

**BROWN DEER VILLAGE BOARD
MARCH 1, 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, Oates, Schilz, Springman, Weddle-Henning

Also Present: Russell Van Gompel, Village Manager; Jesse Thyges, Assistant Village Manager/Community Services Director; Nate Piotrowski, Planning/Zoning Specialist; Chief Steven Rinzel, Police Department; John Fuchs, Village Attorney

Excused: Trustee Boschert

II. Pledge of Allegiance

III. Persons Desiring to be Heard

Stanley Spooner, 3552 West Pelican Lane, voiced concerns with a storm water management project and the associated easement documents. Mr. Spooner reviewed a letter that he had sent to the Village.

Village President Krueger noted that a review of the matter by the Village Attorney and Staff would be needed before the Village Board could take up the matter for consideration.

Attorney Fuchs reviewed what information would be included in the informational report that he would compile on the matter and noted that he would contact Mr. Spooner to further discuss the situation.

IV. Consideration of Minutes: February 15, 2010 – Regular Meeting

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to approve the minutes of the February 15, 2010 regular meeting. The motion carried unanimously.

V. Unfinished Business

None

VI. New Business

A) Entertainment License for Terri Lynn's on Bradley, 4740 West Bradley Road

Mr. Van Gompel discussed the license applications for the banquet hall and the juke box as well as staff's recommendation.

Attorney Fuchs noted his review of the lease between Ms. Wigley and the owner of the property and stated that she has sufficiently proven that she will be the sole proprietor of the supper club.

Mr. Van Gompel reviewed the discussions that staff has had with Ms. Wigley about her business proposal.

The applicant, Theresa Wigley, introduced her business partners Michael Mayo and Jerry Nolan.

Trustee Schilz asked for clarification of the hours of operation on Sundays. Ms. Wigley noted the error in the submitted business plan and explained the Sunday brunch proposal versus being closed for a private party.

Trustee Oates asked about noise control. Ms. Wigley indicated that staff would have full control of the volume.

Trustee Baker inquired about the style of karaoke and how the live acts would be screened. Ms. Wigley discussed the machine type of karaoke and how management would review each act prior to signing them.

Trustee Springman asked about the additional requirements that were included on the past entertainment licenses for the site. Mr. Van Gompel indicated that the new operator would not be subject to additional regulation.

Trustee Weddle-Henning noted that the Building Board had approved the new sign for the business.

Trustee Oates inquired about security staffing. Mr. Nolan discussed his past experience as a police officer and added that he will be in charge of the security on the site.

Chief Rinzel noted that he is satisfied with the new plans that have been submitted by Ms. Wigley and discussed her cooperation during the dealings with the previous operator.

President Krueger asked about the occupancy certificate. Mr. Van Gompel noted the applicant's work with the Building Inspection Department and the North Shore Fire Department.

It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the Juke Box Entertainment License for Terri Lynn's on Bradley, 4740 West Bradley Road. The motion carried unanimously.

It was moved by President Krueger and seconded by Trustee Baker to approve the Banquet Hall Entertainment License for Terri Lynn's on Bradley, 4740 West Bradley Road. The motion carried unanimously.

B) ATC – Clearwire Lease

Mr. Van Gompel reviewed the matter and the historical background of the tower installation. Attorney Fuchs reviewed the proposed lease agreement and associated rate.

Trustee Oates inquired about renewal periods and escalation clauses. Attorney Fuchs noted that there are escalation clauses within the primary lease and noted that the primary lease is scheduled for review within the coming year.

Trustee Weddle-Henning asked if there was an equipment removal clause. Attorney Fuchs indicated that such language was included.

Trustee Schilz inquired about the equipment to be placed on the ground and asked for a comparison to the water tower lease rates. Mr. Piotrowski discussed the types and size of the proposed equipment. Attorney Fuchs compared the rates and the differences between the locations.

Mr. Piotrowski further reviewed the company's background and the other proposed installation sites.

A discussion ensued regarding ownership of the tower and the lease hold entities.

It was moved by Trustee Springman and seconded by Trustee Oates to approve the lease with ATC in the amount of \$500 per month with negotiations to be continued for increases upon expiration of the initial contract term and that any new equipment that is installed shall not interfere with Police Department equipment and/or operations. The motion carried unanimously.

VII. Committee Appointments

The Committee Appointments were tabled by the Board for future action.

VIII. Village President's Report

No report.

IX. Village Manager's Report

Mr. Van Gompel began by reviewing the catch basin installation project that Mr. Spooner had raised concerns about under the Persons Desiring to be Heard agenda item. Mr. Van Gompel noted that the project dated back to 2002 and reviewed the past discussions and correspondence as well as the extra remediation efforts taken by the Public Works Department.

Mr. Van Gompel also reported on the following:

- The press release about a scheduled workshop for the Village's social networking websites
- The starting date for the new Treasurer/Comptroller
- The Brown Deer Road safety review meeting held by the Department of Transportation

Trustee Weddle-Henning asked when Brown Deer Road was scheduled for reconstruction. Mr. Van Gompel stated that the project is more than five years away but noted that he was unaware if any specific timetable had been set by the State.

A brief discussion ensued regarding the safety review of Brown Deer Road and the possible results.

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 Weddle-Henning to recess into Closed Session pursuant to §19.85(1) (e) Wisconsin Statutes at 7:38 p.m. The motion carried unanimously.

XI. Adjournment

It was moved by Village President Krueger and seconded by Trustee Schilz to Adjourn at 8:30 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager