in preparing budgets and reports.
4. Ability to perform field work involving climbing, stooping, walking, and general physical exertion.
5. Possess valid Wisconsin Drivers License
6. Well developed interpersonal and written communication skills.
7. Maturity of judgement.
8. Ability to establish and maintain effective working relationships with contractors, building owners, Village officials, employees, and citizens of the community.

NON-DISCRIMINATION:

All positions in the Village of Brown Deer will be filled according to the Equal Rights Act with no discrimination shown on the basis of race, religion, color, sex, age, national origin, or disability.

revised 1/12

Village of Brown Deer
POSITION DESCRIPTION

TITLE: Administrative Assistant
DEPARTMENT: Community Services
SUPERVISED BY: Director of Community Development

POSITION SUMMARY:

This position is responsible for performing a variety of routine and complex clerical, secretarial, receptionist and administrative work in keeping official records, providing administrative support in the Community Services Department.

DUTIES, RESPONSIBILITIES AND WORK PERFORMED:

Essential functions include, but are not limited to:

1. Answers incoming calls, correspondence, and front counter customers and direct or provide information as needed.
2. Processes and issues Building, Electrical, H.V.A.C. and Plumbing Permits.
3. Schedules inspections for Building and Electrical Inspectors.
4. Processes and sets appointments for Certificate of Compliance Program.
5. Prepares and assembles agendas and minutes for Building Board and Board of Appeals.
6. Attend and take minutes for Building Board and Board of Appeals meetings.
7. Prepare and process code violations.
8. Compose, types and edits a variety of correspondence, reports memorandums, and other material requiring judgement as to content, accuracy, and completeness.
9. Acts as custodian of department documents and records. Establishes and maintains filing systems, control records, indexes and databases using moderate independent judgment.
10. Prepares payment vouchers and orders supplies for department activities including those of Village Hall maintenance personnel.
11. Other clerical duties necessary for the efficient operations of the Department.

EDUCATION, EXPERIENCE AND TRAINING:

1. High school graduation with evidence of training in secretarial skills and/or office procedures required.
2. Additional formal training in business or office management is preferred.
3. A minimum of two (2) years related experience is required.

ESSENTIAL KNOWLEDGE AND ABILITIES:

1. Proficiency in communication and writing in the English language.
2. Ability to organize and maintain appropriate filing systems.
3. Ability to carry out written and oral instructions.
4. Skilled in the use of modern office machines and computers.
5. Effective interpersonal skills.
6. Ability to maintain an effective working relationship with clients, employees and the public.
7. Ability to maintain an effective working relationship with clients, employees and the public.

PHYSICAL DEMANDS OF POSITION:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential duties and responsibilities of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential duties.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle, or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

WORK ENVIRONMENT:

1. Inside office environment.
2. Noise level is usually low.
3. Listens to emotional, sometimes angry, citizens and public.

EQUIPMENT USED:

Telephone, personal computer with software and related equipment, copy machine, fax machine.

NON-DISCRIMINATION:

All positions in the Village of Brown Deer will be filled according to the Equal Rights Act with no discrimination shown on the basis of race, religion, color, sex, age, national origin, or disability.



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION:	Village Board
ITEM DESCRIPTION:	Review and Approve amendment to the Market Place Fifth Supplemental Development Agreement
PREPARED BY:	Nathaniel Piotrowski, Community Development Director
REPORT DATE:	February 1, 2012
MANAGER'S REVIEW/COMMENTS:	<input checked="" type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.

R V. Lopez

BACKGROUND INFORMATION:

The original development agreement for the Market Place Shopping Center requires that any building modification, expansion or enlargement be reviewed and approved by the Village Board. Recently the Board approved the fifth supplemental agreement to allow for façade changes to facilitate the new HH Gregg store. The shopping center owner is now proposing to lease the remaining former Marshall's space to The Tile Shop. In order to do this the Board would need to authorize that the new exterior modifications for The Tile Shop be approved as a new Exhibit 3 (Building Elevation) within the agreement. Unlike HHGregg, The Tile Shop does not expect to request a variance from the sign code. The draft agreement is attached for review.

RECOMMENDATION:

Staff recommends that the Village Board approve the Amendment to allow for additional façade changes via the Fifth Supplemental Development Agreement for the Market Place Shopping Center.

Please contact Nate Piotrowski with any questions or comments at 371-3061.

**MARKET PLACE SHOPPING CENTER FIFTH
SUPPLEMENTAL DEVELOPMENT AGREEMENT**

This **SUPPLEMENTAL DEVELOPMENT AGREEMENT** entered into this ____ day of _____, 2012 (hereinafter referred to as the “Development Agreement” or in the alternative the “Agreement”), by and between **DDR MDT BROWN DEER MARKET LLC**, (hereinafter referred to as the “Developer”), and the **VILLAGE OF BROWN DEER**, a municipal corporation, Milwaukee County, Wisconsin (hereinafter referred to as “Brown Deer” or the “Village”).

WITNESSETH:

WHEREAS, the Developer intends to modify portions of real estate know as the “Market Place of Brown Deer”, Tax Key Nos. 027-9000-022, 027-9000-023 (more specifically described in Exhibit 1) by means of renovating the façade of a 31,000 square foot tenant space within the existing shopping center at 9140 N. Green Bay Road and installing new signage on said façade (the “Development”); and

WHEREAS, the original Development Agreement between Market Street Associates Limited Partnership and the Village for development of “Market Place of Brown Deer”, a shopping center development located in the Business Planned Development District in the 9000 and 9100 blocks of North Green Bay road, was recorded in the Office of the Register of Deeds, Milwaukee County, Wisconsin, on April 27, 1989, as Document No. 6271378, Reel 2324, Images 968-1014, inclusive; and

WHEREAS, said agreement was subsequently modified in:

- I) A Supplemental Agreement recorded on February 6, 1991 as Document No. 6455504
- II) A Second Supplemental Agreement recorded on March 8, 1991 as Document No. 6462884 and re-recorded on October 7, 1991, as Document No. 6529326
- III) A Third Supplemental Agreement recorded on September 28, 1994 as Document No. 7007131
- IV) A Fourth Supplemental Development Agreement recorded on December 7, 2001 as Document No. 8180996; and

WHEREAS, the original Development Agreement requires exterior modifications to be reviewed and approved by the Village Board; and

WHEREAS, an application has been made to the Village by the Developer for approval of this Agreement authorizing and governing the operation of the Development; and

WHEREAS, said Development is located in the BPD Planned Development District and the covenants contained herein are necessary to provide for the harmonious, orderly and consistent development of the neighborhood in which the Development is located; and

WHEREAS, this Operational Development Agreement shall be the Plan of Operations and shall be deemed to be in compliance with Sec.121-249 and 121-251 of the Brown Deer Village Code if favorably approved by the Village Board; and

NOW, THEREFORE, the parties in consideration of the mutual covenants herein contained agree as follows:

1. Developer is hereby authorized to construct the Development in strict conformity with plans submitted to and approved by the Village, said plans attached hereto, made a part hereof and marked as follows:

- Exhibit 1, Legal Description
- Exhibit 2, Site Plan
- Exhibit 3, Building Elevations
- Exhibit 4, Signage Plan

The Developer agrees that all plans shall require final approval of construction details by Village Staff, Village Board or appropriate Village reviewing authority, before such plans can be implemented. Implicit in this covenant is the right of the Village to require plan revisions, not inconsistent with applicable ordinances, or requests of required boards and committees. Such approval is not to be unreasonably withheld, conditioned, or delayed.

2. Signs on the premises shall, at all times, conform to Village sign regulations as found in Section 121 of the Brown Deer Village Code.

- a) The Village grants approval of an exception to Sec. 121-326 of the Village of Brown Deer Village Code stating that a wall sign must be no larger in square footage than the lineal front elevation of the building or tenant space up to a maximum of 200 square feet. It is determined, pursuant to Sec. 121-251 of the Brown Deer Village Code, that a wall sign for the tenant HHGregg, of 343 square feet is not inconsistent with the public health, safety and welfare of the Village.

3. All applicable permits/licenses/approvals shall be obtained prior to commencing construction and/or operation of the Development.

4. If there are any code, law, ordinance or regulation violations, deficiencies, or any hazardous conditions with respect to any use of the Development, or any Building or site improvements on the Development, the Developer shall correct any hazardous conditions promptly after becoming aware of such hazardous conditions and shall correct any other deficiencies or violations within thirty (30) days of written notification, to the extent such deficiencies or violations can reasonably be corrected within such time period. In the event the deficiencies or violations cannot be corrected within thirty (30) days of written notification, then such violations or deficiencies shall be corrected as soon as reasonably practicable. This provision does not limit the Village from taking any other action to enforce any provisions of the Village ordinances or this Agreement.

5. The Developer shall furnish the Police Department with a written list containing names, addresses and telephone numbers of the individuals who can be contacted should an alarm occur at the Development. This information shall be submitted to the Police Department five (5) days prior to the installation of any new alarm system. Additionally, notification of any change in the person or persons to be contacted shall be made five (5) days prior to the actual change in the person(s) to be contacted.

7. Crime prevention measures shall be adhered to pursuant to the Brown Deer Police Department. The owner shall meet with the Village of Brown Deer Police Department to review security and crime prevention measures prior to occupancy. If crime issues are identified after occupancy, additional meetings may be necessary at the discretion of the Brown Deer Police Department.

8. The covenants, agreements, restrictions and provisions herein contained constitute covenants running with the land and shall be binding on all parties, their heirs, assigns and successors having an interest in the land affected hereby for a period of twenty-five (25) years from the date this instrument is recorded, after which time this instrument shall automatically be extended for successive periods of ten (10) years. However, upon a showing of reasonable cause, the Board of the Village may relieve the Developer from such covenants, agreements, restrictions, or any of them, before the expiration of twenty-five (25) years or thereafter by the adoption of a resolution so doing.

IN WITNESS WHEREOF, the parties hereunto set their respective hands and seals on the date first written above.

“DEVELOPER”

DDR MDT BROWN DEER MARKET LLC

a Delaware limited liability company

BY: _____

Title:

Date: _____

STATE OF OHIO)
) SS
MILWAUKEE CUYAHOGA)

Personally came before me this _____ day of _____, 20__ A.D., the above-named _____, the _____ of DDR MDT Brown Deer Market LLC, to me known to be the person who executed the foregoing instrument and acknowledged the same, as the act and deed of said limited liability company, by its authority.

* _____,

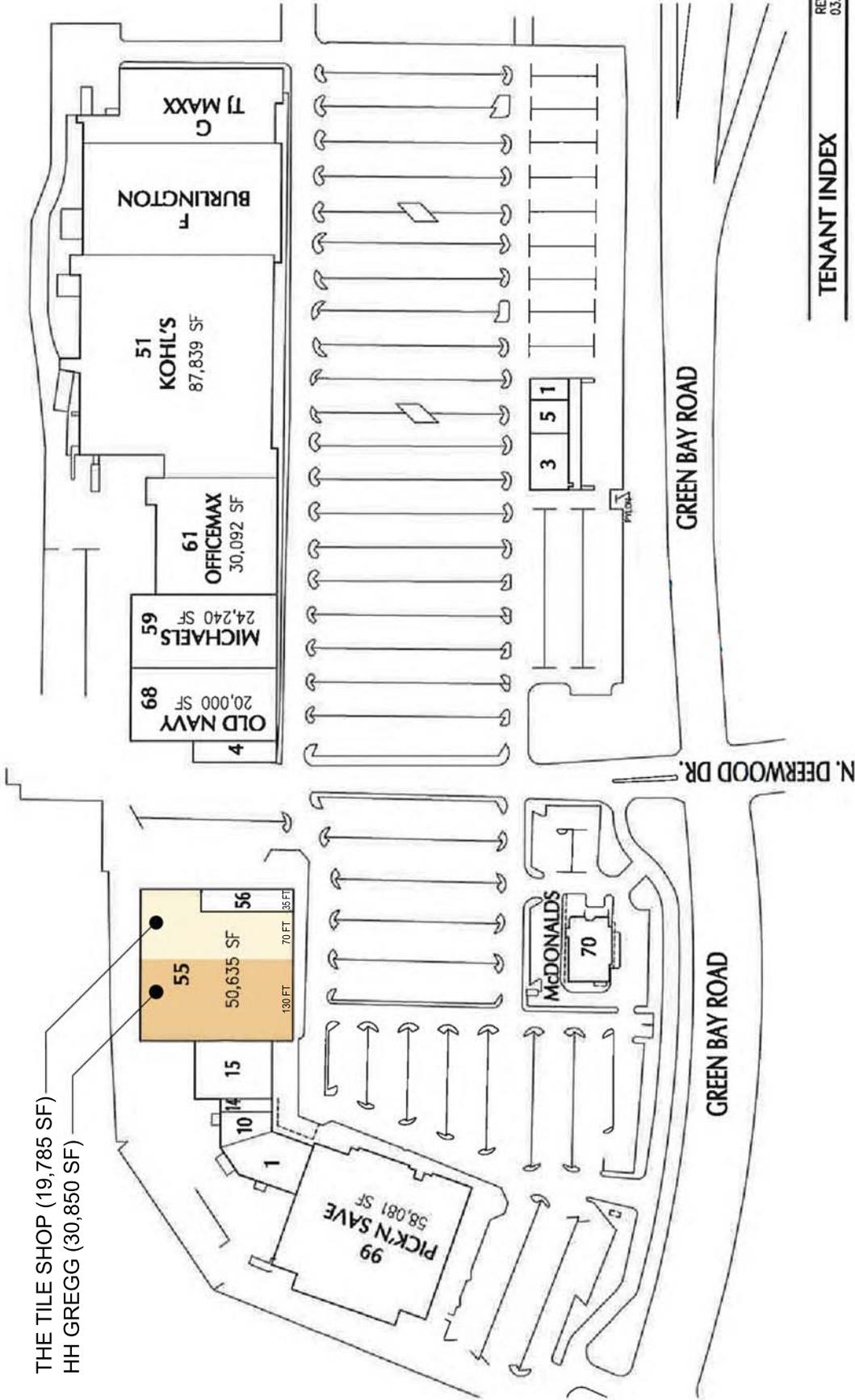
Notary Public, _____ County, _____ (state)

My commission expires: _____

* Print Name of Notary Public

EXHIBITS 1-4

THE TILE SHOP (19,785 SF)
 HH GREGG (30,850 SF)



TENANT INDEX

REVISION
 03.09.10

MARKETPLACE OF BROWN DEER	REVISION
1	03.09.10
10	8,500 SF
14	3,500 SF
15	1,600 SF
55	10,800 SF
56	50,635 SF
59	5,005 SF
61	58,077 SF
68	5,200 SF
BROWN DEER CENTER	
1	2,000 SF
3	5,140 SF
4	2,600 SF
5	3,200 SF
51	87,839 SF
59	24,240 SF
61	30,092 SF
ANCHOR F-BURLINGTON	
ANCHOR C-TJ MAXX	
68	86,631 SF
OLD NAVY	20,000 SF

MARKETPLACE OF BROWN DEER

9120 GREEN BAY ROAD
 BROWN DEER, WISCONSIN 53209

