

**BROWN DEER VILLAGE BOARD
MAY 16, 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: Boschert, 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 Rinzel, Brown Deer Police Department; Larry Neitzel; Director of Public Works; Jane Peterson, North Shore Health Department Director; John Fuchs, Village Attorney

Excused: Trustee Baker

II. Pledge of Allegiance

III. Persons Desiring to be Heard

A) Erin Epping and Debbie Wazniak – Brown Deer Junior Woman’s Club

The representatives of the Brown Deer Junior Woman’s Club presented the following donations: \$100 to the North Shore Health Department for children’s thermometers, \$100 to the Beautification Committee for the Village clean-up event, \$200 to the North Shore Fire Department for educational materials, \$500 to the Brown Deer Police Department for a ballistic vest, \$500 towards the Fourth of July festivities, \$500 to the Park and Recreation Department for improvements to the pond facility, and \$800 to the Brown Deer Library for a new laptop computer.

The Village Board thanked the Club for their support of the various organizations and events.

B) August Zanowski – Brown Deer Citizen of the Year

1) Resolution No. 11–13, “A Resolution Commending August “Augie” Zanowski as Brown Deer Citizen of the Year”

Mr. Van Gompel noted that Mr. Zanowski was unable to attend the meeting, but would be attending the June 6th meeting. President Krueger added that action on the resolution would be taken under the new business portion of the agenda.

IV. Public Hearing

Mr. Van Gompel provided background information on the application and reviewed the memorandum prepared by the Staff.

Trustee Boschert asked if there have been other applications for this site. Mr. Van Gompel noted that this is the first liquor license application.

Chief Rinzel noted the Police Department’s negative opinion of the proposal.

Village President Krueger opened the public hearing at 6:35 p.m.

Navdeep Singh, the property owner’s representative, discussed the intention to sell cases and/or twelve packs of beer and not to sell single cans. Mr. Singh opined that liquor sales would increase the viability of the business and also stated his willingness to work with the Police Department to safeguard the site.

Village President Krueger closed the public hearing at 6:43 p.m.

V. Consideration of Minutes: May 2, 2011 – Regular Meeting

It was moved by Trustee Schilz and seconded by Trustee Oates to approve the minutes of the May 2, 2011 regular meeting. The motion carried unanimously.

VI. Committee Reports

A) Building Board – Trustee Weddle-Henning

Trustee Weddle-Henning noted that the meeting had been cancelled due to lack of applications.

B) Beautification Committee – Trustee Oates

Trustee Oates reported on the recent village clean-up event, the landscape awards, and the meeting date change in July due to the possibility of a special recall election. Trustee Oates also thanked the Brown Deer Junior Woman’s Club for their donation.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reported on the appointments of the Softball Commission, the Fourth of July event policy that was adopted, the recent sales figures for raffle tickets, and the status of both the pond play structure and the Village Park play structure.

D) 4th of July Committee – Village President Krueger

President Krueger noted the “Let Freedom Ring” theme for the event and discussed the scheduled music events throughout the day as well as the generous donation from the Kass family towards the fireworks display.

E) Traffic and Public Safety – Trustee Boschert

No meeting.

F) Library Board – Trustee Baker

Mr. Van Gompel noted the plant sale pickup date, and the adoption of a social network policy.

G) Community Development Authority – Village President Krueger

No report.

H) Plan Commission – Village President Krueger

1) Conditional Use Permit – Convenience Store, 4685 W. Bradley Road

Mr. Piotrowski reviewed the proposal, the transfer of operations with the sale of the property and the recommendation from the Plan Commission.

Trustee Oates asked if other facilities within the Village had 24-hour pay at the pump options and about the security. Mr. Piotrowski indicated that the station at 51st Street and Brown Deer Road offered that option and also noted that the permit required the new owners to meet with the Police Department to review security measures.

Attorney Fuchs added that the Conditional Use Permit can be reviewed at any time should concerns arise.

A brief discussion ensued about the 24-hour pay at the pump portion of the business.

Trustee Springman asked if the applicant had taken ownership of the site. Mr. Singh, the applicant, stated that the sale was completed on May 10th.

Trustee Boschert inquired about the signage on the property. President Krueger noted that the temporary banner would be removed and Shell signage will be installed.

It was moved by President Krueger and seconded by Trustee Schilz to approve the amendment to the Conditional Use Permit Development Agreement for the Convenience Store at 4685 W. Bradley Road. The motion carried unanimously.

I) Finance and Public Works Committee – Trustee Oates

Trustee Oates noted the Committee's discussions about the play structure bidding, and the private property "I/I Program".

1) Sanitary Sewer Truck Body Bid

Trustee Oates reviewed the bid results and noted the unanimous recommendation from the Committee.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase/installation of the flatbed utility body and accessories to Casper at a price not to exceed \$13,860. The motion carried unanimously.

2) Public Works Patrol Truck Bid

Trustee Oates reviewed the bid results and noted how the sale of the old trucks will go toward the small cost overrun.

Trustee Springman asked if the companies that were involved bid on both items. Mr. Neitzel indicated that they did not due to their specific specialties.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase of two 2012 International 7400SFA trucks from Lakeside International at a price not to exceed \$159,950 (\$79,975 each). The Committee further recommends to the Village Board the approval of the purchase/installation of two dump bodies/plows/wings/spreaders and hydraulic controls to Monroe Truck and Equipment at a price not to exceed \$116,236 (\$58,118 each). The motion carried unanimously.

3) Purchase Sanitary Sewer Flow Monitors

Trustee Oates reviewed the proposed purchase of flow monitors that would be funded through the utility budget and noted the Committee's discussions about the placement within the Village.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the purchase of Isco flow monitors, alarm units, and communication modules with Flowlink program upgrade from Mulcahy/Shaw Water, Inc. at a price not to exceed \$44,902.20. The motion carried unanimously.

4) 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 the vouchers due on or before May 16, 2011. The motion carried unanimously.

J) Personnel Committee – Trustee Baker

No Report.

VII. Unfinished Business

None.

VIII. New Business

From item III B) August Zanowski – Brown Deer Citizen of the Year

Mr. Van Gompel briefly reviewed the resolution and noted that Mr. Zanowski would be present at the June 6th Village Board meeting. Mr. Van Gompel also stated that Mr. Zanowski was honored at a recent Senior Citizen's Club meeting.

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to adopt Resolution No. 11-13, "A Resolution Commending August "Augie" Zanowski as Brown Deer Citizen of the Year". The motion carried unanimously.

A) Class "A" Fermented Malt Beverage License – World Food and Petro Mart, 4685 West Bradley Road

Mr. Singh, the applicant, noted that no public comment was received against the application and also opined that the sales would be a convenience for customers.

Village President Krueger noted the Board's past denial of a similar request due to public safety concerns and did not want to set a precedent.

It was moved by President Krueger and seconded by Trustee Boschert to deny the Class "A" Fermented Malt Beverage License – World Food and Petro Mart, 4685 West Bradley Road. The motion carried unanimously.

B) Preliminary Assessment Resolution for 2011 Ditch Rehabilitation Project

Mr. Van Gompel discussed the assessment process.

Mr. Neitzel reviewed the proposed ditching projects and their locations.

A brief discussion ensued about the purpose of the ditching and the side slope policy.

Trustee Schilz inquired about the public information meeting. Mr. Neitzel noted that the meeting was well attended and also touched on the discussions from the meeting.

Trustee Weddle-Henning asked about the cost responsibility of the residents. Mr. Neitzel clarified what portions of the project are covered by the Storm Water Utility and which costs are passed onto the property owners.

It was moved by President Krueger and seconded by Trustee Oates to adopt the Preliminary Assessment Resolution for 2011 Ditch Rehabilitation Project. The motion carried unanimously.

C) Schedule Public Hearing for 2011 Ditch Rehabilitation Project

Mr. Van Gompel noted the June 20th public hearing date that is proposed.

It was moved by Trustee Springman and seconded by Trustee Schilz to schedule a Public Hearing for 2011 Ditch Rehabilitation Project for June 20, 2011. The motion carried unanimously.

D) Resolution No. 11-, “A Resolution Endorsing the Consolidation of the Shorewood/Whitefish Bay Health Department with the North Shore Health Department”

Mr. Van Gompel introduced the consolidation report and noted a few points of clarification.

Jane Peterson, Director of the North Shore Health Department, discussed the Board of Health’s review and recommendation.

Trustee Schilz asked about the status of the other communities. Mr. Van Gompel noted the meeting dates in which the North Shore communities would take up the matter.

It was moved by Trustee Weddle-Henning and seconded by Trustee Springman to approve Resolution No. 11-, “A Resolution Endorsing the Consolidation of the Shorewood/Whitefish Bay Health Department with the North Shore Health Department”. The motion carried unanimously.

E) Resolution No. 11-, “A Resolution Authorizing Eminent Domain and Establishing an Offering Price for the Taking of Private Property for Public Purposes”

Mr. Van Gompel reviewed the resolution for the taking of property for right-of-way purposes for the Arbon Drive/Brown Deer Road traffic signal.

Trustee Oates inquired about the use of Jim Machnik to review the purchase. Attorney Fuchs noted Mr. Machnik’s extensive professional experience in similar matters.

It was moved by Trustee Boschert and seconded by Trustee Oates to approve Resolution No. 11-, “A Resolution Authorizing Eminent Domain and Establishing an Offering Price for the Taking of Private Property for Public Purposes”. The motion carried unanimously.

It was moved by Trustee Boschert and seconded by Trustee Oates to authorize the Village Manager to approve the offering price for the acquisition of the property. The motion carried unanimously.

IX. Village President’s Report

Village President Krueger reported on the following:

- Attending the ICC meeting and the county redistricting discussions
- Attending the North Shore Fire Department Board of Director’s meeting
- Attending the League of Wisconsin Municipalities dinner meeting
- The attendance at the recent Realtor’s event at the Middle School

X. Village Manager's Report

Mr. Van Gompel reported on the following:

The redistricting process and the potential for review of the Village's wards
The annual audit of the Village's financial records that was recently completed
Giving presentations about budgeting at a series of "Newly Elected Officials Seminars"
The status of the floodplain mapping along Beaver Creek
The need for help with recruitment for Village committees
The recent event of a private landscaping truck getting stuck in Fairy Chasm Park

XI. 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 7:50 p.m. The motion carried unanimously.

XII. 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 8:55 p.m. The motion carried unanimously.

XIII. Adjournment

It was moved by Trustee Weddle-Henning and seconded by Trustee Springman to adjourn at 8:56 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager