

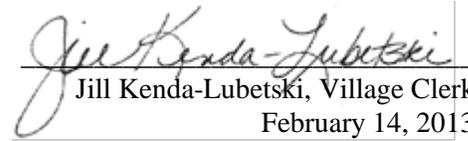
VILLAGE BOARD MEETING
Monday, February 18, 2013
Earl McGovern Board Room, 6:30 P.M.



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: February 4, 2013 – Regular Meeting
- V. Committee Reports
 - A) Building Board - Trustee Weddle-Henning
 - B) Beautification Committee – Trustee Oates
 - C) Park and Recreation Committee – Trustee Springman
 - D) 4th of July Committee – Village President Krueger
 - E) Traffic and Public Safety – Trustee Boschert
 - F) Library Board - Trustee Baker
 - G) Community Development Authority – Village President Krueger
 - H) Plan Commission – Village President Krueger
 - 1) Review and Recommendation of a Development Agreement for a professional office at 8759 N. Deerwood Drive
 - 2) Review and Recommendation of a proposed land division via Certified Survey Map at 8759 N. Deerwood Drive
 - I) Finance and Public Works Committee – Trustee Oates
 - 1) Investment advisor contract and 2012 recap
 - 2) Network UPS Replacement at the Police Department
 - 3) 2013 Squad Car Bids
 - 4) Sanitary Sewer Testing/Sealing, CIPP Lining
 - 5) A Resolution to Approve Assignment of Fund Balances Pursuant to GASB 54 Definitions
 - 6) A Resolution to Approve Commitment of Fund Balances Pursuant to GASB 54 Definitions
 - 7) A Resolution Authorizing Financial Institutions
 - 8) November 2012 Financial Reports
 - 9) Consideration of Vouchers
 - J) Personnel Committee – Trustee Baker
- VI. Unfinished Business
 - A) 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"
- VII. New Business
 - A) Resolution No. 13-, "A Resolution Changing Precinct #3 Polling Place from St. Paul's Evangelical Lutheran Church at 8080 North 47th Street to the Lois and Tom Dolan Community Center at 4375 West Bradley Road"
- VIII. Village President's Report
- IX. Village Manager's Report

- X. 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.
- XI. Reconvene into Open Session for Possible Action on Closed Session Deliberations
- A) Review Original Village construction status and authorize Staff to proceed with bidding process
- XII. Adjournment


Jill Kenda-Lubetski, Village Clerk
February 14, 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
FEBRUARY 4, 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 6:31 P.M.

I. Roll Call

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

Also Present: Matthew Janecke, Assistant Village Manager; John Fuchs, Village Attorney; Nate Piotrowski, Community Development Director; Steven Rinzel, Police Chief; Amy Koepfel, Police Sergeant

II. Pledge of Allegiance

III. Persons Desiring to be Heard

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

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the minutes from the January 7, 2013 - Regular Meeting, January 16, 2013 - Special Meeting, January 17, 2013 - Special Meeting, January 22, 2013 - Village Board/Community Development Authority Meeting, and the January 22, 2013 - Special Meeting. The motion carried 6-0, with Trustee Weddle-Henning abstaining.

V. Unfinished Business

None.

VI. New Business

A) Liquor License Transfer for 5200 West Brown Deer Road (Courtyard by Marriott)

Mr. Janecke reviewed staff's memorandum and noted the change in ownership with the expected closing date being pushed back from February 1st to March 1st; however, the same agent is being recommended under the new ownership. He continued to announce that the initial \$15.00 publication fee and Wisconsin Seller's Permit Number has been received by staff, and a background check was conducted. A notice was placed in the legal section of the NOW newspaper on January 31, 2013.

It was moved by Trustee Boschert and seconded by Trustee Oates to approve the Liquor License Transfer for 5200 West Brown Deer Road (Courtyard by Marriott). The motion carried unanimously.

B) Appoint Jill Kenda-Lubetski as Village Clerk

Trustee Baker announced that Mrs. Kenda-Lubetski has worked as the Village Clerk on an interim basis. Attorney Fuchs opined that if the Village Board wishes to continue the increase in pay that Mrs. Kenda-Lubetski received as Interim Village Clerk, it needs to be reflected in the meeting minutes.

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to permanently appoint Jill Kenda-Lubetski as Village Clerk and for her to continue to receiving the compensation she did as Interim Village Clerk. The motion carried unanimously.

C) Ordinance No. 13-,"Repeal and Recreate, Amend, and Create various section of the Village of Brown Deer Code of Ordinances, Related to Building Codes, Accessory Structures and Zoning"

Mr. Piotrowski reported on the changes being proposed to the Village's Code of Ordinances in his memorandum, which were formulated in collaboration with the Village's Building Inspector. He continued to note that the changes relate to the building code, accessory structures and zoning.

Trustee Boschert inquired into the changes being made to Section VII relating to fences and the subjectivity of the language. Attorney Fuchs opined the language is subjective; however, it allows for an appeal process challenging the order of the Building Inspector. Secondly, the language allows someone, if cited for a violation, to contest the citation in municipal court.

Trustee Oates inquired about Section II relating to sheds and storage buildings larger than 144 square feet. Mr. Piotrowski addressed Trustee Oates' inquiry and said any shed or storage buildings larger than 144 square feet would not be allowed, although a secondary structure would be allowed on a property through an application process.

Trustee Baker inquired into the change regarding Section V relating to tobacco and smoke shops. Mr. Piotrowski responded the change addresses a contradiction in the code where one section allows these types of shops to be a permitted use and where another section lists the shops as a conditional use. The code was changed to make tobacco and smoke shops as a conditional use.

President Krueger questioned Section II of the ordinance where it lists attached garages and carports being no taller than the principal structure and it was his understanding the ordinance allowed for structures no taller than 12 feet. There was some confusion on what the previous ordinance stated. Attorney Fuchs suggested the Board table this item to allow for staff research and develop new text to address the height of varying garage and shed structures.

It was consensus of the Village Board to table the matter to allow staff to research and develop new text to address the height of varying garage and shed structures.

D) Selecting a Design Option for Dean Road

Mr. Piotrowski reviewed the possible options for sidewalks along Dean Road and is seeking the Board's direction as to what design option is preferred. In 2012, 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 and is the least expensive. Staff has a target construction date by June or July and to hold a public information meeting prior to construction.

The Village Board had a general discussion regarding the options and the exact placement of the sidewalks in the options and whether or not the grant can be used with the options besides Option 1. It was determined a joint meeting between the Village Board and School Board will be held in late February or early March with a public information meeting prior to the joint meeting.

It was the consensus of the Village Board to take action on this matter at the joint meeting between the Village and the School District Boards.

VII. Village President's Report

Village President Krueger reported on the following:

Carl's Crusade

Milwaukee County Supervisors Referendum

VIII. Village Manager's Report

Assistant Village Manager reported on the following:

- Progress of iPads
- CVMIC work plan for 2013
- The resignation of Joe Rice as Library Director

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 interviewing candidates for the purpose of reviewing Village Manager final candidate interviews.
- (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.

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.

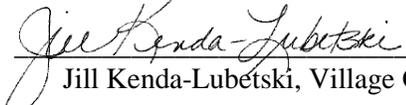
It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to reconvene into Open Session at 9:32 p.m. The motion carried unanimously.

**X. Reconvene into Open Session for Possible Action on Closed Session Deliberations
A) Possible Action on Village Manager's Employment Agreement**

It was moved by Trustee Springman and seconded by Trustee Oates to confirm the appointment and approve the contract for Michael Hall as Village Manager. The motion carried 6-0, with Trustee Weddle-Henning abstaining.

XI. Adjournment

It was moved by Trustee Springman and seconded by Trustee Oates to adjourn at 9:34 p.m. The motion carried unanimously.



Jill Kenda-Lubetski, Village Clerk

BUILDING BOARD MEETING
Monday, February 18, 2013
Earl McGovern Board Room, 4:00 P.M.



PLEASE TAKE NOTICE that a meeting of the Brown Deer Building 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 Persons Desiring To Be Heard
- III Consideration of Minutes: February 4, 2012
- IV Old Business
- V Plans Submitted for Consideration
 - A) Appleton Sign Company - Concentra New Building Signage – 5500 W. Brown Deer Rd
 - B) Appleton Sign Company – Brown Deer High School Signage – Resubmit 8200 N. 60th St
- VI Adjournment

Dated: February 14, 2013

A handwritten signature in black ink that reads "Jill Kenda-Lubetski". The signature is written in a cursive, flowing style.

Jill Kenda-Lubetski, Village Clerk

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

**MINUTES OF THE MEETING OF THE
BROWN DEER BUILDING BOARD
HELD AT THE VILLAGE HALL –
4800 WEST GREEN BROOK DRIVE
ON MONDAY, February 4, 2013**



The meeting was called to order at 4:03 p.m.

I ROLL CALL

Present: Lavern Nall, Andrea Weddle-Henning, Rory Palubiski, Tony Snow

Excused: Tony Enea

Also Present: Nate Piotrowski, Community Director; Shelley Gorman, Bldg. Insp. Assist;
Rick Neumann - Neumann Signs (Concentra); Monica Martin, Appleton Sign for BD High School

II PERSONS DESIRING TO BE HEARD

None

III CONSIDERATION OF MINUTES

It was moved by Ms. Weddle-Henning and seconded by Mr. Snow to approve the January 7, 2013 minutes. The motion carried unanimously.

IV OLD BUSINESS

None

V PLANS SUBMITTED FOR CONSIDERATION

The following items were on the Agenda for review:

- A. Concentra Monument Sign - 5500 W. Brown Deer Rd – Neumann Signs
- B. Brown Deer School District Monument Sign Re-submit Design – Appleton Sign

Concentra – Monument Sign

Mr. Piotrowski gives background on sign location, Briohn Builders installing before Board approval, concerns from the owner of 5600 N. Brown Deer whose driveway is right next to the sign location.

Mr. Rick Neumann introduces himself and explains what has transpired regarding the sign and installation. Mr. Snow and Ms. Weddle-Henning ask about the setbacks, code limits, vision triangle and if the sign has now been halted per Building Board approval. Mr. Piotrowski explains that it is within all setbacks, codes & it does not affect the vision triangle, but that the neighboring owner of 5600 W. Brown Deer Rd. has expressed his concerns and is upset with the location and size of the sign.

Mr. Palubiski and Chairman Nall inquire about the coloring, size, design and how it ties in with the existing building materials. Mr. Neumann explains all the materials used and that the base is made of the same brick as the building and crown cap will mimic the same style and color as the existing building. Chairman Nall likes the location and Mr. Palubiski agrees.

Ms. Weddle-Henning would rather see the sign on the corner of 55th St and Brown Deer Rd. and does not care for the current location. She feels it makes more sense to have it there, it helps to tie the sign in with the building and that it helps direct people into using the entrance off 55th St to help elevate the slowing down of traffic on Brown Deer Rd. Mr. Rory Palubiski is concerned about the setbacks on both and their closeness to each other. Chairman Nall thinks that the signs should be in closer proximity to each other to lessen the visual cluttering along the road.

Mr. Tony Snow motions to approve, Mrs. Andrea Weddle-Henning seconds the motion and the Board approves the monument sign submission.

Brown Deer School District Monument Sign Re-submit Design – Appleton Sign

Mr. Piotrowski gives background on why the original sign needed to be revised based on the code and the 40% ratio limit of digital coverage. Monica Martin of Appleton Sign explains the new design and how the new limitations affect the sign, that it will be losing one row of verbiage, the lettering will become smaller and the overall sign body will be diminished.

The Board discusses changes from the original submittal regarding the design, height and column size from original design to revised, the scrolling time limit, lines of copy being displayed, lines of copy lost, and the overall effect it may or may not have.

The Board likes the original design much better and feels it would be a wiser choice, but Appleton Sign on behalf of the School District, would have to apply for another variance. The next meeting for variance submission is not until the end of February. Monica Martin said that with the time restraints for production on the digital sign, it would not be ready and installed for the Grand Opening that the School District is having in April 2013 and the School District is set on it being up and running.

The Board is in agreement on the new design with the 24" x 24" base. Mr. Palubiski motions to approve, Mrs. Andrea Weddle-Henning seconds the motion and the revised sign submission is approved.

VII ADJOURNMENT

The meeting was adjourned at **4:45** p.m.

The next regularly scheduled meeting will be February 18, 2013.

Shelley Gorman

Shelley Gorman, Admin. Assistant Building Department
Village of Brown Deer

**BROWN DEER BEAUTIFICATION COMMITTEE
FEBRUARY 12, 2013 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by Chairperson Sandy Manning at 6:35p.m.

I. Roll Call

- A) Introduction of New Committee Member – New committee member Anne Dunn was introduced to the committee. Welcome Anne.

Present: Julie Cook-Quirk, Beverly Lieven, Sandy Manning, Anne Dunn, Angie Baltz

Also Present: Larry Neitzel, Superintendent of Public Works; Erika Petras, Department of Public Works

Absent: Trustee Bob Oates, Elizabeth Smith

II. Persons Desiring to be Heard

Mary Pomplun of Brown Deer Middle School appeared before the committee to discuss a possible service project for 140 seventh grade students from Brown Deer Middle School. Planning began for a general clean-up of the bike path from Bradley Road to County Line Road with an additional clean-up area of Beaver Creek from Brown Deer Road to N. 60th Street discussed. Ms. Pomplun will discuss the project with her colleagues and contact Mrs. Lieven and Mr. Neitzel to finalize details. The service project is anticipated to take place during the week of April 22 -26, 2013.

III. Consideration of Minutes: October 9, 2012 - Regular Meeting

It was moved by Mrs. Lieven and seconded by Ms. Cook-Quirk to approve the October 9, 2012 regular meeting minutes. The motion carried unanimously, with Mrs. Dunn abstaining.

IV. Review of Submitted Landscape Plans

None.

V. Report of Staff/Committee Members

Mr. Neitzel brought the committee up to date on construction plans for the sidewalk and narrowing of Dean Road. As a part of the construction several ash trees were removed. Mr. Neitzel will prepare new Dean Road median plans for review at a future meeting.

VI. Unfinished Business

- A) **Arbor Day/Earth Day/Keep Greater Milwaukee Beautiful Clean-Up Day**

Ms. Cook-Quirk presented a preliminary poster for the event scheduled to take place on Saturday May 11, 2013. Mrs. Manning and Mr. Neitzel determined the location of the event to be the parking lot of Village Hall with tree planting at the northeastern bike path entrance to Village Park. Discussion ensued regarding tree location and type. Mrs. Manning will research different tree types and present suggestions at a future meeting. The committee discussed the possibility of adding a paper shred event as well as electronics and large trash disposal.

Ms. Petras will contact the City of Cedarburg regarding a similar event they hosted and report back to the committee. Mr. Neitzel will contact Advanced Disposal (formerly Veolia Environmental Services) in regards to dumpster placement and disposal donation. Mrs. Lieven will contact the Brown Deer Historical Society to inquire if they would offer historical school house tours. Mrs. Lieven will also contact the Boy Scouts to determine if they are available to perform a flag ceremony. Ms. Cook-Quirk suggested that a fundraiser be tied in with the event recognizing that it is the day before Mother's Day. Mrs. Manning cautioned that the committee plan the event recognizing the amount of time and labor it will take preceding the event as well as the day of.

