



**BROWN DEER VILLAGE BOARD
MARCH 7, 2022 MEETING MINUTES
VIRTUAL MEETING BY COMPUTER AND PHONE - 6:30PM**

The meeting was called to order by President Montgomery at 6:30pm.

I. Roll Call

Present: Village President Montgomery, Trustees Baker, Booker, Owens, Quirk, and Siegrist

Also Present: Village Attorney Nathan Bayer, Village Manager Tyler Burkart, Public Works Director/ Village Engineer Matthew Maederer, Community Development Director Nate Piotrowski, Interim Health Officer Kathy Platt, Senior Environmental Health Specialist Brad Simerly and Village Clerk Caren Brustmann

II. Persons Desiring to be Heard

An emailed comment was received from Laura Garcia of 8160 N. 37th Street regarding changes in mask wearing guidelines in public buildings to match CDC guidelines. Village Clerk Brustmann read the comment verbatim to the Board.

III. Elected Officials & Staff Reports

No discussion or action was taken.

A) Update on Transition to In Person Meetings

Village Manager Burkart stated based on recent data that has been provided by the North Shore Health Department, the decision to return to in person meetings has been made beginning March 21st.

IV. Consent Agenda

A) Consideration of Minutes – February 21st, 2022

B) Consideration of Modification to First Amendment to the Amended and Restated TIF Development Agreement with Fiduciary Real Estate development

It was moved by Trustee Quirk and seconded by Trustee Siegrist to approve the consent agenda as presented. The motion carried unanimously.

V. New Business

A) Consideration of Approval for Intent to Purchase (in year 2023) 5-YD Patrol Truck Replacement Truck No. 77 w/ accessories (plow and salter package)

Director of Public Works/Village Engineer Maederer is requesting to provide a letter of intent to secure a “build slot” for the 2023 plow truck replacement (Truck No. 77). Truck No. 77 was included in the 2022-2026 Capital Improvement Program.

It was moved by President Montgomery and seconded by Trustee Owens to approve the intent to purchase (in year 2023) 5-YD Patrol Truck Replacement (Truck No. 77) w/ accessories (plow and salter package). The motion carried unanimously.

B) Consideration of Approval for 2022 North Shore Environmental Health Consortium Fee Increase

Senior Environmental Health Specialist Simerly noted the North Shore Environmental Health Consortium (NSEHC)

conducts inspections and issues licenses for all food establishments, temporary events, and farmers' markets. The NSEHC acts as an agent under contract for the Dept of Agriculture, Trade and Consumer Protection (DATCP). The DATCP is increasing their reimbursement fee 1% in 2023 and again in 2024. The NSEHC recommends a 5% increase for all program fees.

It was moved by Trustee Baker and seconded by Trustee Booker to approve the North Shore Environmental Health Consortium fee increase of 5% for 2022 program fees. The motion carried unanimously.

C) Review and Possible Action on an Offer to Purchase from Atlas Assisted Living, LLC for property at 4740 W. Bradley Road

Community Development Director Piotrowski stated staff has worked with Atlas Assisted Living, LLC to prepare an Offer to Purchase for the property at 4740 W. Bradley Road. Included in the offer is a purchase price of \$1.00, a closing date on/or before Dec. 31, 2022 to allow the developer to go through land use approvals, a reversion clause that stipulates that the property would revert to the Village if building permits are not pulled within 2 years of closing and/or the facility is not up and running within 3 years of closing, and a minimum guaranteed value of \$1,000,000 for a 17 bed assisted living facility.

It was moved by Trustee Quirk and seconded by Trustee Baker to approve the Offer to Purchase with Atlas Assisted Living, LLC for the property at 4740 W. Bradley Road. The motion carried unanimously.

D) Discussion and Possible Action on Mask Wearing Guidelines in Public Buildings

Village Manager Burkart stated the CDC issued a new recommendation stating if areas are determined as a low or medium risk for COVID based on their current testing results, it should be optional for individuals to wear a mask indoors. Starting Tuesday, March 8th, public buildings will encourage, but not require, community members and employees to wear masks. The Village will go back to requiring masks in public buildings if the CDC risk level increases to the level of "high" or greater.

It was moved by Trustee Siegrist and seconded by Trustee Quirk to work with our public buildings and to modify the mask policy to match current CDC guidelines. The motion carried unanimously.

VI. Recess into Closed Session Pursuant to Wis. Stat. §19.85(1)(g) for the Following Reasons:

(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.

A) Update on Marketplace Assessment Error

It was moved by Trustee Quirk and seconded by Trustee Booker to recess into Closed Session Pursuant to Wis. Stat. §19.85(1)(g) for the following reasons: 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. The motion carried unanimously.

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

It was moved by Trustee Owens and seconded by Trustee Siegrist to reconvene into open session. No action was taken.

VII. Adjournment

It was moved by President Montgomery to adjourn at 7:21 p.m.

s/ Caren Brustmann
Caren Brustmann
Village Clerk