

**BROWN DEER VILLAGE BOARD
AUGUST 16, 2010 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

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; Bridget Souffrant, Treasurer/Comptroller; Nate Piotrowski, Planning/Zoning Specialist; Matt Janecke, Administrative Intern; John Fuchs, Village Attorney

Excused: Trustee Schilz

II. Pledge of Allegiance

III. Public Hearings:

2011 Community Development Block Grant Application

Village President Krueger opened the public hearing at 6:31 p.m.

Janet Cuzner, 8350 North 65th Street, asked about when the grant would be awarded and if a community center would be a possible project. Mr. Thyges indicated that the grants are formally awarded late in the year and that staff continues to research the possibility of a community center.

Village President Krueger closed the public hearing at 6:40 p.m.

Liquor License Application for Walgreens Store, 6020 West Brown Deer Road

Village President Krueger opened the public hearing at 6:41 p.m.

Mr. Van Gompel reviewed the application.

Village President Krueger noted a voicemail message that was received in opposition to the proposal.

Attorney Jenny Yuan, representing Walgreens, introduced the District Manager and the Store Manager along with giving a brief presentation about the proposed liquor license. Attorney Yuan discussed the stipulations that Walgreens is agreeable with: including the liquor sales would be limited to beer and wine, liquor displays would be less than 2% of total shelf space, there would be no sales of single serving containers, sales persons would be a minimum of 21-years old.

Cynthia Brown, 9047 North Silver Brook Lane, spoke in opposition due to the number of other liquor sales establishments already existing, and opined that with only 2% of dedicated shelf space Walgreens would not lose a lot of business if they were not able to sell alcohol.

Juanita Nash, 6300 West Plaza Circle, spoke in opposition of the proposal.

Ken Walls, 8671 North 60th Street, spoke in opposition over concerns of selling alcohol in the same store as prescription drugs are being sold.

Rosalie Uebelacker, 6195 West Plaza Circle, spoke in opposition of the proposal due to past experiences with the former grocery store that sold alcohol.

Percy Heidelberg, 9045 North Silver Brook Lane, spoke in opposition due to concerns with more roadside trash being generated.

Lynn Delahan, 8731 North 60th Street, also spoke in opposition due to concerns with more roadside trash being generated.

D'Ann Malloy, 8942 North Silver Brook Lane, also spoke in opposition due to concerns with more roadside trash being generated.

Don Uebelacker, 6195 West Plaza Circle, asked if the Police Department had raised any concerns in their review of the proposal. Mr. Van Gompel stated that no comments had been received however the applicant had met with the Police Department to discuss the license application.

A brief discussion ensued regarding concerns over preserving the neighborhood. Attorney Fuchs noted that the public hearing is intended to gather public comment on the matter and not to debate the merits of the application with the applicant.

Village President Krueger closed the public hearing at 7:00 p.m.

IV. Persons Desiring to be Heard

A) Representative from Brown Deer Women's Club

D'Ann Malloy discussed the Brown Deer Woman's Club charitable efforts and presented various donations.

Village President Krueger thanked the Woman's Club on behalf of the Village Board.

B) Suzanne Wade, Bronze Water Star Presentation

Ms. Wade reviewed the Water Star program and presented a plaque of recognition to the Village.

IV. Consideration of Minutes: August 2, 2010 – Regular Meeting

It was moved by Trustee Weddle-Henning and seconded by Trustee Springman to approve the minutes of the August 2, 2010 regular meeting with the revision. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Weddle-Henning

Trustee Weddle-Henning discussed the approval of the Häagen-Dazs/Coffee Beanery sign plans and the discussions regarding a garage re-siding along Brown Deer Road.

Trustee Weddle-Henning also provided an update on the status of the 8200 North Teutonia Avenue site.

B) Beautification Committee – Trustee Oates

Trustee Oates reported on the landscape award winners and the discussions about creating an online nomination form.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reviewed revenue and registration figures along with providing a report on the school district's flood damages.

D) 4th of July Committee – Village President Krueger

No meeting.

E) Traffic and Public Safety – Trustee Boschert

No meeting.

F) Library Board – Trustee Baker

Trustee Baker noted the discussions about updating the Exam Proctoring policy to discontinue the service and the anticipated loss of some reciprocal borrowing revenue.

G) Community Development Authority – Village President Krueger

No meeting.

H) Plan Commission – Village President Krueger

1) Conditional Use Permit – Outdoor Seating for VJ Creamery, 4301 W. Bradley, Suite 150

Village President Krueger introduced the topic and shared the Plan Commission's recommendation.

Mr. Thyes reviewed the proposal and the draft permit.

