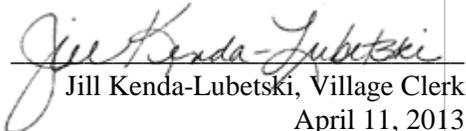


**VILLAGE BOARD MEETING**  
**Monday, April 15, 2013**  
**Earl McGovern Board Room, 6:30 P.M.**



**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:            March 18, 2013 – Regular Meeting
- V. Committee Reports
  - A) Building Board - Trustee Weddle-Henning
  - B) Beautification Committee – Trustee Oates
  - C) Park and Recreation Committee – Trustee Springman
    - 1) Carrico Aquatic Resources, Inc. Pond Water Management Program Agreement
  - 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
  - I) Finance and Public Works Committee – Trustee Oates
    - 1) Police Speed Trailer
    - 2) GO Contractors Termination – Meadowside BMP
    - 3) Award Meadowside BMP Rebid
    - 4) Original Village Streetscape Rebid Award
    - 5) Ayres Contract Amendment – Original Village Construction Inspection
    - 6) Original Village Lighting Plan – We Energies
    - 7) Village Banking Services
    - 8) 2013 Watermain Relay Project
    - 9) Consideration of Vouchers
  - J) Personnel Committee – Trustee Baker
- VI. Unfinished Business
- VII. New Business
  - A) North Shore Municipal Court Certification
  - B) Street Light Funding Options
  - C) Resolution No. 13-08, “Resolution of Appreciation for David Victor”
- VIII. Committee Appointment
- IX. Village President’s Report
- X. Village Manager’s Report
- XI. Adjournment

  
Jill Kenda-Lubetski, Village Clerk  
April 11, 2013

**BROWN DEER VILLAGE BOARD  
MARCH 18, 2013 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

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

**I. Roll Call**

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

Excused: Trustee Schilz

Also Present: Michael Hall, Village Manager; Steven Rinzel, Chief of Police; John Fuchs, Village Attorney; Bridget Souffrant, Treasurer/Comptroller; Nate Piotrowski, Community Development Director; Matt Janecke, Assistant Village Manager; Larry Neitzel, Operations Superintendent;

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

President Krueger introduced Michael Hall as the new Village Manager.

**IV. Consideration of Minutes: March 4, 2013 – Regular Meeting**

*It was moved by Trustee Baker and seconded by Trustee Springman to approve the minutes for the March 4, 2013 - Regular Meeting. The motion carried unanimously.*

**V. Committee Reports**

**A) Building Board – Trustee Weddle-Henning**

Trustee Weddle-Henning reported on sign approvals over the last few meeting and to refer to the minutes since she was not at the last meeting.

Trustee Baker inquired about the time frame around the bidding process for the signs in the Original Village and Library. Mr. Piotrowski responded those two projects will go out to bid sometime this spring.

**B) Beautification Committee – Trustee Oates**

Trustee Oates announced there is a new committee member and a coordinator for a public service job came and spoke, offering to volunteer during the Arbor Day/Keep Greater Milwaukee Beautiful Clean-Up Day event. He continued by saying the landscape award winners will be recognized at a special ceremony at the Lois and Tom Dolan Community Center in September.

Trustee Oates presented the resolution.

**1) Resolution No. 13, “Proclaiming May 11, 2013 as Arbor Day”.**

*It was moved by Trustee Oates and seconded by President Krueger to adopt Resolution No. 13-, “Proclaiming May 11, 2013 as Arbor Day”. The motion carried unanimously.*

**C) Park and Recreation Committee – Trustee Springman**

Trustee Springman announced that the last Park and Recreation Committee meeting was held at the Lois and Tom Dolan Community Center, and the members had a chance to tour the facility. He continued by saying that the policy pertaining to Village Pond operations has changed regarding staffing levels, swim areas, and hours of operation. Trustee Weddle-Henning inquired about a new swim platform.

**D) 4th of July Committee – Village President Krueger**

President Krueger announced a beer vendor has been selected for the 4th of July event. Contracts have been established for the canopies/tents and fireworks. Additional entertainment is still needed to have entertainment throughout the day and attract residents to the park for the full day.

**E) Traffic and Public Safety – Trustee Boschert**

Trustee Boschert commented that the committee reviewed the traffic incidents along North 60th Street, and mentioned Chief Rinzel and the Police Department are monitoring the traffic flow around the bus drop off area at the School District. Trustee Boschert continued to explain the problems with double parking at the Dance Academy located at 51st and Green Brook Drive. The problems are due to double parking and the lack of established traffic flow with regards to parents dropping off and picking up their children. Staff recommends TEMPORARY NO PARKING signs on the south side of Green Brook Drive and the west Side of 51st, along with designated parking areas. A brief conversation ensued about the council member's experiences in the area.

**F) Library Board – Trustee Baker**

Trustee Baker reported on the hiring process for a new Library Director and announced Library Board President Gerry Balistreri tendered his resignation, effective immediately. Trustee Springman inquired about the status of the Bond Proceeds projects. Trustee Baker replied that they are in the process of being completed.

**G) Community Development Authority – Village President Krueger**

No meeting.

**H) Plan Commission – Village President Krueger**

No meeting.

**I) Finance and Public Works – Trustee Oates****1) We Energies Utility Relocate Contract - Original Village**

Trustee Oates announced he was not in attendance at the most recent committee meeting and that Trustee Boschert will be presenting any items that need action tonight.

*It was moved by Trustee Boschert and seconded by Trustee Weddle-Henning to approve the contract with We Energies for Utility Relocating in the Original Village area in the amount of \$13,752.71. The motion carried unanimously.*

**2) Time Warner Utility Relocate Contract - Original Village**

*It was moved by Trustee Boschert and seconded by Trustee Oates to approve the contract with Time Warner Cable for Utility Relocating in the Original Village area in the amount of \$28,621. The motion carried unanimously.*

**3) TAPCO Way Finding Sign Proposal**

Trustee Boschert reported on the comments that were made during a Finance and Public Works Committee meeting by a resident in opposition of the project. Mr. Hall expounded on the comments made at the meeting and informed the Board that he exchanged emails with the individual the days following the meeting, telling the individual that this project is part of the Village's Comprehensive Plan. A brief conversation ensued about the Village not having an established marketing plan, but that marketing will partly be achieved through placement of the way-finding signs. Mr. Piotrowski gave a detailed description of where the signs will be placed throughout the Village.

*It was moved by Trustee Boschert and seconded by Trustee Oates to approve the Wayfinding Sign package from TAPCO in the amount of \$14,987. The motion carried unanimously.*

**4) December 2012 Financial Reports**

*No action was needed.*

**5) Consideration of Vouchers**

*It was moved by Trustee Oates and seconded by Trustee Weddle-Henning to approve the vouchers from February 1, 2013 through February, 2013 in the amount of \$234,409.29. The motion carried unanimously.*

Mrs. Souffrant inquired whether or not the 2013 Water Main Relay bids need to be approved by the Village Board if they are already approved by the Water Commission. Attorney Fuchs opined that since contract was awarded to Reeseman's Excavating & Grading, Inc. for the 2013 Water main relay project in an amount not to exceed \$186,564.40 by the Water Commission, it is covered as authorized and, therefore, does not need Village Board approval.

**J) Personnel Committee – Trustee Baker****1) Public Works Superintendent/Village Engineer Position Description**

Trustee Baker reported on the discussion of the Public Works Superintendent/Village Engineer Position Description. This hybrid position includes a Professional Engineer certification to be able to create the design for some of the smaller projects the Village may undertake, ultimately saving the Village from having to use a contracted engineering firm. Mr. Hall added what he found by surveying other communities and included the intentions are to seek someone with four to six years of experience in the pay range of \$75,000 to \$85,000. Savings may not be realized in the General Fund but in the engineering budget. Trustee Boschert inquired about advertising for a Director of Public Works and attracting someone with a Professional Engineer certification.

*It was moved by Trustee Weddle-Henning and seconded by Trustee Springman to approve the amended job description with the addition of unisex verbiage to the Position Description for Public Works Superintendent/Village Engineer. The motion carried unanimously.*

**VI. Unfinished Business**

None

**VII. New Business****A) Discussion on Calls for Service at Multi-Family Housing**

Chief Rinzel reported on the request made by the Village Board regarding the calls for service at multi-family housing complexes within the Village of Brown Deer for 2012. The report details the calls for service and, in his opinion, where there is higher density housing, naturally there will be more calls for service. A short conversation ensued about the kinds of calls for service at different locations.

**VIII. Village President's Report**

Village President Krueger reported on the following:

Junior Woman's Club Candidate Forum  
Gwen Moore listening session on March 16th  
MMSD pump repair issues

**IX. Village Manager's Report**

Mr. Hall reported on the following:

Grand Opening for the Lois and Dolan Community Center  
CDBG Home Improvement Program  
Meeting with Modus Design

**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.

*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to recess into Closed Session at 7:38 p.m. The motion carried unanimously.*

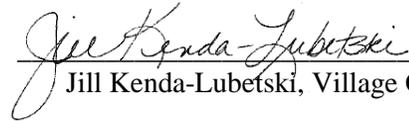
*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to reconvene into Open Session at 8:01p.m. The motion carried unanimously.*

**XI. Reconvene into Open Session for Possible Action on Closed Session Deliberations****A) Compensation for Non-Represented Employees**

*It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the 2013 Wages for Non-Represented Employees of 2.5% retroactive to January 1, 2013. The motion carried unanimously.*

**XII. Adjournment**

*It was moved by Trustee Springman and seconded by Trustee Oates to adjourn at 8:02 p.m. The motion carried unanimously.*

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

**BROWN DEER BEAUTIFICATION COMMITTEE  
MARCH 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 6:37p.m.

**I. Roll Call**

Present: Julie Cook-Quirk, Beverly Lieven, Sandy Manning, Anne Dunn, Elizabeth Smith

Also Present: Erika Petras, Department of Public Works

Absent: Trustee Bob Oates, Larry Neitzel, Superintendent of Public Works

**II. Persons Desiring to be Heard**

None.

**III. Consideration of Minutes: February 12, 2013 - Regular Meeting**

*It was moved by Ms. Cook-Quirk, and seconded by Ms. Dunn to approve the February 12, 2013 regular meeting minutes. The motion carried unanimously, with Ms. Smith abstaining.*

**IV. Review of Submitted Landscape Plans**

None.

**V. Report of Staff/Committee Members**

**VI. Unfinished Business**

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

**1. Arbor Day Resolution**

*It was moved by Ms. Cook-Quirk and seconded by Ms. Dunn to recommend Village Board approval of the Resolution Proclaiming May 11, 2013 as Arbor Day. The motion carried unanimously.*

Ms. Petras shared the map that Mr. Neitzel prepared showing the location of the Arbor Day tree planting and a Public Information/ Education kiosk being built as an Eagle Scout Project. Chairperson Manning stated that she had contacted Mr. Neitzel with tree selection of Royal Raindrops Crabapple.

Ms. Petras reported that she had contacted two paper shredding companies and an electronics recycler and was waiting to hear from them with costs and availability for the Arbor Day event. Chairperson Manning shared the Audubon Nature Center's experience with an electronics recycling event. A discussion ensued regarding space constraints and the popularity of events like these. It was the committee's consensus to focus on either a shredding or electronics recycling event.

Ms. Lieven reported that she had been in contact with Mary Pomplun from Brown Deer Middle School and was finalizing the details for the seventh grade service project.

Ms. Cook-Quirk will solicit a glove donation from the Blood Center of Wisconsin. Ms. Petras will provide Ms. Lieven and Ms. Cook-Quirk with a current glove inventory. Event publicity and food donations will be discussed at the April Beautification Committee Meeting.

**B) Landscape Awards**

Mrs. Lieven reserved the Community Room at the Brown Deer Library on September 17, 2013 for the Award Recognition Event.

**C) Fund Raising Opportunities**

Committee members offered suggestions including a bake sale, used garden tool sale, wine tasting or craft sale. Ms. Petras informed the committee that some communities use shredding and recycling events as fundraisers, by securing a donor to cover shredding costs and suggesting good will donations of \$2 per box of materials to be shredded. Ms. Cook-Quirk supported the idea of using recycling or shredding events as fundraisers. Ms. Petras stated that she would investigate these opportunities further and report back to the committee. Chairperson Manning asked that the committee revisit the issue at the April meeting.

**D) Emerald Ash Borer/ Urban Forestry Grant**

No report.

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

No report.

**VII. New Business**

None.

**VII. Adjournment**

*It was moved by Ms. Lieven and seconded by Ms. Cook-Quirk to adjourn. The motion carried unanimously at 7:10 p.m.*

---

Erika Petras  
Department of Public Works

**BROWN DEER PARK AND RECREATION COMMITTEE  
APRIL 2, 2013 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order at 7:00 p.m.

**I. Roll Call**

Present: Richard Goehre, Mike Hawes, Gary Springman, Marie Lieber

Also Present: Chad Hoier, Park and Recreation Director  
Michael Hall, Village Manager

Absent: Mark Thompson, Recreation Supervisor

**II. Persons Desiring to be Heard**

**III. Consideration of Minutes: March 5, 2013**

*It was moved by Ms. Lieber and seconded by Mr. Goehre to approve the minutes of the March 5, 2012 meeting as presented. The motion carried.*

**IV. Unfinished Business**

**V. New Business**

**A) Review of Winter/Spring Program Registration Numbers**

Mr. Hoier distributed and reviewed the current program registration numbers for the 2013 Winter/Spring program season. Comments and questions from the Committee followed.

**VI. Administrative Report**

**A) Department Update**

Mr. Hoier distributed the March Department Update prepared by himself and Mr. Thompson. Discussion followed.

Mr. Hoier presented the Committee with a Water Management Proposal that he had requested from Carrico Aquatic Resources, Inc. Proposal included the chemicals needed to maintain the Pond for swimming for the 2013 and 2014 swimming seasons at a cost of \$16,500.00. Mr. Hoier stated that the 2012 chemical costs at the pond were \$19,528.79. The will change from liquid chlorine to calcium hypochlorite a pellet form of chlorine that when mixed with water changes to liquid form of chlorine. The pond will continue to balance the pH of the water with muriatic acid.

Mr. Hoier also informed the Committee that there will be equipment expenses that will incur not to exceed \$6900.00 for the equipment and installation cost for the change of switching from liquid

chlorine to sodium hypochlorite. Equipment expenses will be offset by the Park and Ponds Budget fund balance.

Discussion from the Committee followed.

*It was moved by Mr. Goehre and seconded by Mr. Hawes to recommend to the Village Board that they enter into the Water Management Agreement and the equipment costs needed to change the Ponds current water management of liquid chlorine and muriatic acid to sodium hypochlorite and muriatic acid. Motion passed.*

## **VII. Committee Reports.**

Mr. Springman informed the Committee that Friday, April 19 will be the Recognition Dinner that is held every three years to recognize community members who participate on the Village Committees and reviewed the status of ongoing projects in the Village.

Mr. Goehre reported that the Senior Citizen Club had been approached by the Brown Deer Historical Society to take over the 4<sup>th</sup> of July Bingo. He stated that the Club is going to discuss the possibility at its next Senior Citizens Club Advisory meeting.

## **VIII. Scheduling of Next Meeting**

A) May 5, 2013

Committee agreed to schedule its next meeting for Tuesday, May 5.

## **VIII. Adjournment**

Upon proper motion, the meeting was adjourned at 8:52 p.m.

---

Chad Hoier, Park and Recreation Director



# REQUEST FOR CONSIDERATION

**COMMITTEE:** Village Board of Trustees

**ITEM DESCRIPTION:** Carrico Aquatic Resources, Inc. Water Management Agreement and Operation and Maintenance Assistant Agreement

**PREPARED BY:** Chad Hoier, Park and Recreation Director

**REPORT DATE:** April 8, 2013

**MANAGER'S REVIEW/COMMENTS:**

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

**RECOMMENDATION:** Approve 2013 and 2014 Water Management Program with Carrico Aquatic Resources, Inc. not to exceed \$16,500.00 and the purchase and installation of the Pulsar IV chlorinating system with booster pump, solenoid, venture, BECS chemical controller with ORP and pH sensors not to exceed \$6,900.00.

**EXPLANATION:** In 2001 it cost the Village approximately \$10,928.00 in chemicals to manage the water at the Pond with liquid chlorine and muriatic acid and in 2012 the cost to the Village had increased to \$19,529.00. Department is currently projecting chemical cost to rise to \$20,084.00 for the 2013 swimming season and \$20,606.52 in 2014.

Department is recommending that the Village enter into a Water Management Agreement with Carrico Aquatics using calcium hypochlorite and muriatic acid to control the water quality for swimming for the cost of \$16,500.00 for the years 2013 and 2014.

The Village will be responsible for the additional cost, not to exceed \$6900.00, for the purchase of the equipment needed to make the change from liquid chlorine to calcium hypochlorite.

The additional cost for the equipment will be offset with the current fund balance in the Park and Pond Fund which had a 2012 year ending balance of \$50,395.00

This change will also make our handling of chemicals a lot safer for our seasonal staff. Currently staff deal with anywhere between 250-750 gallons of liquid chlorine at one time. Calcium hypochlorite is in pellet form similar to the pellets people use in their home for the water softeners.

I have included the Water Management Program Agreement and the Operation and Maintenance Assistance Agreement submitted by Carrico Aquatic Resources, Inc.

I can be reached by phone (414) 371-3072 or email [choier@browndeerwi.org](mailto:choier@browndeerwi.org) if you have any questions.



Providing Safe Clean Sparkling Blue Water

720 N. Parkway • Jefferson, WI 53549

Office: 920-541-3600

Fax: 920-541-3602

[www.carricoaquatics.com](http://www.carricoaquatics.com)

April 1, 2013

Mr. Chad Hoier  
Park and Recreation Director  
Village of Brown Deer  
4800 W. Green Brook Dr.  
Brown Deer, WI 53223

RE: Water management program

Dear Chad,

Thank you for allowing Carrico Aquatic Resources Inc. the opportunity to work with the Village of Brown Deer by providing investment amounts for our summer water management program. This program will offer the following products and services.

1. Chemicals needed to maintain the pond including chlorine, acid, stabilizer, bicarb, and calcium flakes
2. 14 point water analysis every 4-6 weeks during the season.

Your total investment will be Sixteen Thousand Five Hundred and 0/100 Dollars (\$16,500.00). This investment will be a guaranteed annual amount for the 2013 and 2014 seasons. Payment requested will be Four Thousand One Hundred Twenty Five and 0/100 Dollars. Payment will be due on the first of May, June, July, and August 2013 and 2014.

Equipment needed to complete this agreement will be the following:

1. Pulsar IV chlorinating system with booster pump, solenoid, and venturi
2. BECS chemical controller with ORP and pH sensors

Please chose from one of the following options for equipment.

OPTION I: Equipment purchase.

The Village of Brown Deer may purchase the equipment listed above for the amount of Six Thousand Four Hundred and 0/100 Dollars (\$6,400.00). Installation will be billed on a time and material basis not to exceed Five Hundred and 0/100 Dollars (\$500.00). The Village of Brown Deer will be responsible for all necessary electrical connections to complete the installation.

OPTION II: Rent to own

The Village of Brown Deer may also take advantage of our rent to own options. With this option One Thousand Eighteen and 94/100 Dollars (\$1,018.94) will be added to the water management investment amount for the months of May, June, July, and August of the 2013 and 2014 seasons. At the end of the 2014 season the Village of Brown Deer will own the equipment and the water management amount will be updated at that time. With this option installation will be billed on a time and material basis not to exceed Five Hundred and 0/100 Dollars (\$500.00). The Village of Brown Deer will be responsible for all necessary electrical connections.

All investment amounts quoted are good for 30 days and payment will be due in full 30 days from the date of installation.

If you have any questions please contact our office at 1-800-832-7147. If you find one of these options acceptable please indicate below and fax a signed copy to our office at 920-541-3602. At that time we will send a copy of our water management agreement with the terms you have selected for your review and acceptance.

Thank you,

Matt Carrico  
President  
Carrico Aquatic Resources Inc.

Accepted By: \_\_\_\_\_ Date: \_\_\_\_\_ P.O.#: \_\_\_\_\_

Equipment Option: \_\_\_\_\_



Providing Safe Clean Sparkling Blue Water

720 N. Parkway • Jefferson, WI 53549

Office: 920-541-3600

Fax: 920-541-3602

[www.carricoaquatics.com](http://www.carricoaquatics.com)

April 8, 2013

Mr. Chad Hoier  
Park and Recreation Director  
Village of Brown Deer  
4800 W. Green Brook Dr.  
Brown Deer, WI 53223

RE: Water Management Assistance Program

Dear Chad,

Thank you for allowing Carrico Aquatic Resources, Inc. to provide you information on our Professional Help program. We feel this program allows these advantages:

1. Provide pool owners and operators with latest technology advances in water treatment.
2. Provide third party neutral assessment of their pool operation.
3. Provide independent evaluation of water treatment system and chemical levels.
4. Provide technical assistance in handling equipment warranty claims.
5. Provide consistent operation, especially when operator turnover occurs.
6. Provide continuity in aquatic operations.

Carrico Aquatic Resources, Inc. is an Wisconsin based corporation located in Jefferson, Wisconsin servicing commercial and municipal pool and spa owners since 1989 throughout Iowa and Wisconsin.

Carrico Aquatic Resources, Inc. has access to and utilizes professional engineers, certified Aquatic operator instructors, chemical engineers, microbiologists and seasoned pool operators to solve pool and spa problems and to ensure efficient operation in compliance with federal and state regulations. We offer a myriad of services tailored to all aspects of aquatic management and operations from pools to spas.

### **Operating Philosophy**

At Carrico Aquatic Resources, Inc. we believe in providing the aquatic owner with safe, clean sparkling water with the lowest investment of time and money by coordinating the source water chemistry with the entire water treatment system.

Carrico Aquatic Resources, Inc. goals are to enable the aquatic owner to:

1. Protect the swimmers from disease and injury.
2. Protect the pool equipment and structures from premature replacement.

Carrico Aquatic Resources, Inc. offers a flexible approach to each project's needs. We do not have a canned approach or standard service. We tailor our professional chemical management program to each individual client's needs.

Carrico Aquatic Resources, Inc. believes in effective contractor client communication. We feel the key to success in contract operations is open, honest communication between our clients and the Carrico Aquatic Resources, Inc. Resources team. Our clients maintain control of their aquatic facilities because they are totally informed about operations and maintenance activities, water quality, equipment status, operation cost, preventative maintenance and budgetary considerations and make the final decisions on operations.

Please review the enclosed information in implementing this program for your aquatic facility please fill in the necessary information and forward to our office with your purchase order.

If you have any questions, please contact me at 1.800.283.7147.

Thank you,

Matt Carrico  
President  
Carrico Aquatic Resources,

## **OPERATION AND MAINTENANCE ASSISTANCE AGREEMENT**

This Operation and Maintenance Assistance Agreement (the "Agreement") dated as of April 8, 2013 is between the Village of Brown Deer (the "Owner"), whose address is 4800 W. Green Brook Dr. Brown Deer, WI and Carrico Aquatic Resources, Inc. ("Carrico"), whose address is 720 N. Parkway Jefferson Wisconsin 53549

### **RECITALS**

Whereas, Owner is the Owner of an aquatic facilities as describe in Exhibit A of this Agreement (the "Facilities"); and

Whereas, Owner desired to engage Carrico to assist Owner to operate and maintain the Facilities and Carrico desires to accept such engagement, all upon the terms and conditions hereafter set forth; and

Whereas, Owner is authorized by law to enter into this Agreement;

Now, therefore, in the consideration of the premises and the mutual covenants herein contained, the parties agree as follows:

### **ASSUMPTIONS**

In our proposal we have assumed the following:

- Scope of services as outlined in the next section is the primary basis of Carrico's proposal.
- As contractor to Owner, Carrico will provide management assistance and consultation for Owner to achieve optimum performance and to maintain related equipment for system integrity within budgeted resources.
- Carrico will interpret all meters and gauge readings as designated by code and provide Owner with recommendations and evaluation.
- Carrico in consultation with Owner, has the authority to close the Facilities to swimmers should unsafe conditions exist and keep Facilities closed until corrective actions have been successful.
- Carrico believes in continuing education of its employees, which translates into Owner receiving the advantages of the latest proven technology programs to provide the safest pools, to reduce liability and increase life expectancy of equipment and structure.
- Carrico does not formulate policy nor assume any ownership of the system, unless other wise stated. The Owner is responsible for all capital outlay items unless otherwise stated.
- Terms of this Agreement will be self-perpetuating unless either party, for whatever reason, wishes to terminate and follows the termination procedures set forth herein.

### **ARTICLE I: SCOPE OF SERVICES**

Carrico agrees to provide the following equipment, chemicals, and services:

- 1.1 All chemicals needed to maintain pool chemical levels as required, Including Pulsar Briquettes, Acid Magic, Bi-Carbonate, Calcium Flakes, Cyanuric Acid (Stabilizer).
- 1.2 Installation support and start up
- 1.3 Operator Training.
- 1.4 Delivery of chemicals F.O.B from closest point
- 1.5 14 Point water analysis every 4-6 weeks
- 1.6 Routine visits to check equipment and chemical inventory.

## **ARTICLE II: OWNERS' RESPONSIBILITIES**

- 2.1 Operate facilities according to State of Wisconsin's Department of Health Swimming Pool Code, in a safe and healthy manner, consistent with education and training provided by Carrico.
- 2.2 Designate in writing, the employees to be trained by Carrico. Designated individuals will be available for training on the agreed upon date and time. Additional training for individuals not in attendance or for new employees will be billed outside of this agreement, at the rate of \$85.00 per hour.
- 2.3 Routine maintenance; cleaning and filling chemical feed equipment, when needed; vacuuming pool(s); backwashing filter(s).
- 2.4 Notifying Carrico minimum of 14 days in advance of the need for additional chemical inventory. Carrico provides delivery of chemicals F.O.B. from closest location.
- 2.5 Chemicals needed to rebalance pool after emergency draining and refilling due to Acts of God, vandalism, glass breakage, or for other reasons beyond control of Carrico are not covered in this agreement. These chemicals will be billed outside of this agreement.
- 2.6 Owner assumes and shall bare the entire risk of loss, theft, damage, destruction, storage, handling and feeding of the equipment and chemicals provided from any cause whatsoever, except losses resulting from the defective design or manufacture of the equipment or chemicals and except losses from the time place and manner of the performance of maintenance that is Carrico's responsibility under this agreement. Owner shall at Owner's expense keep the equipment and chemicals insured against theft, damage, spills and/or destruction. Said insurance shall provide a provision naming Carrico as an additional insured for Carrico's interest in such equipment and chemicals.
- 2.7 Provide D.E. for filter operation.
- 2.8 Install the Pulsar IV feed system with technical assistance from Carrico.

## **ARTICLE III: CARRICO AQUATIC RESOURCES, INC. RESPONSIBILITIES**

- 3.1 Provide equipment, chemicals and services as described in Article I.
- 3.2 Provide sanitizer and balancing chemicals needed to maintain the pool water chemistry within State of Wisconsin's Department of Public Health Guidelines.
- 3.4 Routine visits to the Facilities to check equipment and water chemistry.

#### **ARTICLE IV: COMPENSATION**

- 4.1 Owner's guaranteed yearly investment for equipment, chemicals, operator training, and monthly visits is Sixteen Thousand Five Hundred and no/100 (\$16,500.00) dollars.
- 4.2 Owner shall pay Carrico Four Thousand One Hundred Twenty Five and no/100 (\$4,125.00) dollars due on the first day of May, June, July and August for the 2013 and 2014 pool seasons.

#### **ARTICLE V: TERM**

- 5.1 Terms of this Agreement are a guaranteed yearly investment.
- 5.2 This initial agreement time period is for the 2013 and 2014 swimming seasons.
- 5.3 This agreement is a two year agreement and will be self-perpetuating unless either party, for whatever reason, wishes to terminate.

#### **ARTICLE VI: TERMINATION**

- 6.1 Either party wishing to terminate agreement, must do so in writing no later than thirty days from the anniversary of the original signing of the agreement, of any given year.
- 6.2 If Owner terminates agreement within the first year or between anniversary dates in subsequent years, a Five Hundred Dollar (\$500.00) fee, per pool and or spa as designed in Exhibit A, will be assessed for removal of equipment and/or chemicals.
- 6.3 Owner agrees to allow Carrico access to Facilities within thirty days of termination of agreement to remove Carrico's equipment and/or chemicals.
- 6.4 Owner may terminate this agreement without penalty if Carrico fails to:
  - Supply chemicals as outlined in this agreement in a timely manner;
  - Perform routine visits to named Facilities
  - Provide routine water analysis report.
- 6.5 If the Owner terminates this Agreement pursuant to Section 6.4, the Owner agrees to give one written notice to Carrico of Owner's reason for potential termination and agrees to allow Carrico three weeks to correct any deficiencies before giving a final written notice of termination without penalty for removal of equipment and/or chemicals.

#### **ARTICLE VII: MISC.**

- 7.1 Any equipment which is provided by Carrico during the term of this Agreement and which is not deemed part of the Facilities shall remain the property of Carrico upon termination of this Agreement. Carrico shall not make any capital replacement of the Facilities equipment or any component hereof without the written approval of the Owner unless there is an emergency. If there is an emergency, Carrico shall provide the Owner with verbal notice of the capital replacement as soon as possible.
- 7.2 This Agreement represents the entire Agreement of the parties and may only be modified or amended in writing and signed by both parties.
- 7.3 Written notices required to be given under this Agreement shall be deemed given when mailed by registered mail to Carrico, attention: President, and to Owner, attention \_\_\_\_\_, at the address set forth for each in the opening paragraph of this Agreement.

- 7.4 This Agreement shall be governed by, and construed in accordance with, the laws of the State of Wisconsin.
- 7.5 Neither party shall assign, in whole or in part, any of the rights, obligations, or benefits of this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld.
- 7.6 Service Calls that are the result of the Owner or the Owner's Operator created by neglect for routine housekeeping responsibilities are billable at a rate of \$85.00 per hour while on site. Routine housekeeping is defined as, but not limited to the following: maintaining correct water level, backwashing filter(s), keeping chemical feed equipment supplied with chemicals, performing daily preventive maintenance on chemical feed equipment, vacuuming pool, cleaning hair/lint basket(s), and skimmer baskets, removing oily buildup at waterline, daily testing of chemical levels and logging said results, as required by code, recording all gauge readings and cleaning sensors and restandardization of controller, adding of chemicals per Carrico directions.
- 7.7 Service Calls resulting from equipment failure, not related to routine housekeeping as defined in 7.6, are the expenses of Carrico.
- 7.8 Chemicals needed to rebalance pool after emergency draining and refilling due to Acts of God, vandalism, glass breakage, or other reasons beyond control of Carrico are not covered in this agreement. These chemicals will be billed outside of this agreement.
- 7.9 All chemicals used will be only those approved by and purchased from Carrico.

**ARTICLE VIII: PURCHASE**

- 8.1 The Village of Brown Deer will purchase a Pulsar PIV feed system and BECSys chemical controller from Carrico prior to the commencement of this agreement.
- 8.2 Upon purchase, it is the sole responsibility of Owner to monitor, maintain, and control the quality and chemical content of the contained water. Owner agrees to hold Carrico Aquatic Resources, Inc. its officers and employees harmless from any loss expense (including attorney fees and expert fees) or damage resulting from any claim or legal action against Carrico Aquatic Resources, Inc. involving the use and maintenance of the equipment by Owner, including equipment subsequently purchased or chemicals used by Owner at the above-described site.
- 8.3 Upon purchase of said chemical system, Carrico Aquatic Resources, Inc. disclaims any and all warranties including merchantability and fitness of purpose. Owner shall rely upon the warranty of the manufacturer.

**ARTICLE IX: AUTHORIZATION**

- 9.1 IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date of \_\_\_\_\_, 2013.

**CARRICO AQUATIC RESOURCES, INC.**

**Village of Brown Deer**

By: \_\_\_\_\_  
Matt Carrico

By: \_\_\_\_\_  
Owner

**EXHIBIT A**

- One Outdoor swimming pond with approximately 1,000,000.00 gallons of water

**BROWN DEER LIBRARY BOARD**  
**March 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: Dana Andersen-Kopczyk, Interim-Library Director  
Matt Janecke, Assistant Village Manager  
Michael Hall, Village Manager

**II. Persons Desiring to be Heard**

None.

**III. Consideration of Minutes: February 4, 2013 - Special Meeting (Amended)  
February 11, 2013 - Regular Meeting**

*It was moved by J. Baker and seconded by W. Jabas to approve the amended minutes from the February 4, 2013 - Special Meeting and the February 11, 2013 - Regular 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.

**VI. Friends of the Library Report**

The Friends have a meeting on Thursday March 14<sup>th</sup> at 7:00 PM.

**VII. New Business**

**A) Consideration of Vouchers**

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

**VIII. Recess into Closed Session pursuant to #19.85 (1)(c) Wisconsin Statutes for the following reasons:**

- A) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.**

*It was moved by G. Balestreri and seconded by A. Lutz to recess into closed session at 5:11 PM; motion carried unanimously. Dana Andersen-Kopczyk was excused at this time.*

**IX. Reconvene into open session for possible action on closed session deliberations.**

*It was moved by J. Baker and seconded by K. Lewis-Williams to reconvene into open session at 5:55 PM; motion carried unanimously.*

**X. Adjournment**

**Next meeting: March 8, 2013.** *It was moved by W. Jabas and seconded by A. Lutz to adjourn at 5:57 P.M. The motion carried unanimously.*

---

Dana Andersen-Kopczyk,  
Interim-Library Director

**BROWN DEER LIBRARY BOARD**  
**March 25, 2013 MEETING MINUTES**  
**HELD AT THE BROWN DEER PUBLIC LIBRARY**  
**5600 WEST BRADLEY ROAD**  
(Unapproved)

The meeting was called to order by Anne Lutz at 5:01 P.M.

**I. Roll Call**

Present: Board members: J. Baker, W. Jabas, K. Lewis-Williams, A. Lutz  
Also Present: Matt Janecke, Assistant Village Manager Michael Hall, Village Manager

**II. Persons Desiring to be Heard**

None.

**III. Unfinished Business**

None.

**IV. New Business**

None.

**V. Recess into Closed Session pursuant to #19.85 (1)(c) Wisconsin Statutes for the following reasons:**

- (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

*It was moved by W. Jabas and seconded by J. Baker to recess into closed session at 5:02 PM; motion carried unanimously.*

*It was moved by W. Jabas and seconded by J. Baker to reconvene into open session at 6:59 PM; motion carried unanimously.*

**VI. Reconvene into open session for possible action on closed session deliberations.**

**A) Select Candidate(s) for final interviews for the position of Library Director**

No action was taken.

**VII. Adjournment**

**Next meeting: April 15, 2013.** *It was moved by K. Lewis-Williams and seconded by J. Baker to adjourn at 7:00 P.M. The motion carried unanimously.*

  
Dana Andersen-Kopczyk,  
Interim-Library Director

**BROWN DEER FINANCE AND PUBLIC WORKS COMMITTEE  
APRIL 3, 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 6:31 P.M.

**I. ROLL CALL**

Present: Trustees: Oates, Springman & Boschert; Citizen Members: Ray Erbe, Susan Glowinska, & Galyn Bennett

Also Present: Bridget Souffrant, Treasurer/Comptroller, Nate Piotrowski, Community Development Director, Larry Neitzel, Superintendent of Public Works, Jim Buske, Engineering and GIS Services Manager, Robert Halverson, Police Captain, Susan Hudson, Deputy Treasurer/Comptroller and Michael Hall, Village Manager

Excused: Citizen Member Tom Lieven

**II. PERSONS DESIRING TO BE HEARD**

None.

**III. CONSIDERATION OF MINUTES: March 6, 2013 – Regular Meeting**

*It was moved by Trustee Boschert and seconded by Galyn Bennett to approve the minutes of the March 6, 2013 meeting. The motion carried unanimously with Trustee Oates abstaining.*

**IV. REPORT OF STAFF/COMMITTEE MEMBERS**

Mr. Jim Buske reported that he was undertaking the 2013 paving project and keeping update with the bids for all of the summer projects in 2013.

Mr. Michael Hall reported that he received a resignation letter from Treasurer/Comptroller, Bridget Souffrant effective May 1, 2013.

Mrs. Bridget Souffrant reported that Staff continues to work on audit and year end procedures while moving forward with the five year Capital Improvement Plan and the 2014 Budget.

Mr. Larry Neitzel reported that crews were busy on 38<sup>th</sup> street with tree removals for ditching and water utility projects.

**V. NEW BUSINESS**

**A) Police Speed Trailer**

Captain Halverson reported that the existing speed trailer in the Police Department has reached the end of its service life and it is no longer repairable by the company that manufactured it, thus it was budgeted to be replaced. The Police Department bid out the equipment and are recommending General Communications out of Menomonee Falls. The project was a part of the Capital Improvement Plan in 2012 and was in the 2013 budget. The adopted budget amount was \$10,885 and the purchase request is for \$9,420.

Discussion ensued relating to the service ability of the existing speed trailer, the logistics of the proposed trailer, and the data and usage of the speed trailer.

*It was moved by Trustee Springman and seconded by Trustee Boschert to recommend to the Village Board to approve the purchase of a replacement speed trailer by accepting the bid quote from General Communications, N57 W13466 Reichert Ave., Menomonee Falls, WI 53051 in the amount of \$9,420.00. The motion carried unanimously.*

**B) GO Contractors Termination – Meadowside BMP**

Mr. Nate Piotrowski reported that GO Contractors were working on the Meadowside Court BMP project for the Village and reached a point in construction where they were in unsafe working conditions. Work was halted by the Department of Public Works and Ayres Associates and the area was secured. Village Attorney Fuchs has been in extensive contact with Ayres Associates, the Village, and GO Contractors and recommends that the Village pay GO Contractors \$37,366 for supplies that were purchased (and will be used at the site) and minimal labor completed. Upon this payment both parties waive any damages or potential liability.

Discussion ensued relating to the soil and water conditions, the budget ramifications, and steps to take in the future to try and prevent this from happening.

*It was moved by Trustee Boschert and seconded by Trustee Springman to recommend to the Village Board to terminate the contract with GO Contractors with a final payment of \$37,366. The motion carried unanimously.*

**C) Award Meadowside BMP rebid**

Mr. Buske reported that the Village rebid the Meadowside BMP project and received three bids this time around. Village Staff held a meeting with the recommended contractor, Vinton Construction Co. of Manitowoc to bring them up to speed and make sure they fully understand the conditions and the situation as it stands. Vinton Construction Co.'s proposal is for \$129,170, combined with the GO Contractors payment and other project related costs there is still a balance of \$95,464 from the original budgeted amount.

*It was moved by Trustee Boschert and seconded by Galyn Bennett to recommend to the Village Board to award the contract to Vinton Construction Co. for the 2013 Meadowside Court Best Management Practice (BMP) device installation project rebid in the amount of \$129,170. The motion carried unanimously.*

**D) Original Village Streetscape Rebid Award**

Mr. Buske reported that the Village rebid the Original Village Streetscape project and received five bids back. Even with the delay in timing there was still quite a bit of interest in the project and the Village received favorable bids. Staff is recommending Stark Asphalt, a division of Northwest Asphalt Products, Inc. with a bid of \$2,352,156.79 for base bid A & B. In the bid process, the Village collaborated with the NSFD to re pave the Fire Station Lot, this was also included in the Stark Asphalt recommendation for \$26,661. After all funds to date have been accounted for and future pieces of the project estimated, there is a balance of available funds of \$837,900.15. Upon project completion Staff will bring forward a recommendation to use any available funds.

Discussion ensued regarding the grants received and possibilities for the remaining available funds.

*It was moved by Trustee Springman and seconded by Trustee Boschert to recommend to the Village Board to approve the contract with Stark Asphalt for Base bid A & B in the amount of \$2,352,156.79 and for the Fire Station Lot in the amount of \$26,661.00. The motion carried unanimously.*

**E) Ayres Contract Amendment – Original Village Construction Inspection**

Mr. Piotrowski stated that Ayres and Associates has prepared a contract amendment in order to cover construction staking and management of the Original Village Streetscape project. Ayres has provided three options for a construction manager and Staff is recommending Matthew Maederer, as the preferred candidate since he has been involved with the design of the project since the beginning and is the most knowledgeable about Brown Deer and our operations.

Discussion ensued relating to the choice of construction manager, cost, and location of field office.

*It was moved by Trustee Boschert and seconded by Trustee Springman to recommend to the Village Board to approve the contract amendment 2013-04 for the total of \$152,700 with Ayres and Associates utilizing Matthew Maederer as the construction manager. The motion carried unanimously.*

**F) Original Village Lighting Plan – WE Energies**

Mr. Piotrowski reported that with the burial of the overhead power lines in the Original Village, some of the existing overhead lights will be lost. Thus, Staff is working to pursue decorative street lighting poles to replace the lost lighting and add to the aesthetics of the neighborhood. Staff and Night Aura (a division of WE Energies) is recommending concrete poles and a coach top which will help shield the light span. Currently the Village pays \$4,232.88 per year for electricity to the lights in this area. Staff is pursuing the lighting program with Night Aura and not seeking to create its own system because of challenges the Village has faced with its own street lighting system along Bradley Road. Under the Night Aura proposal, the Village would pay a monthly facility charge (in addition to energy costs) that would cover any necessary repair or replacement as long as the system remained in place. The cost for the installation, fixtures, and poles is \$130,190.65. The Village is proposing to pay this cost up front versus placing it on a monthly bill. In addition to the upfront cost the Village is recommending a monthly payment (option B) of \$889.99 which includes the monthly facilities charge and monthly energy charge.

Mr. Hall gave information relating to street light utility's financed with user fees and began a conversation relating to how street lighting is currently paid for in the Village. Currently, \$52,500 is budgeted for general street lighting costs in the General Fund. There are six special assessment funds that were created for different street lighting districts with an annual budget of \$38,550. Mr. Hall continued to state that there are different ways that the Village could choose to make the cost of street lighting more equitable to all residents and he would like to discuss these concepts moving forward.

*It was moved by Trustee Springman and seconded by Trustee Boschert to recommend to the Village Board to approve the installation fee of \$130,190.65 with Night Aura and option B with a monthly facilities fee and electric costs of \$889.99. The motion carried unanimously.*

**G) Village Banking Services**

Mrs. Souffrant reported that the Village requested proposals for banking services and received five bids. All banks that responded can offer the same core services that the Village currently utilizes or wishes to utilize. Staff evaluated each bank in the following areas: core services, distance from Village Hall, customer service, bank stability, quality of bid proposal, monthly fees, interest rate and/or earnings credit, and bonus items. With the proposed volume and proposed earnings credit and interest rate, if the Village keeps a \$3 million balance in the checking account we should end up not paying any fees. It is Staff's recommendation to enter into a contract for banking services with US Bank.

*It was moved by Trustee Boschert and seconded by Galyn Bennett to recommend to the Village Board to award a contract for banking services to US Bank for a three year agreement. The motion carried. Trustee Oates abstained.*

**H) February 2013 Financial Report**

Bridget Souffrant, Treasurer/Comptroller presented the February 2013 Financial report covering the top five financial highlights.

Committee members requested to see a log of MSA services.

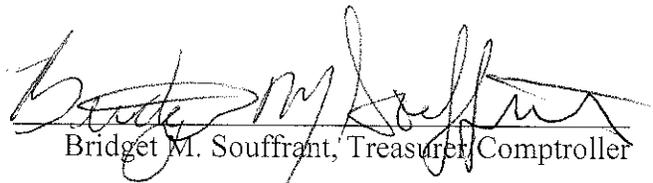
*No action was taken on this item.*

**I) Consideration of Vouchers**

*It was moved by Trustee Boschert and seconded by Galyn Bennett to recommend that the Village Board approve the vouchers from March 1, 2013 to March 25, 2013 in the amount of \$1,117,151.89. The motion carried unanimously.*

**VII. ADJOURNMENT**

*It was moved by Trustee Springman and seconded by Trustee Boschert to adjourn at 8:36 p.m. The motion carried unanimously.*

  
Bridget M. Souffrant, Treasurer/Comptroller



# REQUEST FOR CONSIDERATION

<b>COMMITTEE:</b>	Village Board
<b>ITEM DESCRIPTION:</b>	Finance & Public Works Committee packet
<b>PREPARED BY:</b>	Bridget M. Souffrant, Treasurer / Comptroller <i>BMS</i>
<b>REPORT DATE:</b>	April 10, 2013
<b>MANAGER'S REVIEW/COMMENTS:</b>	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
<b>RECOMMENDATION:</b>	Bringing forward the recommendations from FPW
<b>EXPLANATION:</b>	<p>On April 3, 2013, the Finance &amp; 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"><li>- <b>Police Speed Trailer:</b> <i>recommend to the Village Board to approve the purchase of a replacement speed trailer by accepting the bid quote from General Communications, N57 W13466 Reichert Ave., Menomonee Falls, WI 53051 in the amount of \$9,420.00.</i></li><li>- <b>GO Contractors Termination – Meadowside BMP:</b> <i>recommend to the Village Board to terminate the contract with GO Contractors with a final payment of \$37,366.</i></li><li>- <b>Award Meadowside BMP rebid:</b> <i>recommend to the Village Board to award the contract to Vinton Construction Co. for the 2013 Meadowside Court Best Management Practice (BMP) device installation project rebid in the amount of \$129,170</i></li><li>- <b>Original Village Streetscape Rebid Award:</b> <i>recommend to the Village Board to approve the contract with Stark Asphalt for Base bid A &amp; B in the amount of \$2,352,156.79 and for the Fire Station Lot in the amount of \$26,661.00.</i></li><li>- <b>Ayres Contract Amendment – Original village Construction Inspection:</b> <i>recommend to the Village Board to approve the contract amendment 2013-04 for the total of \$152,700 with Ayres and Associates utilizing Matthew Maederer as the construction manager.</i></li><li>- <b>Original Village Lighting Plan – WE Energies:</b> <i>recommend to the Village Board to approve the installation fee of \$130,190.65 with Night Aura and option B with a monthly facilities fee and electric costs of \$889.99.</i></li></ul>

- **Village Banking Services:** *recommend to the Village Board to award a contract for banking services to US Bank for a three year agreement.*
- **Consideration of Vouchers:** *recommend that the Village Board approve the vouchers from March 1, 2013 to March 25, 2013 in the amount of \$1,117,151.89.*



April 3, 2013

Village Of Brown Deer  
Attn: Nathan Piotrowski  
4800 W Green Brooke Drive  
Brown Deer WI 53223

RE: Work Request number: 3193288 Non-Standard Street Lighting  
**Historic Downtown area of Brown Deer Village** located at inclusive but not limited to the area of N River Lane and N Deerwood Drive

Dear Nathan Piotrowski:

We require your authorization for the NIGHT AURA<sup>®</sup> lighting service for the above project at the indicated location. The cost for the work (based on the attached sketch) is \$130,190.65 which does not include restoration of the site. This price estimate expires 90 days from the date of this letter. If unusual conditions are encountered in the installation, there may be additional charges.

**Light Fixtures**

Quantity	Fixture	Color	Type	Wattage
32	Coach Light	Black	High Pressure Sodium	150 watt

**Poles**

Quantity	Type	Mounting Height	Color
32	Concrete	15 Foot	Black

**CONTINGENCIES:**

- Sign all of the enclosed documents (including the sketch) and return them in the enclosed envelope.
  - If Option A is selected on the Agreement, the municipality is responsible for the supplemental payment of \$0.00.
  - If Option B is selected on the Agreement, the municipality **IS** responsible for the installation payment of \$130,190.65.
- In the area where we are placing our cables or equipment, it is necessary that the properties involved be within four (4) inches of final grade. If not, you may be required to pay the cost of relocating or reburying our facilities.
- Locate and mark all privately owned underground facilities (septic systems, waterlines, etc.)
- Right-of-way and/or easement(s) may also be required from you and/or adjacent property owners.

Please note that We Energies has not designed this to the Illuminating Engineering Society's minimum standard for area lighting levels.

When all of the contingencies have been met, this order will be released to construction for scheduling. If you have any questions, please call me at 262-502-6874.

Sincerely,

Patricia Smith

**The listed contingencies are accepted and authorization is given for the above project.**

Date: \_\_\_\_\_

By: \_\_\_\_\_ Print Name: \_\_\_\_\_

# NON-STANDARD LIGHTING SERVICE AGREEMENT

Contract Number: 3193288



This Agreement dated April 3, 2013 between Wisconsin Electric Power Company (doing business as We Energies) and The Village of Brown Deer applies to the installation and maintenance of the non-standard lighting described below under the terms and conditions of Rate Schedule MS-4 (WI), *Non-Standard Street & Area Lighting, Company Owned*, as approved by the state Public Service Commission.

**Street Lighting for Historic Downtown area of Brown Deer Village**

Located at inclusive but not limited to the area of N River Lane and N Deerwood Drive

Fixture Quantity	Fixture Style	Fixture Color	Fixture Source	Fixture Wattage
32	Coach Light	Black	High Pressure Sodium	150 watt

Pole Quantity	Pole Type	Mounting Height	Pole Color
32	Concrete	15 Foot	Black

Additional Information: See enclosed design sketch for complete area and locations

Installation Charge:

- Total estimated installation charge of \$130,190.65
- Supplemental charges (permit, easement, seasonal, restoration, etc.) of \$0.00, which does not include restoration.

Monthly Facilities Charge: (select one option)

- Option A** - Payment of supplemental charges prior to installation.  
Ongoing monthly facilities charge of 1.9% x (total estimated installation charge less supplemental charges)
- Option B** - Payment of total installation charge prior to installation.  
Ongoing monthly facilities charge of 0.5% x (total estimated installation charge less supplemental charges)

Monthly Energy Charge:

$$32 \text{ (150 watt) fixtures} * \$7.47 = \$239.04$$

$$\text{Total} = \$239.04$$

**Total Monthly Charges for this installation:**

	<u>Option A</u>	<u>Option B</u>
Monthly facilities charge	\$2,473.62	\$650.95
Monthly energy charge	<u>\$239.04</u>	<u>\$239.04</u>
<b>Total monthly charge</b>	<b>\$2,712.66</b>	<b>\$889.99</b>

Please note that We Energies has not designed this installation to the Illuminating Engineering Society's minimum standard for area lighting levels.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the Appendix date above.

Wisconsin Electric Power Company

The Village of Brown Deer

By \_\_\_\_\_

By \_\_\_\_\_

Print Name \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

CITY / TOWN / VILLAGE: V/BROWN DEER  
 CUST/PROJ NAME: VILLAGE OF BROWN DEER  
 PROJECT LOCATION: W RIVER LN & N DEERWOOD DR  
 WORK DESCRIPTION: STREET LIGHTING ORDER  
 PREPARED BY: Michael Karth  
 E-MAIL: michael.karth@we-energies.com  
 OFFICE #: 414-944-5542 CELL #: 414-587-5105  
 PAGER #: \_\_\_\_\_ IO #: 26057  
 PROJECT ID: \_\_\_\_\_ CGS #: \_\_\_\_\_  
 DATE PREPARED: 6-1-12 DATE REVISED: \_\_\_\_\_

**COMMON INFORMATION**

**STAKING REQUIREMENTS:**  
 SURVEYOR  STAKED  
 DESIGNER  NOT NEEDED

**MAIN / SERVICE IN EASEMENT:**  
 YES  NO

RESTORE PRIVATE PROPERTY:  WE ENERGIES  CUSTOMER

WORK IS APPROX \_\_\_\_\_ FT. DIRECTION \_\_\_\_\_ OF CL OF \_\_\_\_\_  
 NEAREST CROSS STREET \_\_\_\_\_  
(ALSO FOR GAS SERVICE TEE)

**ELECTRIC INFORMATION**

OPER MAP #: 4212-7796-02 FEEDER/LINE #: Z-73584 & X-4973  
 CATV JOINT USE #: \_\_\_\_\_ TEL JOINT USE #: \_\_\_\_\_

**PROPOSED GAS SERVICE INFORMATION**

MTR SIZE: \_\_\_\_\_ MTR TYPE: \_\_\_\_\_  EFV  
 SERV PIPE SIZE: \_\_\_\_\_ MATERIAL: \_\_\_\_\_  RELIGHT  
 MTR LOC: \_\_\_\_\_ FT. \_\_\_\_\_ OF \_\_\_\_\_ CORNER  CURB VLV  
 CONSTRUCTION TYPE: \_\_\_\_\_  TIE IN PIPING

- NOTES:
- \* DIGGER'S HOTLINE REQUIRED
  - \* WE ENERGIES WILL NOT RESTORE OR HAUL SPOIL UNLESS OTHERWISE NOTED ON SKETCH
  - \* CUSTOMER/DEVELOPER IS RESPONSIBLE FOR LOCATING ANY/ALL PRIVATE UNDERGROUND FACILITIES AND/OR OBSTRUCTIONS INCLUDING THOSE THAT HAVE NOT YET BEEN TURNED OVER TO THE MUNICIPALITY
  - \* WE ENERGIES AND/OR ITS CONTRACTORS ARE NOT RESPONSIBLE FOR DAMAGE TO UNMARKED FACILITIES
  - \* CUSTOMER/DEVELOPER AND THEIR CONTRACTORS/SUB-CONTRACTORS MUST KEEP WE ENERGIES EASEMENT AREAS FREE AND CLEAR OF OBSTURCTIONS AND ENSURE ACCESS TO EASEMENT AREAS IS PROVIDED INCLUDING, BUT NOT LIMITED TO: DUMPSTERS, SPOIL, BACKFILL MATERIAL, ETC.
  - \* CUSTOMER/DEVELOPER AND THEIR CONTRACTORS/SUB-CONTRACTORS MUST ENSURE THAT GRADE AT TIME OF WE ENERGIES INSTALLATION IS WITHIN 4" OF FINAL GRADE INCLUDING ANY PLANS FOR FUTURE LANDSCAPING
  - \* ANY FIELD ADJUSTMENTS TO SIGNED/APPROVED SKETCH MAY RESULT IN ADDITIONAL COSTS INCURRED BY THE DEVELOPER
  - \* WE ENERGIES IS NOT RESPONSIBLE FOR DAMAGE TO TREES AND/OR ROOTS LOCATED ALONG TRENCH ROUTE
  - \* WE ENERGIES AND/OR ITS CONTRACTORS WILL CLEAN ANY MUD/DEBRIS THAT IS TRACKED ONTO EXISTING ROADS AS A RESULT OF THEIR CONSTRUCTION DAILY
  - \* ANY ADDITIONAL SPECIAL NOTES OR PROVISIONS

**RESTORE ALL DISTURBED (GRASSY) AREAS WITH SOIL STABLIZER, TYPE B.**

**VILLAGE OF BROWN DEER RESPONSIBLE FOR FINAL RESTORATION**

**WORK ON WR 2887564 MUST BE COMPLETED BEFORE THIS ORDER CAN BE COMPLETED**

SUBDIVISION OWNER /DEVELOPER:  
 NAME: Nate Piotrowski - Village of Brown Deer  
 ADDRESS: 4800 W. Green Brook Dr  
 OFFICE PHONE: 414-371-3061  
 CELL PHONE: \_\_\_\_\_

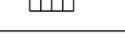
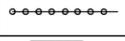
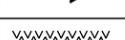
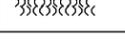
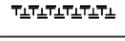
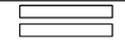
TOTAL TRENCH LENGTH: \_\_\_\_\_  
 TOTAL NUMBER OF XFMR: \_\_\_\_\_  
 TOTAL NUMBER OF PEDS: \_\_\_\_\_

DIMENSIONING NOTES:  
 ALL CABLES TO BE INSTALLED AS SHOWN.

ENGINEER /SURVEYOR:  
 NAME OF FIRM: Ayres Associates  
 CONTACT PERSON: Matthew Maederer  
 PHONE NUMBER: \_\_\_\_\_

GRADER /EXCAVATOR:  
 NAME OF FIRM \_\_\_\_\_  
 CONTACT PERSON \_\_\_\_\_  
 PHONE NUMBER \_\_\_\_\_

**EROSION CONTROL LEGEND**

	APPROXIMATE BORE PIT LOCATION (WITH AND WITHOUT PERIMETER CONTROL)
	INLET PROTECTION, TYPE
	HAY OR STRAW BALES
	SILT FENCE
	STONE DITCH CHECK
	MANUFACTURED DITCH CHECK
	TRACKING PAD
	TIMBER MAT
	SAND or ROCK BAG CULVERT PIPE DITCH CHECKS
	SURFACE WATER FLOW
	SOIL STABILIZER, TYPE B
	EROSION MAT CLASS I (SEE SEEDING NOTE)
	EROSION MAT CLASS II (SEE SEEDING NOTE)
	EROSION MAT CLASS III (SEE SEEDING NOTE)
	MULCH (SEE SEEDING NOTE)
	SOD
	VEGETATIVE BUFFER

**KEY:**

S<sub>3</sub> = 1/0 TXR  
 S<sub>4</sub> = 3/0 TXR  
 S<sub>5</sub> = 350 TXR  
 X<sub>4</sub> = (3) #2 ACSR  
 X<sub>13</sub> = 1 AL  
 X<sub>14</sub> = (3) #1 AL  
 \$<sub>3</sub> = 3/0 TXF

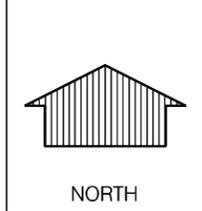
DATE	REVISION	INITIALS
12-03-12	ADDED LASTEST PROJECT CHANGES TO DRAWING	MAK
01-23-13	RECALCULATED COST	MAK
04-01-13	REDESIGN - 5 LIGHTS REMOVED, 3 RELOCATED	MAK

JOINT USE INFORMATION: \_\_\_\_\_ FIBER SUBDIVISION: YES  NO

CABLE COMPANY: TIME WARNER CABLE	PHONE COMPANY: AT&T
ENGINEERING CONTACT: LUKE LACROSSE: 414-908-4766	ENGINEERING CONTACT: CHRIS DUNCAN: 414-535-7479
CONSTRUCTION CONTACT:	CONSTRUCTION CONTACT:
CONTACT FOR MATERIAL DELIVERY PH _____ 3 DAYS PRIOR CELL _____	AS-BUILT SKETCH: X _____ (COMPANY): _____
EXCEPTION NOTES: _____	EXCEPTION NOTES: _____

PROJECT ID:  
 RELATED WR: 2887564  
 RC -  
 OH -  
 SLDB -  
 SLOH -

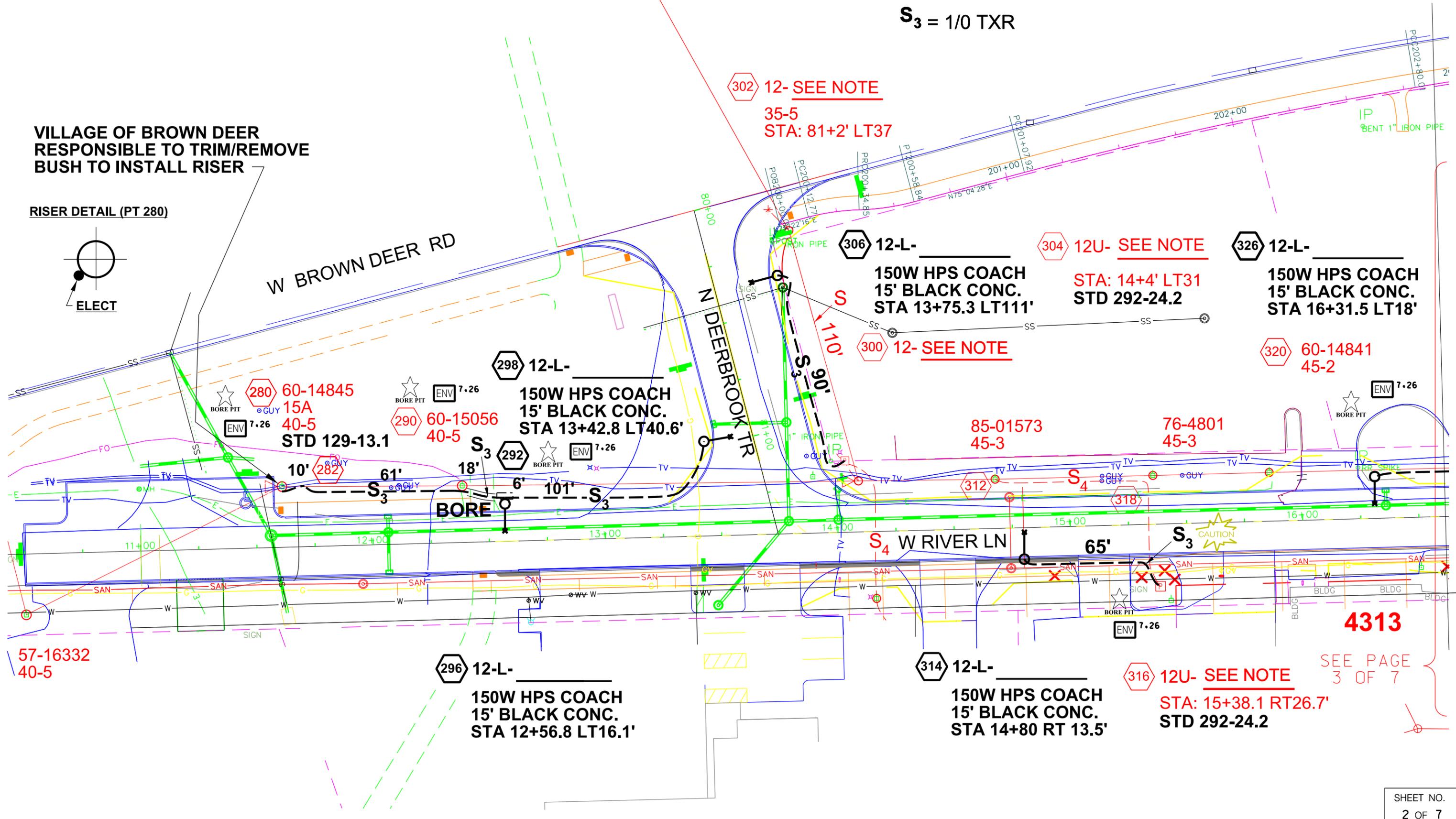
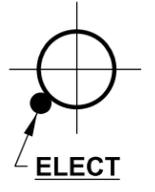
I:\Data\W\Work Management\Milwaukee\Cascl\CASC 3100000 - 31000001\31000001\31000001.dwg 2-37-34 PM 4/1/2013



**WIRE KEY**  
 $S_4 = 3/0$  TXR  
 $S_3 = 1/0$  TXR

**VILLAGE OF BROWN DEER RESPONSIBLE TO TRIM/REMOVE BUSH TO INSTALL RISER**

**RISER DETAIL (PT 280)**



**302 12- SEE NOTE**  
**35-5**  
**STA: 81+2' LT37**

**306 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 13+75.3 LT111'**

**304 12U- SEE NOTE**  
**STA: 14+4' LT31**  
**STD 292-24.2**

**326 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 16+31.5 LT18'**

**300 12- SEE NOTE**

**320 60-14841**  
**45-2**

**280 60-14845**  
**15A**  
**40-5**  
**STD 129-13.1**

**290 60-15056**  
**40-5**  
**292 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 13+42.8 LT40.6'**

**85-01573**  
**45-3**

**76-4801**  
**45-3**

**10'**  
**61'**  
**18'**  
**6'**  
**101'**

**296 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 12+56.8 LT16.1'**

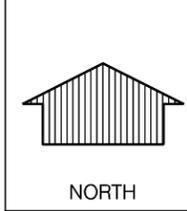
**314 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 14+80 RT 13.5'**

**316 12U- SEE NOTE**  
**STA: 15+38.1 RT26.7'**  
**STD 292-24.2**

**57-16332**  
**40-5**

**4313**

SEE PAGE  
3 OF 7



**WIRE KEY**

**S<sub>4</sub> = 3/0 TXR**

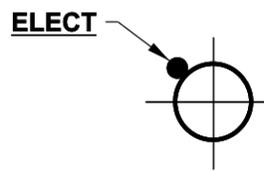
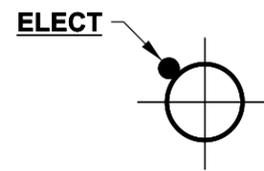
**S<sub>3</sub> = 1/0 TXR**

W BROWN DEER RD

**434 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 30+65 LT17.9'**

RISER DETAIL (PT 410)

RISER DETAIL (PT 422)



**432 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 18+95.9 RT17.7'**

**424 12U-**  
**STD: 292-20.2**  
**STA 19+37.9 LT20.5'**

**422 54-1073**  
**60-2**  
**STD 129-13.2**

**454 54-0544**  
**50-2**

**63-11751**  
**50C**

**418 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 31+42.7 RT15.8'**

**416 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 32+18.5 RT18.2'**

**402 12U-**  
**STD: 292-20.2**  
**STA 17+44 LT21.7'**

**410 54-1074**  
**55-4**  
**STD 129-13.2**

**400 54-1072**  
**60-2**

**404 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 17+75.2 RT32.7'**

**412 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 18+31.6 RT17.5'**

**426 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 33+7 LT15.3'**

**458 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 20+35.8 RT16.9'**

**414 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 17+75.2 RT32.7'**

**442 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 51+60 RT14.3'**

**452 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 34+00 RT32.2'**

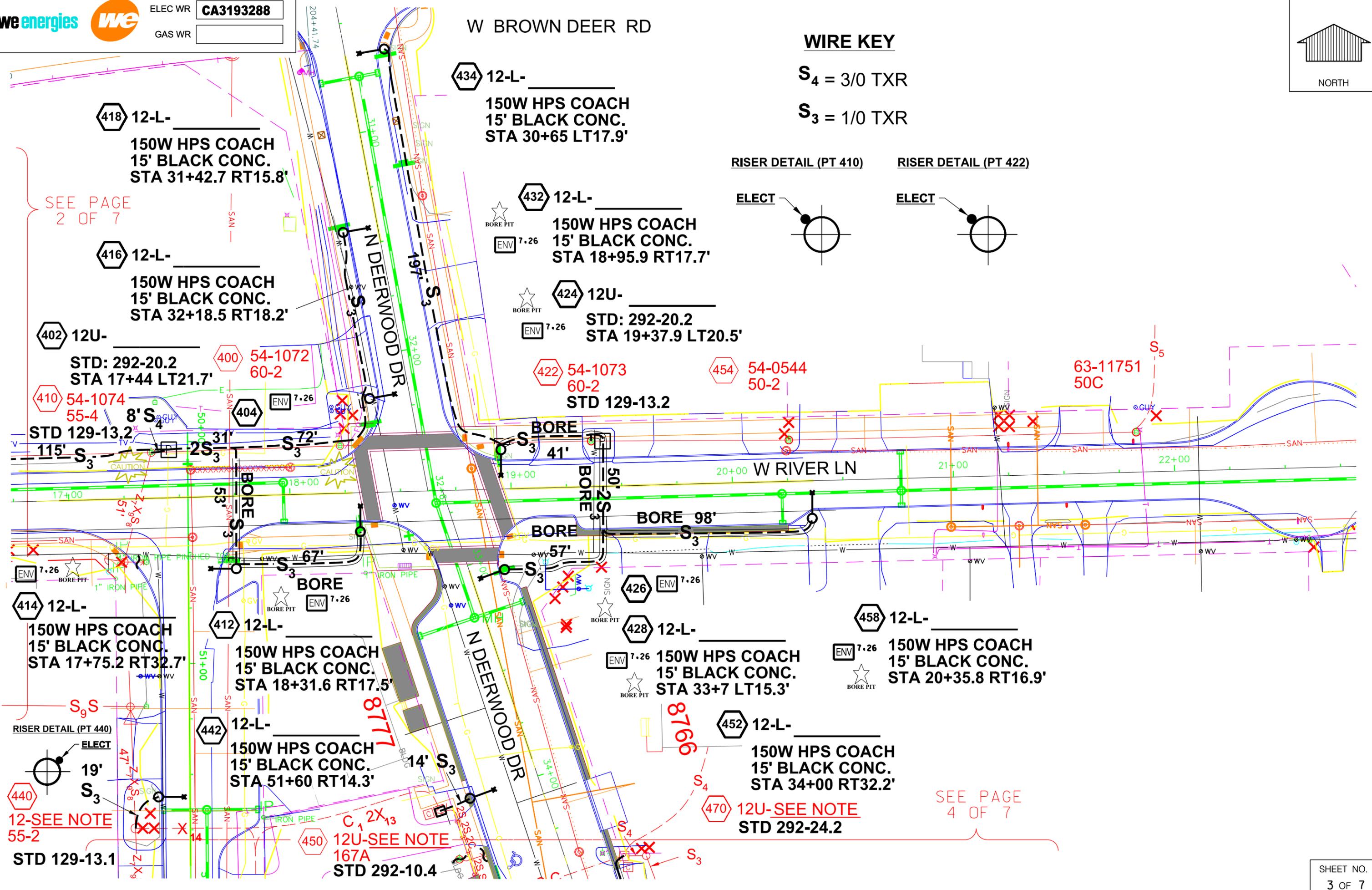
**470 12U-SEE NOTE**  
**STD 292-24.2**

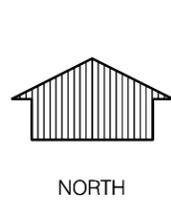
**440 12-SEE NOTE**  
**55-2**  
**STD 129-13.1**

**450 12U-SEE NOTE**  
**167A**  
**STD 292-10.4**

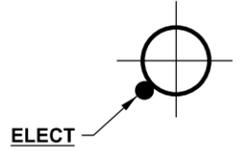
SEE PAGE 4 OF 7

SEE PAGE 2 OF 7



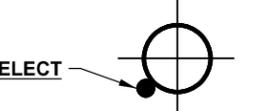


★ **444** 63-15287  
60-2  
(200W HPS FCO)  
STD 129-13.1  
RISER DETAIL (PT 444 & 486)



★ **486** 63-15288  
60-4  
25A  
STD 129-13.1

★ **488** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 53+54.3 RT15'



★ **570** 63-15289  
60-4  
STD 129-13.4

★ **572** 12U-  
STD: 292-20.2  
STA 54+62.2 LT24.3'

★ **582** 38-16918  
60-4  
STD 129-13.1

★ **584** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 55+89.8 RT16.3'

★ **482** BORE PIT  
ENV 7.26

★ **484** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 52+60.8 LT17.7'

★ **490** (70-24577  
45-4  
200W HPS SCO)  
STD 291-14.3  
STD 291-14.2

★ **494** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 35+98 RT32'

★ **501** (70-24578  
45-4  
200W HPS SCO)

★ **576** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 54+72.9 RT24.7'

★ **ENV 7.26**  
BORE PIT

★ **604** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 37+95.4 RT22.3'

**470** SEE PAGE 3

★ **474** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 34+94.5 LT20.4'

★ **534** 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 37+4.6 LT15.8'

★ **530** 11U- SEE NOTE  
100A  
288-10.26  
STA: 37+50.5' LT32  
STD 292-10.4

SEE PAGE 3 OF 7

**8740**

**8742**

**8734**

**8737**

**8726**

**8727**

**8716**

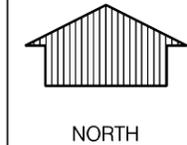
**8759**

**8752**

**8**

SEE PAGE 5 OF 7

**WIRE KEY**  
**S<sub>3</sub> = 1/0 TXR**



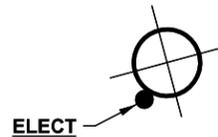
584 SEE PAGE 4

SEE PAGE 4 OF 7

594 70-24580  
45-4  
STD 129-13.1  
STA:39+14' RT37

606 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 39+4.5 LT14'

RISER DETAIL (PT 594)



BORE PIT ENV 7.26

602 12U-  
STD: 292-20.2  
STA 39+14 LT38.5'

WIRE KEY  
S<sub>3</sub> = 1/0 TXR

BORE PIT ENV 7.26

634 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 57+10.6 LT23.2'

608 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 40+25 RT22.9'

596 55-9097  
45-5  
STD 129-13.3  
STA:40+44' RT36.5

BORE PIT ENV 7.26

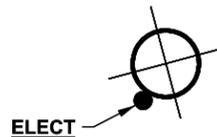
628 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 41+24.8 LT16.2'

BORE PIT ENV 7.26

624 12U-  
STD: 292-20.2  
STA 41+60.5 RT38'

626

RISER DETAIL (PT 622)



622 R-45268  
45-4  
STD 129-13.4

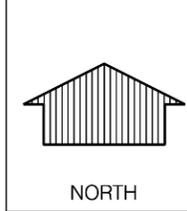
656 12-L-  
150W HPS COACH  
15' BLACK CONC.  
STA 42+27.4 RT24.3'

658 58-9806  
45-5

66-9456  
55-4

10-03419  
55-4

SEE PAGE 6 OF 7

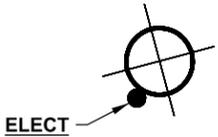


SEE PAGE  
5 OF 7

**WIRE KEY**

**S<sub>3</sub> = 1/0 TXR**

**RISER DETAIL (PT 662)**



**660 80-09776**  
45-5  
25B  
**STD 129-13.4**

**668 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 43+32.9 LT16.4'**

**662 12U-**  
**STD: 292-20.2**  
**STA 43+67.2 RT37.5'**

**664 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 44+36.1 RT20.9'**

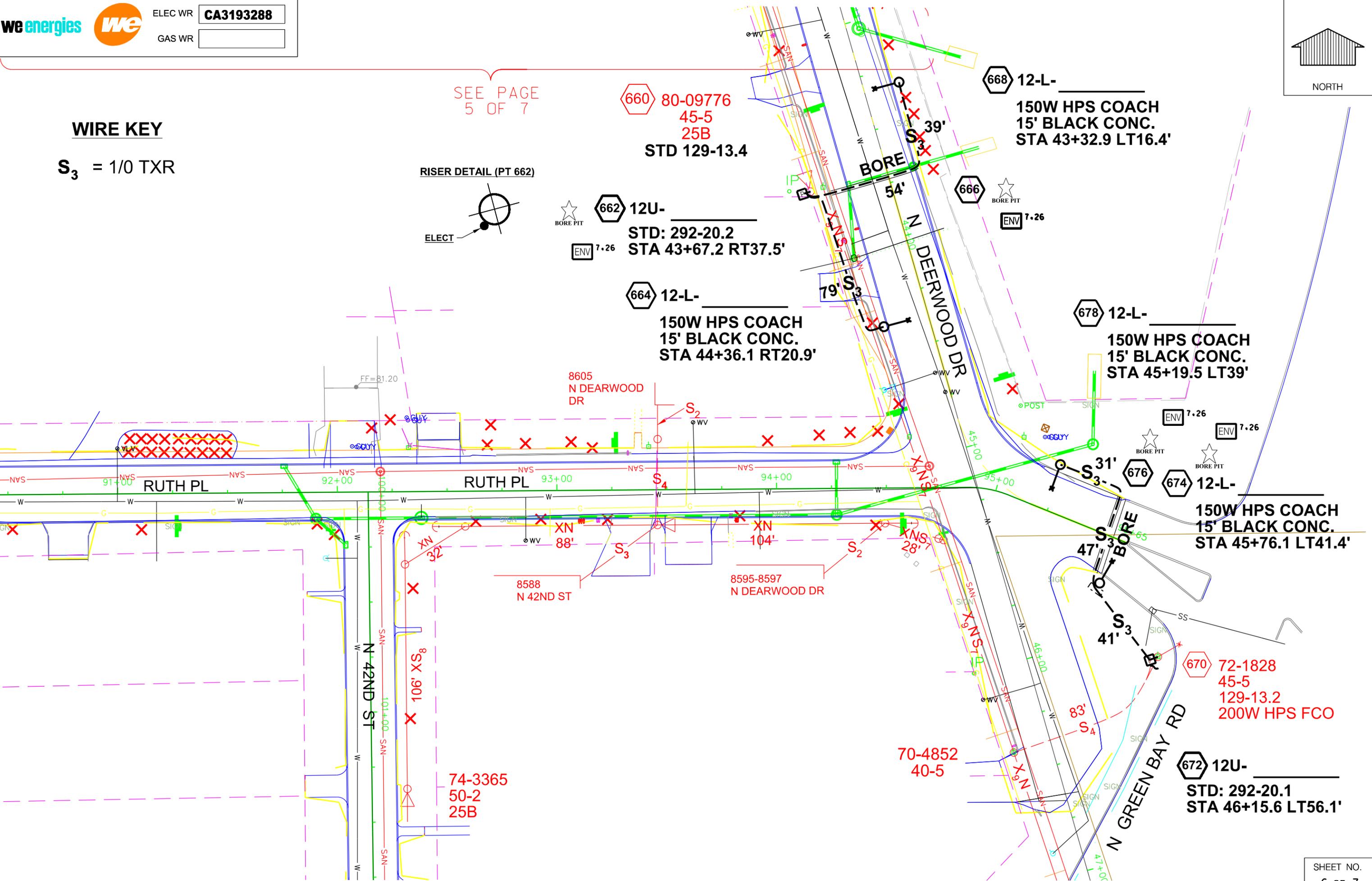
**678 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 45+19.5 LT39'**

**ENV 7.26**

**676 12-L-**  
**150W HPS COACH**  
**15' BLACK CONC.**  
**STA 45+76.1 LT41.4'**

**670 72-1828**  
45-5  
129-13.2  
**200W HPS FCO**

**672 12U-**  
**STD: 292-20.1**  
**STA 46+15.6 LT56.1'**







# REQUEST FOR CONSIDERATION

<b>COMMITTEE:</b>	Finance/Public Works Committee
<b>ITEM DESCRIPTION:</b>	Village of Brown Deer Core Banking Services
<b>PREPARED BY:</b>	Bridget M. Souffrant, Treasurer / Comptroller
<b>REPORT DATE:</b>	April 3, 2013
<b>MANAGER'S REVIEW/COMMENTS:</b>	<ul style="list-style-type: none"><li><input type="checkbox"/> No additional comments to this report.</li><li><input type="checkbox"/> See additional comments attached.</li></ul>
<b>RECOMMENDATION:</b>	Recommend approval of banking services with US Bank for a three-year agreement.
<b>EXPLANATION:</b>	<p>In 2009, the Village sent out a Request for Proposal (RFP) for core banking services, but due to staff turnover, a decision was never made. In 2011, the Village again sent out an RFP and did not make a decision.</p> <p>In the 2013 RFP, the Village asked for suggestions and options for accounts, but referenced a sweep account structure hoping to ensure a greater rate of return on our funds. The RFP also noted that the Village does not wish to use a lockbox system and must have the ability to put checks through a scanner (provided free of cost) on site, which deposits into our bank account.</p> <p>The Village received five proposals in response to the RFP from BMO Harris Bank (our current bank), US Bank, Associated Bank, Chase Bank, and Bank Mutual. State Bank of Chilton, North Milwaukee State Bank, Wells Fargo, Westbury Bank, and Tri-City Bank chose not to respond.</p> <p>All banks that responded can offer the same core services that the Village currently utilizes or wishes to utilize. I have attached a chart comparing the banks to each other in summary form.</p> <p>Village Staff evaluated each bank in the following areas: core services, distance from Village Hall, customer service, bank stability, quality of bid proposal, monthly fees, interest rate and/or earnings credit, and bonus items.</p> <p>After completing this evaluation, Staff is recommending US Bank.</p>

It is staff's recommendation to enter into a contract for banking services with US Bank for these reasons:

- ✚ They offer all of the services we currently utilize and others that we have been considering.
- ✚ The bank is within the Village.
- ✚ The customer service at the local branch was good. We struggled with our bank representative, but that has changed and our interaction with the new representative has been impressive thus far.
- ✚ They are a very stable bank and have been deemed too big to fail by US banking regulators.
- ✚ They have the lowest estimated fees at \$1,048.01 per month.
- ✚ They have offered a variety of interest income approaches and products that can help the Village.
- ✚ They have offered an earnings credit of 0.50% and are the only bank that offered an interest rate on the checking account.
- ✚ They have a very user friendly and secure website, which Village staff is already trained on.
- ✚ They are giving us a \$3,000 bonus in earnings credit just for switching banks.
- ✚ They are offering a \$1,000 bonus in earnings credit if we choose to add on a new service within the first year of the contract.

With the proposed volume, if we keep a balance of \$3 million dollars in the account the earnings credit and interest income will cover all fees. Overall, Staff feels that US Bank makes the most logical sense for the Village banking services.

Village of Brown Deer  
Summary of RFP's

BMO Harris Bank	US Bank	Associated	Chase	Bank Mutual
--------------------	---------	------------	-------	-------------

**Core Services**

(1 none; 10 all)

10      10      10      10      10

**Distance from Village Hall**

2.6      0.62      1.91      2.81      0.56

**Customer Service**

(1 poor; 10 great)

8      6      5      7      5

**Bank Stability Rating**

(1 is good 5 is poor)

2      1      2      1      2.5

**Quality of Bid proposal**

(1 poor; 5 great)

4      4      4      4      4

**Monthly fees**

1,301.18    1,048.01    2567.07    1177.76    2,392.83

**Earnings Credit Rate**

0.50%    0.50%    25.00%    0.40%    0.50%

**Interest rate**

-      0.035%      -      -      -

**Bonus Items:**

Set up Fees waived      X      X      X      X      X

Scanner cost waived      X      X      X      X      X

Commercial Credit Card      X      X      X      X      X

Employee Benefits      X      X      X      X      X

\$3,000 bonus earnings credit      X

\$1,000 bonus earnings credit if begin  
a new service within the first year      X

**BROWN DEER PERSONNEL COMMITTEE  
MARCH 18, 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 5:01 P.M.

**I. Roll Call**

Present: Trustees: Baker, Springman; Don Druckrey

Also Present: Michael Hall, Village Manager; Matt Janecke, Assistant Village Manager

**II. Persons Desiring to be Heard**

None.

**III. Approval of Minutes: January 31, 2013 - Regular Meeting**

*It was moved by Don Druckrey and seconded by Trustee Springman to approve the minutes of the January 31, 2013 Personnel Committee meeting. The motion carried unanimously.*

**IV. Report of Staff/Committee Members**

No report.

**V. New Business**

None.

**VI. Recess into Closed Session Pursuant to §19.85(1) (c)(e) 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.**
- (e) **Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specific public business, whenever competitive bargaining reasons require a closed session.**

*It was moved by Don Druckrey and seconded by Trustee Springman to enter into closed session for the reason stated on the agenda at 5:05 p.m. The motion carried unanimously.*

*It was moved by Trustee Springman and seconded by Trustee Baker to adjourn the closed session and re-enter into the regular order of business at 6:02 p.m. The motion carried unanimously.*

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

**A) Possible Recommendation for Collective Bargaining Agreement with AFSCME**

*It was moved by Don Druckrey and seconded by Trustee Baker to recommend that the Village Board approve a cost of living increase of 2.5% for all non-represented employees retroactive from January 1, 2013. The motion carried unanimously.*

**B) Public Works Superintendent/Village Engineer Position Description**

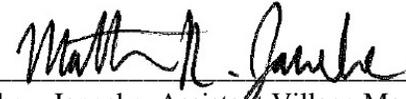
*It was moved by Trustee Baker and seconded by Don Druckrey to recommend that the Village Board approve the position description for Public Works Superintendent/Village Engineer. The motion carried unanimously.*

**C) Schedule Next Meeting Date**

No meeting was scheduled.

**VIII. Adjournment**

*It was moved by Trustee Baker and seconded by Trustee Springman to adjourn the meeting at 6:05 p.m. The motion carried unanimously.*



Matthew Janecke, Assistant Village Manager

**JEFFREY A. KREMERS**  
Chief Judge  
Telephone: (414) 278-5116

**DAVID A. HANSHER**  
Deputy Chief Judge  
Telephone: (414) 278-5340

**MAXINE A. WHITE**  
Deputy Chief Judge  
Telephone: (414) 278-4482

**BRUCE M. HARVEY**  
District Court Administrator  
Telephone: (414) 278-5115

**BETH BISHOP PERRIGO**  
Deputy District Court Administrator  
Telephone: (414) 278-5025

STATE OF WISCONSIN

## FIRST JUDICIAL DISTRICT

MILWAUKEE COUNTY COURTHOUSE  
901 NORTH NINTH STREET, ROOM 609  
MILWAUKEE, WISCONSIN 53233-1425

TELEPHONE (414) 278-5112

FAX (414) 223-1264



April 8, 2013

Mayor Jerome A. Tepper  
City of Glendale  
5909 N Milwaukee River Parkway  
Glendale, WI 53209

Village President Carl Krueger  
Village of Brown Deer  
4800 W Green Brook Drive  
Brown Deer, WI 53223

Re: New Municipal Court Certification Letter

Dear Mayor Tepper and President Kruger:

For municipal courts formed on or after January 1, 2011, Wisconsin Statute 755.01(1), requires that a certification process be completed by the Chief Judge of the Administrative District prior to the operation of the new municipal court. As Chief Judge of the First Judicial Administrative District, I am responsible for the certification review of the proposed municipal court to determine if it meets the requirements under Wisconsin Statute Sections 755.09, 755.10, 755.11 and 755.17.

This certification review process is conducted to ensure that the court room(s) will have proper court decorum, that the court shall have at least one court clerk, that the judge and court staff will be afforded adequate work spaces, that court records will be maintained and kept separate from all other departments, and that the judge and court staff will be properly attired while working in the court.

On April 3, 2013, a walk through review of your intended court site, court room(s) and court staff work spaces was conducted. City & Village representatives answered questions of District Court Administrator, Bruce M. Harvey, as to many aspects of the intended court operation.

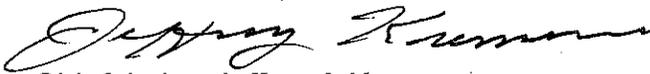
## First Judicial District

---

Please be advised that after a thorough review, the new North Shore Municipal Court meets the requirements set out in Wisconsin Statutes 755.09, 755.10, 755.11 and 755.17. Accordingly, I certify that the court is ready to begin operations. (See attached Order of Certification)

Under Wisconsin Statutes 755.01(1), the municipal court is subject to the superintending authority of the Wisconsin Supreme Court as exercised through my office. I look forward to an ongoing working relationship with municipal administration, as well as, with the judge and staff. Please feel free to contact me or DCA Harvey, if you have any questions or concerns. Congratulations.

Sincerely,



Chief Judge Jeffrey A Kremers  
First Judicial District

JAK/jls  
enc.

cc: John Voelker, Director of State Courts  
Atty. Karla Baumgartner  
DCA Bruce M. Harvey  
Municipal Judge Christopher Lipscomb  
Court Clerk Mary Bersch

**JEFFREY A. KREMERS**  
Chief Judge  
Telephone: (414) 278-5116

**DAVID A. HANSHER**  
Deputy Chief Judge  
Telephone: (414) 278-5340

**MAXINE A. WHITE**  
Deputy Chief Judge  
Telephone: (414) 278-4482

**BRUCE M. HARVEY**  
District Court Administrator  
Telephone: (414) 278-5115

**BETH BISHOP PERRIGO**  
Deputy District Court Administrator  
Telephone: (414) 278-5025

STATE OF WISCONSIN

## FIRST JUDICIAL DISTRICT

MILWAUKEE COUNTY COURTHOUSE  
901 NORTH NINTH STREET, ROOM 609  
MILWAUKEE, WISCONSIN 53233-1425

TELEPHONE (414) 278-5112  
FAX (414) 223-1264



April 8, 2013

Mayor Jerome A. Tepper  
City of Glendale  
5909 N Milwaukee River Parkway  
Glendale, WI 53209

Village President Carl Krueger  
Village of Brown Deer  
4800 W Green Brook Drive  
Brown Deer, WI 53223

Dear Mayor Tepper and President Krueger:

Congratulations on the establishment of the North Shore Municipal Court. I have included a letter from Chief Judge Kremers and a signed Chief Judge Certification.

The following needs to be done to complete the process:

1. Send a letter to John A. Voelker, Director of State Courts. A sample of the Notification Letter is attached.
2. Include with the completed letter, a copy of the Chief Judge Certification and a copy of the ordinance.

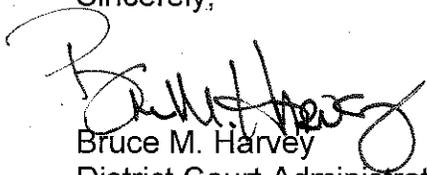
It is my understanding that you will be operating both the Glendale and the Brown Deer Municipal Court at the current locations. At some point in the future, one or maybe both of the locations may close. If you decide to combine record keeping for either location, close a location or combine at a new location, you will need to contact this office for approval. The Chief Judge Certification is contingent upon that understanding.

First Judicial District

---

Again, congratulations and if you have questions please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce M. Harvey". The signature is written in a cursive style with a large initial "B".

Bruce M. Harvey  
District Court Administrator

BMH/jls  
enc.

cc: Attorney John F. Fuchs  
Fuchs & Boyle, S.C.  
1233 N. Mayfair Road, Suite 210  
Milwaukee, WI 53226



OFFICE OF THE VILLAGE PRESIDENT  
4800 West Green Brook Drive  
Brown Deer, Wisconsin 53223

---

April 10, 2013

Mr. John Volker  
Director of State Courts  
P.O. Box 1688  
16 East State Capitol  
Madison, WI 53701-1688

SUBJECT: NEW MUNICIPAL COURT NOTIFICATION LETTER

Dear Mr. Volker:

Wisconsin Statute 755.01(1) provides that a municipal court is a coequal branch of municipal government, subject to the superintending authority of the Supreme Court, through the chief Judge of the judicial administrative district.

On November 5, 2012, the Village of Brown Deer adopted an ordinance for the creation and maintenance of the Village of Brown Deer Municipal Court. Per Wisconsin Statute Section 755.01(1), please let this letter serve as a written notification to you for the adoption of an ordinance and the creation of this new municipal court.

On April 8, 2013, Chief Judge Jeffrey A. Kremers granted certification to begin court operation after a thorough certification review of the requirements under Wisconsin Statute Sections 755.09, 755.10, 755.11, and 755.17.

Please let me know if you have any other questions associated with this new court. You may contact me at the telephone number that is listed below.

Sincerely,

Carl F. Krueger  
Village President

(ATTACHMENTS: Brown Deer Ordinance No. 12-11 and Chief Judge Letter of Certification)

STATE OF WISCONSIN

CIRCUIT COURT

FIRST DISTRICT

---

IN THE MATTER OF THE  
NORTH SHORE MUNICIPAL COURT

---

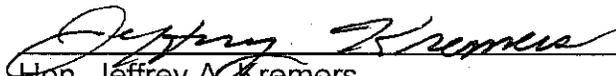
CHIEF JUDGE CERTIFICATION

---

Wisconsin Statute 755.01, provides that a municipal court shall become operative and functional after January 1, 2011, when, among other things, it receives a certification from the Chief Judge of the Judicial Administrative District that the municipal court meets the requirements of Wisconsin Statutes 755.09, 755.10, 755.11 and 755.17.

Having reviewed the intended operation of the North Shore Municipal Court,  
I HEREBY CERTIFY THAT it meets the requirements of Wisconsin Statutes  
755.09, 755.10, 755.11 and 755.17.

Dated this 8<sup>th</sup> day of April, 2013

  
Hon. Jeffrey A. Kremers  
Chief Judge First Judicial District

# Street Lighting Options

## Options for Original Village Lighting Plan

- A. Use General Fund
  - a. The ongoing cost of street lighting will be paid through the general fund and all taxpayers will pay for lighting. Estimated to cost approximately \$7,000 a year.
  
- B. Create A New Special Assessment District
  - a. This option has been used in the Village in six (6) other locations. A new district would be formed with the businesses and residents being assessed for the street lighting costs.
  
- C. Create a Village Wide Street Lighting Utility With User Fees
  - a. Please see information on next page for detail of this option.

# Street Lighting Options

## What Is A Street Light Utility Financed With User Fees?

- It is very similar to storm water utility.
- Revenues collected must be dedicated to the street lighting costs.
- All properties (including tax exempt properties) would pay the fee.

## What Would Be The Goal Of Creating A Street Lighting Fee?

The primary objective of a street light user fee would be to illuminate streets, alleys, and thorough ways in a cost-effective manner, enhance safety and security of Village residents, and enhance aesthetics of neighborhoods and business districts. Street lighting has been thought to provide benefits including reduced on-street accidents and crime, increased perceptions of “warmth” and security, streetscape enhancement and stimulation of nighttime economic activity.

## How Does This Fee Support The Comprehensive Plan?

A Village of Brown Deer street lighting user fee would support the Village’s Comprehensive Plan in regards to its Transportation Goals, which are:

1. The Village will make it easier to travel in Brown Deer on foot and by bike.
2. The Village will ensure safe and convenient travel by automobile and transit.
3. The Village will improve the aesthetic experience for users of streets, intersections, transit stops and parking areas.

## What Is The Current Lighting Scenario?

- The budget has \$52,500 budgeted for general street lighting costs that come from the general property taxes.
- A special assessment fund has been created for six (6) different lighting districts with an annual budget of \$38,550.
- Total estimated cost of street lights throughout the Village is \$91,050.

## Why Impose A Fee vs. Paying For It Through General Taxes?

- First and foremost it is a question of who has to pay the fee or tax. One of the advantages of a fee is that tax exempt organizations still have to pay them. Tax exempt organizations do not have to pay taxes.
- Tax revenue can be used for anything. Fee revenue is restricted to the purpose of the fee.
- A fee is subject to review for reasonableness of amount and appropriateness of use of the moneys received. This may necessitate the use of rate studies to justify the amount of the fee.

# Street Lighting Options

## What Rate Structures Can Be Considered?

- Flat rate per lot.
- Flat rate per acre.
- Rate per acre based on number of lights around various types of land uses.
- Rate per acre based on cost of street lights in and around various types of land uses.

## What Property Classes Will Be Considered?

- Single-family residential
- Multi-family residential
- Commercial
- Industrial
- Public/quasi-public
- Office/service/churches
- City property, developed

## What Other Municipalities Have Created a Street Lighting Fee?

This is an established trend in many states throughout the United States.

Here is a list of communities in Wisconsin who have adopted a Street Lighting User Fee.

- LaCrosse County
- River Falls, Wisconsin
- Rice Lake, Wisconsin
- Wisconsin Dells
- Pleasant Prairie
- Eau Claire
- City of Milwaukee

## **Option “C” (Street Lighting Utility - Financed With User Fees)**

### **What Is A Street Light Utility Financed With User Fees?**

- It is very similar to storm water utility.
- Revenues collected must be dedicated to the street lighting costs.
- All properties (including tax exempt properties) would pay the fee.

### **What Would Be The Goal Of Creating A Street Lighting Fee?**

The primary objective of a street light user fee would be to illuminate streets, alleys, and thorough ways in a cost-effective manner, enhance safety and security of Village residents, and enhance aesthetics of neighborhoods and business districts. Street lighting has been thought to provide benefits including reduced on-street accidents and crime, increased perceptions of “warmth” and security, streetscape enhancement and stimulation of nighttime economic activity.

### **How Does This Fee Support The Comprehensive Plan?**

A Village of Brown Deer street lighting user fee would support the Village’s Comprehensive Plan in regards to its Transportation Goals, which are:

1. The Village will make it easier to travel in Brown Deer on foot and by bike.
2. The Village will ensure safe and convenient travel by automobile and transit.
3. The Village will improve the aesthetic experience for users of streets, intersections, transit stops and parking areas.

### **What Is The Current Lighting Scenario?**

- The budget has \$52,500 budgeted for general street lighting costs that come from the general property taxes.
- A special assessment fund has been created for six (6) different lighting districts with an annual budget of \$38,550.
- Total estimated cost of street lights throughout the Village is \$91,050.

### **What Rate Structures Can Be Considered?**

- Flat rate per lot.
- Flat rate per acre.
- Rate per acre based on number of lights around various types of land uses.
- Rate per acre based on cost of street lights in and around various types of land uses.

## **Option “C” (Street Lighting Utility - Financed With User Fees)**

### **What Property Classes Will Be Considered?**

- Single-family residential
- Multi-family residential
- Commercial
- Industrial
- Public/quasi-public
- Office/service/churches
- City property, developed

### **What Other Municipalities Have Created a Street Lighting Fee?**

This is an established trend in many states throughout the United States.

Here is a list of communities in Wisconsin who have adopted a Street Lighting User Fee.

- LaCrosse County
- River Falls, Wisconsin
- Rice Lake, Wisconsin
- Wisconsin Dells
- Pleasant Prairie
- Eau Claire
- City of Milwaukee

Resolution of Appreciation  
for David M. Victor

Resolution No. 13-08

---

**WHEREAS**, David M. Victor has served as the Village of Brown Deer Municipal Justice for 12 years, having been elected as Municipal Justice in 2001, serving continuously until 2013; and,

**WHEREAS**, David M. Victor has served the Village of Brown Deer by responsibly and dutifully carrying out the tasks of the Municipal Justice in Brown Deer; and,

**WHEREAS**, David M. Victor, when issuing his decisions, was able to take into account the best interests of the citizens of Brown Deer, as well as the interests of the defendant, to the legal extent of the law; and,

**WHEREAS**, David M. Victor had a positive impact on the youth in the community by attempting to impart good morals and values when dealing with juvenile defendants; and,

**WHEREAS**, David M. Victor imposed creative rulings that had a positive impact on the entire community, such as ordering donations to be made to the Brown Deer Police Department DARE program and crime prevention programs; and,

**WHEREAS**, David M. Victor was a highly regarded judge by his peers and other legal professionals throughout the state, and the performance of his court set a high mark; and,

**WHEREAS**, David M. Victor has always served in the best interest of the citizens of Brown Deer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Village of Brown Deer Board of Trustees that they extend their appreciation to David M. Victor and publicly thank him for his 12 years of service.

**PASSED AND ADOPTED** by the Village Board of the Village of Brown Deer, this 15th day of April, 2013.

---

Carl Krueger, Village President

---

Michael L. Hall, Village Manager

---

Andrea Weddle-Henning, Village Trustee

---

Timothy Schilz, Village Trustee

---

Terry Boschert, Village Trustee

---

Jeff Baker, Village Trustee

---

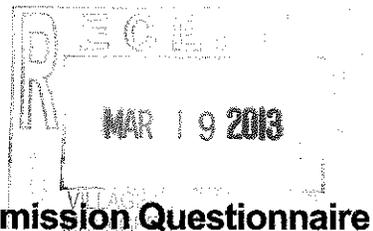
Gary Springman, Village Trustee

---

Robert Oates, Village Trustee

---

Jill Kenda-Lubetski, Village Clerk



### Committee/Board/Commission Questionnaire

Thank you for your interest in becoming involved with a Village of Brown Deer Committee, Board, or Commission. As you may already know, the Village President recommends all citizen appointments to the Village Board for approval. Please provide them with some information to use when considering your appointment by completing the questions below. Also, you are welcome to attach additional information which may further support your appointment.

Name: (as you like to be addressed) Betty Bennett

Address: 6209 W. Plaza Circle Phone #: 414-354-0628

E-Mail: lizardb48@yahoo.com Years as Brown Deer Resident: 29

What Village committee(s) are you currently serving on, if any? None

Would you like to be re-appointed? (circle one) Yes  No

Committee/Board/Commission you are interested in: Library Board

Why are you interested in serving on this particular group: I use the library extensively and find it a valuable resource in our community. I am interested in the inner workings and keeping our library moving forward, offering all that we can to patrons.

Qualifications for serving on this group: I was a VOB employee for 23 yrs. and have knowledge regarding policies and procedures and working with the budget. I am interested and enthusiastic

Other Community Involvement: Poll worker

Occupation / Employer: Retired

Family Details: (optional) married, 3 grown children, 4 grandchildren

Leisure Activities / Hobbies: (optional) Reading, gardening, camping

Signature: Elizabeth J. Bennett Date: 3-18-2013