



**BROWN DEER VILLAGE BOARD  
MARCH 21, 2022 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

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, Development Director Nate Piotrowski, Treasurer Susan Hudson, and Village Clerk Caren Brustmann

**II. Persons Desiring to be Heard**

*John Buckley of 9454 Oak Court, Brown Deer, inquired about the subsection being cited for the closed session item on this agenda.*

**III. Elected Officials & Staff Reports**

*No discussion or action was taken.*

**IV. Consent Agenda**

- A) Consideration of Minutes – March 7, 2022
- B) January 2022 Financial Report
- C) Consideration of February 2022 Vouchers
- D) Roadway Reimbursement Agreement - WE Energies, 8639 N. Deerwood Drive

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

**V. New Business**

**A) Review and Possible Approval of a Third Amendment to Development Agreement with F Street Group for Multi-Family Residential and Public Facilities**

Attorney John Fuchs stated as with the Fiduciary agreement, the first-year assessment did not pick up the new value. Less taxes were paid to the Village and less assistance was provided. While that is a net zero receipt and payment situation as between the Village and F Street, it would look like the numbers do not equal the agreement in terms of a yearly audit. This amendment alleviates that and credits the Village as having made the larger payment as the initial agreement contemplated.

*It was moved by Trustee Baker and seconded by Trustee Booker to approve the third amendment to the Development Agreement with F Street Group for multi-family residential and public facilities. The motion carried unanimously.*

**B) Update and Possible Consideration of Location for 2022 Farmers Market**

Village Manager Burkart noted in 2021, it was initially determined to use Village Square for the 2022 farmers market, however, there is no concept map or plan for this location to date. It is being recommended to move the location of the 2022 farmers market back to the Marketplace location. Despite the current construction, it has been

confirmed that both entrances and exits into that property will be accessible during the construction season. Additional signs will be posted through detour routes to navigate traffic to the market. The Village thanks Librarian Elise Bellin for coordinating this year's farmers market as well as the Farmers Market Committee for their assistance.

### **C) Discuss and Consider Meeting Format for Volunteer Committees**

Village Manager Burkart noted due to the reduction of COVID cases, the Board went back to in person meetings, based on the motion made on January 18, 2022. Since that meeting, there has been interest by both Village staff and officials to further clarify how volunteer committees will proceed with their meetings. The virtual platform has allowed more engagement among community members and increased the accessibility and transparency of committee business.

*It was moved by President Montgomery and seconded by Trustee Siegrist, with Trustee Baker opposing, to permit volunteer committees the option of holding virtual meetings with the notion that staff will accommodate community member requests based on accessibility or a disability. The motion carried 5-1.*

### **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, specifically to discuss an ethics claim filed by Bryan Kennedy.

*It was moved by Trustee Siegrist 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, specifically to discuss an ethics claim filed by Bryan Kennedy. The motion carried unanimously.*

### **VII. Reconvene into Open Session for Possible Action on Closed Session Deliberations**

*It was moved by Trustee Booker and seconded by Trustee Owens to reconvene into open session.*

*It was moved by Trustee Siegrist and seconded by Trustee Baker, with Trustees Quirk and Owens abstaining, that based on the advice of the Attorney, the Village Board has no basis to proceed on an ethics claim against Trustee Quirk as filed by Bryan Kennedy. The motion carried 4-0 by a roll call vote.*

### **VII. Adjournment**

*It was moved by President Montgomery to adjourn at 8:25 p.m.*

          s/ Caren Brustmann

Caren Brustmann

Village Clerk