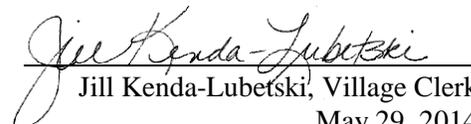


VILLAGE BOARD MEETING
Monday, June 2, 2014
Earl McGovern Board Room, 6:30 P.M.



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: May 19, 2014 – Regular Meeting
- V. Unfinished Business
 - A) Continuation of Presentation and Discussion on the Interchange at Green Bay Road and Brown Deer Road by the DOT
- VI. New Business
 - A) Junior Baseball Team – Waive Permit Fee and Extend License Period
 - B) Resolution No. 14-, “Resolution Proclaiming June 1-7, 2014 as MacArthur Memorial Week”
 - C) Liquor License Applications for 2014-2015
 - D) Ordinance No. 14-, “An Ordinance Amending Chapter 50, Section 86 (b) of the Brown Deer Village Code Pertaining to Permit Required Parades and Public Assemblies
 - E) Waiving of 4th of July Concession Vendor Peddler and Food License Fees
 - F) Consideration of 4th of July License and Permit Applications and Waiving of Village of Brown Deer License and Permit Fees
 - G) Resolution No. 14-, “In the Matter of Amending Alcohol Beverage Retail License”
 - H) Boards, Commissions, and Committees
 - I) Presentation from Park and Recreation
- VII. Committee Appointment
- VIII. Village President’s Report
- IX. Village Manager’s Report
- X. Recess into Closed Session pursuant to §19.85(1) (e) Wisconsin Statutes for the following reasons:
 - (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
 - 1. TIF #3
- XI. Reconvene into Open Session for Possible Action on Closed Session Deliberations
- XII. Adjournment



Jill Kenda-Lubetski, Village Clerk
May 29, 2014

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

**BROWN DEER VILLAGE BOARD
MAY 19, 2014 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:31 P.M.

I. Roll Call

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

Also Present: Michael Hall, Village Manager; Matthew Janecke, Assistant Village Manager; John Fuchs, Village Attorney; Steven Rinzel, Chief of Police; Matthew Maederer, Director of Public Works; Robert Halverson, Police Captain; John Graeber, Police Captain

II. Pledge of Allegiance

III. Persons Desiring to be Heard

IV. Consideration of Minutes: May 5, 2014 - Regular Meeting

Trustee Springman commented that he did not say “he would regrettably serve” regarding the discussion over Building Board Composition and ask that be stricken from the May 5, 2014 - Regular Meeting minutes.

It was moved by President Krueger and seconded by Trustee Oates to approve the minutes from the May 5, 2014 Regular Meeting, as amended, striking “he would regrettably serve”. The motion carried unanimously.

V. New Business

A) Liquor License Application for Walgreens #12524, 6020 West Brown Deer Road

Mr. Hall reviewed the memorandum Ms. Kenda-Lubetski prepared for the liquor license application from Walgreen’s. He stated Walgreen Co. has submitted a request to appoint Tammy Kachelmeier as the agent. Ms. Kachelmeier needs to complete a Responsible Beverage Server’s course and provide the Village with a copy of her completion certificate. This is a mandatory requirement for the State of Wisconsin criteria to be appointed an Agent. A background check of Ms. Kachelmeier was completed by the Police Department, with the recommendation that Ms. Kachelmeier be considered as Agent. She currently is the store manager at this location and has served in the capacity since September of 2013. The minutes from when this item was considered before by the Village Board in 2010 were also provided as part of the packet.

Trustee Boschert asked if Walgreens’ application has changed since the last time this was brought forward. Trustees Boschert and Baker recalled the last time this was considered an overwhelming negative overtone was portrayed in a Public Hearing.

Erin Neff, Senior Attorney at Walgreens, asked if she could address the board with some comments regarding the liquor license application. She first introduced District Manager Rick Sterna, Community Leader Beth Courtmen, and Store Manager Tammy Kachelmeier, and proceeded to explain the alcohol portion of total shelf space will be less than 2% and no more than 5% of floor space. Walgreens target group is women in the age range of 25-55 and by adding a liquor component will help influence those shoppers to frequent the Brown Deer store. Over the last three years, Walgreens has honed their craft when it comes to liquor sales.

President Krueger asked if there are any details in the liquor application in regards to the shelving display and also asked if the application includes the sale of hard liquor. Ms. Neff responded the application

should have the details for the liquor displays and this time, as opposed to 2010, she is asking for the sale of liquor as well but would be agreeable to however the Village Board would like to proceed, even if that would include eliminating the liquor component.

President Krueger asked for the Police Department's opinion regarding the application. Chief Rinzel responded the Police Department's opinion has not changed since 2010, and they do not support the proposal.

Trustee Baker asked for the number of Walgreens in Milwaukee County and how many of those allow the sale of alcohol. The Walgreens representatives could not recall that information. Trustee Baker expressed concern with the turnover of managers at that store location, and the ability to manage the sale of alcohol. Mr. Hall announced that no other details regarding the display, security, and the types of alcohol intended to be sold were not included in the application. President Krueger commented that without that information he does not feel comfortable with making a decision to approve Walgreen's liquor license.

Trustee Schilz commented on the detailed applications that were submitted previously that included display and bottle securities. He continued to express his concerns over the addition of liquor to their application without any of the previous securities noted. Ms. Neff announced her team is ready to address any concerns the Board may have at this time.

Trustee Oates commented that he believes a community of Brown Deer's size has enough alcohol retail outlets and another one should not be considered. Ms. Neff responded Walgreens would like to remain competitive with the other retailers and potential retailers in the area and she believes by adding the alcohol component will allow them to accomplish that.

It was moved by President Krueger and seconded by Trustee Boschert to reject the Liquor License Application for a "Class A" Liquor and Class "A" Beer License for Walgreen Co. d/b/a Walgreens #12524 West Brown Deer Road. The motion carried unanimously.

B) Resolution No. 14-, "In the Matter of Amending Alcohol Beverage Retail Licenses"

Attorney Fuchs reviewed his memorandum to the Board regarding amending alcohol beverage retail licenses for Eat & Greet on the Street. He continued to comment that in order to better facilitate the Eat & Greet on the Street event, Staff is recommending that we expand all of the alcohol beverage retail licenses to the venue area. It solves any question as to persons buying at one establishment, and then walking down the street to frequent the event. Staff recommends the waiving any assembly permit for the event.

Trustee Schilz inquired about alcohol control. Attorney Fuchs responded all the establishments are aware they have to abide by all the applicable regulations relating to the sale of alcohol.

Trustee Baker asked if wrist bands will be used to indicate people who are of drinking age. Chief Rinzel has some concerns about identifying who is 21 years of age or older. Staff continues to have internal discussions regarding matters like this and once the Chief feels comfortable with the level of oversight he will sign off on the Transient and Outdoor License.

It was moved by President Krueger and seconded by Trustee Boschert to adopt Resolution No. 14-, "In the Matter of Amending Alcohol Beverage Retail Licenses". The motion carried unanimously.

C) Resolution No. 14-, "In the Matter of Waiving Assembly Requirements of Ordinance 99-10 Currently Codified As Section 50-84 of the Village Code."

Attorney Fuchs reviewed the resolution and commented that since the Village will be a cosponsor of the event to promote the Original Brown Deer redevelopment in the Village. Staff has determined that

promoting the event is in the public interest and may promote the economic vitality of the Village and recommends waiving assembly requirements for the event.

It was moved by Trustee Boschert and seconded by Trustee Baker to adopt Resolution No. 14-, "In the Matter of Waiving Assembly Requirement of Ordinance 99-10 Currently Codified As Section 50-84 of the Village Code." The motion carried unanimously.

D) 2014 SAN Expansion & Hard Drive Replacement Project

Captain Halverson reviewed his memo and reported the SAN (Storage Area Network) module was put in place with the Network expansion in 2008. Storage requirements were based upon the current needs and projected need for five years from the project date (2008). The SAN has six years of use and is at the end of its expected service life and has become unreliable. It also needs to be expanded for the additional storage needs since 2008 and for the next approximately five years.

Trustees Springman and Baker inquired into the storage capabilities of the new SAN. Captain Halverson explained there is enough storage to accommodate video taken by the on-board vehicle cameras and possibly video taken through cameras that may be mounted on the individual officer. An expected useful life of five years is fairly typical taken the updates in technology and the increasing amount of storage that is needed. He is currently exploring on-person cameras. Trustee Oates reported that collectively all the IT projects for the Police Department are under budget.

It was moved by Trustee Oates and seconded by Trustee Awe to approve the purchase of a new IBM SAN from CC&N Incorporated in an amount not to exceed \$47,235. The motion carried unanimously.

E) 2014 ESX Server Replacement Project

Captain Halverson reviewed his memo and reported the police department now has two ESX (Elastic Sky X) servers that, through the recent virtualization project, are responsible for supporting the virtual environments that the other servers rely upon. These ESX servers originally served as the domain controller and the backup domain controller for our Network system. One was purchased in 2009 and the other in 2010. In 2014 the first server will have five years of 24/7 service life and should be replaced. The ESX servers are an integral part of our Network and should be matched servers, therefore both servers need to be replaced at the same time. President Krueger inquired about maintenance contracts. Captain Graeber said they monitor contracts depending on the cost of the contract and amount it would take to replace the equipment

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase of two new IBM ESX servers from CC&N Incorporated in an amount not to exceed \$15,306.80. The motion carried unanimously.

