

**BROWN DEER VILLAGE BOARD  
FEBRUARY 16, 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 6:30 P.M.

**I. Roll Call**

Present: Village President Krueger; Trustees: Awe, Baker, Boschert, Oates, Schilz, Springman

Also Present: Michael Hall, Village Manager; Jill Kenda-Lubetski, Village Clerk; John Fuchs, Village Attorney; Matthew Maederer, Director of Public Works; Michael Kass, Chief of Police; Susan Hudson, Treasurer/Comptroller; Erin Hirn, Assistant Village Manager; James Buske, Village Engineer and GIS Manager; Jonathan Schmitz, Lieutenant – Brown Deer Police Department; Bradley D. Viegut, Managing Director of Robert W. Baird

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

Chief Kass recognized Kristine Rapp for her act of kindness rendered on November 22, 2014.

Mr. Hall introduced Ann Christiansen, the new North Shore Health Department Director.

Mr. Hall introduced Erin Hirn, the new Assistant Village Manager.

**IV. Consideration of Minutes: February 2, 2015 - Regular Meeting**

*It was moved by Trustee Oates and seconded by Trustee Boschert to approve the minutes from the February 2, 2015 Regular Meeting, as amended. The motion carried unanimously.*

**V. Unfinished Business**

**VI. New Business**

**A) Initial Resolution Authorizing \$1,410,000 General Obligation Promissory Notes for Land Assembly**

Mr. Hall stated that this resolution will give the Village the authorization to purchase the bonds for the street lighting project.

Brad Viegut, Managing Director of Robert W. Baird Co., Inc. offered a structuring of the bond life. He also said that he was in attendance to answer any questions about issuing the bonds.

Trustee Oates wanted to know how many bidders there were for this project; what is the climate since last presentation; and what other competing markets are also bidding?

Mr. Viegut stated rates currently are at what they were at in mid-December (2.55%). He guesstimates the rate will be between 2.40-2.50%. He reviewed the payment schedule with the first payment being due in 2016 and the final payment made in 2022. He said he will be attending the Village Board meeting on March 16, 2015 for the final bond resolution.

*It was moved by Trustee Baker and seconded by Trustee Schilz to approve the Initial Resolution Authorizing \$1,410,000 General Obligation Promissory Notes for Land Assembly. The motion carried 6-0, with Trustee Awe abstaining.*

**B) Resolution Providing for the Sale of \$1,410,000 of General Obligation Promissory Notes**

Mr. Hall stated that this resolution is a formality and continuation of providing for the sale and approval of the bonds.

*It was moved by Trustee Springman and seconded by Trustee Oates to approve the Resolution Providing for the sale of \$1,410,000 of General Obligation Promissory Notes. The motion carried 6-0, with Trustee Awe abstaining.*

**C) All-Ways Contractors – Badger Meter Park Development (re-bid)**

Mr. Buske stated this is the third time this project went out for bid. All of the bids from the first two bids were rejected. He stated more money was added to the budget for this project, coupled with the \$40,000 Badger Meter grant, plus the \$25,000 grant from MMSD, for a total of \$265,000 available in funds for this project in 2015. He reported that the project was scaled back plus some additional funds were made available in the budget. All-Ways' bid was \$220,000, with a remaining balance of \$45,000. The balance would be utilized by the contractor for the base bid and alternate bid and a canoe/kayak launch manufactured by EZ Dock company,

The question was asked, do we really need a bathroom? Mr. Maederer stated that we could grade out for it and at some time erect a pavilion, similar to what is at Village Park. A discussion ensued regarding the placement of a port-a-john with screening. The Village of River Hills does not have any type of facilities on their side of the river. The discussion included the addition of walking paths.

Trustee Schilz wanted to know how people will know where this is. Mr. Maederer responded that we will need to add an entry way park sign.

Trustee Schilz wanted confirmation that there will only be one entrance to the area. Mr. Hall responded that there will only be one entrance and proper signage will be installed at appropriate places to identify the entrance.

Trustee Schilz wanted to know if the area will be fenced. Mr. Maederer stated that due to erosion control, there will be no fencing.

Trustee Awe wanted to know if the area is going to be plowed in the winter. Mr. Maederer stated that they will need to monitor the parking situation to see if it becomes a winter destination. The area will be plowed in the winter, but no salt will be applied in the area.

President Krueger wanted clarification that there will be no family picnics or gatherings. Mr. Maederer confirmed that this is not a park, just a canoe/kayak launch. It is basically going to be an open area with a shelter. Mr. Maederer said the area will need to be monitored to see how it all evolves, how much usage, frequency, length of time, etc.

President Krueger wanted to know if this was a permanent launch. Mr. Maederer stated that it was not and it will be removed in the winter by the DPW.

Trustee Boschert questioned if the launch would be left on-site when it is not in use.

Trustee Oates asked what type of materials the launch will be made of. Mr. Maederer and Mr. Buske stated wood with steel railings.

Trustee Awe wanted to know if there would be rentals of canoes and kayaks available. Mr. Maederer stated that there will not be any type of rentals as this would be a private business venture. Mr. Hall

stated that the YMCA and Audubon Society both offer a tour of the Milwaukee River.

Mr. Maederer stated that nothing is official and what we currently have just evolved, but there could be more in the future. This is a Village-owned parcel. The Park & Recreation Committee approved this project in 2014.

Trustee Baker opined that he does not believe it would be beneficial to have a port-a-john at this location.

Trustee Schilz questioned if there is a fence with handrail at street level on the east side. Mr. Maederer stated there is a split rail barrier as the slope is so steep from that point of the sidewalk. It is to prevent people from falling down the hill.

Trustee Schilz asked if fishing would be allowed. He stated he sees people fishing on the Rivers Hills side of the river.

Trustee Boschert wanted to confirm that the base bid is for the asphalt and landscaping, the alternate bid is for walking paths, landscaping, asphalt, trees, wildflowers, etc.

Trustee Boschert wanted to confirm that the CIP for this project was \$200,000 designated for this project, plus \$40,000 from Badger Meter, plus \$25,000 from MMSD = \$265,209.

Trustee Oates wanted to know who the other bidders were. Mr. Buske responded that Vinton Construction and Pablocki Paving.

Trustee Oates wanted to know if the Village checked the references of All-Ways Contractors. Mr. Maederer stated they did the Dean Road project. Mr. Buske noted that All-Ways is an off-shoot of Payne & Dolan.

Trustee Schilz inquired if the biking trail will be paved with asphalt. He also asked about signage so that people would know about the area and where it is located. Mr. Maederer stated the bike trail and parking path will be paved. There will also be signage placed to the east of the area.

*It was moved by President Krueger to approve the Badger Meter Park Development in an amount not to exceed \$265, 209. President Krueger withdrew his initial motion and amended his motion to award and approve a contract with All-Ways Contractors – Badger Meter Park Development (re-bid) as submitted and not to exceed the budgeted amount of \$265,209. The amended motion was seconded by Trustee Boschert. The motion carried unanimously.*

Trustee Boschert questioned with the cost of grading, has any thought been given to just leave the parking area as gravel. Mr. Maederer stated that leaving the area as just gravel is not desired. He said having the area as gravel would be high maintenance and require more work from his department to maintain the area.

Trustee Oates inquired if these plans have been presented to the Beautification Committee. Mr. Maederer stated that it had not been presented to the Beautification Committee but will be in the future.

#### **D) Contract Award to Vinton Construction Company – West Bradley Road**

Mr. Maederer stated that due to the deterioration of West Bradley Road from North 51st Street to North Sherman Boulevard, the Village will be reconstructing the road with new asphalt and concrete curb and gutter in 2015. He stated a public information meeting was held in August 2014. He stated the deteriorated concrete, curb and gutter will be removed and the road will be re-graded having the same overall width; however, the number of lanes in each direction will be reduced down to one (1). A new

bicycle lane in each direction will be added. The new center median will include bioretention basins for stormwater management purposes. He stated funds were received through a 100% grant reimbursement program from MMSD (\$330,000) and the DNR (\$150,000). He said Milwaukee County was approached regarding resurfacing the intersection to North Sherman Boulevard.

Trustee Boschert asked if Milwaukee County approved partnering with the Village on this project.

Mr. Maederer said the Director of Transportation for Milwaukee County would like to participate with the Village. He said the Milwaukee County Board will need to approve the project. A contract will be drafted (similar to the County Line Road project) between the Village of Brown Deer and Milwaukee County. The Finance and Public Works Committee did not meet in February; therefore, they did not review the plans or bids.

Trustee Schilz inquired if Milwaukee County considered any reconfiguration of the intersection. Mr. Maederer stated the Teutonia/Bradley Road project is slated for 2017/2018.

Mr. Maederer stated we received a total of five bids, all with good prices. Vinton Construction Company will crush up the old concrete. Payne & Dolan will do the asphalt. A majority of the workers will be the same crew as who worked on the Dean Road project last summer. There were minimal complaints received from the public; it was all a positive feedback. He also stated that the landscaping is scaled back on the ditch.

Trustee Schilz inquired if plantings were included for the medians. Mr. Maederer stated there would be seeding done in the area but no plugs.

Trustee Springman questioned the completion dates and how does the Village make sure the contractor stays on schedule? He said we have had problems in the past with other projects and meeting the timeline. Mr. Maederer stated they are charged \$200/day if they do not meet the timeline.

A discussion ensued regarding the landscaping, maintenance, mobilization, the number of lanes on 51st Street and a contingency fund.

*It was moved by Trustee Awe and seconded by Trustee Schilz to award a contract to Vinton Construction Company for the West Bradley Road Reconstruction Project. The motion carried unanimously.*

#### **E) Contract Amendment No. 2015-01 with Ayres Associates – West Bradley Road**

Mr. Maederer stated that part of the Bradley Road reconstruction project included the professional services of Ayres Associates for on-site construction administration and staking services. The Village currently has a master contract with Ayres which establishes the rates for engineering and survey services. Mr. Maederer stated it is tough to estimate and that our contract with Ayres is hourly not a lump sum contract. He is proposing a contract amendment with Ayres for the Bradley Road Construction Administration and Staking Services.

*It was moved by President Krueger and seconded by Trustee Boschert to approve Contract Amendment No. 2015-01 with Ayres Associates – West Bradley Road project. The motion carried unanimously.*

#### **F) Approval of the GSSISS Funding Agreement**

Mr. Maederer stated the Village has been allocated \$25,209 in funding from MMSD's Green Solutions for Separate Infrastructure & Storm Separation (GSSISS) program.

The Village needed to submit a project by the end of 2014. Mr. Maederer submitted the River Park

(Badger Meter Park) project. All of the funding must be utilized on Village owned land. Trustee Oates wanted to know who will provide the items requested in the proposed funding agreement. Mr. Maederer stated he will be responsible for coordinating the project with MMSD.

A discussion ensued regarding the project going on land owned by the Village so that we get the funding and the Village is responsible for maintaining the project area upon completion.

*It was moved by Trustee Boschert and seconded by Trustee Schilz for the Approval of the GSSISS Funding Agreement. The motion passed unanimously.*

### **G) 2014 Year End Financial Reports**

Ms. Hudson stated the report includes what has been receipted in and paid out as of December 31, 2014. She said that the report shows expenditures that are \$33,000 under budget. She said these are preliminary numbers for 2014, and a final report will be provided in June after the official Village audit in April.

### **H) Consideration of December 2014 and January 2015 Vouchers**

The Finance and Public Works Committee did not meet in February due to lack of a quorum. The Finance and Public Works Committee did not meeting in the month of January due to not having any items to place on the agenda. Therefore, the vouchers are being brought to the Village Board for consideration.

President Krueger asked Ms. Hudson if there were any extraordinary expenses during this time.

Ms. Hudson stated there were none.

*It was moved by President Krueger and seconded by Trustee Oates to approve the vouchers for December 2014 and January 2015. The motion carried unanimously.*

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

Village President Krueger reported on the following:

- No North Shore Fire Department meeting this month. The next meeting will be held in March.
- He did not attend the ICC meeting this month.

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

Village Manager reported on the following:

- The Village is working with John Schlueter on the American TV property. Mr. Schlueter has found a buyer for the property that he will be meeting with on Wednesday. The buyer will occupy the entire building but does not want the entire lot. Outlots may be developed into other businesses.
- Two weeks ago, President Krueger and several employees attended a webinar presented by the League of Wisconsin Municipalities on changing the property tax assessment process from a municipality-based system to a county-based system; moratorium on using the Stewardship Fund to make land acquisition purchases; the DOT not requiring sidewalks, the DOT not requiring beautification.
- The Joint Review Board met to amend TIF District #2
- State Representative Dan Knodl will be hosting a listening session on March 12, 2015 at the Dolan Community Center from 5:30-7:00 p.m.

Trustee Baker asked what was going on with the Bradley Village Dental property on Bradley Road. The entire building where Dr. Newman has his practice is up for sale.

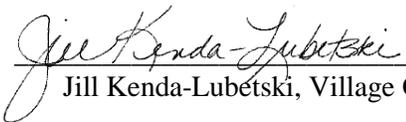
Trustee Baker asked if there was an update on the Sterling True Value Hardware store. He stated the For Sale sign came down today.

Trustee Boschert inquired if sidewalks would be required on 60th Street, if proposed legislation passes.

Trustee Schilz inquired about the porta-a-john located at 60th & Cloverleaf.

**IX. Adjournment**

*It was moved by Trustee Springman and seconded by Trustee Awe to adjourn at 8:01 p.m. The motion carried unanimously.*

  
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Jill Kenda-Lubetski, Village Clerk