

**BROWN DEER VILLAGE BOARD
JANUARY 25, 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 7:00 P.M.

I. Roll Call

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

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; Larry Neitzel, Superintendent of Public Works; Chief Steven Rinzel, Brown Deer Police Department; Matt Janecke, Administrative Intern; Rebecca Boyle, Village Attorney

II. Pledge of Allegiance

III. Persons Desiring to be Heard

A) Citizen Commendation by Chief Rinzel to Farrell R. Sileno

Chief Rinzel presented a commendation to Farrell R. Sileno for performing CPR on a child that was not breathing.

Ms. Sileno spoke about the incident and her efforts. Ms. Sileno also thanked the Board for the commendation.

IV. Consideration of Minutes: December 21, 2009 – Regular Meeting

It was moved by Trustee Oates and seconded by Trustee Schilz to approve the minutes of the December 21, 2009 regular meeting. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Weddle-Henning

Trustee Weddle-Henning reported on the review of the lighting proposal by River Lane Inn.

Trustee Springman asked if the building lighting would conflict with the streetscape project. Mr. Van Gompel indicated that the accent lights are proposed to be attached to the building only.

B) Beautification Committee – Trustee Oates

No meeting.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reported that the committee has begun work on a comprehensive outdoor recreation plan for the Village and identifying its strengths and weaknesses through a SWOT analysis.

Trustee Oates asked about the term non-traditional recreation. Trustee Springman gave examples such as additional walking paths.

D) 4th of July Committee – Village President Krueger

President Krueger noted that the committee had agreed to a contract for the fireworks display and that the price of the show had increased by \$800.

Trustee Springman asked if a local school band was welcome to participate in the parade. President Krueger stated that they would be welcome to participate.

E) Traffic and Public Safety – Trustee Boschert

No meeting.

F) Library Board – Trustee Baker

Trustee Baker reported on the progress of the Gates Foundation grant and the availability of the “play-away books”.

Village President Krueger added that the Brown Deer Foundation had decided to make a \$2000 donation to the Library for internet filtering software and a \$3000 donation for the purchase of print tracking software.

G) Community Development Authority – Village President Krueger

No meeting.

H) Plan Commission – Village President Krueger

No meeting.

I) Finance and Public Works Committee – Trustee Oates

Trustee Oates noted the committee’s discussions about the one bid that was received for the Police Department vehicles and the need for further review.

1) Contract for Testing and Sealing Sanitary Sewers

Trustee Oates reviewed the proposal and the committee’s discussions on the matter and their review of the bids that were received.

Mr. Neitzel discussed the Village’s ongoing maintenance efforts.

Mr. Van Gompel noted that the project would be funded through utility fees.

It was moved by Trustee Oates and seconded by Trustee Weddle-Henning to award the Testing and Sealing contract to Great Lakes T.V. and Seal in an amount not to exceed \$370,000. The motion carried unanimously.

2) Consideration of Vouchers

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the payment of the vouchers and to ratify for payment invoices due on or before January 25, 2010. The motion carried unanimously.

J) Personnel Committee – Trustee Baker

No meeting.

VI. Unfinished Business

None

VII. New Business

- A) Ordinance No. 10-, “An Ordinance Amending Section 2-741 (1) of the Brown Deer Village Code Pertaining to Creation and Composition of the Park & Recreation Committee, Section 34-36 Prohibiting Smoking, Section 38-10 (d)(5) Regulation of Abandoned and Non-Operable Vehicles, Section 6-7(3) Animals causing injury and vicious dogs, Section 6.3 Restrictions on Owner of Animals, Section 6.5(b) Offensive actions by animals, Section 2-40 Regular meetings, and Section 38-10(e)(4) Issuance of citation; action to abate”.**

Mr. Van Gompel discussed the proposed amendments to the Code and noted that most of the changes are inserting items that had been inadvertently removed during the recodification process.

Trustee Oates asked for clarification of the abandoned vehicle ordinance. Mr. Van Gompel reviewed the related code provisions. Attorney Boyle added that the change is intended to allow for a broader enforcement of the ordinance.

Trustee Schilz opined that presentation of such code changes should be presented in a red-line format so as to compare the old text to the proposed changes. Mr. Van Gompel indicated that future amendments can be handled in such a fashion and added that the Board had the option to table the changes being considered until a red-line copy of the text could be provided.

A brief discussion ensued regarding the various proposed changes and the future presentation of proposed Code amendments.

It was moved by Trustee Springman and seconded by Trustee Baker to approve Ordinance No. 10-, “An Ordinance Amending Section 2-741 (1) of the Brown Deer Village Code Pertaining to Creation and Composition of the Park & Recreation Committee, Section 34-36 Prohibiting Smoking, Section 38-10 (d)(5) Regulation of Abandoned and Non-Operable Vehicles, Section 6-7(3) Animals causing injury and vicious dogs, Section 6.3 Restrictions on Owner of Animals, Section 6.5(b) Offensive actions by animals, Section 2-40 Regular meetings, and Section 38-10(e)(4) Issuance of citation; action to abate”. The motion carried unanimously.

B) Discuss Possible Engine Braking Ordinance

Mr. Janecke reviewed the matter, the background research, and staff’s negative recommendation. Mr. Janecke added that research has illustrated that the ordinance is not needed at this time and would be very difficult to enforce.

Trustee Oates asked if the complainants lived or worked in the area. Mr. Van Gompel stated that the complaints came about during the comprehensive planning workshops and that the individuals did not provide their names or addresses.

Mr. Neitzel opined that the individuals may have heard a truck engine braking as an emergency stopping measure.

It was moved by Trustee Weddle-Henning and seconded by President Krueger not to adopt an Engine Braking Ordinance due to the lack of a current need and concerns with enforceability. The motion carried unanimously.

C) Recognition/Appreciation Dinner

Mr. Van Gompel discussed efforts to researching different options for an appreciation dinner with regard to the amount that is budgeted. Mr. Van Gompel went on to report that the Brown Deer Foundation is willing to finance up to \$3500 for such an event with the first \$1,000 being funded by the Village. A tentative date has been set for April 30, 2010.

Village President Krueger reviewed the discussions had by the Foundation regarding the funding proposal.

Trustee Schilz noted his appreciation of the Foundation's contribution towards the event.

Trustee Oates asked what type of speaker would be brought in for the event. Mr. Van Gompel discussed past speakers but noted that he would be open to ideas.

A brief discussion ensued regarding the potential for additional fund raising efforts at the dinner as well as the type of meal options.

Trustee Springman thanked Mr. Van Gompel and Jill Kenda-Lubetski for their research into having an appreciation dinner.

It was moved by Trustee Schilz and seconded by Trustee Oates to have Staff continue to plan and prepare for a Recognition/Appreciation Dinner. The motion carried unanimously.

D) Reschedule Bradley's Hearing Date

Mr. Van Gompel reviewed the rescheduling due to pending Circuit Court proceedings and a possible lease-to-own arrangement with the current tenant of the building.

A brief discussion ensued regarding the re-issuance of the liquor license and the need for additional operational details should the tenant take over operation of the building.

Trustee Weddle-Henning opined that a specific date should not be determined until after the outstanding issues have been addressed.

It was moved by President Krueger and seconded by Trustee Springman to table the matter until further notice. The motion carried unanimously.

E) Draw Candidate's Names for Ballot Placement for Spring Election on April 26, 2010

Village Attorney Boyle drew the candidate's names in the following order; 1) Jeff Baker, and 2) Gary Springman.

VIII. Village President's Report

President Krueger reported on the following:

Attended the ICC meeting and the discussions about Halloween and the pending NR 151 changes.

Mr. Neitzel reviewed in further detail the pending changes to NR 151 and how they might affect the Village.

IX. Village Manager's Report

Prior to the Village Manager's report, Mr. Thyges reported that he has been named one of five finalists for the Administrator position with the Village of Richfield.

Mr. Van Gompel reported on the following:

The research into options for a consolidated dispatch center and noted that a formal report is pending.

The construction of the marketing webpage and the pending distribution of the marketing brochures.

Village President Krueger noted the Foundation's positive feedback regarding the Village brochure and added that the Deer Run has been scheduled for April 24, 2010.

Trustee Weddle-Henning asked about the photography used on the website. Mr. Van Gompel noted that it was included as a part of the contract with Boehm and Associates.

Mr. Van Gompel noted that with the rescheduling of the hearing, there would be no need to hold a February 1st meeting unless the Board members had any items for consideration.

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

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

It was moved by Trustee Springman and seconded by Trustee Boschert to recess into Closed Session pursuant to §19.85(1)(e) Wisconsin Statutes at 8:03 p.m. The motion carried unanimously.

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

It was moved by President Krueger and seconded by Trustee Schilz to reconvene into Open Session at 8:35 p.m. The motion carried unanimously.

A) Collective Bargaining Agreement Between Village of Brown Deer and Local 1486, AFSCME, AFL-CIO

It was moved by Trustee Springman and seconded by Trustee Baker to Approve the Collective Bargaining Agreement between Village of Brown Deer and Local 1486, AFSCME, AFL-CIO. The motion carried unanimously.

XII. Adjournment

It was moved by Trustee Oates and seconded by Trustee Schilz to Adjourn at 8:36 p.m. The motion carried unanimously.