F) 2014 Backup Exec Server Replacement Project

Captain Halverson reviewed his memo and reported the Exec Server supports the Backup Exec software and its functions. This server also hosts the VM-Ware backup functions for the ESX servers. As a result of this server hosting these software programs and the functions they execute, the server is critical to the Network system carrying out all of its backup processes and functions. The present server is more than seven years old and it is past its expected service life. President Krueger inquired into the functionality of the backup server. Captain Graeber responded that the backup server runs the backup software and stores the backup data along with images of the two ESX servers.

It was moved by Trustee Oates and seconded by President Krueger to approve the purchase of a new IBM Exec Server CC&N Incorporated in an amount not to exceed \$5,397. The motion carried unanimously.

G) 2014 Duty Pistol Replacement

Captain Halverson reviewed his memo and reported the duty pistols our officers carry have an approximate eight to ten year life expectancy based upon law enforcement use, daily carry of the firearm, exposure to weather elements and the number of rounds fired through the weapon during training use. The firearms are now 11 years old and, as a result of these years of use, replacement of the weapons is warranted and beyond the recommended replacement time by the manufacturer. Of the many pieces of equipment an officer carries, their firearm condition, function and reliability should be maintained at the highest standard. In 2013 the department created its capital budget plan to replace 34 duty pistols and related equipment. Based upon that plan, \$25,000.00 was approved for the purchase of the pistols and an estimated trade-in value for the pistols was calculated at (and has been confirmed) \$12,750.00. A number of firearms manufacturers were considered but Sig Sauer were unanimously chosen by the officers.

A brief conversation ensued regarding the use of pre-owned guns when they are traded-in.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase of a 34 Sig Sauer P227R .45 Caliber semi-automatic duty pistols, spare magazines, double magazine pouches and repair parts to replace current duty pistols and related equipment in an amount not to exceed \$12,065 from Gander Mountain Law Enforcement Sales. The motion carried unanimously.

H) 2014 Squad Computer Replacement

Captain Halverson reviewed his memo and reported the police department is seeking to change out its existing in-squad computers and replace those units with new ruggedized computer systems designed by Panasonic. The current in-squad computer systems were put in place in 2009. The computer specifications were based on the current need and projected need for five years from the project date (2009). The in-squad computer systems have six years of use and are at the end of their factory expected service life and beginning to become unreliable in their service. This change out would be necessary to maintain the in-squad computer technology as reasonably current for software, hardware and reasonable performance to accomplish the tasks this system is required to carry out. Specifically, the hardware replacement will allow our department to move to a currently supported Microsoft operating system (Windows XP to Windows 7).

It was moved by Trustee Oates and seconded by Trustee Baker to approve the purchase of seven Panasonic Toughbook Computers for installation into patrol vehicle fleet in an amount not to exceed \$30,688.00 from Baycom. The motion carried unanimously.

I) West Dean Road Reconstruction Bid Results

Mr. Maederer reported Village Staff in DPW and Community Services has been planning improvements on Dean Road between 55th Street and Teutonia Avenue since 2010. Several Public Information Meetings (PIMs) have been held along with joint School District meetings to best plan for the roadway improvements along with the Safe Routes to School (SRTS) portion of the project. The SRTS work (will be funding 100% through the Wisconsin Department of Transportation. The roadway improvements will be 100% Village participation.

Funding for the Dean Road Reconstruction Project is a street rehabilitation funded through two CIP project account Street Rehabilitation and Storm sewer work. The budgeted amount is \$500,000 for the roadway work. The storm sewer work will be paid from the Capital Outlay/Improvements Storm Sewer. The budgeted amount is \$90,000 for the storm sewer work. Thus, the total project budget is \$590,000. The project has a shortfall of \$55,608.13. Since the County Line Road reconstruction project has a surplus of \$74,500, it is requested to transfer \$64,500 to the Dean Road reconstruction project bringing the total budget to \$654,500. The balance would be used as contingency on the project.

President Krueger inquired into the approximate start date for the project. Mr. Maederer responded mid-June and would not interfere with the 4th of July parade route.

A conversation ensued regarding the total funding for three roadway projects in the Village along with the contributed money from the Safe Routes to School grant.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the contract award for West Dean Road Reconstruction Project to Payne & Dolan, Inc. The motion carried unanimously.

J) DPW Patrol Truck Replacement 1-ton (2 yd.)

Mr. Maederer reviewed his memorandum and stated the 1-ton (2-yd) DPW patrol trucks are the “all purposed” vehicles in the DPW fleet. The vehicles are used in all divisions of Public Works. The 1-ton vehicles are used for sign transport, pothole patching, chipping, etc. The vehicles are used daily throughout the year. For replacement DPW is recommending a Ford F350 cab & chassis, which will maintain consistency and continuity in the DPW vehicle fleet. DPW solicited a quote from the “State Bid” dealer Ewald Automotive Group. A State of Wisconsin Municipal Discount of \$12,003.00 was included. DPW solicited a quote from Burke Truck & Equipment, Inc. for the stainless steel dump body assembly. DPW recently worked with Burke on the 2013 5-yd truck purchase (Vehicle No. 1375). Burke performed above and beyond expectations and DPW staff was very pleased with their service and the workmanship that was delivered. The new 5-2 yd. truck assembled by Burke is performing well.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase of a new 1-ton (2-yd) Public Works truck - 2015 Ford F350 Cab & Chassis and Stainless Steel Dump Body Assembly not to exceed \$34,364. The motion carried unanimously.

K) Urban Forestry Grant Project for 2014

Mr. Maederer reported the Public Works Department submitted an Urban Forestry Grant (UFG) to the Wisconsin Department of Natural Resources (WDNR) for 2014 work. The Village was awarded and signed the grant agreement on February 6, 2014. The grant application was previously presented to the Committee at the December 4, 2013 meeting where the Committee (and subsequently Village Board) authorized the Director to sign and submit the grant application. The grant is a 50/50 match up to \$50,000. The Village was awarded the maximum reimbursement up to \$25,000. DPW is requesting approval for expenditure of the matching Village participation funds of not-to-exceed the budgeted amount of \$25,000. The matching Village participation is a budgeted item.

It was moved by Trustee Oates and seconded by President Krueger to approve the expenditure of funds for the 2014 Urban Forestry Grant Project. The motion carried unanimously.

L) NR216 Annual Report (for 2013)

Mr. Maederer gave a report on the NR216 Report and summarized the report by stating the Village of Brown Deer submitted a joint application with the other North Shore communities for a Wisconsin Pollutant Discharge Elimination System (WPDES) Permit to the Wisconsin Department of Natural Resources in accordance with State Statutes and Chapter NR216. On June 12, 2013 the Village of Brown Deer in conjunction with the City of Glendale, Villages of Bayside, Fox Point, River Hills, Shorewood and Whitefish Bay (referred to as the North Shore Group) was reissued a Wisconsin Pollutant Discharge Elimination System Permit from the Wisconsin Department of Natural Resources. Part III, Subsection H. Annual Report of said WPDES Permit requires the submittal of an annual report to the Wisconsin Department of Natural Resources for its review to determine progress on the implementation of the storm water management program and compliance with the conditions of the North Shore Group WPDES Permit.

Mr. Maederer provided clarification that no action is needed for the report, the minutes serve as public record that the report was given.

M) Stormwater Education & Information Program – Sweet Water

Mr. Maederer reported that the proposal sent to the Village was presented to the North Shore Group at the shared services meeting held on April 8, 2014 in the Village of Fox Point. One of the agenda items was the annual contribution to Sweet Water to help fill the education and outreach component of the North Shore Group's NR216 permit. The North Shore Group was in support of the combined public outreach for the metro area as proposed by Sweet Water. This would be part of each community's NR216 public education/information program and would be used to meet the storm water permit requirements.

It was moved by Trustee Oates and seconded by Trustee Awe to approve the Village's participation in the outreach education program as developed by Sweet Water with a contribution of \$500 and for Staff to coordinate Village activities. The motion carried unanimously.

N) March 2014 Financial Reports

Mr. Hall reported at the end of March the Village has collected 71.92% of the tax levy and has received 48.94% of its revenues. The general fund has spent 27.36% of its expenditures; all of which are in with 2013.

O) Consideration of April 2014 Vouchers Day

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the vouchers from April 4, 2014 to April 25, 2014 in the amount of \$366,922.47. The motion carried unanimously.

VI. Unfinished Business

A) Trustee Committee Assignments

Trustee Springman announced he asked to bring this item forward again because he would like further clarification of how trustee assignments are determined and the process that is used. President Krueger responded that first the trustees are poled to see if requests can be honored; secondly, board seniority is used if there is a conflict with committee compositions. He added he would consider input from the trustees if anybody has a difference of opinion on how committee assignments are determined. Mr. Hall reviewed the makeup for each committee and who is currently assigned. Attorney Fuchs opined the Village Board has the ability to change the composition of the sub committees. Trustee Springman expressed his frustration with the most senior trustees having their choice of committee assignments, he would prefer the other trustees be able to have a chance to sit on some of the more sought after committees. Trustee Schilz announced he serves on two committees as a trustee and one committee as a citizen member.

A lengthy discussion ensued regarding the composition of the committees and assignments are determined. Attorney Fuchs commented that if more trustees would like to serve on the Community Development Authority positions can be added to accommodate Trustee Springman's preference of wanting to serve on that committee. President Krueger announced he would like to make the change as stated by Attorney Fuchs.

B) Ordinance No. 14-, "An Ordinance Amending Section 2-502 of the Brown Deer Village Code Pertaining to Building Board Composition"

Mr. Hall commented that none of the trustees would like to serve on the Building Board and this ordinance addresses those preferences. He does not have a concern with a trustee not serving on the board

because Staff does a good job representing the opinions of the elected officials. Approximately half of the decisions made at the Building Board level go before the Village Board anyway. President Krueger commented he prefers to hold two Building Board meetings a month and asked if anybody has any objection to changing the composition of the Building Board. Trustee Schilz commented he is not in favor of the change.

It was moved by President Krueger and seconded by Trustee Springman to adopt Ordinance No. 14-, "An Ordinance Amending Section 2-502 of the Brown Deer Village Code Pertaining to Building Board Composition." The motion passed 6-1, with Trustee Schilz voting in opposition.

VII. Committee Reports

This is an opportunity for Board Members to Report on Respective Committees, Commissions, and Boards of which they serve as a member. Matters that require fall under old business or new business.

VIII. Committee Appointments

It was moved by President Krueger and seconded by Trustee Oates to reappoint Elizabeth Smith to the Beautification Committee and Mike Hawes to the Park & Recreation Committee. The motion carried unanimously.

IX. Village President's Report

Village President Krueger reported on the following:

MADACC Licenses

ICC Meeting - General MacArthur week June 3-7, and nominated to represent the ICC on the Lake Shore Development Committee

NSFD Meeting - 2013 Annual Report and study to compare consolidation costs

X. Village Manager's Report

Village Manager reported on the following:

School District Refinance Referendum

Announcement about Captain Halverson serving as acting Chief of Police when Chief Rinzel retires

Progress of Police Chief Search

Village Manager on Vacation

Grand reopening of Marriot

Around the Corner with John McGivern

XI. Adjournment

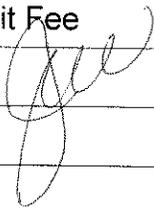
It was moved by Trustee Springman and seconded by Trustee Oates to adjourn at 8:59 p.m. The motion carried unanimously.



Jill Kenda-Lubetski, Village Clerk



REQUEST FOR CONSIDERATION

COMMITTEE:	Village Board
ITEM DESCRIPTION:	Junior Baseball – Waive Permit Fee
PREPARED BY:	Jill Kenda-Lubetski, Village Clerk 
REPORT DATE:	May 29, 2016
MANAGER'S REVIEW/COMMENTS:	<input type="checkbox"/> No additional comments to this report. <input type="checkbox"/> See additional comments attached.
RECOMMENDATION:	To consider waiving the permit fees for Junior Baseball.
EXPLANATION:	<p>For the first time last year, the Junior Baseball League set up a card table and sold bottled water and Gatorade, as well as pre-packaged candy bars, chips, pretzels, granola bars, etc. at each and every game. The junior baseball teams play games at Fairy Chasm Park Monday through Thursday from 5:30 p.m. to 8:00 p.m. The schedule for the league has already started (mid-May) with play-off games played through the first or second week of July.</p> <p>The Village has been contacted again by Matthew Patrick, a member of the Junior Baseball Board. Mr. Patrick stated that they would like to propose doing the same situation that they had last year, and is asking the Village Board to waive the permit fees. They have no intentions of setting up a concession stand, just a card table.</p> <p>Chad Hoier, Director of the Park and Recreation Department, confirmed that they had no problems with the selling of these items last year and has no objection to this type of activity happening at the park again this year. Chad actually is very supportive of this effort and stated that he believes some of the funds made by this selling activity will actually be re-invested in the Park.</p> <p>According to the Village Code, Chapter 22.42 (copy attached), the Village Board has the authority to establish fees for permits. The Village Board also has the authority to waive permit fees.</p> <p>Attached is a copy of the license application that was prepared for the Junior Baseball league to sell water, Gatorade and prepackaged snack-type items at Fairy Chasm Park in 2014 for your consideration, along with a copy of last year's application.</p>

Sec. 22-42. - Fees.

(a)

Established; location. The fees for licenses, inspections, services and activities performed by the department in carrying out its responsibilities under this article shall be as established by the village board and shall be on file and open to the public in the department's office and the office of the village clerk.

(b) *Fees to accompany application.* License fees imposed under this article shall accompany the license application. The department shall issue the applicant a receipt for the license fee.

(c) *No proration.* There will be no proration for license fees.

(d) *Refunds.* No license fee paid shall be refunded, unless a refund is requested prior to a preinspection for a new establishment.

(e) *Fees kept separate.* All fees shall be accounted for separately and applied to the expenses under this article.

(Ord. No. 05-18, § 1(5-9.22), 12-19-2005)

Sec. 22-43. - Expiration dates.

(a) All licenses issued under provisions of this article shall expire, unless otherwise ordered by the department or authorized agent, as follows:

(1) Food/drink: June 30.

(2) Hotel/motel: June 30.

(3) Public swimming pool: June 30.

(4) Boardinghouse/roominghouse: December 31.

(5) Bed and breakfast: June 30.

(6) Recreational and educational camps: June 30.

(7) Campgrounds: June 30.

(8) Tattoo or body piercing establishment: June 30.

(9) Vending machines: June 30.

(b) The licenses shall expire at 12:00 a.m. of the last effective day of the license, unless otherwise provided by this article or applicable provisions of state law.

(Ord. No. 05-18, § 1(5-9.23), 12-19-2005)

Sec. 22-44. - Renewal.

The department, prior to the expiration date, shall furnish renewal notices. It is the responsibility of the owner or operator to complete the application form and pay the appropriate fee before the expiration date of such license.

(Ord. No. 05-18, § 1(5-9.24), 12-19-2005)

Sec. 22-45. - Conflicts.

Whenever conflicts between this article and other village ordinances or state and federal regulations occur, the more stringent rule shall apply.

(Ord. No. 05-18, § 1(5-9.25), 12-19-2005)



LICENSE APPLICATION

	<u>Type of License</u>
Peddler	<u> ✓ </u>
Transient/Seasonal	<u> </u>
Canvasser/Solicitor	<u> </u>

	<u>Fees Paid</u>
License Fee	<u>\$200.00</u>
Additional Workers	<u> </u>
@ \$20.00 each	<u> </u>

License Period: _____ Total Fees Paid _____

Date Issued: _____, To: _____

Name of Applicant: Brown Deer Jr. Baseball and Fast Pitch Softball

Address: #247 3900 W. Brown Deer Rd. Suite A Phone: (414) 216-3406
Brown Deer, WI 53209

Firm Represented: _____ Phone: () _____

Manager's Name: Matthew Patrick Phone: (414) 897-2933

Purpose of License: Concessions Stand @ Fairy Chasm Park

Other Persons Who Will Help:

- | Name | Address |
|----------|---------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |

Issued in Brown Deer, Wisconsin this _____ day of _____, 20____

(SEAL)

Signature of Clerk/Deputy Clerk

Note: Per Chapter 14, Article VII, Division 2, Section 14-111 entitled "Investigation-Issuance", the Village Manager shall institute a background investigation into each applicant and those working for each applicant, prior to issuance of the license.



LICENSE APPLICATION

Peddler _____
Transient/Seasonal _____
Canvasser/Solicitor _____

Type of License

License Fee _____
Additional Workers @ \$20.00 each _____

Fees Paid
\$200.00

License Period:

Date Issued: May 1st 2013, To: July 20th 2013 Total Fees Paid WAIVED BY THE VILLAGE BOARD 6-2-13

Name of Applicant: Matthew Patrick

Address: 8541 N. 63rd St. Brown Deer WI 53223 Phone: (414) 847-2933

Firm Represented: Brown Deer Junior Baseball Phone: (414) 378-5060

Manager's Name: Shawn Engelke Phone: (414) 378-5060

Purpose of License: Selling of water, gatorade, and snacks during games

Other Persons Who Will Help:

- | Name | Address |
|--|---------|
| 1. <u>Mark Kent (414) 243-2613</u> | _____ |
| 2. <u>Shawn Engelke (414) 378-5060</u> | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |

Issued in Brown Deer, Wisconsin this 3rd day of June, 2013

(SEAL)

Joe Konda-Subetzki
Signature of Clerk/Deputy Clerk

Note: Per Chapter 14, Article VII, Division 2, Section 14-411 entitled "Investigation-Issuance", the Village Manager shall institute a background investigation into each applicant and those working for each applicant, prior to issuance of the license.

Resolution Proclaiming June 1-7, 2014 as
MacArthur Memorial Week

Resolution No. 14-

WHEREAS, General Douglas MacArthur, descended from one of Milwaukee’s most influential families involved in military, political, legal and social life, resided in Milwaukee during his high school day just preceding his appointment to the U.S. Military Academy in 1899 by Milwaukee Congressman Theobald Otjen; and,

WHEREAS, Douglas MacArthur graduated first in his class from the Academy in 1903; served with distinction during World War I; assumed command of the Academy at West Point; served as Commanding General of the Southwest Pacific Theatre in World War II; administered post war Japan during the Allied occupation that followed and led United Nations forces including staging the decisive Inchon landing to liberate South Korea during the Korean War; and,

WHEREAS, Douglas MacArthur’s final visit to Milwaukee was on April 27, 1951, when he received an honorary doctor of laws degree from Marquette University before 20,000 admirers at Marquette football stadium; and,

WHEREAS, in commemoration of the 50th anniversary of the death of General Douglas MacArthur and the 35th anniversary of the original MacArthur Memorial Week held on June 8-14, 1979 in Milwaukee, an extensive program featuring an international panel of distinguished speakers from the United States, Australia, The Philippines, Japan, South Korea and Great Britain, will take place in Milwaukee on June 3-7, 2014; and,

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Brown Deer, hereby proclaims June 1-7, 2014 as MacArthur Memorial Week throughout the Village of Brown Deer and encourages citizens to attend and participate in the many programs and patriotic activities planned as a part of MacArthur Memorial Week at the War Memorial Center, Marquette University Law School and in the Calatrava Addition of the Milwaukee Art Museum.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer this 2nd day of June, 2014.

Carl Krueger, Village President

Jill Kenda-Lubetski, Village Clerk

Gary Springman, Village Trustee

Tim Schilz, Village Trustee

Jamie Awe, Village Trustee

Jeff Baker, Village Trustee

Terry Boschert, Village Trustee

Bob Oates, Village Trustee

Michael L. Hall, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board
ITEM DESCRIPTION: Liquor License Applications for 2014-2015
PREPARED BY: Jill Kenda-Lubetski, Village Clerk
REPORT DATE: May 29, 2014
MANAGER'S REVIEW/COMMENTS: <ul style="list-style-type: none">__ No additional comments to this report.__ See additional comments attached.
RECOMMENDATION: Review and approve the list of applications who have applied to obtain a license for intoxicating liquor and fermented malt beverages.
EXPLANATION: Attached for your review is a listing of the businesses in the Village of Brown Deer who have made application to obtain a license to sell Intoxicating Liquor and Fermented Malt Beverages for the 2014-2015 license period. It should be noted that all of the establishments who have filed an application have paid the required fee(s) associated for obtaining such license. A mandatory background check was conducted by the Police Department of the Agent of each business who filed an application to sell Intoxicating Liquor and Fermented Malt Beverages. The agent for each establishment was approved satisfactorily by the Police Department and the Chief of Police signed off on each agent. The attached listing of liquor applications appeared in the May 22, 2014 edition of the Now , which is mandatory before a license can be issued. It should be noted that four businesses owe the Village their final tax payment due May 31, 2014; however, they have until June 6, 2014 to make this final payment before it would be considered delinquent. There are also three different businesses that are in arrears to the Brown Deer Water Utility. It should be noted that new water bills will be mailed out on June 2nd or 3rd. An update on any outstanding monies still owed to the Village will be provided at the Village Board meeting on Monday night. Pursuant to State Statutes and the Village Code, all intoxicating liquor license applications must be presented for consideration and approved by the Village Board.

Notice is hereby given that the following persons, with locations of proposed premises, have made application to the Village of Brown Deer for licenses to sell intoxicating liquor and fermented malt beverages in the Village of Brown Deer, the granting of which is now pending:

<u>Name of Applicant</u>	<u>Trade Name</u>	<u>Address</u>	<u>Agent</u>	<u>Aqent Address</u>
Apple Hospitality Group, LLC	Applebee's Neighborhood Grill & Bar #274	9080 N. Green Bay Road	Richard Shulak	1826 North 19th Street Sheboygan, WI 53081
BDL, Inc.	Brown Deer Lanes	4715 W. Bradley Road	Kim Starz-Nicholas	9235 North 60th Street Brown Deer, WI 53223
Celebrations, LLC	Celebrations Banquet Hall and Lounge	4740 W. Bradley Road	Barry Mimis	3760 North 53rd Street Milwaukee, WI 53216
Pillar Hotels & Resorts, LP	Courtyard by Marriott	5200 W. Brown Deer Road	Gregory J. Fugate	W204 N8123 Lannon Road Menomonee Falls, WI 53051
GFTR, Inc.	Family Table Restaurant	6598 W. Brown Deer Road	Louis Giannopoulos	N114 W15148 Vicksburg Avenue Germantown, WI 53022
Metavante Corporation	FIS	4900 W. Brown Deer Road	Gail Thompson	8334 North 52nd Street Brown Deer, WI 53223
Habanero's Inc.	Habanero's Mexican Kitchen	3900 W. Brown Deer Road	Jessica Escamilla	7849 Summerfield Drive Verona, WI 53593
BDM Hotel, Inc.	Holiday Inn Express	4443 W. Schroeder Drive	Atif Khan	8003 West Knightsbridge Drive Mequon, WI 53097
Larry's Brown Deer Market, Inc.	Larry's Brown Deer Market	8737 N. Deerwood Drive	Steven L. Ehlers	N80 W5704 Woodland Road Cedarburg, WI 53012
Toto's, Inc.	Otto's Wine & Spirits	4600 W. Brown Deer Road	David G. Luebke	9732 Huntington Drive Mequon, WI 53097
Sons of Bob, LLC	Park View Pub	7651 N. Teutonia Avenue	Jill V. McNutt	7651 North Teutonia Avenue Brown Deer, WI 53209
Mega Marts, LLC	Pick 'n Save #6867	9200 N. Green Bay Road	Katrina Denise Lee	3278 North Buffum Street Milwaukee, WI 53212
4134, LLC	Poco Loco Cantina	4134 W. River Lane	Stacy L. Kessler	4073 West Rivers Edge Circle, #15 Brown Deer, WI 53209
Prime Time Sports Bar & Eatery, LLC	Prime Time Sports Bar & Eatery	8777 N. Deerwood Drive	Janet A. Kassens	305 Vista View Drive Cedarburg, WI 53012
River Lane Inn, Inc.	River Lane Inn	4313 W. River Lane	James R. Marks	8310 North Poplar Drive Fox Point, WI 53217
Rollie's Tavern, Inc.	Rollie's Tavern	7751 N. Teutonia Avenue	Sharon Andryauskas	7741 North Teutonia Avenue Brown Deer, WI 53209
Zefam Assoc., Inc.	Four Points by Sheraton Milwaukee North	8900 N. Kildeer Court	Marvin A. Zetley	1421 West Winding Hollow Lane, 2A Mequon, WI 53097
Tripoli Country Club	Tripoli Country Club	7401 N. 43rd Street	David J. Coffey	10331 West Port Circle Mequon, WI 53092
Wal-Mart Stores East, LP	Walmart #6394	6300 W Brown Deer Road	Jason A. Radliff	5311 South 18th Avenue West Bend, WI 53095

Dated this 29th day of May, 2014.
Jill Kenda-Lubetski, Village Clerk

Final Tax Payment Due*

Outstanding Water Payment Due**

ATTORNEYS AT LAW

MEMORANDUM

TO: Village Board

FROM: John F. Fuchs

RE: Ordinance Pertaining to Permit Required Parades and Public Assemblies

DATE: May 9, 2014

We have an Ordinance which very strictly regulates parades and public assemblies. On its face, it has exemptions, which apply to any agency or State government. We are not clear that we exempt our own activities. So I am proposing adding a sentence to the exemption section which clearly exempts Village activities. Absent this exemption, staff and the police department are placed in the awkward position of possibly not enforcing our own code where it is arguably applicable.

In addition, we have a somewhat related problem which warrants discussion. The Chamber has been dissolved. We have the Brown Deer Foundation, which is available perhaps as a partner to sponsor events. But what we do not have is an entity to apply for temporary beer and wine licenses. We just went through a process where we adopted some unique resolutions to accommodate the Eat and Greet in the Street festivities. We need to have an entity that can apply for temporary licenses. Neither I, nor the police department, nor the Village Clerk are

comfortable with just expanding the boundaries of existent licenses on an as needed basis. A liquor license is granted to a specific entity for a specific area and a specific time. While I see no specific illegality with what we are doing for Eat and Greet in the Street, it does seem to be a creative application of laws.

In addition to the Ordinance Amendment I propose, I am proposing a discussion of the creation of a bonified festivities entity for purposes of temporary license applications. Any thoughts or suggestions would be welcome. Otherwise, without the Chamber, the Vibes event proceeds only upon another expansion of an existent liquor license.

ORDINANCE NO. _____

**An Ordinance Amending Chapter 50, Section 86 (b) of the Brown Deer Village Code
Pertaining to Permit Required Parades and Public Assemblies - Exceptions**

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

SECTION I

Chapter 50, Section 86 (b) of the Brown Deer Village Code is hereby amended to provide as follows:

Section 50-86 Permit required; requirements; appeal; fee; notice.

(b) *Exemptions for permit requirement.* A permit is not required for assembling or movement of a funeral procession or military convoy. Any parade or assembly, sponsored by any agency of federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit, but shall be exempt from the parade permit fee and insurance requirements contained herein. The provisions of this entire article shall not apply to events sponsored by the Village of Brown Deer, whether in whole or in part.

SECTION II

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

SECTION III

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

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this
_____ day of _____, A.D. 2014.

Carl Krueger, Village President

Countersigned:

Jill Kenda-Lubetski, Village Clerk

ORDINANCE NO. _____

An Ordinance Amending ~~Volume _____~~, Chapter 50, Section 86 (b) of the Brown Deer Village Code Pertaining to Permit Required Parades and Public Assemblies

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(b) *Exemptions for permit requirement.* A permit is not required for assembling or movement of a funeral procession or military convoy. Any parade ~~or assembly, etc.~~, sponsored by any agency of federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit, but shall be exempt from the parade permit fee and insurance requirements contained herein. The provisions of this entire article shall not apply to events sponsored by the Village of Brown Deer, whether in whole or in part.

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PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this

| _____ day of _____, A.D. 2014~~09~~.

Carl Krueger, Village President

Countersigned:

Jill Kenda-Lubetski, Village Clerk



REQUEST FOR CONSIDERATION

COMMITTEE: Village President and Board of Trustees

ITEM DESCRIPTION: Consideration of 4th of July License and Permit Applications and Waiving of Village of Brown Deer License and Permit Fees

PREPARED BY: Chad Hoier, Park and Recreation Director

REPORT DATE: May 28, 2014

RECOMMENDATION: To approve the License and Permit Applications for the 2014 4th of July Celebration and to waive the Temporary Class "B" Retailer's License, Soda Water Beverage License, Parade or Public Assembly, and Transient and Temporary Outdoor Entertainment fees.

EXPLANATION:

Attached are applications for the Temporary Class "B" Retailer's License, Soda Water Beverage License, Parade and Public Assembly, and Transient and Temporary Outdoor Entertainments for the 2014 4th of July Celebration.

It is recommended that each of the license and permit applications be approved and that the respective Village of Brown Deer license and permit fees be waived.

Should you have any questions, please contact the Park and Recreation Department at **(414) 371-3070**.

(See Additional Information on Reverse Side)

STATE OF WISCONSIN

Milwaukee County |
 | ss.
Village of Brown Deer |

Fee Paid _____
Receipt# _____
Date Issued _____
Permit# _____ (FOR VILLAGE HALL USE ONLY)

APPLICATION FOR SODA WATER BEVERAGE LICENSE

The undersigned, hereby applies to the VILLAGE OF BROWN DEER, for a license to sell Soda Water Beverages to be consumed on or off the premises, during the license year ending June 30, _____, subject to the limitations imposed by Section 66.053 (2) of the Wisconsin Statutes and acts amendatory hereof and supplementary thereto, and hereby agree to comply with all laws, resolutions, ordinances and regulations affecting the sale of such beverages if a license be granted. Said business is to be conducted on the following described premises within said Village, to wit:

Business Name of Applicant: <i>Brown Deer 4th of July Committee</i>	Trade Name (if different from business name):
Applicant's Mailing Address: <i>4800 W. Green Brook Dr.</i>	City, State, Zip Code: <i>Brown Deer, WI 53223</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input checked="" type="checkbox"/> Other _____	
Name of Establishment to be Licensed: <i>Brown Deer 4th of July Committee</i>	
Address of Licensed Premises (if applicant is not sole occupant of building, also give room number and building name): <i>4920 W. Green Brook Dr. Brown Deer WI 53223</i>	
Name of Applicant (please print): <i>Chad A. Hoier</i> <i>Park and Recreation Director</i>	Telephone Number: <i>414-371-3070</i>
Signature of Applicant: 	Date: <i>May 21, 2014</i>

ADDITIONAL INFORMATION

No person, firm, or corporation shall, in any manner, directly or indirectly, upon any premises, or by any device, sell, exchange, barter, dispose of, or give away, or keep for sale, any soda water beverages, or any substitute therefore, without first obtaining a license:

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$15.00 Annual Fee

DURATION:

License shall have a term of one (1) year commencing on July 1 and expiring on June 30 of each year. If granted subsequent to July 1 in any given year, license shall expire on June 30 after issuance.

APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ _____

Application Date: May 21, 2014

Town Village City of BROWN DEER

County of MILWAUKEE

The named organization applies for: (check appropriate box(es).)

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.
 A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning July 4, 2014 and ending July 5, 2014 and agrees to comply with all laws, resolutions, ordinances and regulations (state/federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) Bona fide Club Church Lodge/Society Veteran's Organization Fair Association

(a) Name Brown Deer 4th of July Committee

(b) Address 4800 W. Green Brook Drive, Brown Deer, WI 53223

(c) Date organized 08/07/1974

(d) If corporation, give date of incorporation _____

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Chairperson Ann Griffin, 8159 N. 38th St. Brown Deer, WI 53209

Vice President Park and Recreation Director, Chad Hoier

Secretary 748 Juniper Ct.

Treasurer West Bend, WI 53095

(g) Name and address of manager or person in charge of affair: _____

Same as above.

2. LOCATION OF PREMISES WHERE BEER AND/OR WINE WILL BE SOLD:

(a) Street number 4920 W. Green Brook Drive, Brown Deer, WI 53223

(b) Lot _____ Block _____

(c) Do premises occupy all or part of building? _____

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: _____

3. NAME OF EVENT

(a) List name of the event _____

(b) Dates of event _____

DECLARATION

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Brown Deer 4th of July
(Name of Organization)

Officer _____ (Signature/date)

Officer _____ (Signature/date)

Officer _____ (Signature/date)

Officer _____ (Signature/date)

Date Filed with Clerk _____

Date Reported to Council or Board _____

Date Granted by Council _____

License No. _____

ADDITIONAL INFORMATION

May be Granted and Issued only to:

- (1) Bona fide clubs that have been in existence for at least 6 months prior to the date of application.
- (2) State, county, or local fair associations, or agricultural societies.
- (3) Church, lodge, or society that has been in existence for at least 6 months prior to the date of application.
- (4) Posts now or hereafter established of ex-servicemen's organizations.

Application:

- (1) Filing: In writing, for each event, on Form AT-315.
- (2) The local licensing authority may act on application or authorize an official or body of the municipality to issue the license. (ss. 125.26(1) and 125.51(1)(a), Wis. Stats.)
- (3) The written application shall be filed with the clerk of the municipality in which premises are located:

Class "B" (Beer):

- a. The governing body shall establish any waiting period before granting of a license for events lasting less than 4 days (s. 125.04(3)(f), Wis. Stats.)
- b. At least 15 days prior to the granting of the license for events lasting 4 or more days.

"Class B" (Wine):

The application shall be filed with the clerk of the local municipality in which the event will be held at least 15 days prior to the granting of the license.

- (4) Seller's Permit: Sec. 77.54 (7m), Wis. Stats., provides an exemption from Wisconsin sales and use taxes relating to certain sales by a nonprofit organization. Check the box if your organization qualifies for the exemption and therefore is not required to hold a seller's permit.
- (5) Publication: Not required.

Fee: Not to exceed \$10. (Exception: No additional fee may be charged if organization is applying for both a Temporary Class "B" and a Temporary "Class B" license for the same event.)

Duration: The day, or consecutive days, that the specified event is in progress.

Restrictions:

- (1) License may not be issued to individuals.
- (2) Licenses to organizations, other than ex-servicemen's organizations, can be issued only for a picnic or similar gathering. They may not be issued for business or social meetings of the organization.
- (3) Licenses for club or organization meetings may be issued only to ex-servicemen's posts.
- (4) License may cover either a specified area or the entire picnic grounds.
- (5) License issued to a county or district fair must cover the entire fairground (ss. 125.26(6) and 125.51(10), Wis. Stats.)
- (6) No license to clubs having any indebtedness to any wholesaler for more than 15 days for beer (s. 125.33(7), Wis. Stats.) and 30 days for wine (s. 125.69(4)(b), Wis. Stats.)
- (7) Licensed operator(s) must be present at all times (ss. 125.26(6), 125.32(2) - Beer; 125.51(10), 125.68(2) - Wine; 125.17)
- (8) The licensed club, club members, or any other persons are not permitted to possess intoxicating liquor on licensed premises on the Temporary Class "B"/"Class B" licensed picnic area. (s. 125.32(6), Wis. Stats.)
- (9) Not more than 2 wine licenses may be issued to any club, county or local fair association, agricultural association, church, lodge, society or veterans' post in any 12 month period.
- (10) Licensed organizations must purchase their product from a licensed wholesaler.

NOTE: Most coolers presently on the market have a fermented malt beverage base allowing sale under a beer license, e.g. Bartles and James, Seagrams, etc.

APPLICATION

TRANSIENT AND TEMPORARY OUTDOOR ENTERTAINMENTS		
Name of Applicant:	Organization Name:	
Brown Deer 4 th of July Committee	Village of Brown Deer	
Applicant's Mailing Address:	City, State, Zip Code:	
4800 W. Green Brook Dr.	Brown Deer, WI 53223	
Phone/Home:	Phone/Business:	
Name of On-Scene Event Coordinator:	Telephone Number:	Cellular Phone Number:
Chad A. Hoier	414-391-3070	414-305-8076
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input checked="" type="checkbox"/> Other _____		
Date of Event: Friday, July 4, 2014		
Location Address: 4920 W. Green Brook Drive, Brown Deer, WI 53223		
Location Description (please be specific, i.e., parking lot, backyard, etc.): -		
Village Park		
Starting Time: 12:00 Noon	Ending Time: 11:30 p.m.	
Number of People Attending (Estimated) 5,000	Adults:	Juveniles:
Description of Entertainment/Activity to be Provided (please be specific):		
Annual 4 th of July Celebration		
Traffic/Police Assistance Required: Traffic control for Parade, Supervision of dogs along Parade route, Supervision of Village Park and bicycle trail, park supervision after fireworks.		
Name of Private Security Company:	Contact Person:	
Original R.T.M.	Dave Davenport	
Business Address:	Business Telephone Number:	
P.O. Box 659 Milwaukee, WI 53201	414-645-2060	

ADDITIONAL INFORMATION

Application:

Submit to: Village Manager
Village of Brown Deer
4800 West Green Brook Drive
Brown Deer, WI 53223
414/371-3050

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding processions, parades, etc. are covered under Section 5-17.01 of Volume I, Chapter V, Article 17, Transient and Temporary Outdoor Entertainments of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: <i>May 21, 2014</i>
Village Clerk:	Date of Approval:

**TRANSIENT AND TEMPORARY OUTDOOR PERMIT
SUPPLEMENTAL INFORMATION**

GENERAL INFORMATION :

Is this event associated with an existing business? YES NO

Is any part of the event taking place on the grounds or premises of the business? YES NO

Is the business a licensed premise? YES NO

Identify the licenses held by the involved business: _____

Is there any anticipated promotional efforts associated with this event? YES NO

Describe promotional plans for the event and attach any fliers, advertisements, and/or scripts that will be used in the promotion of the event.

Copy of 4th of July Official Program from 2013 attached.

LIVE MUSIC INFORMATION:

Band Name(s): Andrea and the Mods

Promotional Representative: _____

If no Promotional Representative, state last locations band has played at:

Instrument(s): _____
(No. & Type) _____

Instrument Amplification: YES NO

CROWD CONTROL INFORMATION :

Anticipated maximum number of persons on site at one time? 2,000

If event is indoors, occupancy limit of the facility being used? N/A

No. of Bathroom Facilities available? : 11 Portable Restrooms, 1 Handicap,
2 Permanent Restrooms located
in Park.

No. and size (in gallons) of Garbage Receptacles available? : 40 Yard Dumpster

Parking Locations Available : FIS 4900 W. Brown Deer Rd.
Village Hall, 4800 W. Green Brook Dr.
Street Parking

(Use of private business parking lots is not permitted without consent of owner. Indicate any consent obtained from owners of private lots by identifying them and providing their phone numbers.)

Will any Security personnel be on site? YES NO

Number of Security personnel to be on site? 1-2 Depending on time of day.

If Security personnel are used, identify the professional organization they will be obtained from: Original R.T.M. Event Services

Contact Person's Name: Dave Davenport Phone Number: (414) 645-2060

Insurance Coverage for Event Obtained? YES NO

Identify Insurance Company and Policy Number : Special Event Coverage

Are there any concerns and/or issues that should be noted that may result from this event?

Do you have plans to address any identified issues and/or concerns?

FOOD SALES OR PROVISION INFORMATION :

(Businesses holding a restaurant license need not respond unless food preparation and sales are off premise and/or outside the normal scope of the business operation)

Food sales? : YES NO

Food provided without sales? : YES NO

If "yes", identify type of food that will be available: Brats, Hot Dogs, Hamburgers,
Nachos, Corn on the Cob, Relishes
Soda and Water

Food Preparation Outdoors? YES NO

Manner of preparation : Charcoal Grills

Amount of food to be prepared : Approx. 1000 sandwiches

BEVERAGE SALES AND/OR PROVISIONS :

(Businesses holding a liquor license need not respond unless any sales, provision, or consumption of alcohol occurs off premise and/or outside the normal scope of the business operation)

Alcoholic beverage sales? YES NO

Licensed servers at location? YES NO

Alcohol not sold but available? YES NO

Anticipated quantity and types of Alcohol to be provided? :

25 Half barrels Beer
5-8 cases Mike's Hard Lemonade
on consignment

Alcohol to be "Served" or "Openly Accessible"? SERVED OPEN ACCESS

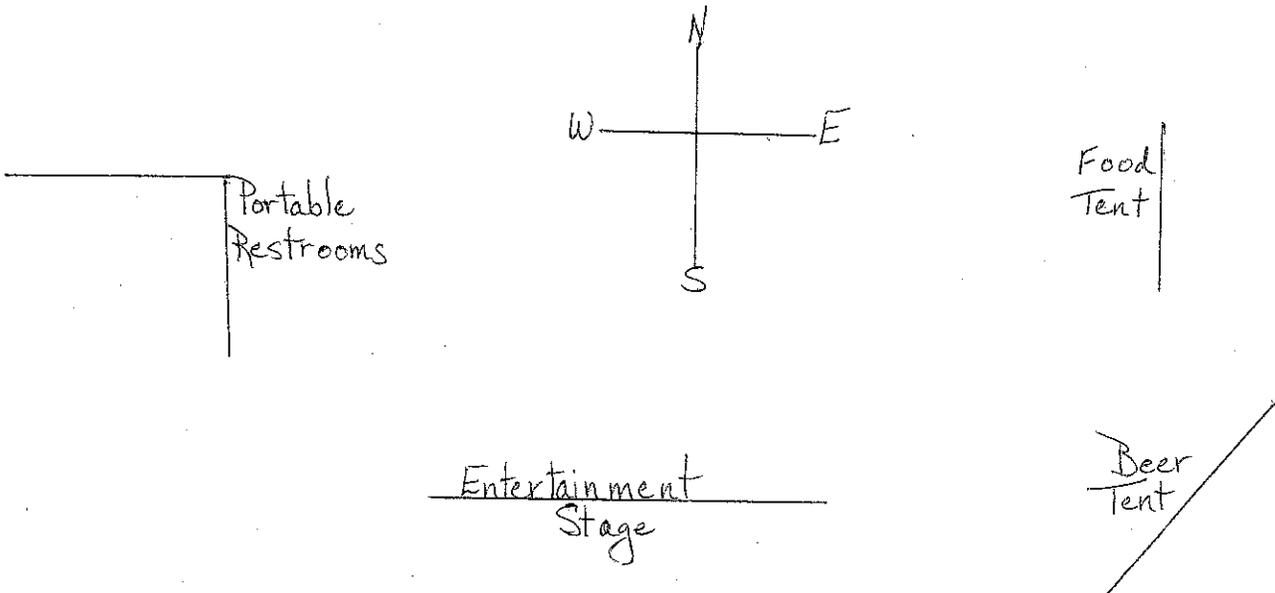
Soft Drink Sales? YES NO

EVENT PLAN :

Please provide a diagram of your anticipated layout of your site. Identify any tents or other structures at the location. Indicate specifically areas where food is served, alcohol is served or accessible, music is played and the direction the sound will be projected, as well as garbage receptacles and bathroom facilities locations:

Bingo Shelter

Fireworks



Chad Hoier
Submitted By:

05/21/14
Date

(414) 371 - 3072
Contact Number(s)

APPLICATION

PARADE OR PUBLIC ASSEMBLY

Name of Applicant: <i>Brown Deer 4th of July Committee</i>		Organization Name: <i>Village of Brown Deer</i>	
Applicant's Mailing Address: <i>4800 W. Green Brook Drive</i>		City, State, Zip Code: <i>Brown Deer, WI 53223</i>	
Phone/Home: <i>262-306-3571</i>		Phone/Business: <i>414-305-8076</i>	
Name of Event Coordinator: <i>Chad A. Hoier</i>		Telephone Number: <i>414-371-3070</i>	Cellular Phone Number: <i>414-305-8076</i>
Applicant is (check one): <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> L.L.C. <input checked="" type="checkbox"/> Other _____			
Date of Event: <i>Friday, July 4, 2014</i>			
Assembly Area: <i>Brown Deer Elementary School 5757 W. Dean Rd.</i>		<i>N. 52nd Street and W. Dean Rd.</i>	
Assembly Starting Time: <i>12:00 Noon</i>		Ending Time: <i>3:00 p.m.</i>	
Area/Route (include starting and termination points): <i>Parade begins at Brown Deer Elementary School and travels to the Village Park via 51st Street.</i>			
Number of Participants: <i>75 Units</i>		Estimated number of spectators: <i>2,000</i>	
Parade Starting Time: <i>1:30 p.m.</i>		Parade Ending Time: <i>3:00 p.m.</i>	
Will the event traverse on all or part of the Village streets?: <i>W. Dean Rd., N. 51st Street and W. Beaver Creek Parkway</i>			
Interval of space between units:			
If public assembly, description of activities planned (i.e., alcohol served; band/music; amusement rides and/or activities): <i>Village Park Activities, 12:00 Noon to 11:30 p.m. Including Beer Tent.</i>			
Designation of any public facilities or equipment to be utilized: <i>Barricades and Signs.</i>			
Traffic/Police Assistance Required: <i>Traffic Control for Parade, Supervision of dogs along Parade route.</i>			

ADDITIONAL INFORMATION

Application:

Submit to: Chief of Police
Brown Deer Police Department
4800 West Green Brook Drive
Brown Deer, WI 53223
414-371-2900
414-371-2929 (fax)

Print or type in ink.

Provide a complete answer for each question.

FEE:

\$25.00 Fee

DURATION:

If granted, application shall have a term of one (1) day commencing on date and time approved. In the event of cancellation, an application must be re-submitted for approval.

Regulations regarding parades and Public assembly regulations are covered under Section 5-18.01 of Volume I, Chapter V, Article 18, Parades and Public Assembly Regulations of the Village of Brown Deer Village Code. Applicant is required to review this section.

Signature of Applicant: 	Date of Application: <i>May 21, 2014</i>
Police Chief:	Date of Approval:

An Ordinance Creating
Volume I, Chapter V, Article 18
"Parades and Public Assembly Regulations"
of the Village of Brown Deer Village Code

ORDINANCE NO. 99-10

WHEREAS, the Village of Brown Deer Traffic and Public Safety Committee considered options and samples as they relate to Parades and Public Assembly ordinances and has recommended creation of such an ordinance.

NOW, THEREFORE, THE VILLAGE BOARD OF THE VILLAGE OF BROWN DEER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. That Article 18, Chapter V, Volume I of the Village of Brown Deer Village Code be created to read as follows:

Article 18, Parades and Public Assembly Regulations

SECTION 5-18.01 Purpose: Definitions.

- (a) **Purpose.** The Village of Brown Deer recognizes that Village streets and highways are primarily for the use of vehicular travel. It further recognizes a need to use these public streets and highways for processions, parades, runs, walks, bicycle races, marathons, etc., which do not substantially interfere with the public's right to travel on such streets and highways. This Chapter is intended to regulate and control non-vehicular use of the streets and highways and for protecting the general welfare and safety of the persons using the streets and highways within the Village. Said authority to regulate is contained in Section 349.185, Wisconsin Statutes, and related sections.
- (b) **Definitions.** As used in this Chapter:
- (1) **PARADE** means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, parks or other public grounds within the Village with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds.
 - (2) **PARADE OR PUBLIC ASSEMBLY PERMIT** means a permit as required by this Ordinance.
 - (3) **PERSON** means any person, firm, partnership, association, corporation, company or organization of any kind.

- (4) **PUBLIC ASSEMBLY** means any meeting, demonstration, picket line, rally or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in a place open to the general public.
- (5) **SIDEWALK** is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.
- (6) **STREET** is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof.

SECTION 5-18.02 Permit Requirements.

- (a) **Permit required.** No person shall engage in or conduct any parade or public assembly unless a permit has been obtained in advance as provided in this Chapter.
- (b) **Exemptions from permit requirement.** A permit is not required for assembling or movement of a funeral procession or military convoy. Any parade, etc., sponsored by any agency of the federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit, however, shall be exempt from the parade permit fee and insurance requirements contained herein.
- (c) **When application must be made.** A person seeking a parade or public assembly permit shall file an application with the Chief of Police on a form provided by the Village no less than thirty (30) days prior to the usage.
- (d) **Information required in application.** The application for a parade or public assembly permit shall set forth the following information:
 - (1) The name, address and telephone number of the applicant.
 - (2) The names, addresses and telephone number of the headquarters of the organization the usage is proposed to be conducted for, if any, and the authorized and responsible heads of such organization.
 - (3) The requested date when the usage is to be conducted.
 - (4) The route to be traveled, including the starting point and the termination point.
 - (5) The approximate number of persons who, and animals and vehicles which will constitute such parade or public assembly and the type of animals and description of the vehicles.
 - (6) The hours when such usage will start and terminate.
 - (7) A statement as to whether the parade or public assembly will occupy all or only a portion of the width of the streets proposed to be traversed.
 - (8) The location by street of any assembly areas for such parade or public assembly.
 - (9) The time at which units of the parade or public assembly will begin to assemble at any such area.

- (10) The intervals of space to be maintained between units of such parade or public assembly.
- (11) If the parade or public assembly is designed to be held by, or on behalf of, any person other than the applicant, the applicant for such permit shall file a letter from that person with the Chief of Police authorizing the applicant to apply for the permit on his behalf.
- (12) The type of public assembly, including a description of activities planned during the event.
- (13) A description of any recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices to be used in connection with the parade or public assembly.
- (14) The approximate number of participants (spectators are not defined as participants).
- (15) The approximate number of spectators.
- (16) A designation of any public facilities or equipment to be utilized.
- (17) Any additional information that the Chief of Police finds reasonably necessary to a fair determination as to whether a permit should be issued.

(e) **Standards for Issuance.** The Chief of Police shall issue a permit as provided herein when, from a consideration of the application and from such other information as may be obtained, he finds that:

- (1) The conduct of the parade or public assembly will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route or location.
- (2) The conduct of the parade or public assembly will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location.
- (3) The concentration of persons, animals, and vehicles at public assembly points of the parade or public assembly will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such public assembly areas.
- (4) The conduct of the parade or public assembly is not reasonably likely to cause injury to persons or property.
- (5) The parade or public assembly is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.
- (6) Adequate sanitation and other required health facilities are or will be made available in or adjacent to any public assembly areas.
- (7) There are sufficient parking places near the site of the parade or public assembly to accommodate the number of vehicles reasonably expected.
- (8) The applicant has secured the police protection, if any, required under Section 5-18.02(j).
- (9) Such parade or public assembly is not for the primary purpose of advertising any product, goods or event that is primarily for private profit, and the parade itself is not primarily for profit. The prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the parade.

- (10) No parade or public assembly permit application for the same time and location is already granted or has been received and will be granted.
- (11) No parade or public assembly permit application for the same time and location is already granted or has been received and will be granted, and the police resources required for that prior parade or public assembly are so great that in combination with the subsequent proposed application, the resulting deployment of police services would have any immediate and adverse effect upon the welfare and safety of persons and property.
- (12) No event is scheduled elsewhere in the City where the police resources required for that event are so great that the deployment of police services for the proposed parade or public assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.

(f) Notice of denial of application.

The Chief of Police shall act upon the application for a parade permit within ten working days after the filing thereof. If the application is not approved, the Chief of Police shall mail to the applicant, within five days after the date upon which the application was filed, a notice of the action, stating the reasons for the denial of the permit.

(g) Appeal Procedure.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the Village Manager. The appeal shall be taken within 10 days after notice. The Village Manager shall act upon the appeal within a reasonable time thereafter.

(h) Alternative Permit.

- (1) The Chief of Police, in denying an application for a parade or public assembly permit, may authorize the conduct of the parade or public assembly at a date, time, location, or route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five (5) days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police.
- (2) An alternate parade or public assembly permit shall conform to the requirements or, and shall have the effect of, a parade or public assembly permit issued under this Ordinance.

(i) Fee. There shall be no fees for permits/applications under this Chapter.

(10) Charge for increased costs.

- (1) The Chief of Police shall determine whether and to what extent additional police protection is reasonably necessary for the parade or public assembly for traffic control and public safety. The Superintendent of Public Works shall determine if municipal services are necessary for the parade or public assembly. Both, the Chief of Police and the Superintendent of Public Works shall base their decisions on the

size, location, duration, time and date of the event, the expected sale or service of alcoholic beverages, the number of streets and intersections blocked, and the need to detour or preempt citizen travel and use of the streets and sidewalks. The speech content of the event shall not be a factor in determining the amount of police protection necessary. If possible, without disruption of ordinary police services or compromise of public safety, regularly scheduled on-duty personnel will police the event. If additional municipal services for the public assembly are deemed necessary by either the Chief of Police or the Superintendent of Public Works, they shall so inform the applicant for the permit. The applicant then shall have the duty to secure the police protection and/or municipal services at the sole expense of the applicant.

- (2) Persons engaging in parades or public assemblies conducted for the sole purpose of public issue speech protected under the First Amendment are not required to pay for any police protection provided by the Village.
- (11) **Emergency revocation.** The Village President, Village Manager, or Chief of Police may revoke a permit already issued if the official deems that such action is justified by actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace, or by a major change in the conditions forming the basis of the standards of issuance. In lieu of revoking a permit, an above-named official may require the permittee to file evidence of good and sufficient sureties, insurance in force or other evidence of adequate financial responsibility, running to the Village of Brown Deer and such third parties as may be injured or damaged, in an amount depending upon the likelihood of injury or damage as a direct and proximate result of the holding of the usage sufficient to indemnify the municipality and such third parties as may be injured or damaged thereby, caused by the permittee, its agents or participants.
- (12) **Contents of Permit.**

Each parade permit shall state the following information:

 - (1) Starting time.
 - (2) Speed of travel.
 - (3) Maximum interval of space to be maintained between units of parade.
 - (4) The portions of the streets to be traversed that may be occupied by the parade.
 - (5) The maximum length of the parade.
 - (6) Such other information as the Chief of Police shall find necessary to the enforcement of this ordinance.
- (13) **Notice of Issued Permit.** Immediately upon the issuance of a usage permit, the Chief of Police shall send a copy thereof to the following:
 - (1) Each public transportation utility whose regular service will be affected by the usage.
 - (2) Village Manager, Superintendent of Public Works, and Village President.
- (14) **Public Conduct During Parades.**

- (1) Interference. No person shall unreasonably hamper, obstruct, or impede, or interfere with any parade or parade assembly, or with any person or vehicle participating or used in a parade.
- (2) Driving through parades. No driver or a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
- (3) Parking on parade route. The Chief of Police shall have the authority when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade. Signs shall be posted to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this ordinance.

SECTION 5-18.03 Penalties.

Any person violating any of the provisions of this section shall, upon conviction thereof, forfeit not less than twenty-five (\$25.00) dollars, nor more than one thousand-five hundred (\$1500.00) dollars, or in default of payment, be imprisoned in the County Jail or House of Correction of Milwaukee County for not more than ninety (90) days. Each violation of any provisions of this Ordinance shall constitute a separate offense, and every day a violation continues shall constitute a separate offense.

SECTION II. EFFECTIVE DATE.

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

PASSED and **ADOPTED** by the Village Board of the Village of Brown Deer this
_____ day of September, 1999.

Duane Wolfgram, Village President

Russell Van Gompel, Village Manager



REQUEST FOR CONSIDERATION

COMMITTEE: Village President and Board of Trustees

ITEM DESCRIPTION: Waiving of 4th of July Concession Vendor
Peddler and Food License Fees

PREPARED BY: Chad Hoier, Park and Recreation Director

REPORT DATE: May 28, 2014

RECOMMENDATION: To approve the waiving of Peddler Fees with any Concession Vendor the 4th of July Committee would choose to enter in a agreement with for the 2014 4th of July Celebration.

EXPLANATION:

Attached for your review is a copy of the letter agreement the 4th of July Committee will use when entering into an agreement with Concession Vendors.

The 4th of July Committee strongly recommends the waiving of the vendor permits for all concession vendors that work with the Committee. The Committee receives a percentage of the vendor's sales for the day.

PARK AND RECREATION DEPARTMENT

4800 West Green Brook Drive
Brown Deer, Wisconsin 53223

June 4, 2014

Mr. Glen D. Bojar
Olde Country Style Almonds
S74 W24575 Windsor Court
Waukesha, WI 53189

Dear Glen:

This letter shall confirm the arrangements for you to provide one vending truck for the annual Brown Deer 4th of July Celebration to be held in the Village Park, 4920 W. Green Brook Drive, on **Friday, July 4**. We look forward to discussing the celebration and concession requirements.

The 4th of July Committee will receive 20% of your gross sales, not including tax. This agreement will provide authorization to you for concession sales on the Village Park grounds, adjacent parking lot, W. Green Brook Drive, and N. Arbon Drive, on Thursday, July 4.

Both a peddler license and temporary food license forms are enclosed for you to fill out again this year and return as soon as possible. It has been recommended to the Village Board of Trustees that the fee for peddler license be waived at its scheduled meeting on Monday, June 4. The temporary food license will have to be paid to the North Shore Environmental Health Consortium. Prior to Wednesday, June 20, 2014, please provide copies of your menu, price list, and insurance cover sheet. Also prior to Wednesday, June 19 please provide a copy of your State of Wisconsin Department of Agriculture inspection certificate or suitable substitute certificate.

Please acknowledge receipt and acceptance of these terms by signing the confirmation below and forwarding one copy to me in the enclosed envelope along with the Application for a Brown Deer Temporary Food License, Peddler License Application and Request for Background Check must be completed for all workers working the event.

The 2014 4th of July Official Program and two parking passes to be used in the F.I.S. parking lot will be mailed to you at a later date. Should you have any questions, please contact me. We look forward to working with you this year. If you have any question please do not hesitate to contact me at **(414) 371-3072**.

Sincerely,

Chad Hoier
Park and Recreation Director

ACKNOWLEDGED: _____ DATE: _____

Glen D. Bojar

Cc: Jill Kenda-Lubetski, Village Clerk

In the Matter of Amending
Alcohol Beverage Retail
License

Resolution No. 14-_____

WHEREAS, the Village of Brown Deer is sponsoring an event known as Community Vibes to promote the community togetherness and well-being in the Village of Brown Deer; and

WHEREAS, the Village Board has determined that promoting the event is in the public interest; and

WHEREAS, the Village of Brown Deer has further determined that such celebration will provide social interaction and festive activity within the Village; and

WHEREAS, the Village of Brown Deer has previously issued alcohol beverage retail licenses to Larry's Market; and

WHEREAS, the Village Board has determined that it is in the public interest that such business provide food and drink to the Community Vibes Concert Series held on, June 18, 2014 between the hours of 6:00 p.m. and 8:30 p.m.

NOW, THEREFORE, be it resolved as follows:

1. The liquor license Larry's Market is hereby amended to provide that the premises description of the licensed area shall be all that area as described in the existing license as issued, and in addition thereto, and for only the date and time as herein before set forth, the area described as Village Park.
2. The Village Clerk shall append a copy of this Resolution to the license as on file. Larry's Market shall display this Resolution with its license at all times during the Community Vibes event.

PASSED AND ADOPTED by the Village Board of the Village of Brown Deer, this 2nd day of June, 2014.

Carl Krueger, Village President

Countersigned:

Jill Kenda-Lubetski, Village Clerk

ATTORNEYS AT LAW

JOHN F. FUCHS
COURT COMMISSIONER
REBECCA D. BOYLE
COURT COMMISSIONER

MEMORANDUM

TO: Village Board

FROM: John F. Fuchs

RE: Boards, Commissions and Committees

DATE: May 20, 2014

By statute and/or by ordinance the Village of Brown Deer has the following Boards, Commission, or Committees. Because of intergovernmental relationships, in a sense the list is not exhaustive. For example, the creation of the North Shore Fire Department resulted in governance by a Board. Under the Agreement, the Village President is a member of that Board. I will limit this memo to the 15 bodies which I believe were the subject of the May 19, 2014 Board discussion.

1. Board of Appeals. The Board of Appeals consists of five members appointed by the Village President and approved by the Village Board. The Village President is to also appoint two alternates, also subject to approval by the Village Board. The Board of Appeals is statutorily mandated, and the number and appointment process is set by State Statute. There is no requirement that any member be a Village Trustee.

2. Building Board. The Building Board consists of five members, which by ordinance are appointed by the Village President subject to approval by the Village Board. The number of members and the appointment process can be altered by action of the Village Board. Absent the recently adopted ordinance, one of the members of the Building Board was to also have been a Trustee. That requirement has been eliminated. You have authority to change the structure or appointment process.
3. Board of Health. The Board of Health consists of one representative from each of the seven communities. Appointments are made by the Village President subject to approval by the Village Board. This cannot be altered unilaterally by the Village Board, as by agreement it would require action by the seven member communities. There is no requirement that the designated appointee be the Village President or a Trustee. The Board can actually be as many as nine members, but at least three can not be elected officials or employees of the governing body. Also a good faith effort must be made to appoint a registered nurse and a physician.
4. Library Board. The Library Board consists of five members, appointed by the Village President, subject to approval by the Village Board. The Library Board is also governed by Wisconsin Statute. Under the statute no member is required to be a Trustee, and not more than two members may be residents of communities adjacent to the Village. Others must be residents.

Under our ordinance, one of the members shall be a school administrator or the school administrator's representative. Also under our ordinance not more than one Village Trustee at any time is allowed to be a member. By statute you must have at least five Board members but not more than seven. Finally, the statute

also mandates that it is the Village President that makes the appointment subject to confirmation by the Village Board. So your flexibility is limited as to this body.

5. Board of Review. The Board of Review consists of five members, all of whom shall be residents of the Village. None need be a trustee, but the statute allows that they can be. The Board of Review is also governed by State Statute and must conform to that statute. The statute allows the size of this Board to be increased. Members are appointed by the Village President subject to approval of the Village Board. That can not be altered as it is statutory.
6. Plan Commission. The Plan Commission consists of nine members. Its existence is statutorily mandated. The Village Board has the authority to vary the membership as to this commission. Currently, by ordinance it consists of nine members, two of whom shall be Trustees. That is a separate provision from the requirement that the Village President shall be a member. So I read the ordinance to indicate that there can be the Village President and two additional Trustees. The statute allows for some flexibility should you choose to do so by ordinance, but only as to composition, not the appointment process.
7. Police Commission. The Police Commission consists of five citizens. Appointment is by the Village President, confirmed by the Village Board. The ordinance does not indicate the appointments are by the Village President, but the State statute does. Case law would indicate that a trustee not serve on this Commission.
8. Water Commission. We are required statutorily to have a Water Commission because of our water utility. It is composed of five members selected by the Village Board. This ordinance does not indicate that the Village President

appoint subject to confirmation. It indicates that the Village Board selects and elects the members. I am not sure that that has been the process in the past. While State statute mandates a governing Board it allows you flexibility as to its structure, but not the appointment process.

9. Beautification Committee. The Beautification Committee shall be a maximum of seven members and one is required to be a Village Trustee. Six are to be citizen members. Appointment is by the Village President subject to confirmation by the Village Board. You have authority to change the structure and appointment process.
10. Finance/Public Works Committee. This committee is composed of seven members, three of whom shall be Village Trustees. Appointments are made by the Village President subject to approval by the Village Board. You have the authority to vary the structure and appointment methodology as to this committee.
11. Park and Recreation Committee. The Park and Recreation Committee is comprised of five members, with one Trustee appointed by the Village President subject to confirmation by the Village Board. One member is to be a School Board member appointed by the School Board President. You have authority to vary this committee, both in terms of composition and appointment methodology.
12. Fourth of July Committee. The Fourth of July Committee consists of nine members, one of whom shall be a Trustee. The members are appointed by the Village President subject to confirmation by the Village Board. You have the authority to vary the composition and appointment methodology as to this committee.
13. Traffic and Public Safety Committee. This committee is comprised of no more than seven members, two of whom shall be Village Trustees. They are appointed

by the Village President subject to confirmation by the Village Board. You have the authority to vary the composition and the appointment methodology as to this committee.

14. Personnel Committee. The Personnel Committee consists of three members, two of whom are to be Village Trustees. The Village President appoints subject to confirmation of the Village Board.
15. Community Development Authority. The Community Development Authority is not called for by your ordinances. It was created by virtue of your statutory authority. A Community Development Authority by statute consists of seven resident persons appointed by the Village President and confirmed by the Village Board. Two of the members of the Community Development Authority shall be members of the Village Board. The structure and appointment methodology are controlled by statute in these respects. While the statute does not prohibit additional appointees it is specific as to the structure. Thus I recommend against deviation from the statute.



REQUEST FOR CONSIDERATION

COMMITTEE CONSIDERATION: Village Board
ITEM DESCRIPTION: Waiving of License and Permit Fees
PREPARED BY: Matt Janecke, Assistant Village Manager
REPORT DATE: May 29, 2014
RECOMMENDATION: To adopt Resolution No. 14-, "In the Matter of Amending Alcohol Beverage Retail License"
BACKGROUND: In order to better facilitate the Vibes Concert Series event on June 18th, Staff is recommending that we expand the alcohol beverage retail license for Larry's Market to Village Park. Village Park will be included on the liquor license renewal issued for 2014 for Larry's Market which will cover the remaining Vibes Concerts.
RECOMMENDATION: It is recommended that each of the license and permit applications be approved and that the respective Village of Brown Deer license and permit fees be waived. Please contact Matt Janecke with any questions or comments at 371-3052.



Committee/Board/Commission Reappointment Form

Thank you for your involvement with the Village of Brown Deer. To assist in processing your re-appointment, please complete the top section of the form and sign. To offer additional comments, feel free to complete any other lines on the form. As you may recall, the Village President recommends all citizen appointments to the Village Board of Trustees for approval. Any information provided may further support your re-appointment.

Name: (as you like to be addressed) Alicia Lemke

Address: 8145 N 50th St Phone No.: 262-227-7951 (m)

E-Mail: alicia@completesafetyconcepts.com Years as Brown Deer Resident: 10

What Village committee(s) are you currently serving on? TPS

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

Signature: Alicia Lemke Date: 4/14/14

Applicant information is subject to public release under state law.

Optional additional information:

Why are you interested in serving with this particular group: _____

Qualifications for serving on this group: _____

Other Community Involvement: _____

Occupation / Employer: _____

Family Details: _____

Leisure Activities / Hobbies: _____
