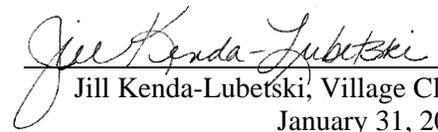


**VILLAGE BOARD MEETING**  
**Monday, February 4, 2013**  
**Earl McGovern Board Room, 6:30 P.M.**



**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. Persons Desiring to be Heard
- IV. Consideration of Minutes:      January 7, 2013 – Regular Meeting  
  January 16, 2013 – Special Meeting  
  January 17, 2013 – Special Meeting  
  January 22, 2013 - Village Board/Community Development Authority  
  January 22, 2013 – Special Meeting
- V. Unfinished Business
- VI. New Business
  - A) Liquor License Transfer for 5200 West Brown Deer Road (Courtyard by Marriott)
  - B) Appoint Jill Kenda-Lubetski as Village Clerk
  - C) Ordinance No. 13-, "Repeal and Recreate, Amend, and Create various sections of the Village of Brown Deer Code of Ordinances, Related to Building Codes, Accessory Structures and Zoning"
  - D) Selecting a Design Option for Dean Road
- VII. Village President's Report
- VIII. Village Manager's Report
- IX. Recess into Closed Session pursuant to §19.85(1) (c) (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 for the purpose of discussing personnel matters.
  - (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
- X. Reconvene into Open Session for Possible Action on Closed Session Deliberations
  - A) Possible action on Village Manager's employment agreement
- XI. Adjournment

  
\_\_\_\_\_  
Jill Kenda-Lubetski, Village Clerk  
January 31, 2013

**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 7, 2013 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: Dave Berner, Interim Village Manager; Matthew Janecke, Assistant Village Manager; John Fuchs, Village Attorney; Nate Piotrowski, Community Development Director; Larry Neitzel, Operations Superintendent; Mike Rau, Water Superintendent; Alan Marcuvitz, CDA Counsel; Steven Rinzel, Police Chief, Chad Hoier, Park and Recreation Director; Barb Caprile; Publishing Specialist; Deb Ker, School District Superintendent

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

**IV. Consideration of Minutes: December 17, 2012 – Regular Meeting**

*It was moved by Trustee Oates and seconded by Trustee Boschert to approve the minutes from the December 17, 2012 meeting. The motion carried 6-0, with Trustee Springman abstaining.*

**V. Unfinished Business**

None.

**VI. New Business**

**A) Contract award - Bids for the “2012 Meadowside Court Best Management Practice (BMP) Device Installation Project”**

Mr. Piotrowski introduced the agenda item by mentioning this is the fourth time since 2005 that the Village has sought bids to install stormwater separator devices on major public stormwater outfalls. The target area for the installation is Southbranch Creek with the Department of Natural Resources providing a matching grant of 50% up to \$100,000. Mr. Piotrowski noted the Village received favorable bids well within the engineering estimate, with the lowest bid coming from GO Contractors, LLC in the amount of \$59,390. The Village has worked with them in the past and Staff is recommending GO Contractors, LLC be awarded the contract.

Trustee Springman asked where the money for this project is budgeted. Mr. Piotrowski responded the project was budgeted under stormwater.

*It was moved by President Krueger and seconded by Trustee Springman to award the contract in the amount of \$59,390 for the “2012 Meadowside Court Best Management Practice (BMP) Device Installation Project. The motion carried unanimously.*

**B) Our Brown Deer Magazine**

Mr. Janecke reviewed his memorandum and noted that at the December 3, 2012 Village Board meeting Trustee Springman asked the Editorial Committee prepare responses to the questions he distributed and be in attendance . Mr. Janecke continued to provide a brief overview of the Editorial Committee’s responses, noting that advertisement space and revenue will be lost if additional space is dedicated to a

report from the Village President, School Board President, or either School Superintendent/Village Manager in every issue of the magazine.

Trustee Springman expressed his frustration with the Editorial Committee not dedicating a section to the Village President's report in every magazine issue. He continued to explain that it was his recollection that a clear directive was given when this topic was previously discussed. Trustee Oates inquired about who has oversight of the Editorial Committee. Mr. Janecke responded that the Editorial Committee reports to the Village Manager who is given a draft copy of the magazine to review before going to print.

Mr. Hoier commented on the fact that advertisement space is limited, and the magazine is collaborated with the School District to have a publication that is interesting and serves the whole community.

Attorney Fuchs opined the Village Board controls the budget and, therefore, has the right to eliminate funding. It was determined that in every issue of Our Brown Deer magazine, the magazine will include a contact page with phone numbers for the Village Board Members and a Village President's report.

Deb Kerr commented on the timeliness of the magazine issues and how they have promoted not only School District activities but have attracted new members to the Rotary Club, which Mrs. Kerr is a member.

Barbara Fleming, 4995 West Fairy Chasm Court, expressed her satisfaction with the magazine as an advertising piece for the Village and the Granville-Brown Deer Chamber.

Mike Christopoulos, 8515 North 59th Street, commented on the fact that every issue of the magazine should include Village Board Member contact information and a report from the Village President.

### **C) Beaver Creek Development; 5th Substitute TID Redevelopment Agreement and Scheduling Special Meeting**

Mr. Marcuvitz summarized the 5th Substitute Agreement for the Village Board and noted the recent development that added to the fiscal condition of the TID. He went on to give a financial overview of the Tax Incremental District. Mr. Marcuvitz explained to the Board that action for the meeting was to merely facilitate the submittal of an application by General Capital to WHEDA housing credits. A general discussion took place regarding specifics of TID #3 and the possible development options for the Beaver Creek Development site.

Trustee Springman inquired to the reasons why this item needed to come before the Village Board at this time and not wait to be heard during the special meeting. Attorney Marcuvitz responded that the purpose of the 5th Substitute Agreement is to bring the Village up to status quo under the current development conditions in regards to TID #3. The Village Board discussed the possible times for a joint Village Board and Community Development Authority meeting.

Trustee Baker opined that the 6th Substitute Agreement should be considered separately at a special meeting between the Village Board and Community Development Authority. He further noted that the 5th Substitute agreement makes the Village whole in terms of interest payments and should be considered tonight.

A conversation ensued about the specifics of when the Special Meeting will take place and how the agenda will be organized.

*It was moved by Trustee Baker and seconded by Trustee Schilz to approve the Beaver Creek Development; 5th Substitute TID Redevelopment Agreement and Scheduling a Special Village Board Meeting for January 22, 2013. The motion carried 5-2, with Trustees Boschert and Springman voting in opposition.*

**D) Amendment to Development Agreement Bradley Crossing 60, LLC**

Mr. Piotrowski gave a brief explanation of the amendment noting that he would like to add this amendment to the agreement allowing for an overflow parking lot at the Bradley Crossing Development. This is merely a procedural requirement.

*It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the amended development agreement for Bradley Crossing 60, LLC. The motion carried unanimously.*

**E) Resolution No. 13-01, “Resolution Designating Village Hall as the Common Polling Place for the February 19, 2013 Spring Primary Election”**

President Krueger briefed the Village Board on the reasons for creating a consolidated polling place, stating that it is an effort from staff to save on election costs.

*It was moved by President Krueger and seconded by Trustee Schilz to adopt Resolution No. 13-01, “Resolution Designating Village Hall as the Common Polling Place for the February 19, 2013 Spring Primary Election”. The motion carried unanimously.*

**F) Draw Candidate’s Names for Ballot Placement for Spring Election on April 2, 2013**

Attorney Fuchs drew names from a hat for placement on the Spring Election ballot in the following order: Otto Bunge, Jeff Baker, and Gary Springman.

**G) Consideration of Vouchers**

*It was moved by Trustee Oates and seconded by Trustee Springman to approve the vouchers from November 30, 2012 through December 28, 2012 in the amount of \$779,657.95. The motion carried unanimously.*

**VII. Village President’s Report**

Village President Krueger reported on the following:

**A) Records Management System Memorandum of Understanding – Bayside Consolidated Communication Center**

President Krueger briefed the Village Board of the Memorandum of Understanding and gave a more detailed explanation of the payment schedule. He noted the urgency of having the memorandum in place to allow for the purchase of a unified Records Management System between the Bayside Consolidated Communication Center and the North Shore Communities. Chief Rinzel reiterated President Krueger’s comments and noted the maintenance payments that were made in years past because the Village is the only municipality out of the seven North Shore Communities to have purchased Pro Phoenix prior to this agreement. Attorney Fuchs opined with Mr. Berner’s concerns of the elevated maintenance costs for the Village in the future compared with the other municipalities. A conversation ensued over the payment schedule and the formula used for the purchase and maintenance costs of the Records Management System.

*No action was taken by the Village Board on this matter.*

**VIII. Interim Village Manager’s Report**

Mr. Berner reported on the following:

100th Annual Meeting of the Public Policy Forum  
Completion of the review of Goals and Objectives with the Department Heads  
Certificate of Achievement for Excellence in Financial Reporting

**IX. Recess into Closed Session pursuant to §19.85 (1) (c) 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 for the purpose of interviewing candidates for the purpose of reviewing Village Manager final candidate interviews.
- (g) Conferring with legal counsel for the government 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 for the purpose of review of the dispute of public rights of way in the Old Village area.

*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to recess into Closed Session at 7:22 p.m. The motion carried unanimously.*

*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to reconvene into Open Session at 9:07 p.m. The motion carried unanimously.*

**X. Reconvene into Open Session for Possible Action on Closed Session Deliberations**

None.

**XI. Adjournment**

*It was moved by Trustee Oates and seconded by Trustee Schilz to adjourn at 9:08 p.m. The motion carried unanimously.*

  
\_\_\_\_\_  
Jill Kenda-Lubetski, Village Clerk

**BROWN DEER VILLAGE BOARD  
JANUARY 16, 2013 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:01 p.m.

**I. Roll Call**

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

Excused: Trustee Weddle-Henning

Also Present: Matthew Janecke, Assistant Village Manager; Heidi Voorhees, Voorhees Associates

**II. Recess into Closed Session pursuant to §19.85 (1) (c) 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 for the purpose of interviewing candidates for the position of Village Manager.

*It was moved by Trustee Springman and seconded by Trustee Boschert to recess into Closed Session at 6:02 p.m. The motion carried unanimously.*

*It was moved by Trustee Springman and seconded by Trustee Boschert to reconvene into Open Session at 9:07 p.m. The motion carried unanimously.*

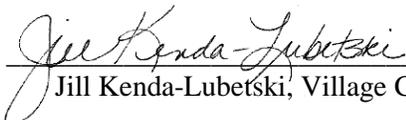
**III. Reconvene into Open Session per §19.85 (2) for Possible Action on Closed Session Deliberations**

- A) Select Candidate/s for final interviews for the position of Village Manager.

No action was taken.

**IV. Adjournment**

*It was moved by Trustee Springman and seconded by Trustee Oates to adjourn at 9:08 p.m. The motion carried unanimously.*

  
\_\_\_\_\_  
Jill Kenda-Lubetski, Village Clerk

**BROWN DEER VILLAGE BOARD  
JANUARY 17, 2013 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:02 p.m.

**I. Roll Call**

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

Excused: Trustee Weddle-Henning

Also Present: Matthew Janecke, Assistant Village Manager; Heidi Voorhees, Voorhees Associates

**II. Recess into Closed Session pursuant to §19.85 (1) (c) 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 for the purpose of interviewing candidates for the position of Village Manager.

*It was moved by Trustee Springman and seconded by Trustee Boschert to recess into Closed Session at 6:03 p.m. The motion carried unanimously.*

*It was moved by President Krueger and seconded by Trustee Springman to reconvene into Open Session at 8:24 p.m. The motion carried unanimously.*

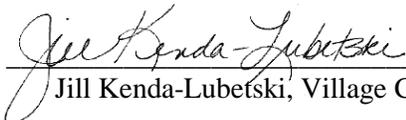
**III. Reconvene into Open Session per §19.85 (2) for Possible Action on Closed Session Deliberations**

- A) Select Candidate/s for final interviews for the position of Village Manager.

No action was taken.

**IV. Adjournment**

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

  
\_\_\_\_\_  
Jill Kenda-Lubetski, Village Clerk

**BROWN DEER VILLAGE BOARD  
JANUARY 22, 2013 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 8:27 P.M.

**I. Roll Call**

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

Also Present: Dave Berner, Interim Village Manager; Matthew Janecke, Assistant Village Manager; John Fuchs, Village Attorney; Nate Piotrowski, Community Development Director; Alan Marcuvitz, CDA Counsel

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

**IV. Unfinished Business**

None.

**V. New Business**

**A) Beaver Creek Development; 6th Substitute TID Redevelopment Agreement**

It was determined by the Village Board that since a resolution was passed suspending the development agreement for the Beaver Creek Development, allowing General Capital to apply to WHEDA for affordable housing tax credits, that this item shall be tabled at this time.

*It was moved by Trustee Baker and seconded by Trustee Schilz to table the 6th Substitute TID Redevelopment Agreement for the Beaver Creek Development. The motion carried unanimously.*

**B) Conditional Use Permit for a medical laboratory at 9055 N. 51st Street, Unit E**

Mr. Piotrowski reviewed the proposal for a conditional use permit for a medical laboratory and staff feels this is an appropriate use for the location. A draft conditional use permit was approved by the Plan Commission.

Trustee Boschert inquired into the biological hazardous associated with the laboratory. Mr. Piotrowski informed the Village Board that any biohazardous material or other materials being delivered to the location will be by mail on a daily basis. A short discussion ensued about the business operations of the laboratory.

*It was moved by President Krueger and seconded by Trustee Springman to approve the Conditional Use Permit for a medical laboratory at 9055 N. 51st Street, Unit E. The motion carried 6-1 with Trustee Oates voting in opposition.*

**VI. Recess into Closed Session pursuant to §19.85 (1) (c) 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.

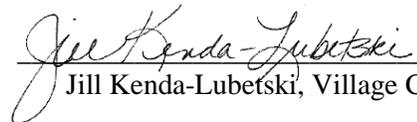
*It was moved by Trustee Oates and seconded by Trustee Boschert to recess into Closed Session at 8:44 p.m. The motion carried unanimously.*

**VII. Reconvene into Open Session for Possible Action on Closed Session Deliberations**

*It was moved by Trustee Schilz and seconded by Trustee Springman to reconvene into Open Session at 9:19 p.m. The motion carried unanimously.*

**VIII. Adjournment**

*It was moved by Trustee Oates and seconded by Trustee Springman to adjourn at 9:20 p.m. The motion carried unanimously.*

  
\_\_\_\_\_  
Jill Kenda-Lubetski, Village Clerk

**JOINT BROWN DEER VILLAGE BOARD AND COMMUNITY DEVELOPMENT AUTHORITY  
JANUARY 22, 2013 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:00 P.M.

**I. Roll Call**

Village Board Present: Village President Carl Krueger, Trustees: Tim Schilz, Jeff Baker, Andrea Weddle-Henning, Robert Oates, Gary Springman, Terry Boschert

Community Development Authority Present: Carl Krueger, Tim Schilz, Ron Kundinger, Ted Wagner, John Coons

Also Present: Dave Berner, Interim Village Manager; Matt Janecke, Assistant Village Manager; Nate Piotrowski, Community Development Director; John Fuchs, Village Attorney; Alan Marcu vitz and Andrea Roschke, CDA counsels

Excused Community Development Authority: Claude Williams Jr., Scott Fleming

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

John Iverson, 8595 N. 58<sup>th</sup> Street, stated that he was against the proposed low income housing at Beaver Creek because of the potential for increased crime and traffic.

Margaret Lilly, 5701 W. Green Brook Drive stated that she thought the project was already approved because of articles in the Milwaukee Journal Sentinel newspaper in September of last year. President Krueger explained that no approvals were granted and that tonight was the first time the Board was briefed about the proposal. Attorney Fuchs suggested that the property owner, General Capital Group, be allowed to present after the closed session under agenda item VIII and allow for public question and comment at that time.

**IV. Consideration of Minutes: November 27, 2012 CDA Meeting**

*It was moved by Trustee Schilz and seconded by Mr. Wagner to approve the minutes from the November 28, 2012 meeting. The motion carried unanimously.*

**V. Unfinished Business**

None

**VI. New Business**

None

**VII. Recess into Closed Session pursuant to §19.85 (1)(e)(g) Wisconsin Statutes for the following reasons:**

- (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session for the purpose of the Beaver Creek Development; 6<sup>th</sup> Substitute TID Redevelopment Agreement.

*It was moved by President Krueger and seconded by Mr. Wagner to recess the CDA into closed session at 6:09 p.m. The motion carried unanimously.*

*It was moved by Trustee Schilz and seconded by Trustee Baker to recess the Village Board into closed session at 6:09 p.m. The motion carried unanimously.*

**VIII Reconvene into Open Session for Possible Action on Closed Session Deliberations**

*It was moved by Mr. Coons and seconded by Mr. Kundinger to reconvene the CDA into open session at 6:54 p.m.*

*The motion carried unanimously.*

*It was moved by Trustee Schilz and seconded by Trustee Springman to reconvene the Village Board into open session at 6:54 p.m. The motion carried unanimously.*

- A) Resolution No. 13-02, "Resolution to Suspend the Beaver Creek Operational Development Agreement"

Michael Weiss and Sig Strautmanis of General Capital Group presented the proposal, identified preliminary design concepts and provided information on the number of units, rental rates and the role of affordable housing tax credits that are being sought from the Wisconsin Housing and Economic Development Authority (WHEDA).

Diane Umbreit, 6585 W. Pierner Place asked if all of the new buildings would be two stories. Mr. Strautmanis replied that they would.

John Clougherty, 6674 W. Donges Lane asked about the ability for community feedback as the project moves forward. Attorney Marcuvitz explained that the resolution tonight only allowed the developer the right to apply to WHEDA with zoning conformity and that the full site plan and design would still need to go through the full approval process including the Plan Commission, Village Board and other reviewing committees.

Monica Baran, 3656 W. Pelican Lane stated that only affordable housing has been built recently in Brown Deer and that the amount the Village currently has is sufficient.

Joe Gosse, 6559 W. Pierner Place asked what criteria WHEDA utilized when determining who receives credits and if they also conduct a market analysis to determine need. Mr. Strautmanis replied that WHEDA has many different point scoring criteria and stated that they do conduct a market analysis.

President Krueger asked how Jewish Family Services (JFS) was to be involved with the project. Mr. Strautmanis replied that they would be a 51% owner of the project and they would provide social support services to residents with disabilities.

Don Uebelacker, 6195 W. Plaza Circle, stated that if the Village Board approved the zoning suspension the door would be opened for outright approval and difficult to close. He felt that the Village could face legal trouble if the credits were granted but the Village denied the project. Mr. Uebelacker also asked why there was such a delay in General Capital coming before the Village to make the zoning request since they went before the County last September. Mr. Strautmanis replied that his team did not realize the need for any Village action and was only later notified by Village counsel.

Joe Gosse asked if there were any other examples of a General Capital Group and JFS partnership outside of Brown Deer. Mr. Strautmanis replied that there was not.

John Clougherty asked how the suspension of the zoning benefited the Village. Trustee Schilz replied that the Village is considering the suspension at the request of the developer who stated that their condo development could not succeed. President Krueger noted that the Village Board also has a financial interest in the development through the Tax Incremental Financing (TIF) District and that forcing the developer to build condominiums that don't sell could have a negative financial impact on the Village. Mr. Clougherty asked for an estimate of the financial impact of the new development. President Krueger stated that the project would be valued at 4 million dollars when complete.

Greg Weber asked how long the 4 million dollar value was guaranteed for. Attorney Marcuvitz replied that the value would remain through the life of the TIF District which expires in 2026.

Mr. Uebelacker questioned why there was only a 4 million dollar value when the newspaper reported the value at 6.6 million dollars. Mr. Strautmanis replied that the 6.6 million dollar was valued using a state mandated income based approach and did not reflect the actual market value of 4 million dollars.

Mr. Gosse asked how many of the existing units were rented and at what rate. Mr. Weiss replied that 6 of the 10 are rented for between \$1100 and \$1400 a month. Mr. Gosse asked why, if these units could be rented out quickly and for higher rates, was the developer not pursuing a higher rent project. Mr. Weiss replied that the cost of construction was too high to be recouped with only higher rents and without the tax credits from WHEDA.

Jim Lillie, 5701 W. Green Brook Drive asked if the remaining condo owners could sue General Capital Group. President Krueger stated that this would be something the developer would need to deal with if necessary.

Mr. Iverson stated that he did not feel the positive financial impact of the project was worth the negative perception that affordable housing would bring to the area.

Mr. Weber asked if Jewish Family Services was tax exempt. Sylvan Leabman, president of Jewish Family Services replied that they are tax exempt but when owning property they have created a separate for profit entity that pays taxes.

Ms. Umbreit stated that she was concerned the project would not have enough parking and she encouraged the developer to look at this issue moving forward.

President Krueger asked for feedback from CDA members on the proposed suspension resolution since they could not officially vote on the issue. Mr. Kunding stated that he recognized the positive financial contribution of the project but did not support the resolution. Mr. Wagner stated that he was supportive of the resolution to at least allow the developer to further explore the new proposal. Mr. Coons stated that he also supported the resolution based on his experience with General Capital/JFS projects on Bradley Road.

*It was moved by Trustee Schilz and seconded by President Krueger to approve Resolution No. 13-02, "Resolution to Suspend the Beaver Creek Operational Development Agreement". The motion carried on a vote of 5-2 with Trustees Springman and Boschert voting against.*

## **VII. Adjournment**

*It was moved by Mr. Kunding and seconded by Mr. Coons to adjourn the CDA at 8:00 p.m. The motion carried unanimously.*

*It was moved by President Krueger and seconded by Trustee Springman to adjourn the Village Board at 8:00 p.m.. The motion carried unanimously.*



Nate Piotrowski, Community Development Director



# REQUEST FOR CONSIDERATION

<b>COMMITTEE:</b>	Village Board
<b>ITEM DESCRIPTION:</b>	Liquor License Transfer for 5200 West Brown Deer Road (Courtyard by Marriott)
<b>PREPARED BY:</b>	Jill Kenda-Lubetski, Village Clerk
<b>REPORT DATE:</b>	January 18, 2013
<b>MANAGER'S REVIEW/COMMENTS:</b>	<p>9 No additional comments to this report.</p> <p>9 See additional comments attached.</p>
<b>RECOMMENDATION:</b>	To approve the transfer of the Class "B" Intoxicating Liquor and Intoxicating Beer License held by W 2007 BRV Realty, LP to Pillar Hotels & Resorts, LP to operate Courtyard by Marriott located at 5200 West Brown Deer Road.
<b>EXPLANATION:</b>	<p>The Village has received notification that there has been a change in ownership at the Courtyard by Marriott from W 2007 BRV Realty, LP to Pillar Hotels &amp; Resorts, LP. The officers for W 2007 BRV Realty, LP are requesting the transfer of the Class "B" Intoxicating Liquor License and Class "B" Beer License currently held by W 2007 BRV Realty, LP, d/b/a Courtyard by Marriott, located at 5200 West Brown Deer Road. This is the fifth change in ownership since the property opened in 2000.</p> <p>Gregory Joseph Fugate is currently serving as the Agent for W 2007 BRV Realty, LP. Mr. Fugate is being recommended as the appointed agent for Pillar Hotels &amp; Resorts, LP.</p> <p>The publication fee of \$15.00 was paid, with the remaining \$600.00 fees to be paid if approved by the Village Board to complete the transfer from W 2007 BRV Realty, LP to Pillar Hotels &amp; Resorts, LP for the liquor license. It will also be necessary for Pillar Hotels &amp; Resorts, LP to obtain a Wisconsin Seller's Permit Number, which is a requirement of the Department of Revenue. A notice of this pending liquor license change was published in the legal section of the <b>Now</b> newspaper on January 31, 2013.</p> <p>Pursuant to State Statutes and the Village Code, all changes that pertain to intoxicating liquor licenses must be presented for consideration and approved by the Village Board.</p>



# REQUEST FOR CONSIDERATION

<b>COMMITTEE CONSIDERATION:</b> Village Board
<b>ITEM DESCRIPTION:</b> Village Clerk appointment
<b>PREPARED BY:</b> David L. Berner, Interim Village Manager
<b>REPORT DATE:</b> January 31, 2013
<b>RECOMMENDATION:</b> The appointment of Jill Kenda-Lubetski as Village Clerk
<b>EXPLANATION:</b> <p>Jill Kenda-Lubetski has been an employee of the Village of Brown as Executive Secretary/Deputy Clerk since March of 1998. She has improved her skills and knowledge by achieving the following; graduation from UW Green Bay Clerks Institute and award of certification in July of 2005, State of WI certification in October of 2007 and graduation from the International Institute of Municipal Clerks and Certification award in April of 2009.</p> <p>In the time I have worked with Ms. Kenda-Lubetski as your Interim Village Manager, I have found her to be a very conscientious employee who has demonstrated competency in all the requirements of her position. I'm confident she would meet or exceed the statutory requirements of the position of Village Clerk for the Village of Brown Deer.</p>



# REQUEST FOR CONSIDERATION

<b>COMMITTEE CONSIDERATION: Village Board</b>	
<b>ITEM DESCRIPTION:</b>	Review and Approve an ordinance to repeal and recreate, amend, and create various sections of the Village of Brown Deer Code of Ordinances, related to building codes, accessory structures and zoning
<b>PREPARED BY:</b>	Nathaniel Piotrowski, Community Development Director <i>Nate Piotrowski</i>
<b>REPORT DATE:</b>	January 30, 2013
<b>MANAGER'S REVIEW/COMMENTS:</b>	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.

## BACKGROUND INFORMATION:

Below is a summary of the changes proposed in the document:

- 1) Section 1 deals with adopting the correct State codes to allow Brown Deer to have delegated municipal authority. This means that we would no longer need the State Building Inspector to come out on commercial projects and review the building. This has very often caused excessive delays and incorrect contradictions of our Village Inspector. Also, this change adds language on electrical and plumbing codes which were somehow lost in our conversion to Muni Code and corrects the residential code we adopted.
- 2) Section 2, 6 and 7 deal with codifying our policies related to garages, sheds, greenhouses and fences. Until now we have simply enforced these same standards with "department policy".
- 3) Section 4 and 5 essentially repeal contradictory language in the code and confirm the preferred standards that tobacco shops be a conditional use and uncut grass longer than 8 inches is a violation
- 4) Section 3 adds the ability for the Building Inspector to use his discretion on "minor modifications" so such changes would not need to go to the Building Board. For example we currently issue building permits for residing, roofs, decks etc. and the way the Village Code currently reads, all of these issues would need to go to the Building Board for approval. All three of these building permits types have never gone before the Building Board.

## RECOMMENDATION:

Staff believes that these code changes are necessary to help enforce longstanding policies and also to establish correct codes from which to review projects while eliminating overlapping State review. Staff recommends the ordinance for approval.

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

**An Ordinance to Repeal and Recreate, Amend, and Create various sections of the Village of Brown Deer Code of Ordinances, Related to Building Codes, Accessory Structures and Zoning**

Ordinance No. \_\_\_\_\_

**THE VILLAGE BOARD OF THE VILLAGE OF BROWN DEER DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION I.**

That Article III of Chapter 105 of the Brown Deer Village Code of Ordinances is hereby repealed and recreated to read as follows:

“105 – 49 Adoption of Codes –

The following referenced codes and standards as from time to time amend and all successor codes are adopted for municipal enforcement by the building inspector, who shall be commercially certified by the WI Division of Safety and Buildings.

- A) Chs. SPS 320-325: The Wisconsin Uniform Dwelling Code
- B) Chs. SPS 360-366: Wisconsin Commercial Building Code
- C) Chs. SPS 375-379: Buildings Constructed Prior to 1914 Code
- D) Chs. SPS 316: Electrical
- E) Chs. SPS 381-387: Plumbing

105-50 Building Inspector –

The building inspector authorized by the municipality to enforce the adopted codes shall be properly certified by the Division of Safety and Buildings.

105-51 Building Permit Required –

No person shall build or cause to be built any new public building or alter a public building without first submitting plans and specifications to the building inspector and obtaining a building permit for such building.”

105-51 Penalties –

Enforcement of this section shall be by means of withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be as administered by the Brown Deer Municipal Court.

**SECTION II.**

That Section 121-14 (c)(2) n. of the Brown Deer Village Code of Ordinances is hereby amended to read as follows:

“n. Garages, or carports detached and no larger than 1,000 square feet in size and not taller than the principal structure, provided that the associated single family dwelling predates the effective date of the ordinance from which this article is derived and provided that such detached garages or carports are no closer than five feet to the nearest lot line: S, R”

That Section 121-14 (c)(2) u. of the Brown Deer Village Code of Ordinances is hereby amended to read as follows:

“u. Sheds and storage buildings for garden equipment and household items provided such sheds are not larger than 144 square feet and no closer than five feet to the nearest lot line: S, R”

**SECTION III.**

That Section 2-506 (a) of the Brown Deer Village Code of Ordinances is hereby repealed and recreated to read as follows:

“No building permit for any structure for which a building permit is required, except in the case of minor modifications as deemed by the Brown Deer Building Inspector, shall be issued unless it has been found as a fact by the building board...”

#### **SECTION IV.**

That Section 38-5 (6) of the Brown Deer Village Code of Ordinances is hereby repealed and that Section 38-3 (d)(4) e. is hereby amended to read as follows:

“*Uncut grass.* All lawn, turf or grass shall be maintained to a height not to exceed 8 inches. In the event a violation of this nature is discovered, the village manager or his designee shall issue a written order to the owner or the tenant of the land involved to cut and remove excessive high grass within one week from the date of the order, and provided that, in the event such grass is not cut within said period from the date of the order, the Village shall cut and remove the grass and assess the property involved as a special tax. Said regulation shall not apply to any natural lawn or land managed to preserve or restore native Wisconsin grasses, forbes, trees, shrubs, wildflowers or aquatic plants”.

#### **SECTION V.**

That Section 121- 194 (b)(72) of the Brown Deer Village Code of Ordinances is hereby repealed and that Section 121- 194 (c)(57) is hereby repealed and recreated to read as follows:

(57) Tobacco and smoke shops

#### **SECTION VI.**

That the following is created and added to Section 121-14 (c)(2) of the Brown Deer Village Code of Ordinances:

“dd. Greenhouses provided that they are not for commercial purposes and are no larger than 200 square feet and are no closer than five feet to the nearest lot line”

#### **SECTION VII.**

That the following is created and added to Section 38-5 of the Brown Deer Village Code of Ordinances:

“13. All fences shall be maintained in a clean and safe condition free of substantial default or defect”

#### **SECTION VIII.**

That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

#### **SECTION IX.**

That in the event it is determined by a court of competent jurisdiction that any clause, sentence, paragraph, section or part, of this Ordinance is invalid or unconstitutional it shall not affect the validity of the remaining parts to this Ordinance.

#### **SECTION X.**

This Ordinance shall be in full force and effective after its passage and publication according to law.

**PASSED AND ADOPTED** by the Board of the Village of Brown Deer this \_\_\_ day of \_\_\_\_\_ 2013.

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Carl Krueger, Village President

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Jill Kenda-Lubetski, Village Clerk



# REQUEST FOR CONSIDERATION

<b>COMMITTEE CONSIDERATION:</b> Village Board
<b>ITEM DESCRIPTION:</b> Selecting Design Option for Dean Road
<b>PREPARED BY:</b> Nathaniel Piotrowski, Community Development Director 
<b>REPORT DATE:</b> January 31, 2013
<b>MANAGER'S REVIEW/COMMENTS:</b> <input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.

## BACKGROUND INFORMATION:

Prior to working with Ayres to finalize construction plans for Dean Road Staff is seeking the Board's direction as to what design option is preferred. As you may recall there are four different options that were presented (see attached memo from Ayres).

- Option 1** - Sidewalk on the south side of W. Dean Road from N. 55th Street to N. Teutonia Avenue.
- Option 2** - Sidewalk on the north side of W. Dean Road from N. 55th Street to N. 46th Street and sidewalk on the east side of W. Dean Road from N. Meadowside Court to N. Teutonia Avenue.
- Option 3** - Sidewalk on the north side of W. Dean Road from N. 52nd Street to N. 50th Street and on the east side of W. Dean Road from N. Meadowside Court to N. Teutonia Avenue.
- Option 4** - No new sidewalk along W. Dean Road between N. 55th Street to N. Teutonia Avenue.

At the June public involvement meeting Staff conducted a survey to gauge public opinion as to the preferred alternative and the results were as follows:

Total responses: 28  
Option 1: 17 (61%)  
Option 2: 6 (21%)  
Option 3: 2 (7%)  
Option 4: 3 (11%)

The Village has also had an online survey which currently shows the following results:

Total responses: 174\* (*\*please note that this survey has been available since June and there is no limit to the number of votes per person*)

Option 1: 43 (25%)  
Option 2: 78 (45%)  
Option 3: 17 (10%)  
Option 4: 36 (21%)

Lastly, the Village Board directed Staff to delay selecting an alternative until a determination on the Safe Routes to School grant was made. Late last year the School District and the Village were awarded a grant for \$199,000 to cover the cost of construction of a sidewalk on Dean Road. Option 1 was presented in the grant application. With the awarding of the grant, Option 1 becomes the least expensive option.

It is Staff's intent to begin design work with Ayres in March with a target of bidding the project in May and construction by June or July. Staff would plan to hold another public information meeting prior to construction.

**RECOMMENDATION:**

Staff believes Option 1 is the best option due to optimal design considerations and because of cost effectiveness.

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

**MEMORANDUM**

To: Nate Piotrowski – Community Development Director – Village of Brown Deer

From: Matthew Maederer – Ayres Associates

Date: June 26<sup>th</sup>, 2012

Project No.: 51-0192.00

Re: West Dean Road Reconstruction  
Cost Benefit Analysis  
Options 1 - 4

West Dean Road from N. N. 55<sup>th</sup> Street to N. Teutonia Avenue is planned for reconstruction. Reconstruction will include narrowing the existing roadway section between N. 51<sup>st</sup> Street and N. 46<sup>th</sup> Street. The existing roadway typical section between N. 51<sup>st</sup> Street and N. 46<sup>th</sup> Street is 36-ft in width. The proposed typical section is 24-ft in width (two 12-ft travel lanes).

In addition to narrowing the roadway section the reconstruction will include replacing and/or adding curb and gutter (east of N. 46<sup>th</sup> Street to N. Teutonia Avenue) at selected locations, new sidewalks (see alternatives related to sidewalks below), and as required for improved drainage ditch re-grading. Storm sewer piping and storm sewer inlets are scheduled for replacement east of N. 46<sup>th</sup> Street to N. Teutonia Avenue.

As part of the reconstruction planning process the Village is investigating four (4) alternatives for sidewalk placement along the W. Dean Road corridor from N. 55<sup>th</sup> Street east to N. Teutonia Avenue. The alternatives are as follows:

1. Option 1 – Sidewalk on the south side of W. Dean Road from N. 55<sup>th</sup> Street to N. Teutonia Avenue.
2. Option 2 – Sidewalk on the north side of W. Dean Road from N. 55<sup>th</sup> Street to N. 46<sup>th</sup> Street and sidewalk on the east side of W. Dean Road from N. Meadowside Court to N. Teutonia Avenue. There is existing sidewalk on the north side of W. Dean Road between N. 46<sup>th</sup> Street and N. Meadowside Court.
3. Option 3 – Sidewalk on the north side of W. Dean Road from N. 52<sup>nd</sup> Street to N. 50<sup>th</sup> Street and on the east side of W. Dean Road from N. Meadowside Court to N. Teutonia Avenue.
4. Option 4 – No new sidewalk along W. Dean Road between N. 55<sup>th</sup> Street to N. Teutonia Avenue.

Below is the cost benefit analysis associated with each of the options listed above.

The detailed itemized estimates can be found within Attachment 1. The exhibits for each of the alternatives can be found within Attachment 2.

All estimated costs include a 10% contingency along with on-site construction management services.

The items that vary (i.e. quantity variations) between each of the options are:

- Item 10 (5" thick concrete sidewalk)
- Item 11 (7" thick concrete sidewalk at driveways)
- Item 12 (ditch re-grading)
- Item 13 (12" HDPE driveway culverts)
- Item 14 (24" HDPE roadway culverts)

### **Option 1**

Option 1 proposes new sidewalk along the south side of West Dean Road between N. 55<sup>th</sup> Street and N. Teutonia Avenue.

#### Pros

- Provides a direct route for pedestrians traveling along Dean Road so that they will not have to cross the street to access School Campus, i.e., the sidewalk is on the same side of the street as School Campus under this alternative.
- Provides a direct pedestrian route from the bus stop on N. Teutonia Ave and W. Dean Road all the way to School Campus.
- Provides a route so that pedestrians can avoid using the frontage roads and/or Dean Road itself.
- Safer for pedestrians to travel along Dean Road without having to share the roadway with vehicle traffic.
- Fits within existing R/W.

#### Cons

- Most expensive alternative.
- Requires ditch re-grading on the south side of Dean Road.
- Requires tree and shrub removal on the south side of Dean Road.
- Residents could construe that they are losing some of their usable front yard because of the permanent improvement, even though the improvement is within existing Village R/W.

The estimated construction cost for Option 1 is **\$481,624**.

## Option 2

Option 2 includes new sidewalk on the north side of West Dean Road between N. 55<sup>th</sup> Street and N. 46<sup>th</sup> Street. Additionally new sidewalk is planned on the east side of W. Dean Road from N. Meadowside Court to N. Teutonia Avenue. Existing sidewalk is present on the north side of West Dean Road between N. 46<sup>th</sup> Street and N. Meadowside Court.

### Pros

- Provides a direct pedestrian route from the bus stop on N. Teutonia Ave and W. Dean Road all the way to School Campus.
- Provides a route so that pedestrians can avoid using the frontage roads and/or Dean Road itself.
- Safer for pedestrians to travel along Dean Road without having to share the roadway with vehicle traffic.
- Fits within existing R/W.
- Matches with the existing sidewalk section on the north side of Dean Road between 46<sup>th</sup> Street and Meadowside Court.
- The sidewalk will not cut through the terrace adjacent to property owners along the south side of Dean Road, but rather, the sidewalk will be placed within the frontage road terrace.

### Cons

- Second (2<sup>nd</sup>) most expensive alternative.
- Requires ditch re-grading on the north side of Dean Road.
- Requires tree and shrub removal on the north side of Dean Road.
- Requires pedestrians to cross Dean Road in order to access School Campus which is located on the south side of Dean Road.

The estimated construction cost for Option 2 is **\$428,934**.

## Option 3

Option 3 includes sidewalk on the north side of West Dean Road between N. 52<sup>nd</sup> Street and N. 50<sup>th</sup> Street. Also sidewalk is included on the east side of West Dean Road between N. Meadowside Court and N. Teutonia Ave. The sidewalk will match-in with the frontage roads on the north side of West Dean Road and with the existing sidewalk on the north side of West Dean Road between N. 46<sup>th</sup> Street and N. Meadowside Court.

### Pros

- Provides a direct pedestrian route from N. Teutonia Avenue to School Campus utilizing the frontage roads on the north side of Dean Road.
- Safer for pedestrians to travel along Dean Road without having to share the main roadway with vehicles. Pedestrians would be using frontage roads which receive less vehicle traffic than Dean Road. The vehicle traffic along the frontage roads will be at low speeds as compared to vehicle speeds traveling along Dean Road itself.
- Fits within existing R/W.

- Least amount of impact to adjacent property owners along Dean Road as compared to Options 1 & 2.

### Cons

- Requires ditch re-grading on the north side of Dean Road between 52<sup>nd</sup> Street and 50<sup>th</sup> Street.
- Requires tree and shrub removal on the north side of Dean Road.
- Requires pedestrians to cross Dean Road in order to access School Campus.
- Requires pedestrians to use the frontage roads on the north side of Dean Road which still poses a safety issue because pedestrians are sharing the roadway with vehicle traffic.

The estimated construction cost for Option 3 is **\$353,034**.

### **Option 4**

Option 4 is the “no sidewalk” option. No sidewalk is proposed along West Dean Road between N. 55<sup>th</sup> Street and N. Teutonia Ave as part of the reconstruction.

### Pros

- No impact to adjacent property owners along the project corridor.
- The roadway corridor terrace areas will remain as-is. There will not be tree/shrub removals within the terrace areas.
- For the most part the existing conditions will remain unchanged east of N. 46<sup>th</sup> Street to N. Teutonia Avenue. Dean Road will be narrowed between N. 51<sup>st</sup>, Street and N. 46<sup>th</sup> Street.

### Cons

- Does not provide a safe path for pedestrians to travel along Dean Road between 55<sup>th</sup> Street and 46<sup>th</sup> Street and between Meadowside Court and Teutonia Ave.
- Requires pedestrians to share the roadway with vehicle traffic which poses a safety issue.
- Does not promote pedestrian travel along Dean Road. Without sidewalks present people are less likely to walk along the roadway.
- Does not provide a safe passageway for elementary students walking to and from School Campus along Dean Road.
- The reconstruction effort will not provide an improvement for pedestrians under this alternative.

The estimated construction cost for Option 4 is **\$301,499**.

