

**BROWN DEER VILLAGE BOARD
AUGUST 3, 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 6:00 P.M.

I. Roll Call

Present: Village President Krueger; Trustees: Awe, Baker, Boschert, Oates, 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; Brian Williams-Van Klooster, Library Director; Chad Hoier, Director of Park and Recreation Department

II. Pledge of Allegiance

III. Persons Desiring to be Heard

None.

IV. Consideration of Minutes: July 20, 2015 Regular Meeting

It was moved by Trustee Boschert and seconded by Trustee Springman to approve the amended minutes from the July 20, 2015 - Regular Meeting. The motion carried unanimously.

V. Unfinished Business

A) Update on Building Board Decision on New Home Construction in Gerbing Farm Subdivision.

Mr. Piotrowski explained the material the Building Board approved for the new construction in the Gerbing Farm subdivision. This will consist of LP Smartwood which is a composite wood product as well as a 3-foot base course of stone veneer on the front of the building to blend in with surrounding property. Trustee Boschert asked Attorney Fuchs if the approved material fits the definition created by the Plat Agreement. Attorney Fuchs verified that the wood is generally considered wood unless the board would think otherwise. Trustee Boschert opined that he thinks the original Plat Agreement should be modified to accommodate new building materials. Attorney Fuchs explained the document expresses that the village can release or uphold the Plat agreements, but not modify. That would be in the hands of the neighborhood. It was clarified that this only refers to original construction and not repairs to current houses. Trustee Oates asked if this material was only on the front of the building, who the manufacturer was, and how long this type of product has been around. Mr. Piotrowski confirmed the material would only be on the front of the building. The product has been around for at least 25 years and has had recalls in the past; however, has not had issues since. President Krueger closed the conversation since there is no action needed by the board.

VI. New Business

A) Ordinance No. 15-, "An Ordinance Amending Article II, Sections 26-22 and 26-27 of the Brown Deer Village Code Relating to Fair Housing"

Attorney Fuchs explained the changes that have been made in the fair housing ordinance regarding discrimination based on gender identification or transgender which will make our ordinance current and in line with the county ordinance.

It was moved by Trustee Springman and seconded by Trustee Baker to approve Ordinance No. 15-, "An Ordinance Amending Article II, Sections 26-22 and 26-27 of the Brown Deer Village Code Relating to Fair Housing". The motion carried unanimously.

B) Capital Improvement Plan 2016-2020 - Discussion and Presentations

Mr. Hall gave a presentation on the five-year Capital Improvement Plan and clarified definitions and capital improvement project financing options as well as how projects are chosen. He pointed out the calculations for the tax rates and its variance relating to the equalized value which puts Brown Deer as the third lowest in the county in 2013. Mr. Hall reiterated that the CIP is a rolling document and changes based on the needs of the community and departments. Some projects may be offset by grants and donations throughout the year. Mr. Hall also recommended that we utilize some of our fund balance to offset our borrowing which has not been done in previous years. Our policies require we maintain a minimum of 15% and a maximum of 30% of expenditures in our fund balance. Currently the Village is at 31% and the recommendation has us using \$500,000 which would bring the fund balance down to 25% which is still within the policy requirements.

President Krueger asked if Village Board approval is needed. Michael confirmed that an approval to utilize fund balance expenditures would need Village Board approval.

Trustee Baker inquired how our fund balance is currently invested and how our investments are performing. Due to the village's recent loss of our accountant, the information was not available at this meeting; however, Ms. Hudson said she would have those numbers at the next board meeting.

CIP items were discussed minus the CIP projects related to building repairs and maintenance. Project items approved this year were reviewed to show their year to date costs.

Trustee Baker asked if this was a final list and Mr. Hall verified that there will be a final list given to the board by the end of the year.

Mr. Hall explained how some of the current requests that have to do with building repairs might be taken out if we go with Bray's suggested solutions for our municipal buildings. One of these solutions would be to build a new DPW building, which would then remove the costs of fixing the 1966 building.

Trustee Boschert inquired into what is going to happen to the current property DPW resides on and who is going to pay for demolition. Mr. Hall said there are many options available for what is going to happen to the site, there are options to sell to developers and if a developer purchasing the site there are options for the developer to conduct the demolition or the village could contribute something with TIF funding.

