

**BROWN DEER VILLAGE BOARD
JULY 19, 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, Schilz, Springman, Weddle-Henning

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

II. Pledge of Allegiance

III. Persons Desiring to be Heard

Don Vilione of Baker Tilly Virchow Krause, LLP appeared to review the 2009 Audit of the Village's Comprehensive Annual Financial Report. He discussed the audit process, the components of the financial report, the auditor's report and the management letter. He noted that the financial highlights included a \$620,000 increase in net assets, the general fund had a net decrease in fund balance of \$78,000, the status of the utility funds and each utility generated operating income, the status of long term debt, the status of fund balances, and the disclosure of other post-retirement benefits. He also informed the Village Board of his announced retirement and his twenty plus years of working with the Village of Brown Deer. The Village account will be transitioned to Wendi Unger as the new Partner in charge of the Village's account.

IV. Consideration of Minutes: June 21, 2010 – Regular Meeting

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the minutes of the June 21, 2010 regular meeting. The motion carried unanimously.

V. Committee Reports

A) Building Board – Trustee Weddle-Henning

Trustee Weddle-Henning discussed the approvals for the Auto Collision Specialist, Car Choice Auto Wash, and Candi's Piano Studio signs, and a new garage at 8505 N. 46th Street.

B) Beautification Committee – Trustee Oates

Trustee Oates reported on the Milwaukee Riverwest neighborhood garden tour, that the Committee received a \$100 donation from the Brown Deer Junior Woman's Club, and the second set of Landscape Award winners were announced.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman noted the Committee did not meet in July but announced that programs end on July 29th and the pond will close on August 15th.

D) 4th of July Committee – Village President Krueger

President Krueger noted that there was no meeting but the event was held. Trustee Springman inquired about selling raffle tickets in the park during the afternoon and evening hours. Village President Krueger

responded that the person who normally sold tickets was unavailable and that the committee would be looking for volunteers for next year.

E) Traffic and Public Safety – Trustee Boschert

1) Ordinance No. 10 - , “An Ordinance Amending Section 62-32 (b) of the Brown Deer Village Code Relating to Forfeitures for Parking Regulations.”

Trustee Boschert reviewed the Committee’s recommendation to increase parking fines.

It was moved by Trustee Boschert and seconded by Trustee Springman to adopt Ordinance No. 10 - , “An Ordinance Amending Section 62-32 (b) of the Brown Deer Village Code Relating to Forfeitures for Parking Regulation”. The motion carried unanimously.

Trustee Boschert reviewed the Committee’s discussion on the bond schedule and the increase to fines on municipal ordinance violations. The bond schedule is actually approved by the Court and Judge Victor has signed an order adopting the schedule. No Board action is necessary for the bond schedule. Trustee Boschert also announced that National Night Out will be held on August 5th.

F) Library Board – Trustee Baker

No meeting.

G) Community Development Authority – Village President Krueger

No meeting.

H) Plan Commission – Village President Krueger

1) Development Agreement with Larry’s Market, 8737 North Deerwood Drive

Nate Piotrowski reviewed the proposed Development Agreement for Larry’s Market. He stated that indoor seating was requested for Larry’s and that the Village did not previously have an approved Development Agreement. A Development Agreement was prepared based on current operations and a clause was added to include indoor seating. At the Plan Commission level the initial proposed agreement had delivery hours starting at 7:00 am. The applicant requested the starting time for deliveries be amended to 6:30 am which is recommended by the Plan Commission. The proposed agreement includes the earlier start time for deliveries.

It was moved by Village President Krueger and seconded by Trustee Boschert to approve the Development Agreement with Larry’s Market, 8737 North Deerwood Drive. The motion carried unanimously.

I) Finance and Public Works Committee – Trustee Oates

1) Bids for the Village Park Bike Trail & Railroad Crossing and Deerbrook Trail Sidewalk

Trustee Oates reviewed the scope of the project. He noted that Terry’s Excavating was the lowest bid at \$89,752.90 and the portion of the park project was less than the bid received in 2009. The Finance and Public Works Committee is recommending that the project be awarded even though it appears the County will not be completing their portion until 2011. In response to a question, the Village Manager noted that the sidewalk along Brown Deer Road will be 6-feet wide and primarily asphalt. The concrete portion of

the bid will be for the handicapped accessible ramps. He also noted that the Village is paying Wisconsin Railroad for their installation of the crossings of the railroad tracks.

It was moved by Trustee Oates and seconded by Trustee Boschert to award a contract to Terry's Excavating, Inc. of Oconomowoc, WI in the amount of \$89,752.90 for the Village Park Bike Trail and Railroad Crossing. The motion carried unanimously.

2) Bids for 2010 Crack Sealing Program

Trustee Oates reviewed the need to crack seal certain asphalt streets. The Village did not complete crack sealing for the past two years. The lowest bid from Asphalt Seal and Repair, Inc. was awarded the crack sealing contract in 2003 and 2006.

It was moved by Trustee Oates and seconded by Trustee Weddle-Henning to award a contract to Asphalt Seal and Repair, Inc. in the amount of \$13,750 for the 2010 Crack Sealing Program. The motion carried unanimously.

3) Consideration of Vouchers

It was moved by Trustee Oates and seconded by President Krueger to approve the payment of the vouchers and to ratify for payment the vouchers from May 28, 2010 to June 25, 2010 in the amount of \$1,084,052.73. The motion carried unanimously.

Trustee Oates reported on the discussions regarding the grass cutting policy and the traffic signals at Arbon Drive.

J) Personnel Committee – Trustee Baker

No meeting.

VI. Unfinished Business

VII. New Business

A) Ordinance No. 10, “An Ordinance Repealing Section 14-109 (c) Relating to Exceptions to Tavern Amusement Licenses of the Brown Deer Village Code”

Attorney Fuchs reviewed the fact that Section 14-109 pertaining to Tavern Amusement License contains a subsection relating to Tavern Entertainment License. The Village does not issue Tavern Entertainment License so the section is not necessary.

It was moved by Trustee Schilz and seconded by Village President Krueger to adopt Ordinance No. 10 - , “An Ordinance Repealing Section 14-109 (c) of the Brown Deer Village Code Relating to Exceptions to Tavern Amusement Licenses”. The motion carried unanimously.

B) 2011 Community Development Block Grant Applications

The Village Manager reported that the application for Community Development Block Grants require a public hearing and to his knowledge the agenda and notice required for a public hearing were not prepared.

It was moved by Village President Krueger and seconded by Trustee Springman to table action on the 2011 Community Development Block Grant Program. The motion carried unanimously.

Trustee Springman questioned the financing for the Senior Citizen Club and would like to know how much dues are collected for the Senior Citizen Club and where the expenditure are made. The Trustees wished to have a report from the Brown Deer Senior Citizen's Club on the status of their funds.

VIII. Committee Appointments

It was moved by Village President Krueger and seconded by Trustee Oates to reappoint Trustees to their existing committees through April of 2011. The motion carried unanimously.

IX. Village President's Report

Village President Krueger did not have a report.

X. Village Manager's Report

Mr. Van Gompel reported on the following:

The Joint meeting with the School Board is scheduled for July 22nd
Continued meetings regarding the option of joint dispatch services and a forthcoming survey
Working on Capital Improvement Budgets and 2011 Operations
Report on rain events of July 14 and 15 with minimal by-passing, 12,075 gallons
Conversation with a resident on Terry regarding drainage issues

XI. Adjournment

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to Adjourn at 8:02 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager