

**BROWN DEER VILLAGE BOARD  
MARCH 21, 2011 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; Nate Piotrowski, Planning/Zoning Specialist; Rebecca Boyle, Village Attorney

Excused: Trustee Schilz

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

**IV. Consideration of Minutes: March 7, 2011 – Regular Meeting**

*It was moved by Trustee Weddle-Henning and seconded by Trustee Springman to approve the minutes of the March 7, 2011 regular meeting. The motion carried unanimously.*

**V. Committee Reports**

**A) Building Board – Trustee Weddle-Henning**

Trustee Weddle-Henning reported on the approval of two signs.

**B) Beautification Committee – Trustee Oates**

Trustee Oates reported on the committee's review of their goals and objectives as well as the discussions about the upcoming Keep Greater Milwaukee Beautiful activities. Trustee Oates also noted that Janet Ferrici has stepped down from the committee.

**C) Park and Recreation Committee – Trustee Springman**

Trustee Springman noted that bids are out for the proposed play structure in Village Park and discussed the Brown Deer Foundation's donation to the Pond facility.

**D) 4th of July Committee – Village President Krueger**

Trustee Springman gave an update on the fireworks show and the number of bands that will be playing all day. President Krueger also discussed the need for Trustees to man the information booth at the event.

**E) Traffic and Public Safety – Trustee Boschert**

No meeting.

**F) Library Board – Trustee Baker**

Trustee Baker noted the Board's discussions about the patron rules of conduct, the HVAC maintenance costs, and the annual report.

**G) Community Development Authority – Village President Krueger**

President Krueger noted that the next meeting is scheduled for March 22nd.

**H) Plan Commission – Village President Krueger**

**1) Development Agreement – Prime Time Transportation, 4740 W. Bradley Road**

Mr. Piotrowski reviewed the proposal and the recommendation from the Plan Commission.

Trustee Oates asked if the neighbors had any concerns. Mr. Piotrowski noted that there was no one in attendance at the Plan Commission and that he had received only one telephone call on the matter.

Trustee Springman inquired about the parking of the employee's personal vehicles. Mr. Piotrowski noted that they would be parked behind the building as well.

Trustee Baker asked if there would be signage on the vehicles. The applicant noted that there would be and are replaced as needed.

Trustee Boschert voiced concerns with the potential for not having enough parking spaces for the restaurant. Mr. Piotrowski noted a provision in the Development Agreement that allows the Village to carry out a review if parking becomes an issue.

A brief discussion ensued regarding the proposed business operations and their security measures.

*It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the Development Agreement with Primetime Transportation, 4740 W. Bradley Road. The motion carried 4-2 with Trustees Oates and Boschert in opposition.*

On other matters from the Plan Commission meeting, President Krueger noted that Red Box had withdrawn their application to establish a site on the Walgreen's property.

**I) Finance and Public Works Committee – Trustee Oates**

Trustee Oates noted the Committee's discussions about refinancing of debt, unspent funds, the review of banking services, and the accounting policies.

**1) 2011 Watermain Relay Project**

Trustee Oates noted that 10 bids were received and that the references were favorable for the lowest bidder.

Trustee Boschert inquired about the effects of the new state law on the project. Mr. Van Gompel indicated that there would not be any impact on the project.

*It was moved by Trustee Oates and seconded by Trustee Springman to award the contract for the 2011 Watermain Relay Project to Wilkomm Excavating and Grading, Inc. in an amount \$346,400. The motion carried unanimously.*

**2) Original Village Streetscape Contract Amendment**

Mr. Piotrowski discussed the amendment and the additional work that may result from the public information meeting and opinion survey.

Trustee Weddle-Henning inquired about future informational meetings. Mr. Piotrowski discussed how staff will handle those meetings and not Ayres.

Trustee Boschert asked if the public opinion survey would be distributed to the whole Village. Mr. Piotrowski noted that staff is working on a cost-effective way to reach as many people as possible. A brief discussion ensued regarding the finalization of the streetscape plans.

Trustee Springman inquired about the scope of work included with the original service contract. Mr. Van Gompel discussed what has been completed to date by both Ayres and staff.

Trustee Oates discussed the committee's review of the proposal and their recommendation.

*It was moved by Trustee Oates and seconded by Trustee Boschert to approve the Original Village Streetscape Contract Amendment with Ayres and Associates in an amount not to exceed \$43,400. The motion carried unanimously.*

### **3) Consideration of Vouchers**

*It was moved by Trustee Oates and seconded by Trustee Weddle-Henning to approve the payment of the vouchers and to ratify for payment the vouchers due on or before March 21, 2011. The motion carried unanimously.*

#### **J) Personnel Committee – Trustee Baker**

Trustee Baker noted that the matters were scheduled for discussion in closed session.

#### **VI. Unfinished Business**

None.

#### **VII. New Business**

##### **A) Shoreland Church PILOT Agreement**

Attorney Boyle discussed the terms of the agreement and the payment in lieu of taxes to be made by the entity that is purchasing the property along with a minor amendment to the proposed agreement.

Trustee Oates inquired about the termination of the agreement. Attorney Boyle noted that the agreement will remain in place so long as the property is located within a tax incremental financing district. Upon the end of the district the property will revert to fully tax exempt status.

Trustee Weddle-Henning asked about the closing date. Attorney Boyle noted that it had not yet been scheduled.

Trustee Boschert asked about the buyer. Attorney Boyle stated that the buyer was an affiliate of the Shoreland Church and discussed the language within the proposed agreement as it pertains to affiliation.

*It was moved by President Krueger and seconded by Trustee Springman to approve the Shoreland Church PILOT Agreement with the noted amendment. The motion carried unanimously.*

##### **B) Resolution No 11-, “Resolution of Necessity for Acquisition of Lands for Public Purposes and Authorization to Proceed” and Relocation Order – Brown Deer Road and Arbon Drive Traffic Signal Installation”**

Attorney Boyle discussed the procedural need for the resolution and the future review of the proposed cost-sharing formula.

Trustee Baker inquired if the property owners were voluntarily participating in the property transfers. Mr. Van Gompel noted that 2 of the 3 owners were voluntarily working with staff.

A brief discussion ensued about the details of the right-of-way plat.

Trustee Oates inquired about the eminent domain process. Attorney Boyle discussed her past experience with the process.

*It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 11-, "Resolution of Necessity for Acquisition of Lands for Public Purposes and Authorization to Proceed". The motion carried unanimously.*

*It was moved by Village President Krueger and seconded by Trustee Baker to approve the Relocation Order – Brown Deer Road and Arbon Drive Traffic Signal Installation. The motion carried 5-1 with Trustee Weddle-Henning voting in opposition.*

### **VIII. Village President's Report**

Village President Krueger reported on the following:

- Attending the ICC meeting
- Attending the North Shore Fire Department Board of Director's meeting

### **IX. Village Manager's Report**

Mr. Van Gompel reported on the following:

- The pending impact of the proposed State budget
- The upcoming Realtor's open house that is scheduled for the same day as the Arbor Day event
- The retirement of the North Shore Health Department director and the advertising of the position

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

- (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to recess into Closed Session at 8:30 p.m. The motion carried unanimously.*

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

*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to reconvene into Open Session at 9:04 p.m. The motion carried unanimously.*

### **XII. Adjournment**

*It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to adjourn at 9:05 p.m. The motion carried unanimously.*