Trustee Oates asked about Buxton Retail Market Analysis. Mr. Hall replied that Buxton is coming to the next board meeting to display their services. The firm analysis retail establishes in relation to your community, provide us a list of the top 20 businesses that would most likely establish a location in our community, and then go even further by helping us in contacting those businesses to relay and share the data. This will help understand why some businesses will not bring a store to our village as well as help us when creating redevelopment options. Mr. Piotrowski confirmed that he was skeptical; however, after having a discussion with the vice-president of Buxton, he is confident they will give us the quality of data we are looking for as well as three years of direct service. Trustee Baker asked for their references and what our guarantees are. Mr. Piotrowski answered that currently they are working with Middleton and 500 communities within the United States. They will provide a list of top rated matches, introductory level to high level contact within retail companies, and an on-line tool that is similar to GIS but provides information that would be interesting to retail businesses. Also, the village will have their own project manager.

Trustee Awe asked why the amount changes for police department vehicles. Mr. Hall explained that the police department buys two every other year and three the contrasting year.

Trustee Springman asked about the sidewalk between 50th and Fairy Chasm and if it was going to be produced due to the verbiage used in the description. Mr. Piotrowski explained that the design has not been laid out so we are not sure yet whether sidewalk will go in or not. Trustee Springman also asked if the amount would change per design. Mr. Maederer explained that the price would not change per design.

Trustee Springman asked for a description of Celebrite which is being requested by the police department. Chief Kass explained that it is software to data dump cell phone information. Currently the Police Department uses the City of Milwaukee; however, with more people using cell phones it is taking more time to get the information needed.

Trustee Springman also mentioned the culverts on Bradley Road and whether Milwaukee will be contributing to that repair. Both Mr. Maederer and Mr. Piotrowski explained that they were currently in discussion with the City of Milwaukee.

Trustee Springman asked whether purchasing the self-service system will help lower cost in other areas and what the turnaround time is for the software. Mr. Willaims-Van Klooster explained how this would let patrons check their books out independently and that the software is new and will probably need updates in the following years.

Trustee Boschert asked whether the window and carpet replacements were discussed the last time the library had discretionary money. Trustee Baker responded that the carpet was discussed; however, the windows were suggested after the Bray analysis. This was confirmed by staff.

Trustee Oates brought up the crumbling medians on Bradley Road. Mr. Maederer explained that the crumbling areas of the median are on the side of Milwaukee and they are responsible for that. All of Bradley Road on Brown Deer's side is scheduled to be replaced within the next three years.

C) Bray Presentation – Possible Solutions to Needs Assessment of Municipal Buildings

Mr. Michael Hacker from Bray Architects gave a presentation regarding the solutions that evolved from the feasibility study. He started with the finding for each building and then focused on the Public Works building and its dire needs for either major repairs or a replacement of the building structure. The renovations for Village Hall depend on the possible relocation of the health department; however, does not need much of an addition but more internal renovation. This was the same outcomes for the library.

Trustee Springman inquired regarding relocation of the court. Mr. Hall expressed that this will be a longer process and many steps before it would have an effect on our building. Currently, two of the courts are combined. The idea is to share staff, but still have independent court rooms.

Trustee Awe inquired on the progression of the health department. Mr. Hall gave an update by saying there has been talk about merging the health department from two locations to one as well as reorganizing their structure to become more like the North Shore Fire Department where the board is made up of village managers to illuminate the need for duplicating conversations/presentations.

Trustee Boschert asked if the wetlands would be an issue regarding DNR requirement on the land being suggested for new public works buildings. Mr. Hacker explained that this level of information would come with the next phase of this process. Mr. Piotrowski displayed the value that could be produced if the Original Village DPW site was redeveloped. He opined that he believes the community would benefit from this area being redeveloped. There is TIF money available and he thinks it would be very desirable for a developer. He expressed how that specific TIF is not doing well because of lack of development, so

if the site was redeveloped there would be potential for a healthy TIF.

Trustee Boschert asked how much we currently receive from the Rite Hite site. Mr. Piotrowski guessed that we are making about \$10,000 to \$12,000 annually.

Trustee Schilz asked if there were wires between the bike path and the current DPW yard. Mr. Piotrowski said there is; however, there are ways to talk to WE Energies about making an access point onto the bike path.

Trustee Oates asked if there are any negative aspects for those interested in the property. Mr. Piotrowski expressed that the site has been remediated. There may be limitations in excavations and potential added cost for soil removal; however, there are ways to help fix these issues since it is in a TIF district. The location is currently zoned as planned development and because of that may be a positive element since there is a variety of redevelopment that is available.

Mr. Hacker reviewed the project costs and their relation to the repair cost that would not need to be done assuming we went ahead with a new building.

Trustee Boschert asked about the amount of revenue we get from the health department and whether we have contributed that loss to our overall dollar amounts. Mr. Hall explained that the health department currently pays the village \$40,000 a year for renting the space and this would be lost revenue.

Trustee Oates asked for an explanation of the method Bray took to come up with the project cost of a new building. Mr. Hacker explained that his team took the three building and projected a cost per building for electrical, plumbing, and HVAC system which came to 4.6 million. He then added 4.6% for inflation, 12% for soft cost, and 4% for construction contingency. Bray also benchmarked these projects against other municipality public works buildings.

President Krueger asked how much it would be to fix the current public works building. Mr. Hall explained that the cost as of today would be 1 million dollars. Mr. Maederer added in that this does not fix the issues the public works department currently has regarding lack of space. President Krueger also confirmed that this new building would be up to code and therefore would protect the new equipment DPW has within their current facilities.

Trustee Springman wanted to know if we would be anticipating completing all these projects at the same time. Mr. Hall explained that this would be done in phases with DPW being the first phase, Village Hall and the Police Department being the second phase assuming the Health Department has found a new location, and then the third phase would be the library. Trustee Boschert wanted to know if we would be borrowing all at once. Mr. Hall explained that we would be borrowing in phases.

Trustee Awe suggested that we gather information to explain the reasoning to residents. Mr. Hall agreed that we need to create some literature and hold a public information session. Mr. Maederer suggested providing tours of the public works building to the public. Trustee Baker also asked about the traffic flow if DPW would be on Arbon Drive. Mr. Maederer said there has been discussion within DPW and they would be using the signalized intersection for safety purposes. Trustee Oates agreed that the public should be informed to show why we need a new building and show how this can spur development in the Original Village. Mr. Maederer asked if this would have to go to referendum. Mr. Hall said there is no need to go for referendum; however, we can provide public information sessions to further educate the community. Mr. Hall confirmed that we will get the information together and come back to the board with precise dates. Mr. Hall explained that we can push back the approval for the CIP; however, we need to have approval before the budget is approved. President Krueger asked if Bray Architect are going to be present during these meetings. Mr. Hacker said that they would be more than willing to help present this information for the village.

Trustee Springman asked what would happen if the board decides to build a new building, what would happen to the money that was allocated for building repairs. Mr. Hall answered that we would just not borrow that money.

VII. Village President's Report

- Congratulated the Police Department for National Night Out, only comment was that we have more food vendors next year.
- He has checked out each of the 25 rain barrels located throughout the community and rated them. He suggested that others do so if time allotted.
- 20th Anniversary Event for the Fire Department is coming up.
- Doors Open Milwaukee is coming up soon where you can visit MMSD and view the interworking of our water system.

VIII. Village Manager's Report

- Tuesday October 6, 2015, the Fire Department event is being hosted by Badger Meter with David Axelrod speaking. We have reserved a table of 10 seats. There is money in the board's budget and we are asking if you would like to use that money to pay for a table at the Fire Department event. It is \$100 per seat. There were no decisions made at this time. Both Mr. Hall and Chief Kass were requested to attend by the board members.
- Metro Storage is having their ribbon cutting August 20, 2015 at 5:00.
- We have closed with PAK Technology.
- Equalized values from 2015 have come out and will be finalized in the next month. There was a 5% drop in these preliminary findings. On October 14, 2015, there will be final numbers for the assessed values.

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

It was moved by Trustee Springman and seconded by Trustee Awe to recess into closed session at 8:15 p.m. The motion carried unanimously.

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

1. Compensation and organization of Police Department

X. Reconvene into Open Session for Possible Action on Closed Session Deliberations

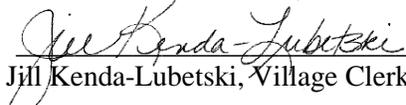
It was moved by President Krueger and seconded by Trustee Springman to reconvene into open session at 8:28 p.m. The motion carried unanimously.

XI. Consideration of Retirement and Separation Agreement for Captain John Graeber

It was moved by Trustee Springman and seconded by Trustee Baker to approve the Retirement and Separation Agreement for Captain John Graeber. The motion carried unanimously.

XII. Adjournment

It was moved by President Krueger and seconded by Trustee Schilz to adjourn at 8:30 p.m. The motion carried unanimously.


Jill Kenda-Lubetski, Village Clerk