Trustee Oates asked about the language that required the outdoor seating furniture to be secured. Mr. Thyes indicated that the language was left somewhat open in order to allow the operators the flexibility to address the concerns in a manageable way.

Trustee Weddle-Henning asked if the area would be enclosed. Mr. Thyes indicated that it would not be enclosed.

It was moved by Village President Krueger and seconded by Trustee Boschert to approve the Conditional Use Permit – Outdoor Seating for VJ Creamery, 4301 W. Bradley, Suite 150. The motion carried unanimously.

I) Finance and Public Works Committee – Trustee Oates

1) Bids for the Village Hall Entry Doors

Trustee Boschert reviewed the Committee's discussions on the matter.

It was moved by Trustee Boschert and seconded by Trustee Oates to award a contract to LaForce Incorporated in the amount of \$17,843 for the Village Hall Entry Doors. The motion carried unanimously.

2) Traffic Signals at Arbon Drive and Brown Deer Road

Trustee Boschert reviewed the Committee's discussions on the matter.

Mr. Van Gompel provided a brief update regarding the bike trail project.

Trustee Baker inquired about the pricing. Mr. Thyes indicated that the two main issues that drove the higher pricing was mobilization fees and the current petroleum prices.

Trustee Springman inquired about the construction permits. Mr. Thyes noted that the Department of Transportation will re-issue the permits in 2011.

It was moved by Trustee Boschert and seconded by Trustee Oates to reject both of the bids that were received. The motion carried unanimously.

3) Consideration of Vouchers

It was moved by Trustee Boschert and seconded by Trustee Weddle-Henning to approve the payment of the vouchers and to ratify for payment the vouchers due on or before August 16, 2010. The motion carried unanimously.

On other matters from the Finance and Public Works Committee meeting, Trustee Boschert reviewed the discussions about credit card payment services. Ms. Souffrant further discussed the company and the services it could provide.

J) Personnel Committee – Trustee Baker

No report.

VI. Unfinished Business

A) 2011 Community Development Block Grant Application

Trustee Baker inquired about the 2010 grant that was received. Mr. Thyes indicated that approximately \$13,000 was received.

Trustee Oates asked if the funds went directly to the Senior Citizens Club. Ms. Souffrant indicated that the Village receives the grant in order to help cover the Park and Recreation Department's expenses.

It was moved by Trustee Boschert and seconded by Trustee Springman to approve the 2011 Community Development Block Grant application. The motion carried unanimously.

B) Liquor License Application for Walgreens Store, 6020 West Brown Deer Road

Attorney Fuchs noted the various development agreement stipulations that would accompany the liquor license, including: restriction to wine and beer sales only, secured display cases, liquor sales shall not constitute more than 7% of the store's revenue, the authorization shall be reviewed annually, and there is to be no sale of single-serving units.

It was moved by Trustee Weddle-Henning and seconded by Trustee Baker to deny the Liquor License Application for Walgreens Store, 6020 West Brown Deer Road. The motion carried 5-1 with President Krueger voting in opposition.

VII. New Business

A) 2011 Budget Work Sessions

Mr. Van Gompel confirmed September 22, 23, 27, and 30 as dates for the 2011 Budget Work Sessions.

B) Resolution No. 10-, “A Resolution Authorizing Entry Into An Intergovernmental Co-Operation Agreement Relating to the “Wisconsin Investment Series Co-operative” and Authorizing Participation in the Investment Programs of the Fund”

Mr. Van Gompel discussed the investment program and noted that the resolution is necessary to allow the Village to participate should it so choose.

A brief discussion ensued regarding the school district involvement, the investment policies that govern the proposal, and the risk versus reward of this type of investment.

It was moved by Trustee Weddle-Henning and seconded by Trustee Boschert to approve Resolution No. 10 -, “A Resolution Authorizing Entry Into An Intergovernmental Co-Operation Agreement Relating to the “Wisconsin Investment Series Co-operative” and Authorizing Participation in the Investment Programs of the Fund”. The motion carried 4-2 with Trustees Springman and Oates voting in opposition.

VIII. Village President’s Report

Village President Krueger reported on the following:

The North Shore Fire Department budgeting discussions and equipment purchases

IX. Village Manager’s Report

Mr. Van Gompel reported on the following:

The resignation of Jamie Berg to take a position as director of the Shorewood Health Department
FEMA’s pending flood relief awards
Absentee ballots have been received for the September primary election

Trustee Springman asked if the polling places would be consolidated. Mr. Van Gompel stated that they would not.

Trustee Oates asked if the Village had been served notice of any litigation pertaining to the recent flood events. Mr. Van Gompel stated that there have not been any notices.

X. Adjournment

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to Adjourn at 8:27 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager