

**BROWN DEER VILLAGE BOARD
SEPTEMBER 21, 2015 MEETING MINUTES
HELD AT THE BROWN DEER VILLAGE HALL
4800 WEST GREEN BROOK DRIVE**

The meeting was called to order by President Krueger at 6:31 P.M.

I. Roll Call

Present: Village President Krueger; Trustees: Awe, Schilz, Springman

Also Present: Michael Hall, Village Manager; John Fuchs, Village Attorney; Erin Hirn, Assistant Village Manager; Michael Kass, Chief of Police; Nate Piotrowski, Director of Community Development; Matthew Maederer, Director of Department of Public Works; Susan Hudson, Treasurer/Comptroller; Alan Markovitz (sp), Attorney; Colleen Banach, Engineering Technician; Brian Van-Klooster, Library Director; Colette Reinke, Attorney

Excused: Boschert, Baker

II. Pledge of Allegiance

III. Persons Desiring to be Heard

Mr. Maederer introduced the new Engineering Technician Colleen Banach. Ms. Banach then gave a brief history of her experience.

Denise Winker from 43rd Street had a complaint about having trouble pulling out of her driveway due to the decreased size of the road. Mr. Maederer reviewed the history of the issues that have come before Traffic & Safety and confirmed this is a new issue. Both Chief Kass and Mr. Maederer reminded the board of the actions that have been done previously regarding 43rd Street. Trustee Awe clarified that the issues brought up previously were different. Mr. Piotrowski confirmed that there was no consensus between residents on 43rd Street on either expanding the road or widening the driveways. President Krueger suggested this be brought up to the Traffic and Public Safety Meeting to look at potential driveway modification options on October 8, 2015.

IV. Consideration of Minutes: August 17, 2015 Regular Meeting

It was moved by Trustee Schilz and seconded by Trustee Awe to approve the amended minutes from the August 17, 2015 - Regular Meeting. The motion carried unanimously.

V. New Business

A) Consideration of Amendment to Substitute Development Agreement with JFS Housing at Deerwood Crossing Phase I, II, and Bradley Crossing 60

Attorney Marcuvitz recommended that JFS Development Agreements are amended so that we are no longer responsible for further payments from the TID for both Phase I and Phase II of Deerwood Crossing and the agreements for Bradley Crossing 60 would remain and continue until 2022. This has been recommended by the CDA Committee. The JFS property that is currently on the market has been excluded from the agreement and it has been reflected in the amendment.

It was moved by Trustee Springman and seconded by Trustee Awe to consider an amendment to substitute Development Agreement with JFS Housing at Deerwood Crossing Phase I, II, and Bradley Crossing 60. The motion carried unanimously.

B) Presentation on Village of Brown Deer 2014 Comprehensive Annual Financial Report (CAFR)

Mr. Shawn Walker from CliftonLarsonAllen LLP gave a presentation going over the financial audit and the Comprehensive Annual Financial Report (CAFR).

C) Discussion Regarding DPW / 2016 Capital Improvement Plan (CIP) and Tax Incremental District (TID) #4

Mr. Hall reviewed the previous actions that were taken place regarding the DPW project. Mr. Hall then review the history of TIF # 4 and how its health could change due to the decision made regarding the DPW building. The next meeting will be when approval is need for CIP projects.

Trustee Springman wanted to know the value of the Rite Hite property. Mr. Hall confirmed the last assessment of the Rite Hite property was at 1.1 million. Mr. Maederer gave an update on how well the DPW tour event went.

Trustee Schilz asked if financially we could use TIF money to finance the DPW construction. Trustee Awe asked if there are any DNR issues. Mr. Hall clarified that DNR believes the site is clean and there are no issues.

D) Approval to Purchase a Bi-Directional Amplifier for the Police Department

Chief Kass explained that a radio is needed due to changes in Milwaukee County digital radio towers that cannot reach our current radio waves. This needs to be done for public and police safety. The amount would come to \$18,715 and would replace the fabric switch in the CIP budget.

It was moved by President Krueger and seconded by Trustee Springman to Purchase a Bi-Directional Amplifier for the Police Department. The motion carried unanimously.

E) Resolution No. 15-, “Resolution to Terminate Property Insurance Coverage with the Local Government Property Insurance Fund (LGPIF) and Elect Coverage through Municipal Property Insurance Company (MPIC)”

Mr. Hall and Mrs. Hudson explained that the Villages’ original insurance is through the state and has recently raised rates to around \$30,000 and therefore we have changed to a new insurance through the League, Civmic and one other which would save us around \$11,000. The state requires a resolution to cancel insurance. Trustee Awe asked if there was any difference in coverage. Mrs. Hudson said that there will be no change.

It was moved by Trustee Springman and seconded by Trustee Awe to approve Resolution No. 15-, “Resolution to Terminate Property Insurance Coverage with the Local Government Property Insurance Fund (LGPIF) and Elect Coverage through Municipal Property Insurance Company (MPIC)”. The motion carried unanimously.

F) Ordinance No. 15-, “An Ordinance Repealing Chapter 20 IV 1, Chapter 20 Section 3. 1,2,3, and 4., Chapter 20 Section 12 (B) 4, Chapter 20 Section 13 (b) 4 of the Brown Deer Village Code Pertaining to the Brown Deer Fire Prevention and Protection Code”

Attorney Fuchs explained that the state passed a law explaining what governments can do with their codes. We looked at the codes that exceeded state codes and tried to grandfather some codes through. Some were approved others were not. Therefore we need to have board approval of these multiple code changes to

apply with state statutes.

It was moved by President Krueger and seconded by Trustee Schilz to approve Ordinance No. 15-, “An Ordinance Repealing Chapter 20 IV 1, Chapter 20 Section 3. 1, 2, 3, and 4. Chapter 20 Section 12 (B) 4, Chapter 20 Section 13 (b) 4 of the Brown Deer Village Code Pertaining to the Brown Deer Fire Prevention and Protection Code” The motion carried unanimously.

G) Ordinance No. 15-, “An Ordinance Amending Section 121-237 (2) (C) of the Brown Deer Village Code Relating to Temporary Political Signs”

Attorney Fuchs explained that there is a temporary sign ordinance based on a federal case law which prohibits regulation based on content. Therefore, we created an amendment to comply with the state statute. Ms. Reinke clarified that we are not allowed to restrict how many signs a resident has on their property.

It was moved by President Krueger and seconded by Trustee Oates to approve Ordinance No. 15-, “An Ordinance Amending Section 121-237 (2) (C) of the Brown Deer Village Code Relating to Temporary Political Signs”. The motion carried unanimously.

H) Resolution No. 15-, “Resolution Approving Distribution Easement Undergrund WR No. 3748296 IO NO. 10023”

Mr. Piotrowski explained WE Energies proposal to bring electricity to the Lighthouse property. This would go under Beaver Creek. This has been reviewed by Mr. Maederer, Mr. Piotrowski, and Attorney Fuchs who all give this a favorable recommendation. Mr. Schilz asked if there were any costs required from the Village. Mr. Piotrowski confirmed that there were no charges. Trustee Schilz asked if they were responsible Attorney Fuchs will check to see if permit fees are exempt.

It was moved by Trustee Springman and seconded by Trustee Oates to approve Resolution No. 15-, “Resolution Approving Distribution Easement Underground WR No. 3748296 IO NO. 10023” after Attorney Fuchs has checked the permit requirements. The motion carried unanimously.

I) August 2015 Financial Report

Ms. Hudson reported that we have received everything from the county regarding property taxes. Trustee Springman asked how much under we were for hotel room taxes. Ms. Hudson reported that she would gather that information for the board.

J) August 2015 Vouchers

It was moved by President Krueger and seconded by Trustee Springman to approve August 2015 Vouchers. The motion carried unanimously.

VI. Committee Appointment

Elissa Retkowski has been appointed to the Park & Recreation Committee.

It was moved by Trustee Springman and seconded by President Krueger to approve the Committee Appointment. The motion carried unanimously.

VII. Village President’s Report

- The North Shore Fire Department met and just a reminded the board of the 20th anniversary

event.

- ICC met and the biggest discussion was the schedule for trick or treating which is Saturday October 31, 2015 from 1-4
- Commended a wonderful Beatification Award event

VIII. Village Committee Chairperson Report

None

IX. Village Manager's Report

- Open Book is this Tuesday September 29, 2015 and Wednesday September 30, 2015
- Board of Review is on October 14, 2015
- Badger Meter River Park Ribbon Cutting got changed to Friday October 2, 2015 at 10:30 a.m.

X. Recessed into Closed Session pursuant to §19.85(1) (g) (e) Wisconsin Statutes for the following reasons:

It was moved by Trustee Schilz and seconded by Trustee Oates to recess into Closed Session at 8:11 p.m. The motion carried unanimously.

- (g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.
 - 5091 West Brown Deer Road, Brown Deer, Wisconsin
- (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
 - 5600 West Bradley Road, Brown Deer, Wisconsin

XI. Reconvene into Open Session for Possible Action on Closed Session Deliberation

It was moved by Trustee Springman and seconded by Trustee Oates to reconvene into Open Session at 8:54 p.m. The motion carried unanimously.

XII. Adjournment

It was moved by Trustee Springman and seconded by Trustee Oates to adjourn at 8:55 p.m. The motion carried unanimously.


Jill Kenda-Lubetski, Village Clerk