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# **Attachment 1 Itemized Cost**

Village of Brown Deer Dean Road Reconstruction Option 1 - Sidewalk on South Side of Dean Rd from N. 55th St to N. Teutonia Ave 26-Jun-12 ENGINEER'S OPINION OF COST						
<b>AYRES ESTIMATE</b>						
Item No.	Description	UNIT	Approx. Quantity	Est. Unit Price	Total Price	
<b>Misc. Items</b>						
					<b>\$80,000.00</b>	
1	Mobilization	LS	1	\$50,000.00	\$50,000.00	
2	Site Preparation (includes removals)	LS	1	\$10,000.00	\$10,000.00	
3	Traffic Control	LS	1	\$10,000.00	\$10,000.00	
4	Turf Replacement & Restoration	LS	1	\$10,000.00	\$10,000.00	
<b>Erosion Control Items</b>						
					<b>\$3,800.00</b>	
5	Silt Fence	LF	1,000	\$2.00	\$2,000.00	
6	Erosion Bales	LF	100	\$5.00	\$500.00	
7	Sediment Logs	LF	100	\$5.00	\$500.00	
8	Inlet Protection Type C (Inlets)	EA	15	\$50.00	\$750.00	
9	Inlet Protection Type B (Manholes)	EA	1	\$50.00	\$50.00	
<b>Roadway Construction Items</b>						
					<b>\$322,200.00</b>	
10	5" Thick Concrete Sidewalk	SF	25,000	\$4.00	\$100,000.00	
11	7" Thick Concrete Sidewalk at Driveways	SF	1,500	\$5.00	\$7,500.00	
12	Ditch Re-Grading	LF	3,000	\$10.00	\$30,000.00	
13	12" HDPE (driveway culverts)	LF	250	\$45.00	\$11,250.00	
14	24" HDPE (roadway culverts)	LF	300	\$50.00	\$15,000.00	
15	Pulverize & Re-Shape	SY	19,000	\$3.00	\$57,000.00	
16	2" Asphaltic Concrete Paving Binder Course	TON	650	\$50.00	\$32,500.00	
17	2" Asphaltic Concrete Paving Surface Course	TON	650	\$60.00	\$39,000.00	
18	30" Concrete Curb & Gutter	LF	500	\$12.00	\$6,000.00	
19	Detectable Warning Field (Yellow)	EA	32	\$250.00	\$8,000.00	
20	Sign Installation (Reflective Type II)	SF	30	\$50.00	\$1,500.00	
21	Sign Post Installation	EA	10	\$100.00	\$1,000.00	
22	Pavement Sawing	LF	1,000	\$1.00	\$1,000.00	
23	Driveway Replacement (2" Asphalt)	SY	100	\$40.00	\$4,000.00	
24	Driveway Replacement (7" Concrete)	SY	30	\$15.00	\$450.00	
25	Mailbox Relocation & Reinstallation	EA	16	\$250.00	\$4,000.00	
26	Water Valve & Box Adjustments	EA	20	\$200.00	\$4,000.00	
<b>Pavement Marking Items</b>						
					<b>\$11,840.00</b>	
27	Pavement Marking 6-inch Epoxy White (Cross Walk Lines)	LF	800	\$3.00	\$2,400.00	
28	Pavement Marking 12-inch Epoxy White (Stop Bar)	LF	160	\$4.00	\$640.00	
29	Pavement Marking 4-inch Yellow Centerline (Skips)	LF	4,400	\$2.00	\$8,800.00	
<b>Construction Management</b>						
					<b>\$20,000.00</b>	
30	On-Site Construction Management	LS	1	\$20,000.00	\$20,000.00	
<b>SUBTOTAL</b>					<b>\$437,840.00</b>	<b>\$471,340.00</b>
<b>Contingency</b>					<b>\$43,784.00</b>	<b>10%</b>
<b>TOTAL</b>					<b>\$481,624.00</b>	

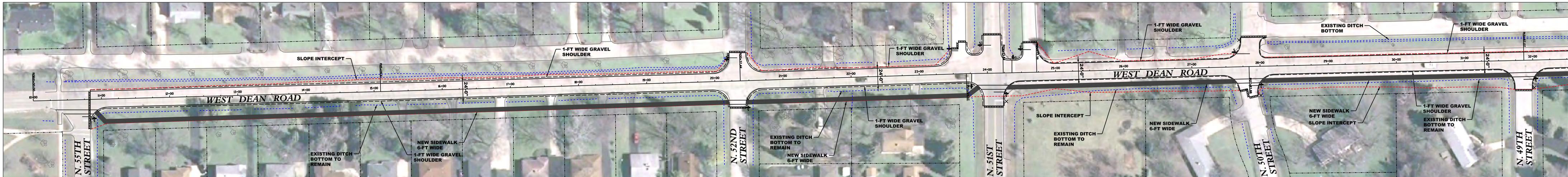
Village of Brown Deer Dean Road Reconstruction Option 2 - Sidewalk on North Side of Dean Rd from N. 55th St to N. Teutonia Ave 26-Jun-12 ENGINEER'S OPINION OF COST				<b>AYRES ASSOCIATES</b>	
<b>AYRES ESTIMATE</b>					
Item No.	Description	UNIT	Approx. Quantity	Est. Unit Price	Total Price
<b>Misc. Items</b>					<b>\$80,000.00</b>
1	Mobilization	LS	1	\$50,000.00	\$50,000.00
2	Site Preparation (includes removals)	LS	1	\$10,000.00	\$10,000.00
3	Traffic Control	LS	1	\$10,000.00	\$10,000.00
4	Turf Replacement & Restoration	LS	1	\$10,000.00	\$10,000.00
<b>Erosion Control Items</b>					<b>\$3,800.00</b>
5	Silt Fence	LF	1,000	\$2.00	\$2,000.00
6	Erosion Bales	LF	100	\$5.00	\$500.00
7	Sediment Logs	LF	100	\$5.00	\$500.00
8	Inlet Protection Type C (Inlets)	EA	15	\$50.00	\$750.00
9	Inlet Protection Type B (Manholes)	EA	1	\$50.00	\$50.00
<b>Roadway Construction Items</b>					<b>\$274,300.00</b>
10	5" Thick Concrete Sidewalk	SF	19,650	\$4.00	\$78,600.00
11	7" Thick Concrete Sidewalk at Driveways	SF	550	\$5.00	\$2,750.00
12	Ditch Re-Grading	LF	3,000	\$10.00	\$30,000.00
13	12" HDPE (driveway culverts)	LF	100	\$45.00	\$4,500.00
14	24" HDPE (roadway culverts)	LF	0	\$50.00	\$0.00
15	Pulverize & Re-Shape	SY	19,000	\$3.00	\$57,000.00
16	2" Asphaltic Concrete Paving Binder Course	TON	650	\$50.00	\$32,500.00
17	2" Asphaltic Concrete Paving Surface Course	TON	650	\$60.00	\$39,000.00
18	30" Concrete Curb & Gutter	LF	500	\$12.00	\$6,000.00
19	Detectable Warning Field (Yellow)	EA	32	\$250.00	\$8,000.00
20	Sign Installation (Reflective Type II)	SF	30	\$50.00	\$1,500.00
21	Sign Post Installation	EA	10	\$100.00	\$1,000.00
22	Pavement Sawing	LF	1,000	\$1.00	\$1,000.00
23	Driveway Replacement (2" Asphalt)	SY	100	\$40.00	\$4,000.00
24	Driveway Replacement (7" Concrete)	SY	30	\$15.00	\$450.00
25	Mailbox Relocation & Reinstallation	EA	16	\$250.00	\$4,000.00
26	Water Valve & Box Adjustments	EA	20	\$200.00	\$4,000.00
<b>Pavement Marking Items</b>					<b>\$11,840.00</b>
27	Pavement Marking 6-inch Epoxy White (Cross Walk Lines)	LF	800	\$3.00	\$2,400.00
28	Pavement Marking 12-inch Epoxy White (Stop Bar)	LF	160	\$4.00	\$640.00
29	Pavement Marking 4-inch Yellow Centerline (Skips)	LF	4,400	\$2.00	\$8,800.00
<b>Construction Management</b>					<b>\$20,000.00</b>
30	On-Site Construction Management	LS	1	\$20,000.00	\$20,000.00
<b>SUBTOTAL</b>					<b>\$389,940.00</b>
<b>Contingency</b>					<b>\$38,994.00 10%</b>
<b>TOTAL</b>					<b>\$428,934.00</b>

Village of Brown Deer Dean Road Reconstruction Option 3 - Sidewalk on North Side of Dean Rd from N. 50th St to N. 52nd St 26-Jun-12 ENGINEER'S OPINION OF COST						
<b>AYRES ESTIMATE</b>						
Item No.	Description	UNIT	Approx. Quantity	Est. Unit Price	Total Price	
<b>Misc. Items</b>						
					<b>\$80,000.00</b>	
1	Mobilization	LS	1	\$50,000.00	\$50,000.00	
2	Site Preparation (includes removals)	LS	1	\$10,000.00	\$10,000.00	
3	Traffic Control	LS	1	\$10,000.00	\$10,000.00	
4	Turf Replacement & Restoration	LS	1	\$10,000.00	\$10,000.00	
<b>Erosion Control Items</b>						
					<b>\$3,800.00</b>	
5	Silt Fence	LF	1,000	\$2.00	\$2,000.00	
6	Erosion Bales	LF	100	\$5.00	\$500.00	
7	Sediment Logs	LF	100	\$5.00	\$500.00	
8	Inlet Protection Type C (Inlets)	EA	15	\$50.00	\$750.00	
9	Inlet Protection Type B (Manholes)	EA	1	\$50.00	\$50.00	
<b>Roadway Construction Items</b>						
					<b>\$205,300.00</b>	
10	5" Thick Concrete Sidewalk	SF	7,400	\$4.00	\$29,600.00	
11	7" Thick Concrete Sidewalk at Driveways	SF	550	\$5.00	\$2,750.00	
12	Ditch Re-Grading	LF	1,000	\$10.00	\$10,000.00	
13	12" HDPE (driveway culverts)	LF	100	\$45.00	\$4,500.00	
14	24" HDPE (roadway culverts)	LF	0	\$50.00	\$0.00	
15	Pulverize & Re-Shape	SY	19,000	\$3.00	\$57,000.00	
16	2" Asphaltic Concrete Paving Binder Course	TON	650	\$50.00	\$32,500.00	
17	2" Asphaltic Concrete Paving Surface Course	TON	650	\$60.00	\$39,000.00	
18	30" Concrete Curb & Gutter	LF	500	\$12.00	\$6,000.00	
19	Detectable Warning Field (Yellow)	EA	32	\$250.00	\$8,000.00	
20	Sign Installation (Reflective Type II)	SF	30	\$50.00	\$1,500.00	
21	Sign Post Installation	EA	10	\$100.00	\$1,000.00	
22	Pavement Sawing	LF	1,000	\$1.00	\$1,000.00	
23	Driveway Replacement (2" Asphalt)	SY	100	\$40.00	\$4,000.00	
24	Driveway Replacement (7" Concrete)	SY	30	\$15.00	\$450.00	
25	Mailbox Relocation & Reinstallation	EA	16	\$250.00	\$4,000.00	
26	Water Valve & Box Adjustments	EA	20	\$200.00	\$4,000.00	
<b>Pavement Marking Items</b>						
					<b>\$11,840.00</b>	
27	Pavement Marking 6-inch Epoxy White (Cross Walk Lines)	LF	800	\$3.00	\$2,400.00	
28	Pavement Marking 12-inch Epoxy White (Stop Bar)	LF	160	\$4.00	\$640.00	
29	Pavement Marking 4-inch Yellow Centerline (Skips)	LF	4,400	\$2.00	\$8,800.00	
<b>Construction Management</b>						
					<b>\$20,000.00</b>	
30	On-Site Construction Management	LS	1	\$20,000.00	\$20,000.00	
<b>SUBTOTAL</b>					<b>\$320,940.00</b>	<b>\$354,440.00</b>
<b>Contingency</b>					<b>\$32,094.00</b>	<b>10%</b>
<b>TOTAL</b>					<b>\$353,034.00</b>	

Village of Brown Deer Dean Road Reconstruction Option 4 - NO Sidewalk on Dean Rd from N. 55th St to N. Teutonia Ave 26-Jun-12 ENGINEER'S OPINION OF COST							
						AYRES ESTIMATE	
Item No.	Description	UNIT	Approx. Quantity	Est. Unit Price	Total Price		
<b>Misc. Items</b>						<b>\$80,000.00</b>	
1	Mobilization	LS	1	\$50,000.00	\$50,000.00		
2	Site Preparation (includes removals)	LS	1	\$10,000.00	\$10,000.00		
3	Traffic Control	LS	1	\$10,000.00	\$10,000.00		
4	Turf Replacement & Restoration	LS	1	\$10,000.00	\$10,000.00		
<b>Erosion Control Items</b>						<b>\$3,800.00</b>	
5	Silt Fence	LF	1,000	\$2.00	\$2,000.00		
6	Erosion Bales	LF	100	\$5.00	\$500.00		
7	Sediment Logs	LF	100	\$5.00	\$500.00		
8	Inlet Protection Type C (Inlets)	EA	15	\$50.00	\$750.00		
9	Inlet Protection Type B (Manholes)	EA	1	\$50.00	\$50.00		
<b>Roadway Construction Items</b>						<b>\$158,450.00</b>	
10	5" Thick Concrete Sidewalk	SF	0	\$4.00	\$0.00		
11	7" Thick Concrete Sidewalk at Driveways	SF	0	\$5.00	\$0.00		
12	Ditch Re-Grading	LF	0	\$10.00	\$0.00		
13	12" HDPE (driveway culverts)	LF	0	\$45.00	\$0.00		
14	24" HDPE (roadway culverts)	LF	0	\$50.00	\$0.00		
15	Pulverize & Re-Shape	SY	19,000	\$3.00	\$57,000.00		
16	2" Asphaltic Concrete Paving Binder Course	TON	650	\$50.00	\$32,500.00		
17	2" Asphaltic Concrete Paving Surface Course	TON	650	\$60.00	\$39,000.00		
18	30" Concrete Curb & Gutter	LF	500	\$12.00	\$6,000.00		
19	Detectable Warning Field (Yellow)	EA	32	\$250.00	\$8,000.00		
20	Sign Installation (Reflective Type II)	SF	30	\$50.00	\$1,500.00		
21	Sign Post Installation	EA	10	\$100.00	\$1,000.00		
22	Pavement Sawing	LF	1,000	\$1.00	\$1,000.00		
23	Driveway Replacement (2" Asphalt)	SY	100	\$40.00	\$4,000.00		
24	Driveway Replacement (7" Concrete)	SY	30	\$15.00	\$450.00		
25	Mailbox Relocation & Reinstallation	EA	16	\$250.00	\$4,000.00		
26	Water Valve & Box Adjustments	EA	20	\$200.00	\$4,000.00		
<b>Pavement Marking Items</b>						<b>\$11,840.00</b>	
27	Pavement Marking 6-inch Epoxy White (Cross Walk Lines)	LF	800	\$3.00	\$2,400.00		
28	Pavement Marking 12-inch Epoxy White (Stop Bar)	LF	160	\$4.00	\$640.00		
29	Pavement Marking 4-inch Yellow Centerline (Skips)	LF	4,400	\$2.00	\$8,800.00		
<b>Construction Management</b>						<b>\$20,000.00</b>	
30	On-Site Construction Management	LS	1	\$20,000.00	\$20,000.00		
<b>SUBTOTAL</b>					<b>\$274,090.00</b>	<b>\$307,590.00</b>	
<b>Contingency</b>					<b>\$27,409.00</b>	<b>10%</b>	
<b>TOTAL</b>					<b>\$301,499.00</b>		

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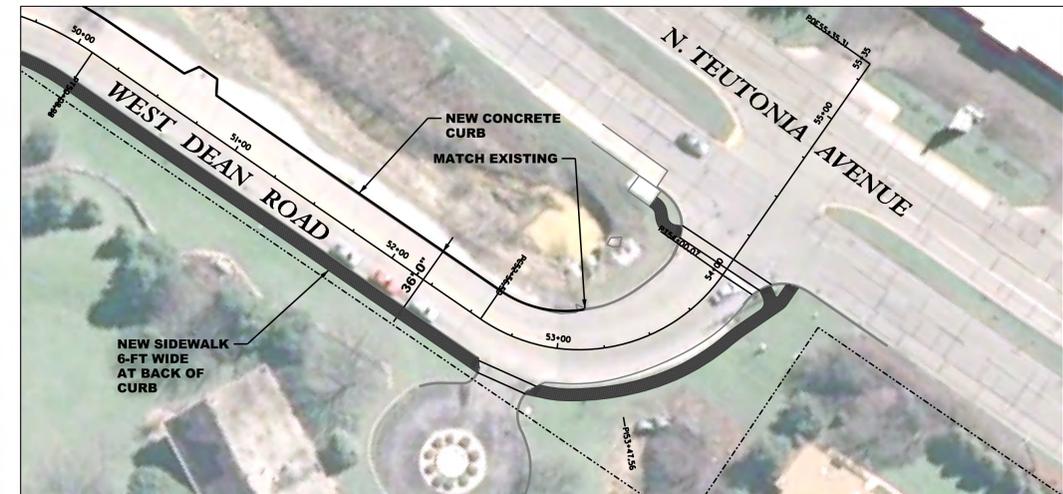
# **Attachment 2 Exhibits**

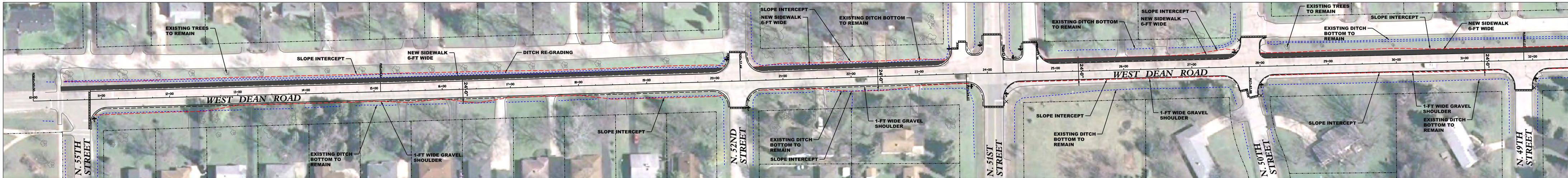


OPTION 1  
 SIDEWALK ON THE SOUTH SIDE OF DEAN ROAD  
 FROM N. 55TH STREET TO N. TEUTONIA AVENUE

VILLAGE OF BROWN DEER  
 WEST DEAN ROAD RECONSTRUCTION PROJECT  
 NORTH 55TH STREET TO NORTH TEUTONIA AVENUE

NOTE:  
 1. ROADWAY NARROWING  
 BEGINS STA 24+25  
 ENDS STA 39+00

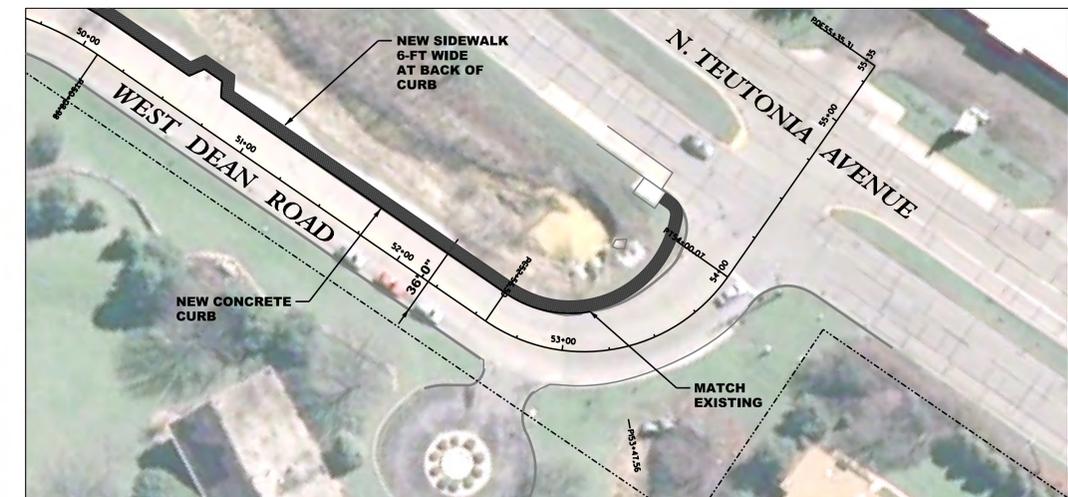


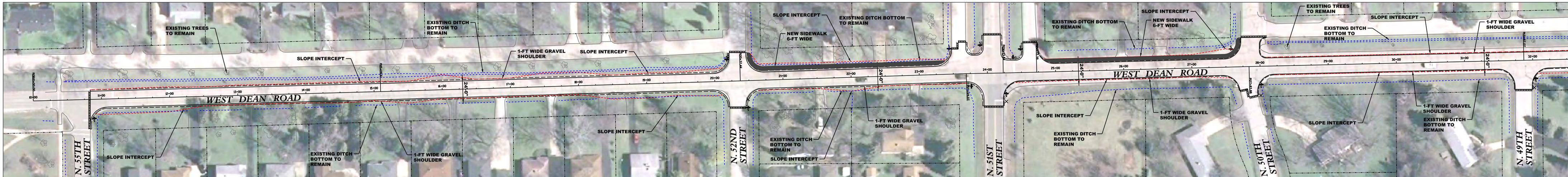


OPTION 2  
 SIDEWALK ON THE NORTH SIDE OF DEAN ROAD  
 FROM N. 55TH STREET TO N. TEUTONIA AVENUE

VILLAGE OF BROWN DEER  
 WEST DEAN ROAD RECONSTRUCTION PROJECT  
 NORTH 55TH STREET TO NORTH TEUTONIA AVENUE

NOTE:  
 1. ROADWAY NARROWING  
 BEGINS STA 24+25  
 ENDS STA 39+00

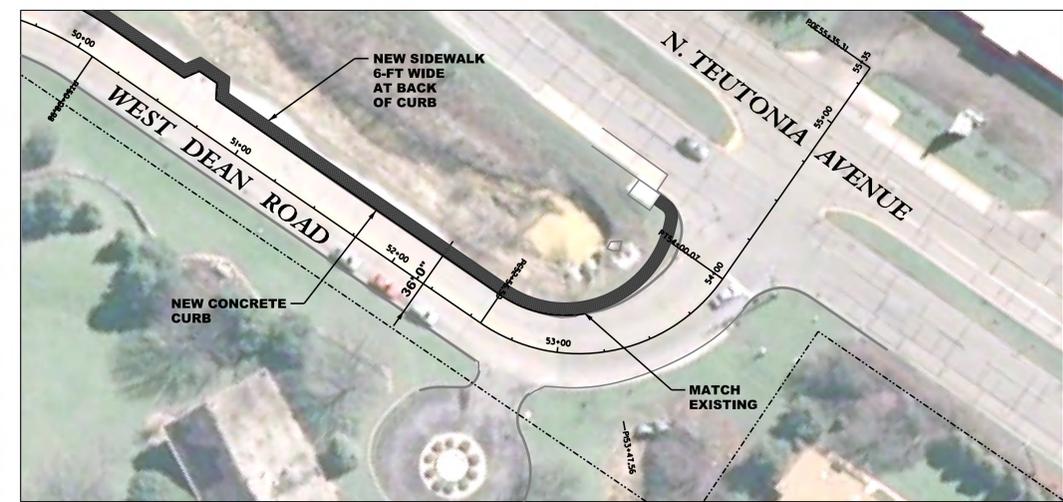


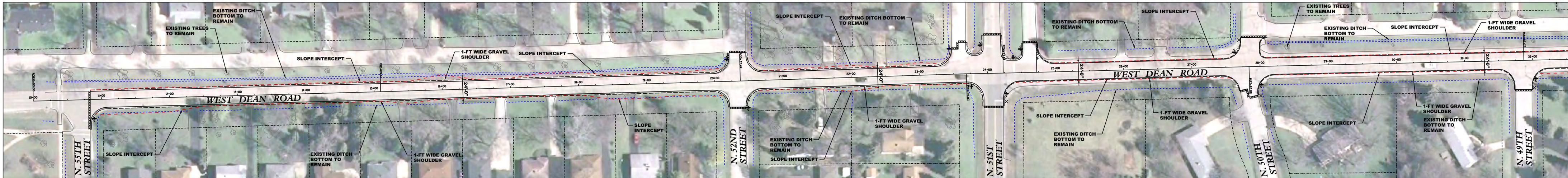


**OPTION 3**  
 SIDEWALK ON THE NORTH SIDE OF DEAN ROAD  
 FROM N. 50TH STREET TO N. 52ND STREET & ON  
 THE EAST SIDE OF DEAN ROAD FROM N. MEADOWSIDE COURT  
 TO N. TEUTONIA AVENUE

VILLAGE OF BROWN DEER  
 WEST DEAN ROAD RECONSTRUCTION PROJECT  
 NORTH 55TH STREET TO NORTH TEUTONIA AVENUE

**NOTE:**  
 1. ROADWAY NARROWING  
 BEGINS STA 24+25  
 ENDS STA 39+00





OPTION 4  
NO SIDEWALK OPTION - NARROWED ROADWAY ONLY  
W. DEAN ROAD FROM N. 55TH STREET TO N. 46TH STREET

VILLAGE OF BROWN DEER  
WEST DEAN ROAD RECONSTRUCTION PROJECT  
NORTH 55TH STREET TO NORTH TEUTONIA AVENUE

NOTE:  
1. ROADWAY NARROWING  
BEGINS STA 24+25  
ENDS STA 39+00