B) Landscape Awards

Mrs. Lieven and Ms. Cook-Quirk will prepare an article for submission into the next Village Magazine to recognize the winners of the 2012 Landscape awards. Ms. Lieven will contact the Brown Deer Library to reserve a room for the September Award recognition event to be held on either September 17th or 24th depending on availability. Further discussion of the awards was tabled until the April meeting.

C) Fund Raising Opportunities

Chairperson Manning requested that each committee member report a fundraising suggestion to the committee at the March meeting. Ideas will be discussed and developed for the May 11, 2013 Arbor Day/ Clean up event.

D) Emerald Ash Borer/ Urban Forestry Grant

Mr. Neitzel informed the committee of the Urban Forestry Grant requirements and reported on current activity that is being done in conjunction with the grant; including meeting attendance and the removal of ash trees that will be surveyed for borer infestation. Mr. Neitzel indicated that volunteer opportunities would be available for committee members to educate the public on the emerald ash borer at Village events. Mr. Neitzel will continue to keep the committee informed of grant activity.

E) Village Code Revisions – EAB/ Disease/Pests; Native Plantings

Mr. Neitzel detailed his plans to review and update the sections of Village Code in regards to EAB/disease/pests and native plantings. Mr. Neitzel will also bring current the Village Landscape standards and in conjunction with the code changes will present them to the committee for review and suggestions.

F) Committee Schedule/ Project Planning

To accommodate future events the Beautification Committee meeting in May will be changed to May 7th. The September committee meeting may be changed to precede the Awards Recognition event.

VII. New Business

None.

VII. Adjournment

It was moved by Ms. Cook-Quirk and seconded by Ms. Dunn to adjourn. The motion carried unanimously at 8:02p.m.

Erika Petras
Department of Public Works

Meeting
4th of July Committee
Wednesday, February 20, 2013
5:00 p.m., Lois and Tom Dolan Community Center



PLEASE TAKE NOTICE that a regular meeting of the Brown Deer 4th of July Committee will be held at the **Lois and Tom Dolan Community Center, 4355 W. Bradley Road**, Brown Deer, Wisconsin, at which time and place the following items of business will be considered and possibly acted upon.

- I Roll Call
- II Persons Desiring to be Heard
- III Consideration of Minutes
 - A) January 16, 2013
- IV Unfinished Business
- V New Business
 - A) Selection and Approval of Beer Vendor
 - B) Selection and Approval of Equipment Vendor
 - D) Review and Approval of Fireworks Show
- VI Committee Reports
 - A) Fundraising
 - B) Publicity
 - C) Entertainment
 - D) Parade
 - E) Beer Tent
 - F) Food Tent
 - G) Volunteer
- VII Scheduling of Next Meeting
 - A) March 20, 2013
- VIII Adjournment

Dated: February 13, 2013

By 
Jill Kenda-Lubetski, Village Clerk

PERSONS REQUIRING SPECIAL ACCOMMODATIONS FOR ATTENDANCE AT THE MEETING SHOULD CONTACT THE VILLAGE CLERK AT LEAST ONE (1) BUSINESS DAY PRIOR TO THE MEETING.

**BROWN DEER 4TH OF JULY COMMITTEE
JANUARY 16, 2013 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order at 5:10 p.m.

I. Roll Call

Present: Otto Bunge, Ann Griffin, Matt Patrick, Chris Dibb, Carl Krueger

Absent: Paul Fine, John Buckley

Also Present: Chad Hoier, Park and Recreation Director
Mark Thompson, Recreation Supervisor

II. Persons Desiring to be Heard

III. Consideration of Minutes

A) December 19, 2012

It was moved by Mr. Bunge and seconded by Mr. Krueger to approve the minutes of December 19, 2012 as corrected. Motion passed.

IV. Unfinished Business

A) Discussion and Selection of 2013 Parade Marshal

Mr. Hoier reported that he had received an email from Steve Ehlers and his father has agreed and would be honored to be the 2013 Parade Marshal.

It was moved by Mr. Bunge and seconded by Mr. Patrick to name Larry Ehlers the 2013 4th of July Parade Marshal. Motion passed.

B) 2013 Entertainment Ideas

The Committee then discussed other entertainment ideas for the celebration for earlier in the day.

No decisions were made and more discussion will happen in February. Mr. Bunge and Mr. Thompson will research entertainment ideas and report back at the February meeting.

V. New Business

A) 2013 Fundraising

Mr. Patrick reported that he will have to letter to the Park and Recreation Department by Friday for preparation and mailing the following week to the local businesses.

B) Water Bill Round Up and Raffle

Mr. Hoier reported that he had spoken to the Water Department and they were on board again this with the Round Up Your Bill fundraiser. They have agreed to let us have our message again this year on the March and June water bills.

Mr. Hoier ask the Committee is they again wanted to list cash prizes again on this year's years raffle ticket. The Committee agreed. Mr. Hoier also stated that he would prepare the raffle prize letter to be mailed in late February to those area businesses and vendors for additional raffle prizes.

VI. Committee Reports

A) Fundraising

B) Publicity

C) Entertainment

D) Parade

E) Beer Tent

F) Food Tent

G) Volunteers

VII. Scheduling of Next Meeting

A) February 20, 2013

Committee agreed to meet of February 20, 2013

VIII. Adjournment

Upon proper motion, the meeting was adjourned at 5:45 p.m.

Chad Hoier, Park and Recreation Director

BROWN DEER LIBRARY BOARD
February 11, 2013 MEETING MINUTES
HELD AT THE BROWN DEER PUBLIC LIBRARY
5600 WEST BRADLEY ROAD
(Unapproved)

The meeting was called to order by Board President Balistreri at 5:00 P.M.

I. Roll Call

Present: Board President Balistreri and Board members: J. Baker, W. Jabas, K. Lewis-Williams, A. Lutz
Also Present: Joseph Rice, Library Director

II. Persons Desiring to be Heard

None.

**III. Consideration of Minutes: January 14, 2013 – Regular Meeting
February 4, 2013 – Special Meeting**

It was moved by J. Baker and seconded by K. Lewis-Williams to approve the minutes of the January 14, 2013 regular meeting. The motion carried unanimously.

It was moved by W. Jabas and seconded by A. Lutz to approve the minutes of the February 4, 2013 special meeting. The motion carried unanimously.

IV. Unfinished Business

There was no unfinished business.

V. Library Director's Report

The Director's written report was discussed along with an update on Bond Proceeds projects, "Zinio" magazine service, CountyCat Mobile update, new calendar of events, statewide system consolidation, and job responsibilities for interim Director.

VI. Friends of the Library Report

The Friends sponsored the popular raptor program presented by the Schlitz Audubon Nature Center on February 9 in the Community Room at the Library. 58 attended.

VII. New Business

A) Consideration of Vouchers

After discussion, it was moved by K. Lewis-Williams and seconded by A. Lutz to approve the payment of the December 2012 / January 2013 vouchers. The motion carried unanimously.

VIII. Adjournment

Next meeting: March 11, 2013. *It was moved by J. Baker and seconded by A. Lutz to adjourn at 5:30 P.M. The motion carried unanimously.*

Joseph Rice, Library Director

**COMMUNITY DEVELOPMENT AUTHORITY
FEBRUARY 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 6:33 P.M.

I. Roll Call

Present: Village President Carl Krueger, Trustee Tim Schilz, Ron Kunding, Ted Wagner, John Coons

Also Present: Nate Piotrowski, Community Development Director; John Fuchs, Village Attorney

Excused: Claude Williams Jr., Scott Fleming

II. Persons Desiring to be Heard

None

III. Consideration of Minutes: November 27, 2012 CDA Meeting

It was moved by Mr. Kunding and seconded by Mr. Wagner to approve the minutes from the January 22, 2013 meeting. The motion carried unanimously.

IV. Report of Staff

Mr. Piotrowski reported that the Wisconsin Department of Safety and Professional Services has taken up the issue of mandating tank removal from the former Citgo gas station at 5091 W. Brown Deer Road. He stated that Staff expected to see orders within a couple of weeks with a deadline for compliance set for thirty days after the issuance of the order.

V. Recess into Closed Session pursuant to §19.85 (1)(e) 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.

- 1. Real Estate

It was moved by President Krueger and seconded by Trustee Schilz to recess into closed session at 6:39 p.m. The motion carried unanimously.

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

It was moved by Mr. Kunding and seconded by Mr. Coons to reconvene into open session at 7:41 p.m. The motion carried unanimously.

VII. New Business

- A) Commercial Offer to Purchase – 8759 N. Deerwood Drive

Ms. Jennifer Jambor-Raninen, owner of Modus Design, discussed her business operation and offer.

It was moved by Trustee Schilz and seconded by Mr. Kunding to recommend to the Village Board the approval of the offer to purchase subject to the conditions in the offer. The motion carried unanimously.

VIII. Adjournment

It was moved by Trustee Schilz and seconded by Mr. Coons to adjourn at 7:44 p.m. The motion carried unanimously.



Nate Piotrowski, Community Development Director



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	February 11, 2013 Plan Commission Agenda Items
PREPARED BY:	Nathaniel Piotrowski, Community Development Director <i>Nate Piotrowski</i>
REPORT DATE:	February 14, 2013
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION:	See Items Below
EXPLANATION:	A summary of the Plan Commission's agenda items and recommendations are listed below. There are two items that require Village Board action. Please note that the initial staff report and supporting documentation was in the previously distributed Plan Commission packet. Attached for your review is the draft Plan Commission meeting minutes of February 11, 2013 along with the proposed Development Agreement and CSM. If you need another copy of the Plan Commission packet, please contact me.
Plan Commission Agenda items requiring action:	
1) Review and Recommendation of a development agreement for a professional office at 8759 N. Deerwood Drive	
Recommendation: Recommend approval of the development agreement Requested Action: A motion to approve the development agreement for a professional office at 8759 N. Deerwood Drive.	
2) Review and Recommendation of a proposed land division via Certified Survey Map at 8759 N. Deerwood Drive	
Recommendation: Recommend approval of the certified survey map Requested Action: A motion to approve the certified survey map at 8759 N. Deerwood Drive	

**BROWN DEER PLAN COMMISSION
FEBRUARY 11, 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 7:00 P.M.

I. ROLL CALL

Present: President Carl Krueger; Trustees: Tim Schilz, Jeff Baker; Commissioners: Ryan Schmitz, Susan Bellehumeur, Dan Bednar, Al Walters, Jeff Jaroczynski, Bill Hoffmann

Also Present: Nate Piotrowski, Community Development Director; Rebecca Boyle, Village Attorney

II. PERSONS DESIRING TO BE HEARD

None.

III. CONSIDERATION OF MINUTES: January 14, 2013 – Regular Meeting

It was moved by Commissioner Schmitz and seconded by Commissioner Bellehumeur to approve the regular meeting minutes of January 14, 2013. The motion carried unanimously.

IV. REPORT OF STAFF/COMMISSION MEMBERS

Mr. Piotrowski stated that the Village hired Michael Hall as the new Village Manager and that he would begin work on February 18. He reported that a Visioning Workshop related to the Lowe's property was scheduled for February 27th from 6:30 -8:00 p.m. at the new Brown Deer Community Center at 4355 W. Bradley Road. He also reported that the State Department of Safety and Professional Services was issuing orders for tank removal at 5091 W. Brown Deer Road, the former Citgo station. Lastly, Mr. Piotrowski noted that General Capital Group had submitted two applications for WHEDA tax credits; one at the Beaver Creek development and one for the land adjacent to the Bradley Crossing apartment building. A decision from WHEDA is expected in April of this year.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

- A) Review and Recommendation of a development agreement for a professional office at 8759 N. Deerwood Drive**

President Krueger reviewed the proposal and introduced the applicant Jennifer Jambor-Raninen who detailed the operational aspects of the business and plans for the remodeling of the property.

It was moved by Commissioner Hoffmann and seconded by Commissioner Bednar to recommend approval of the development agreement for a professional office at 8759 N. Deerwood Drive to the Village Board. The motion carried unanimously.

- B) Review and Recommendation of a proposed land division via Certified Survey Map at 8759 N. Deerwood Drive**

Mr. Piotrowski reviewed the proposed land division and indicated conformity with all zoning provisions.

It was moved by Commissioner Schmitz and seconded by Commissioner Hoffmann to recommend approval of the Certified Survey Map at 8759 N. Deerwood Drive to the Village Board. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Commissioner Schmitz and seconded by Commissioner Bednar to adjourn at 7:15P.M. The motion carried unanimously.



Nate Piotrowski, Community Development Director

**Development Agreement
By and Between
Modus Design, Inc.
And
The Village of Brown Deer**

THIS AGREEMENT is entered into as of this ____ day of _____, 2013, by and between **Modus Design Inc.**, a Wisconsin Limited Liability Company hereinafter called "Operator" and the **VILLAGE OF BROWN DEER**, a municipal corporation in Milwaukee County, Wisconsin.

WITNESSETH:

WHEREAS, Modus Design Inc. is the owner of property at 8759 N. Deerwood Dr., located in the NW ¼, Section 12, T8N, R21E, Village of Brown Deer, Milwaukee County, Wisconsin.

Legally described as: (See Exhibit A)

WHEREAS, a request has been made to the Village Board of The Village of Brown Deer, Milwaukee County, Wisconsin, by Operator for approval of a Development Agreement authorizing the establishment of a business office at 8759 N. Deerwood Drive (hereinafter referred to as the "Property"); and

WHEREAS, on _____, JAMES JAGODZINSKI and BROWN DEER entered into a Development Agreement for a automobile service garage at 8759 N. Deerwood Drive, said Agreement being recorded in the office of the Register of Deeds, Milwaukee County, Wisconsin on _____, as Document _____, in Reel_____, Image _____; and amended by Document #'s _____

WHEREAS, the _____, 19__ Agreement, and subsequent amendments as Document #'s _____ shall be released and replaced by this Agreement; and

WHEREAS, the covenants contained herein are necessary to provide for the harmonious, orderly and consistent development of the neighborhood involved.

NOW, THEREFORE, following review and consideration by the Plan Commission on February 11, 2013 and after review and consideration by the Village Board of the Village of Brown Deer on February 18, 2013, the Modus Design Inc. (parcel identification number: _____) Planned Development Agreement is hereby approved in accordance with Sections 121-250 through 121-253 of the Village of Brown Deer Village Code, the attached Exhibits A and B and covenanted and agreed as follows:

1. **Subject to review by the Brown Deer Plan Commission after one year. If there are no documented complaints about the use, or if documented complaints have been resolved to the satisfaction of the Village Board, the approval of the specific project plan for a business office becomes continuous pursuant to the Village of Brown Deer Village Code.**
2. **Outside storage of merchandise, equipment or inventory is strictly prohibited on this site.**

3. **The property shall be kept free and clear of litter and debris.**
4. **Sign location, size, design shall be in accord with Chapter 121 of the Village of Brown Deer Village Code.**
5. **All deliveries and pick-ups shall occur during the business hours of 7:00am- 6:00pm, Monday through Saturday.**
6. **Outdoor sales shall be prohibited.**
7. **Any hazardous conditions or deficiencies identified by the Village of Brown Deer shall be corrected by the owner to the satisfaction of the Village within thirty (30) days of written notification.**
8. **Any significant modifications to the site or existing building and/or expansion of the business, shall be reviewed and approved by the Plan Commission and Village Board.**
9. **Owner shall provide a private trash removal system requiring no service by or cost to the Village. All trash, storage and collection shall be within the building interior or within an enclosure that screens trash and removal system from public view. The trash removal system shall be rodent-proof, covered and maintained in accordance with the direction of the North Shore Health Department.**
10. **Crime prevention measures shall be adhered to pursuant to the direction of 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 and then as necessary at the discretion of the Brown Deer Police Department.**
11. **That as long as the property is used for the purposes that are authorized by this Agreement, all 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 Village Board of the Village of Brown Deer may relieve the Operator 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. The covenants herein contained may be enforced by proceedings at law or in equity by the Village against any person or persons violating or attempting to violate the same.**
12. **The invalidity of any of the covenants herein contained declared by any judgment or court order shall in no way affect any of the other provisions herein contained which shall remain in full force and effect.**

- 13. Buyer shall, consistent with a targeted completion date of July 21, 2013, convert the existing structure on the premises to an office/service building, in substantial conformity with the plans and specifications as set forth herein, and having a minimum fair market value upon completion of \$150,000.00.**
- 14. Buyer acknowledges that the property will be divided in substantial conformity with a proposed Certified Survey Map, attached hereto and incorporated herein, and shall so design its premises to allow for a minimum of four (4) car parking availability upon the premises it acquires in fee, and shall restrict its access to parking adjacent to the premises to the business hours of 8:00 a.m. to 6:00 p.m. and never more than five (5) cars at a given time. The parties agree that on limited occasions, not more than four days per year, a holiday party or some similar function, might cause greater use of the public parking facility than described herein.**
- 15. The parties acknowledge that the legal description of the property, as will be provided in the Deed, shall provide for a parcel to be held in fee by Buyer, consistent with the proposed CSM attached hereto and incorporated herein.**
- 16. The parties agree to use their best efforts, each in favor of the other, to compatibly redevelop the property by Buyer, and to redevelop the surrounding area, including street and sidewalk improvements, public parking improvements, utility improvements, sewer and drainage improvements, in a compatible and efficient fashion so as not to impede the intended purposes of each.**
- 17. Exhibit A, attached is the legal description of the property.**
- 18. Exhibit B, attached contains the floor plan for the property.**

Exhibit A
Legal Description

Exhibit B
Proposed Floor Plan

CERTIFIED SURVEY MAP NO. _____

PART OF THE NW ¼ OF THE NW ¼ OF SECTION 12, TOWNSHIP 8 NORTH,
RANGE 21 EAST, VILLAGE OF BROWN DEER, MILWAUKEE COUNTY, WISCONSIN



Bearings are referenced to the West line of Section 12, Township 8 North, Range 21 East, as S00°57'42"W Wisconsin County Coordinate System, Milwaukee County Zone NAD83 (2007)

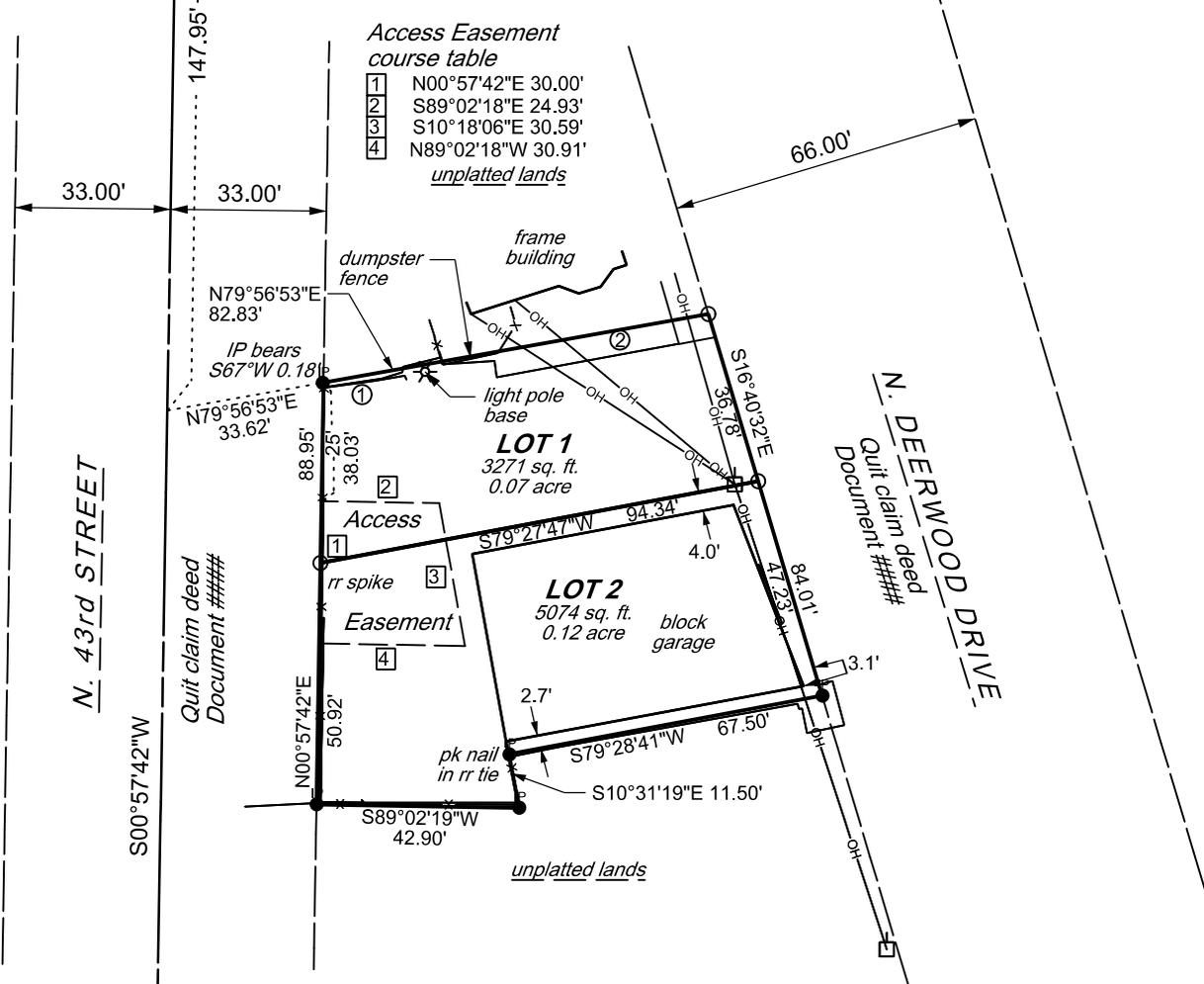
Found brass cap monument
NW corner Sec 12, T8N, R21E



LEGEND

- FOUND 1" DIA. IRON PIPE ●
- FOUND IRON BAR ● (SIZE)
- SET 3/4" X 18" SOLID, ROUND IRON STAKE WEIGHING 1.50 LBS. PER LINEAL FOOT UNLESS OTHERWISE NOTED ○
- SECTION LINE _____
- PROPERTY LINE _____
- RECORDED AS DATA (N90°00'00"E 123.87')
- RIGHT OF WAY LINE _____
- OVERHEAD UTILITY — OH — OH
- FENCE — X — X — X
- POWER POLE □

Notes:
 ① edge of asphalt parking lot to the north 1.5' south of property line
 ② edge of concrete slab to the north 5.2' south of property line.
 The Owner's of Lots 1 and 2 grant a reciprocating access easement from N. 43rd Street as depicted to benefit the Owner's of Lot 1 and 2



Access Easement course table

1	N00°57'42"E 30.00'
2	S89°02'18"E 24.93'
3	S10°18'06"E 30.59'
4	N89°02'18"W 30.91'

unplatted lands



Found brass cap monument
W 1/4 corner Sec 12, T8N, R21E

AYRES ASSOCIATES
 1802 PANKRATZ STREET
 MADISON, WISCONSIN 53704
 (608) 443-1200

**BROWN DEER FINANCE AND PUBLIC WORKS COMMITTEE
FEBRUARY 6, 2013 REGULAR MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by Trustee Oates at 6:30 P.M.

I. ROLL CALL

Present: Trustees: Oates, Springman & Boschert; Citizen Members: Galyn Bennett

Susan Glowinska arrived at 6:31 pm and Ray Erbe arrived at 6:37 pm

Also Present: Bridget Souffrant, Treasurer/Comptroller, Larry Neitzel, Superintendent of Public Works, and John Graeber, Police Captain

Excused: Citizen Member Tom Lieven

II. PERSONS DESIRING TO BE HEARD

None.

III. CONSIDERATION OF MINUTES: November 7, 2012 – Regular Meeting

It was moved by Trustee Boschert and seconded by Galyn Bennett to approve the minutes of the November 7, 2012 meeting. The motion carried unanimously.

IV. REPORT OF STAFF/COMMITTEE MEMBERS

Bridget Souffrant reported that the Village Board hired Michael Hall as the new Village Manager with a start date of February 18, 2013. She also informed the Committee that in the next month a request for proposal for banking services would be distributed should they have any suggestions for the RFP.

Larry Neitzel reported that the Village received the Urban Forestry Emerald Ash Borer Grant and was moving forward with the project. In addition to that he reported that two new laborers would be starting on February 18, 2013 at the DPW bringing the department back to full staffing levels.

V. NEW BUSINESS

A) Investment advisor contract and 2012 recap

Mrs. Souffrant informed the Committee that another year has passed with the contract for investment advising services with Ehlers Investment Partners. She stated that since 2010 the contract has been for a one year period and she wishes to move to an at will basis with a 30 day written termination notice. She reported that working with Ehlers Investment Partners for the last two years has been great allowing for additional work to be done on a Staff level, great cash flow analysis completed, and a significant interest earnings for the Village. To recap 2012, Mrs. Souffrant stated that the Village paid \$8,312 in management fees for an average amount of \$4.8 million investments. Village earnings net of management fees was \$42,751.09 and the benchmark (leaving the funds in the LGIP) would have earned only \$7,732.

Mrs. Souffrant stated that the rate structure would remain the same in the future and would continue to bring back the earnings report on an annual basis.

It was moved by Trustee Boschert and seconded by Susan Glowinska to recommend to the Village Board to approve the contract with Ehlers Investment Partners on an at will basis. The motion carried unanimously.

B) Network UPS Replacement at the Police Department

Captain John Graeber reported that throughout 2012 there were substantial changes and additions made to the police department's information network. There were connections made to Bayside, necessary hardware additions and changes to the system. In 2008, the Village purchased a Network System UPS with specifications for the system at that time; this UPS is currently operating at its maximum output and needs to be replaced.

CC&N installed our current UPS and is still the company working with the Police Department on these other changes. It is Staff's recommendation to authorize CC&N to do the installation and purchase the hardware through them as they are our current contracted engineering, support and maintenance provider. Their quote was examined, vetted and deemed to be highly competitive. This project was budgeted for \$22,000 as a part of the 2012 CIP and 2013 budget.

Discussion ensued regarding the trigger for the UPS to the generator and it was deemed that the current system works, including the trigger and was designed by CC&N, therefore CC&N will be able to design it appropriately again and it will be tested.

It was moved by Trustee Boschert and seconded by Galyn Bennett to recommend to the Village Board to approve the purchase and installation of a new UPS in the police department network by accepting the bid quote from CC&N in the amount of \$11,950. The motion carried unanimously, Susan Glowinska abstained.

C) 2013 Squad car bids

Captain John Graeber reported that bids went out for one new police patrol vehicle and one administrative vehicle for 2013. He said that again for the patrol vehicle Staff is recommending the utility vehicle and for the administrative vehicle they are recommending a Ford Taurus. Griffin Ford is the selected vendor for the purchase of one Ford Interceptor Police Utility vehicle for \$26,732 and one Ford Taurus administrative vehicle for \$21,059 also from Griffin Ford. It was also recommended that Griffin Ford purchase the trade-in vehicles, a 2010 Ford Crown Victoria and a 2005 Ford Taurus for a total of \$12,400. Griffin Ford had the most competitive trade in values making them the best choice.

Discussion ensued regarding the need for the Utility vehicles versus smaller squads and the need for Administrative vehicles versus patrol vehicles.

It was moved by Trustee Boschert and seconded by Susan Glowinska to recommend to the Village Board to approve the purchase of one Ford interceptor police utility vehicle for \$26,732 and one Ford Taurus administrative vehicle for \$21,059 from Griffin Ford. It was also recommended to approve the purchase of trade in vehicles by Griffin Ford in the amount of \$7,625 for the 2010 Ford Crown Victoria and \$4,775 for the 2005 Ford Taurus. The motion carried unanimously.

D) Sanitary Sewer Testing/Sealing, CIPP Lining

Mr. Neitzel reported that he reviewed the budget and the capital improvement plan and bid out work for a not to exceed amount of \$580,000. Mr. Neitzel informed the Committee that he has decided to seal mainline and lateral connections over as large an area as possible; the accompanying map detailed the work. He further informed that upon completion of this work, a portion which affects Basin 4006 he will be notifying MMSD that this work would bring Basin 4006 back into compliance and it is up to MMSD to show if the Village exceeds allowable flows.

It was moved by Trustee Springman and seconded by Trustee Boschert to recommend to the Village Board to award a contract to Visu-Sewer, Inc. for the testing and sealing of mainline sanitary sewer and sanitary laterals; and CIPP lining in an amount not to exceed \$580,000 for 2013. The motion carried unanimously.

E) A Resolution to Approve Assignment of Fund Balances Pursuant to GASB 54 Definitions

Mrs. Souffrant reported that in January 2011, the Committee and Village Board approved a resolution assigning fund balances in our special revenue funds to be in compliance with GASB 54 – Fund Balance Reporting and Governmental Fund Type Definitions. In 2012, the Park and Recreation Department and Library received donation money from Naomi Strehlow, which was placed in a special revenue account, thus the attached resolution needs to be amended to add the new fund.

It was moved by Trustee Springman and seconded by Galyn Bennett to recommend to the Village Board to approve Resolution No. 13- “A Resolution for Assignment of Fund Balances”. The motion carried unanimously.

F) A Resolution to Approve Commitment of Fund Balances Pursuant to GASB 54 Definitions

Mrs. Souffrant reported that in January 2011, the Committee and Village Board approved a resolution committing fund balances in our special revenue funds to be in compliance with GASB 54 – Fund Balance Reporting and Governmental Fund Type Definitions. In 2012, the Park and Recreation Department and Library received donation money from Naomi Strehlow, which was placed in a special revenue account, thus the attached resolution needs to be amended to add the new fund.

It was moved by Trustee Boschert and seconded by Susan Glowinska to recommend to the Village Board to approve Resolution No. 13- “A Resolution for the Commitment of Fund Balances”. The motion carried unanimously.

G) A resolution authorizing financial institutions

Mrs. Souffrant stated that per Wisconsin State Statute on an annual basis the Village Board must approve a list of approved public depositories for Village funds. She added that the Village does not have funds at all of the locations listed in the resolution, but it allows for more options without having to amend the resolution.

It was moved by Galyn Bennett and seconded by Trustee Boschert to recommend to the Village Board to approve Resolution No. 13- “A Resolution Authorizing Financial Institutions”. The motion carried unanimously.

H) November 2012 Financial Report

Bridget Souffrant, Treasurer/Comptroller presented the November 2012 Financial report in the new BS&A accounting software with the new formatting. She also covered the top five financial highlights of the report.

No action was taken on this item.

E) Consideration of Vouchers

It was moved by Trustee Boschert and seconded by Susan Glowinska to recommend that the Village Board approve the vouchers from December 19, 2012 to January 25, 2013 in the amount of \$1,867,959.42. The motion carried unanimously.

VII. ADJOURNMENT

It was moved by Trustee Boschert and seconded by Susan Glowinska to adjourn at 7:53 p.m. The motion carried unanimously.



Bridget M. Souffrant, Treasurer/Comptroller



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Finance & Public Works Committee packet
PREPARED BY:	Bridget M. Souffrant, Treasurer / Comptroller <i>BMS</i>
REPORT DATE:	February 13, 2013
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION:	Bringing forward the recommendations from FPW
EXPLANATION:	<p>On February 6, 2013, the Finance & Public Works Committee met and discussed the agenda. All agenda items received a positive recommendation and are as follows.</p> <ul style="list-style-type: none">- Ehlers Investment Advisors: <i>recommend to the Village Board to approve the contract with Ehlers Investment Partners on an at will basis.</i>- Network UPS Replacement at the Police Department: <i>recommend to the Village Board to approve the purchase and installation of a new UPS in the police department network by accepting the bid quote from CC&N in the amount of \$11,950.</i>- 2013 Squad car Bids: <i>recommend to the Village Board to approve the purchase of one Ford interceptor police utility vehicle for \$26,732 and one Ford Taurus administrative vehicle for \$21,059 from Griffin Ford. It was also recommended to approve the purchase of trade in vehicles by Griffin Ford in the amount of \$7,625 for the 2010 Ford Crown Victoria and \$4,775 for the 2005 Ford Taurus.</i>- Sanitary Sewer Testing/Sealing, CIPP Lining: <i>recommend to the Village Board to award a contract to Visu-Sewer, Inc. for the testing and sealing of mainline sanitary sewer and sanitary laterals; and CIPP lining in an amount not to exceed \$580,000 for 2013.</i>- Resolution to Approve Assignment of Fund Balances Pursuant to GASB 54 Definitions: <i>recommend to the Village Board to approve Resolution No. 13- "A Resolution for Assignment of Fund Balances".</i>

- Resolution to Approve Commitment of Fund Balances Pursuant to GASB 54
Definitions: *recommend to the Village Board to approve Resolution No. 13- "A Resolution for the Commitment of Fund Balances".*
- A Resolution Authorizing Financial Institutions: *recommend to the Village Board to approve Resolution No. 13- "A Resolution Authorizing Financial Institutions".*
- November 2012 Financial Report: No action taken, review only.
- Consideration of Vouchers: *recommend that the Village Board approve the vouchers from December 19, 2012 to January 25, 2013 in the amount of \$1,867,959.42.*



REQUEST FOR CONSIDERATION

COMMITTEE: Finance and Public Works

ITEM DESCRIPTION: 2013 Squad Bids

PREPARED BY: Captain John Graeber

REPORT DATE: February 14, 2013

MANAGER'S REVIEW/COMMENTS:

- No additional comments to this report.
- See additional comments attached.

RECOMMENDATION: To approve the purchase of one Ford Interceptor Police Utility vehicle for \$26,732 and one Ford Taurus administrative vehicle for \$21,059 from Griffin Ford, 1940 E. Main Street, Waukesha, WI 53186.

It is also recommended to approve the purchase of our trade-in vehicles by Griffin Ford in the amount of \$7625 for the 2010 Ford Crown Victoria and \$4775 for the 2005 Ford Taurus, for a total trade value of \$12,400.

EXPLANATION: The routine replacement of squad cars in the police department's fleet involves the replacement of one police patrol vehicle and one administrative vehicle in 2013.

Approximately 35 dealerships in the southeastern Wisconsin area were contacted and 22 dealerships requested bid packets. Bid packets were sent out to those dealerships that had requested them with a due date of February 4, 2013.

On February 4th, the bid packets that we had received from the three dealerships that submitted them were opened. After reviewing the bids submitted and evaluating each bid and the vehicles proposed, the above recommendation was made with the goal of providing the most cost efficient and best vehicles to serve our department.

Last year when squad bids were presented we discussed the issues surrounding the new line of police sedan style patrol vehicles. There were many disadvantages identified with these new sedans that warranted our recommendation to purchase the slightly more expensive Utility vehicles. Following putting these vehicles into service and having experienced almost a year where other departments put the sedans into their fleets, we determined we have made the correct decision. Many departments who purchased sedan style squad cars are looking to purchase the utility vehicles this year and some have even removed the sedans from patrol work to administrative vehicle service. The utility vehicles we purchased and put into service in 2012 have been well received by the officers and 95% of critique comments coming back to us have been positive.

In mid year 2012 the department created its capital budget plan with the thought that 3 fleet vehicles would need to be replaced in 2013. Based upon that assumption \$72,500 was approved for vehicles in 2013. Upon assessing our fleet at the time the bid packets were prepared, the department determined that we could get by with replacing one patrol vehicle and one administrative vehicle.

The total purchase for the two police vehicles is \$47,791.

CURRENT FLEET INVENTORY

VILLAGE OF BROWN DEER ANNUAL BUDGET REQUEST

2013

VEHICLE INVENTORY ASSESSMENT

CURRENT SQUAD MILAGE AS OF 01-29-13

Village I.D. Number	Model, Year and Make of Vehicle	Vehicle Identification Number (V.I.N.)	Vehicle Mileage
1340	2007 Ford Expedition	1FMFU16557LA61257	59447
1341	2011 Ford Crown Victoria	2FABP7BV5BX148192	31706
1342	2011 Ford Crown Victoria	2FABP7BV7BX148193	52476
1343	2013 Explorer Police Interceptor	1FM5K7AR0DGB15826	5166
1344	2010 Ford Crown Victoria	2FABP7BV4AX131690	82516
1345	2013 Explorer Police Interceptor	1FM5K7AR2DGB15827	1274
1350	2007 Chevy Impala	2G1WB58K079293785	46720
1351	2011 Ford Taurus	1FAHP2DW2BG165833	21572
1352	2005 Ford Taurus	1FAFP53U85A283952	56608
1353	2010 Ford Crown Victoria	2FABP7BV6AX131691	14810
1354	2009 Chevy Impala	2G1WB57K591292294	35968
Lexus	2000 Lexus RX300	JT6HF10U4Y0162114	215037

2013 MARKED PATROL SQUAD BID PACKAGES – BY COST

DEALER	MAKE	MODEL	BID	OFFERED TRADE	VEHICLES NET COST	COST RANKING
EWALD CHEVROLET	CHEVROLET	IMPALA	\$23,212	\$3,500	\$19,712	3
EWALD CHEVROLET	CHEVROLET	CAPRICE	\$28,792	\$3,500	\$25,292	9
EWALD CHEVROLET	CHEVROLET	TAHOE	\$29,655	\$3,500	\$26,155	11
EWALD FORD	FORD	POLICE INTERCEPTOR SEDAN - FWD	\$25,292	\$3,500	\$21,792	4
EWALD FORD	FORD	POLICE INTERCEPTOR SEDAN - AWD	\$26,292	\$3,500	\$22,792	7
EWALD FORD	FORD	POLICE INTERCEPTOR UTILITY - FWD	\$27,805	\$3,500	\$24,305	8
EWALD FORD	FORD	POLICE INTERCEPTOR SUV - AWD	\$28,805	\$3,500	\$25,305	10
EWALD DODGE	DODGE	CHARGER	\$25,783	\$3,500	\$22,283	5
GRIFFIN FORD	FORD	POLICE INTERCEPTOR SEDAN - FWD	\$25,004	\$7,625	\$17,379	1
GRIFFIN FORD	FORD	POLICE INTERCEPTOR SUV - FWD	\$26,732	\$7,625	\$19,107	2
HOLZ CHEVROLET	CHEVROLET	IMPALA	27,302	\$5,000	\$22,302	6

2013 ADMINISTRATIVE VEHICLE SQUAD BIDS – BY MAKE

DEALER	MAKE	MODEL	BID	OFFERED TRADE	VEHICLE NET COST	COST RANKING
GRIFFIN FORD	FORD	TAURUS	\$21,059	\$4,775	\$16,284	5
HOLZ	CHEVROLET	IMPALA	\$18,869	\$3,000	\$15,869	4
EWALD FORD	FORD	TAURUS	\$21,619	\$3,500	\$18,119	6
EWALD FORD	FORD	FUSION	\$17,542	\$3,500	\$14,042	1
EWALD CHEVROLET	CHEVROLET	IMPALA	\$18,566	\$3,500	\$15,066	3
EWALD CHRYSLER	DODGE	AVENGER	\$18,513	\$3500	\$15,013	2

**BROWN DEER PERSONNEL COMMITTEE
JANUARY 31, 2013 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by Chairperson Baker at 6:30 P.M.

I. Roll Call

Present: Trustees: Baker, Springman; Don Druckrey
Also Present: David L. Berner, Interim Village Manager

II. Persons Desiring to be Heard

None.

III. Approval of Minutes:

None.

IV. Report of Staff/Committee Members

No report.

V. New Business

None.

VI. Recess into Closed Session Pursuant to §19.85 (1)(c) Wisconsin Statutes for the Following Reasons:

- (c) **To consider, 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 Springman and seconded by Don Druckrey to enter into closed session for the reason stated on the agenda at 6:25 p.m. The motion carried unanimously.

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

It was moved by Trustee Springman and seconded by Don Druckrey to adjourn the closed session and re-enter into the regular order of business at 8:34 p.m. The motion carried unanimously.

VIII. Adjournment

It was moved by Trustee Springman and seconded by Don Druckrey to adjourn the meeting at 8:34 p.m. The motion carried unanimously.



David L. Berner, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board	
ITEM DESCRIPTION:	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
PREPARED BY:	Nathaniel Piotrowski, Community Development Director <i>Nate Piotrowski</i>
REPORT DATE:	February 11, 2013
MANAGER'S REVIEW/COMMENTS:	<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". The height contradiction was fixed and shed size allowances were increased following Trustee comments.
- 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" 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 now 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 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.

105-52 Penalties –

Violations of this code shall be subject to all general penalties and remedies as set forth in Section 1-7 of the Village of Brown Deer Code of Ordinances.”

SECTION II.

That Section 121-14 (c)(1) of the Brown Deer Village Code of Ordinances is hereby amended to read as follows:

“(1) Detached accessory structures shall:”

That Section 121-14 (c)(1)(a.) of the Brown Deer Village Code of Ordinances is hereby amended to read as follows:

“a. Except for detached garages, be not more than one story or 15 feet in height, whichever is lower; and”

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 200 square feet and no closer than five feet to the nearest lot line; sheds greater than 200 square feet but not larger than 400 square feet shall require Building Board approval: 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: S, R”

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.

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Clerk



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Resolution Changing the Polling Place for Precinct 3, Wards 5 and 6
PREPARED BY:	Jill Kenda-Lubetski, Village Clerk
REPORT DATE:	February 11, 2013
MANAGER'S REVIEW/COMMENTS:	<p>9 No additional comments to this report.</p> <p>9 See additional comments attached.</p>
RECOMMENDATION:	Approve Resolution No. 13-, "A Resolution Changing Precinct #3 Polling Place from St. Paul's Evangelical Lutheran Church at 8080 North 47th Street to the Lois and Tom Dolan Community Center at 4375 West Bradley Road".
EXPLANATION:	<p>I would like the Village Board to consider the attached resolution that would permanently designate a new voting location for the electors that vote in Precinct 3, Wards 5 and 6, effective with the election that will be held starting in April of 2013.</p> <p>It has always been anticipated that we would move the voting location for Precinct 3, Wards 5 and 6, from St. Paul's Evangelical Lutheran Church to the Lois and Tom Dolan Community Center upon completion. As you know, the Community Center officially opened on February 6, 2013. We anticipate that we will have four elections in 2014, with a large turnout especially for the gubernatorial election in November. In the past, we have been experiencing exceptionally long lines at St. Paul's for especially the larger elections. Reichmann Hall at St. Paul's does not have adequate space and accommodations for the 2,700+ registered voters in Precinct 3, Wards 5 and 6. The larger room and accommodations at the Community Center should move the process for registering and voting more quickly and efficiently.</p> <p>The Village will notify all voters in Precinct 3, Wards 5 and 6, of this change by mailing a notice to each voter on the voter registration list. We will also provide the media with adequate notice and publicity advising these changes. It should also be noted that the Community Center has handicap accessible accommodations.</p>

A Resolution Changing Precinct #3 Polling Place from St. Paul's Evangelical Lutheran Church at 8080 North 47th Street to the Lois and Tom Dolan Community Center at 4375 West Bradley Road

Resolution No. 13-

WHEREAS, pursuant to Section 5.25 (1)(3) polling places shall be established at least thirty (30) days prior to any other election except September and November elections; and,

WHEREAS, elections will be held on April 2, 2013 in all wards in the Village of Brown Deer; and,

WHEREAS, Wards 5 and 6 currently vote at St. Paul's Evangelical Lutheran Church; and,

WHEREAS, the Reichmann Hall located at St. Paul's Evangelical Lutheran Church does not have adequate space to accommodate the number of voters registered to cast a vote for larger elections; and,

WHEREAS, the Lois and Tom Dolan Community Center officially opened on February 6, 2013 for conducting activities, including voting; and,

WHEREAS, the Lois and Tom Dolan Community Center is located within the boundaries of Wards 5 and 6.

NOW, THEREFORE, BE IT RESOLVED, by the Village of Brown Deer Board of Trustees that the polling place for all elections for Wards 5 and 6 be located at the Lois and Tom Dolan Community Center at 4375 West Bradley Road.

BE IT FURTHER RESOLVED, the Village Clerk is directed to notify voters by mailing a notice to each voter on the voter registration list for the named wards.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this 18th day of February, 2013.

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Clerk



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board
ITEM DESCRIPTION: Review Original Village construction status and authorize Staff to proceed with bidding process
PREPARED BY: Nathaniel Piotrowski, Community Development Director <i>Nate Piotrowski</i>
REPORT DATE: February 11, 2013
MANAGER'S REVIEW/COMMENTS: <input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.

BACKGROUND INFORMATION:

We attended a court session this past Wednesday in hopes of receiving a final determination from Milwaukee County Judge Sankovitz regarding the Original Village litigation but unfortunately we were asked to return one week later to provide further information. The Village's CDA counsel will offer an update on where we stand in closed session.

Village Staff is seeking authorization from the Village Board in open session to proceed with the bidding process. The timetable for bidding and construction would be as follows:

March 4 - advertise for bids

March 25 – open bids

April 3 – Finance and Public Works reviews awarding contract

Early April – WE Energies and Time Warner relocate facilities

April 15 – Village Board potentially awards contract

Late April early May – Pre-Construction meeting. Final public meeting

May 13 – Start Construction

November 15 - Construction ends