

**BROWN DEER VILLAGE BOARD
NOVEMBER 16, 2009 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by Village President Krueger at 7:00 P.M.

I. Roll Call

Present: Village President Krueger and 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

None.

IV. Consideration of Minutes: November 2, 2009 – Regular Meeting

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to approve the minutes of the November 2, 2009 regular meeting. The motion carried unanimously.

V. Public Hearing: Village of Brown Deer Comprehensive Plan 2030

Village President Krueger opened the public hearing at 7:03 p.m.

Mr. Piotrowski reviewed the comprehensive plan and the efforts that were taken to prepare the document.

Nathan Guequierre of URS Corporation discussed the planning process and thanked the Village for its participation.

Mr. Van Gompel noted the benefits of having a comprehensive plan.

Barb Fleming spoke as a former member of the Visioning Committee and noted that she was very pleased with the creation of the comprehensive plan.

Dr. Deb Kerr of the Brown Deer School District voiced her support of the adoption of the comprehensive plan.

Dennis Griffin, School Board President, spoke favorably of the plan.

Village President Krueger closed the public hearing at 7:10 p.m.

VI. Committee Reports

A) Building Board – Trustee Weddle-Henning

Trustee Weddle-Henning reported on the Board's review of a porch addition and several single-family residences.

B) Beautification Committee – Trustee Oates

No meeting.

C) Park and Recreation Committee – Trustee Springman

Trustee Springman reviewed the committee's discussions about a proposed increase to both the park permit fees and the pond admission fees for 2010.

D) 4th of July Committee – Village President Krueger

No report.

E) Traffic and Public Safety – Trustee Boschert

Trustee Boschert reviewed the committee's discussions about the proposed traffic signals and signage at Brandybrook Trail and Park Plaza Court.

Trustee Baker noted that it was a citizen request that drove the review of the need for signage at Brandybrook Trail and Park Plaza Court. Trustee Boschert noted the recommendation that signage was not needed at this time and that the subject would be brought back for review as more homes are built in the nearby subdivision. Trustee Springman noted the Police Department's review and observation of the intersection.

Trustee Weddle-Henning inquired about the crosswalk signage and push-button crossing mechanism as a part of the traffic signal improvements at Arbon Drive and Brown Deer Road. Mr. Thyges indicated that he would review the plans

F) Library Board – Trustee Baker

Trustee Baker discussed the Gates Grant and the Board's discussions about amending the library's patron rules.

G) Community Development Authority – Village President Krueger

1) GenCap Bradley, LLC Substitute TID Redevelopment Agreement

Mr. Thyges briefly summarized the proposed agreement updates.

Mr. Van Gompel discussed the proceedings from the CDA meeting and added that a one-year extension was the preferred alternative.

Village President Krueger noted how the proposed changes would benefit the Village through cost savings.

Trustee Weddle-Henning asked if the JFS development would benefit the proposed condominium development. Michael Weiss of General Capital discussed the potential affects.

Trustee Oates inquired if any of the units would have basements. Mr. Weiss discussed the proposed floor plans and clarified the values associated with the development.

It was moved by President Krueger and seconded by Trustee Weddle-Henning to approve the Gen Cap Bradley Substitute TID Redevelopment Agreement. The motion carried unanimously.

H) Plan Commission – Village President Krueger

1) Conditional Use Permit – Automobile Laundry, 8300 North Teutonia Avenue

Mr. Piotrowski reviewed the draft Conditional Use Permit and the discussions about the proposal at the Plan Commission level.

Trustee Oates asked about the applicant’s professional background and the environmental impacts of a carwash. The applicant, Davinder Toor, discussed his professional background and the environmental requirements that govern his proposed business.

Trustee Weddle-Henning asked if the exterior of the building would be updated. Mr. Toor noted that the exterior of the building would not be updated at this time.

Village President Krueger noted the unanimous recommendation from the Plan Commission.

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the Conditional Use Permit – Automobile Laundry, 8300 North Teutonia Avenue. The motion carried unanimously.

It was moved by Trustee Oates and seconded by Trustee Boschert to rescind the previous development agreement for an Automobile Laundry at 8300 North Teutonia Avenue. The motion carried unanimously.

I) Finance and Public Works Committee – Trustee Oates

Trustee Oates noted the committee’s review of the Street Light Maintenance Agreement and the review of the 2010 budget.

1) Consideration of Vouchers

It was moved by Trustee Oates and seconded by Trustee Boschert to approve the payment of the vouchers and to ratify payment of invoices due on or before November 16, 2009. The motion carried unanimously.

J) Personnel Committee – Trustee Baker

Trustee Baker reported on the Committee’s discussions regarding the Treasurer/Comptroller recruitment and the pending AFSCME contract.

VI. Unfinished Business

VII. New Business

A) Ordinance No. 09- ,”An Ordinance to Adopt the Village of Brown Deer Comprehensive Plan 2030 and Create Chapter 118, Comprehensive Plan”

It was moved by President Krueger and seconded by Trustee Oates to approve Ordinance No. 09-, “An Ordinance to Adopt the Village of Brown Deer Comprehensive Plan 2030 and Create Chapter 118, Comprehensive Plan”. The motion carried unanimously.

B) Special Holiday Hours - Old Navy

Mr. Van Gompel reviewed the request for special holiday hours and the recommendation of allowing a 4:00 a.m. opening time instead of the requested 3:00 a.m. time.

Trustee Oates voiced concerns with the early opening time.

Trustee Weddle-Henning opined that the Village Manager's recommendation seemed fair.

Michelle Hinterberg, Old Navy Store Manager, stated that a 4:00 a.m. opening time would be acceptable and that the store employees have not raised concerns with the proposed holiday hours.

It was moved by Trustee Weddle-Henning and seconded by Trustee Springman to approve the amended special holiday hours for Old Navy with an opening time of 4:00 a.m. on November 27th. The motion carried 5-1 with Trustee Oates voting in opposition.

C) Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Arbon Dive – West Green Brook Drive Street Lighting System"

It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Arbon Dive – West Green Brook Drive Street Lighting System". The motion carried unanimously.

D) Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Brown Deer Business Park Subdivision Street Lighting System"

It was moved by President Krueger and seconded by Trustee Baker to approve Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Brown Deer Business Park Subdivision Street Lighting System". The motion carried unanimously.

E) Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of Brown Deer Corporate Park Subdivision Street Lighting System"

It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of Brown Deer Corporate Park Subdivision Street Lighting System". The motion carried unanimously.

F) Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the North Kildeer Court – West Brown Deer Road Street Lighting System"

It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the North Kildeer Court – West Brown Deer Road Street Lighting System". The motion carried unanimously.

G) Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Opus North Subdivision Street Lighting System"

It was moved by President Krueger and seconded by Trustee Boschert to approve Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Opus North Subdivision Street Lighting System". The motion carried unanimously.

H) Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Park Plaza & Addn. #1 Subdivisions Street Lighting System"

It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 09-, "Assessing the Electric Energy and Maintenance Costs of the Park Plaza & Addn. #1 Subdivisions Street Lighting System". The motion carried unanimously.

I) Resolution No. 09-, “A Resolution Assessing Service Charges for Recycling and Yard Waste Collection on Residential Units”

Mr. Van Gompel discussed the service charges and their part of the Village budget.

Trustee Oates asked if this would be an annual increase. Mr. Van Gompel noted that it is being proposed as an every other year schedule.

It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 09-, “A Resolution Establishing Sanitary Sewer Rates for 2010”. The motion carried unanimously.

J) Resolution No. 09-, “A Resolution Establishing Sanitary Sewer Rates for 2010”

Mr. Van Gompel reviewed the rate analysis and the proposed adjustment.

It was moved by President Krueger and seconded by Trustee Oates to approve Resolution No. 09-, “A Resolution Establishing Sanitary Sewer Rates for 2010”. The motion carried unanimously.

VIII. Village President’s Report

President Krueger reported on the following:

The ICC meeting discussions about Trick or Treat hours and the proposed water rate increase.
Attending the North Shore Fire Department Board meeting.

Trustee Baker noted that he heard from several constituents who were in favor of evening trick-or-treat hours.

IX. Village Manager’s Report

Mr. Van Gompel reported on the following:

Update on the recruitment of a new Treasurer/Comptroller.
Waiting for Milwaukee County tax figures to finalize the tax bills.
Update on the clean up of the former CITGO Station.

Mr. Van Gompel asked the Board if they were interested in meeting at an earlier time on December 7th.

It was the consensus of the Board to meet at 6:00 p.m. on Monday December 7th.

X. Recess into Closed Session pursuant to §19.85(1)(e)(c) 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.
- (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 pursuant to §19.85(1) (e) and (c) Wisconsin Statutes at 8:15 p.m. The motion carried unanimously.

It was moved by Trustee Springman and seconded by Trustee Weddle-Henning to reconvene into Open Session at 9:02p.m. The motion carried unanimously.

XI. Adjournment

It was moved by Trustee Boschert and seconded by Trustee Oates to adjourn at 9:03 p.m. The motion carried unanimously.

Russell Van Gompel, Village Manager