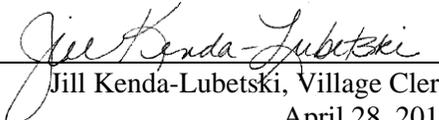


**VILLAGE BOARD MEETING**  
**Monday, May 2, 2016**  
**Earl McGovern Board Room, 6:30 P.M.**



**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. **Consent Agenda**
  - A. Consideration of Minutes: April 18, 2016 – Regular Meeting
- V. **New Business**
  - A. Resolution 16-, “Commending Anne Lutz as Brown Deer Citizen of the Year”
  - B. Resolution 16-, “To Approve an Amendment to Exhibit C of the Domestic Animal Control Services Agreement for the Milwaukee Area Domestic Animal Control Commission (MADACC)”
  - C. Report by Staff on the Battle Creek Michigan Median-U Intersection
- VI. Village President’s Report
- VII. Village Committee Chairperson Report
- VIII. Village Manager’s Report
- IX. Adjournment

  
\_\_\_\_\_  
Jill Kenda-Lubetski, Village Clerk  
April 28, 2016

**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**  
**April 18, 2016 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: Awe, Boschert, Oates, Schilz, Baker, Springman

Also Present: Michael Hall, Village Manager; Erin Hirn, Assistant Village Manager/Deputy Clerk; Michael Kass, Chief of Police; Susan Hudson, Treasurer/Comptroller; John Fuchs, Village Attorney; Colette Reinke, Village Attorney; Matthew Maederer, Director of Public Works; Nate Piotrowski, Director of Community Services; Liane Scharnott, Communications Center Director; Jon Wallenkamp; Lead Architect with Kueny Architects, L.L.C.

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

None

**IV. Consent Agenda – All items listed under Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Trustee so requests, in which event the item will be removed from the general order of business and considered at this point in the agenda.**

- A) **Consideration of Minutes: April 4, 2016 Regular Meeting**
- B) **Ordinance No. 16-, “Recommendation for a rezoning of various parcels of land generally known as A.C. Hanson Park, Algonquin Park, Brown Deer Park to the P – Park Zoning District”**
- C) **Ordinance No. 16-, “Recommendation for a rezoning of various parcels of land generally known as Village Park, Fairy Chasm Park, and Badger Meter Park to the P – Park Zoning District”**
- D) **Ordinance No. 16-, “Recommendation for a rezoning of various parcels of land generally known as Brown Deer Village Hall/Police Station and the Brown Deer School Campus, including the Brown Deer Library and Metropolitan Milwaukee Sewerage District Detention Basin to the I – Institutional Zoning District”**
- E) **March 2016 Vouchers**

*It was moved by President Krueger and seconded by Trustee Oates to approve the consent agenda items A through E. The motion carried 6-0 with one abstention from Trustee Springman.*

**V. New Business**

**A) Annual Report of the Bayside Communication Center**

Liane Scharnott, Communications Center Director, gave an annual presentation on the Bayside dispatch center. Ms. Scharnott touched on topics of training, partnerships, and programs within the community.

**B) Resolution No. 16-, “Submit a Grant Request to the Wisconsin Department of Transportation for a Transportation Alternatives Program (TAP) Project Application”**

Mrs. Hirn gave a summary of the Sidewalk Connection project and requested from the board to sign the resolution that would fully submit the grant application for the Transportation Alternatives Program

through the Wisconsin Department of Transportation. This plan had been initially requested through the comprehensive plan. Trustee Boschert mention some reserves about the project including the number of Brown Deer residents this would effect. Mr. Maederer suggested that if this project is not still desired by the board we might want to revisit the sidewalk plan. Mrs. Hirn confirmed that this request is just to submit the grant application. Further discussion ensued.

*It was moved by Trustee Baker and seconded by Trustee Springman to approve Resolution No. 16-, "Submit a Grant Request to the Wisconsin Department of Transportation for a Transportation Alternatives Program (TAP) Project Application". The motion carried 5-2, with Trustee Boschert and Trustee Oates opposed*

**C) Resolution No. 16-, "In the Matter of the Special Assessment of Culverts & Driveway Approach Costs for the 2016 Ditch Rehabilitation Project"**

Mr. Maederer provided information regarding the ditch rehabilitation project for 2016. These projects will go from May to end of June. There will be a public hearing before the second board meeting in main. This agenda item would be requesting approval for the notice for the public hearing as well as a resolution to assess the culverts & driveways. Trustee Springman asked when assessment bills were distributed. Mr. Maederer confirmed that assessment bills are distributed in November/December and have a year to pay them off, otherwise they get attached to their taxes.

*It was moved by Trustee Springman and seconded by Trustee Schilz to approve Resolution No. 16-, "In the Matter of the Special Assessment of Culverts & Driveway Approach Costs for the 2016 Ditch Rehabilitation Project". The motion carried unanimously.*

**A) Yearly Department Presentation (Community Services/Development)**

Mr. Piotrowski gave an annual presentation highlighting past activities and future goals.

**B) February 2016 Financial Report**

Mr. Hall gave a brief summary of the graphs included in the financial report for February. Further discussion ensued. It was determined that the board would prefer to see updated graphs. Trustee Schilz requested that the headings are carried over page to page in future reports.

**VI. Village President's Report**

- NSFD had fire station tours for possible future station update or remodel
- ICC meeting

**VII. Village Committee Chairperson Report**

None

**VIII. Village Manager's Report**

- Future Events
  - Coffee with a Cop April 9, 2016
  - Citizen of the Year April
  - Arbor Day May 7, 2016
  - DOT Public Information Meeting May 17, 2016 4:00 –6:00 pm at the Community Center
  - Village Appreciation Dinner at Tripoli Country Club at 6:00 pm
- All American City Award update
- Wednesday meeting for new Magazine
- North Shore is currently interested in researching the idea of a joint court

- GO Bonds moving forward
- Colliers update

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

*It was moved by Trustee Springman and seconded by Trustee Awe to recess into closed session at 7:54 p.m. The motion carried unanimously.*

(g) Conferring with legal counsel for the governmental 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.

(e) Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

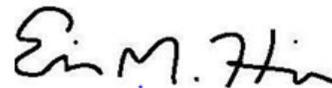
- a) DPW Property

**X. Reconvene into Open Session**

*It was moved by Trustee Springman and seconded by Trustee Awe to reconvene into open session at 8:49 p.m. The motion carried unanimously.*

**XI. Adjournment**

*It was moved by Trustee Boschert and seconded by Trustee Oates to adjourn at 8:49 p.m. The motion carried unanimously.*



Erin M. Hirn, Assistant Manager/Deputy Clerk

A Resolution Commending Anne Lutz  
as Brown Deer Citizen of the Year

Resolution No. 16-

**WHEREAS**, Anne Lutz has been selected as Brown Deer Citizen of the Year which is awarded annually by the Brown Deer Senior Citizens Club; and,

**WHEREAS**, Anne Lutz has been a resident of the Village of Brown Deer for the past 45 years, moving to Brown Deer in 1971; and,

**WHEREAS**, Anne Lutz served on the Board of Directors of the Brown Deer Scholarship Fund for many years; and,

**WHEREAS**, Anne Lutz served on the Brown Deer Library Board of Directors since 1996, and is currently serving as the President; and,

**WHEREAS**, Anne Lutz has served the community as a representative on the Brown Deer Foundation for five years; and,

**WHEREAS**, Anne Lutz volunteered at St. Catherine’s Catholic Church for 45 years by teaching religious education classes, serving on the Parish Life Committee, organizing many dinners and picnics, and helping make quilts for babies; and,

**WHEREAS**, Anne Lutz is also an active member of the Friends of the Brown Deer Library for 15 years and helped in the revitalization of the foundation.

**NOW, THEREFORE, BE IT RESOLVED** by the Village of Brown Deer Board of Trustees that Anne Lutz be recognized for all of her service to the Village of Brown Deer and its residents. Further, the Village Board congratulates and applauds Anne on her selection by the Brown Deer Senior Citizens Club as the Citizen of the Year.

**PASSED AND ADOPTED** by the Village Board of the Village of Brown Deer this 2nd day of May, 2016.

\_\_\_\_\_  
Carl Krueger, Village President

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

\_\_\_\_\_  
Gary Springman, Village Trustee

\_\_\_\_\_  
Tim Schilz, Village Trustee

\_\_\_\_\_  
Bob Oates, Village Trustee

\_\_\_\_\_  
Jeff Baker, Village Trustee

\_\_\_\_\_  
Terry Boschert, Village Trustee

\_\_\_\_\_  
Jamie Awe, Village Trustee

**Milwaukee Area Domestic Animal Control Commission  
3839 W. Burnham St.  
West Milwaukee, WI 53215  
(414) 649-8640 FAX (414) 763-6234**

**MADACC Member Agreement  
Executive Summary**

The MADACC Board, at its April 19, 2016 meeting, approved changes to Exhibit C of the MADACC Member Agreement. The revised Agreement has to be unanimously approved by all participating municipalities in order to replace the current agreement. So the revised Agreement has to be submitted to each municipal member with a resolution authorizing approval.

The revisions to the agreement are technical in nature. All of the changes are listed below:

Technical Changes:

- Update section 1(C) due to the recent passage of new state law that changes hold times for some stray animals with language that accurately reflects that MADACC will follow all applicable State Statutes and hold all animals as required.
- Eliminate language in Section 3.a(3) as the Wisconsin Department of Trade and Consumer Protection inspects animal shelters and rescues and MADACC only works with organizations that have been inspected and licensed through the DATCP eliminating the necessity of this function by deleting that line.
- Eliminate duplicative language dealing with the hold times of animals since there are different hold times for different intake times by deleting 3.b(1).

To quickly facilitate this matter, attached please find the redline copy of the original Exhibit C, a clean copy of revised Exhibit C, and a copy of the Resolution that needs to be approved, signed and returned to MADACC.

We would like to have all copies of this resolution signed and returned no later than June 30, 2016.

Resolution No. \_\_\_\_\_

A Resolution relative to approval of an amendment to Exhibit C of the "Domestic Animal Control Services Agreement" for the Milwaukee Area Domestic Animal Control Commission (MADACC).

WHEREAS, all nineteen (19) municipalities in Milwaukee County approved a resolution in 1997 approving the original "Domestic Animal Control Services Agreement" for participation in the Milwaukee Area Domestic Animal Control Commission, and;

WHEREAS, the (Common Council/Village Board) of the (City/Village) of \_\_\_\_\_ approved its original participation under said agreement, and;

WHEREAS, all nineteen (19) municipalities approved an amendment to the agreement in 2009 to reflect changes to Wisconsin State Statutes and operations, and;

WHEREAS, Exhibit C to the agreement defines the scope and extent of services provided by MADACC to member municipalities;

WHEREAS, after recent changes to Wisconsin State Statutes, it is necessary to update Exhibit C to the agreement, and;

WHEREAS, the MADACC Board of Directors has voted to recommend that this resolution be adopted approving the attached revised Exhibit C.

NOW THEREFORE BE IT RESOLVED by the (Common Council/Village Board) of the (City/Village) of \_\_\_\_\_ that the amendment to Exhibit C of the "Domestic Animal Control Services Agreement," as reflected in the attached document which is incorporated herein by reference, is hereby approved.

BE IT FURTHER RESOLVED that the proper (City/Village) officials are hereby authorized and directed to execute said agreement on behalf of the (City/Village).

The Milwaukee Area Domestic Animal Control Commission (MADACC) will be established with the following service framework to be provided to the municipalities participating in MADACC and their residents:

1. Provide shelter for stray and running-at-large dogs and cats, also safekeeping and quarantine.
  - a. Include housing, feeding, veterinary care.
  - b. Response to calls for capture and pickup; general vehicular patrol not provided.
  - c. Comply with applicable State law with regard to shelter, ~~and care~~ and minimum hold requirements, will use euthanasia only as a last resort.
  - d. Provide morgue, cold storage, disposal of carcasses.
  - e. Submit specimens as required to State Department of Public Health.
  - f. Provide euthanasia on customer fee-for-service basis for old, sick, and injured dogs and cats.
  - g. Dispose of dead dogs and cats on a customer fee-for-service basis; however, no pick-up service for dead animals.
  - h. Provide for, through referral, implanting of computer chips in dogs and cats on a customer fee-for-service basis.
  - i. The facility would have hours as follows:
    - (1) 64 open hours
    - (2) 104 closed hours (available for drop off, response basis for call-in.)
2. Promote Education and Licensing, Marketing (see report of other subcommittee.) Administrative handling and promotions reflecting proactive approach.
3. Provide adoption referral, networking and coordination.
  - a. Establish memorandum of understanding/agreements to accept dog and cat animal adoption referrals with:
    - (1) Metropolitan area humane societies (e.g. Wisconsin Humane Society, Washington County Humane Society, Waukesha County Humane Society, Racine County Humane Society, Ozaukee County Humane Society, Elmbrook Humane Society, etc. Animal rights

**Commented [kjs1]:** This wording better addresses the variety of hold times that the law provides for i.e. Stray, Safekeep, Bite Quarantine

groups (e.g. Wisconsin Society for the Prevention of Cruelty to Animals, Wisconsin Animal Protection Society, etc.)

(2) Animal rights groups (e.g. Wisconsin Society for the Prevention of Cruelty to Animals, Wisconsin Animal Protection Society, etc.)

~~(3) Establish holding criteria for societies/groups and conduct quarterly facility inspections~~

b. Related operating considerations

~~(1) Hold dogs and cats for seven days~~

(12) Encourage patrons to take adoptable dogs and cats directly to Humane Society and Animal Rights groups; does not apply to lost and strays.

~~(23)~~ Establish drop-off charge

~~(34)~~ Handle other domestic animals as required by law.

~~(45)~~ Law enforcement investigation of animal abuse complaints to be done by local police departments, unless later determined to be cost and operationally efficient for the facility to assume that responsibility

4. Provide wildlife referral, networking and coordination.

a. Each municipality will be responsible for the capture, handling, and transmittal of wildlife through its health department, police department, or public works department.

b. The facility would provide networking and coordination, as well as referral to private trappers/pest control services.

5. The following services may be referred to private veterinarian and/or other service providers, humane societies, etc.

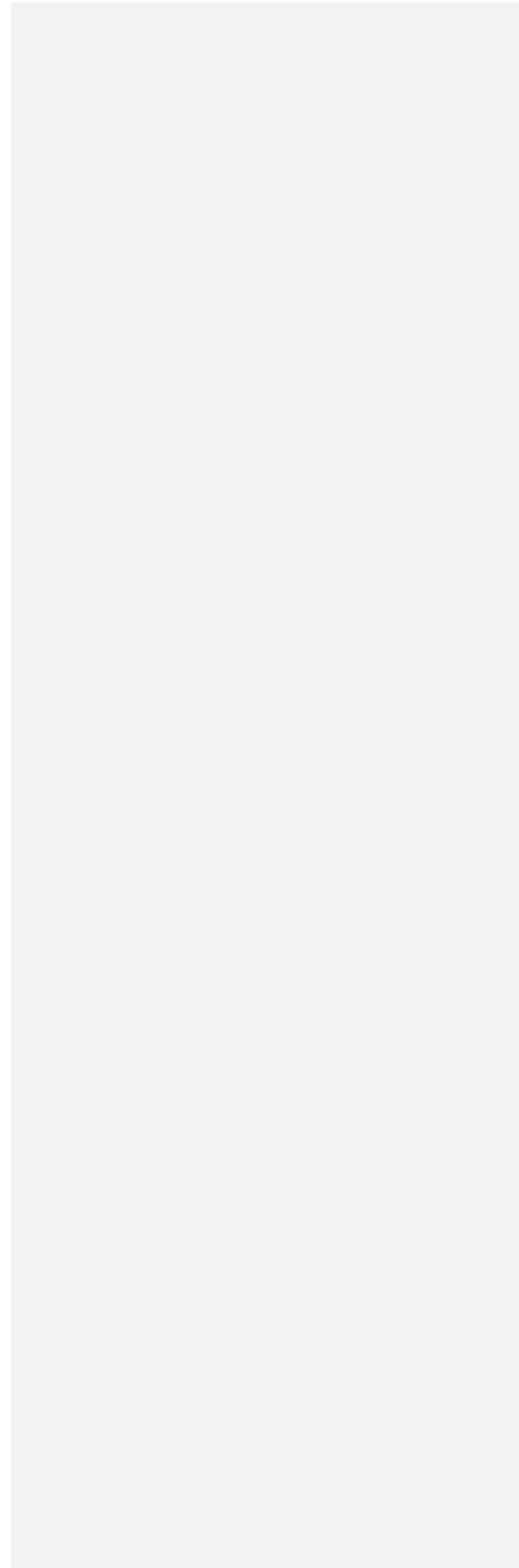
- Cruelty investigation
- Veterinary treatment and surgery for old, sick and injured animals
- Advocacy and legislative lobbying
- Outreach
- Search and recovery

6. Provide limited adoption service

**Commented [kjs2]:** This is not necessary since Act 90. State of Wisconsin provides inspections of shelter and rescue groups in WI through the DATCP and provides licenses for those approved for adoption purposes. MADACC only works with licensed facilities and rescue groups.

**Commented [kjs3]:** This provision is outdated as hold times for strays, safekeeps and bite quarantines vary by State Law and is covered in 1. C.

7. Provide limited veterinary services



The Milwaukee Area Domestic Animal Control Commission (MADACC) will be established with the following service framework to be provided to the municipalities participating in MADACC and their residents:

1. Provide shelter for stray and running-at-large dogs and cats, also safekeeping and quarantine.
  - a. Include housing, feeding, veterinary care.
  - b. Response to calls for capture and pickup; general vehicular patrol not provided.
  - c. Comply with applicable State law with regard to shelter, care and minimum hold requirements, will use euthanasia only as a last resort.
  - d. Provide morgue, cold storage, disposal of carcasses.
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  - f. Provide euthanasia on customer fee-for-service basis for old, sick, and injured dogs and cats.
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- (2) Animal rights groups (e.g. Wisconsin Society for the Prevention of Cruelty to Animals, Wisconsin Animal Protection Society, etc.)

b. Related operating considerations

- (1) Encourage patrons to take adoptable dogs and cats directly to Humane Society and Animal Rights groups; does not apply to lost and stray animals.
- (2) Establish drop-off charge
- (3) Handle other domestic animals as required by law.
- (4) Law enforcement investigation of animal abuse complaints to be done by local police departments, unless later determined to be cost and operationally efficient for the facility to assume that responsibility

4. Provide wildlife referral, networking and coordination.

- a. Each municipality will be responsible for the capture, handling, and transmittal of wildlife through its health department, police department, or public works department.
- b. The facility would provide networking and coordination, as well as referral to private trappers/pest control services.

5. The following services may be referred to private veterinarian and/or other service providers, humane societies, etc.

- Cruelty investigation
- Veterinary treatment and surgery for old, sick and injured animals
- Advocacy and legislative lobbying
- Outreach
- Search and recovery

6. Provide limited adoption service

7. Provide limited veterinary services