

**BROWN DEER VILLAGE BOARD
MAY 3, 2021 MEETING MINUTES
VIRTUAL MEETING BY PHONE DUE TO COVID-19 PANDEMIC**

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

I. Roll Call

Present: Village President Montgomery; Trustees: Baker, Booker, Cherry, Quirk, Siegrist, Spencer

Also, Present: Michael Hall, Village Manager; Susan Hudson, Comptroller; Miranda Etzel, Interim Village Clerk; John Fuchs, Village Attorney.

II. Persons Desiring to be Heard – none.

III. Elected Officials & Staff Reports – No Discussion or Actions will be taken on reports.

IV. Public Hearing

A) Special Assessments of Culverts and Driveway Approaches for the 2021 Ditch Rehabilitation Project

Matthew Maederer reported that last week there was a public information meeting. Mr. Maederer was able to explain some project details to a couple of citizens that requested information. The timeline and info sheet are included in the packet describing different elements of the project. This is a coordinated effort with a water main relay, man-hole rehab work, culvert and drive approach replacements, ending with road re-pavement.

V. Consent Agenda for Village Board

A) Consideration of Minutes: April 19, 2021 – Regular Meeting

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

VI. New Business

A) Approve Committee/Commission/Board Appointments for Volunteers and Trustees

Trustee Quirk inquired about an elected official sitting on the Board of Review. Trustee Quirk commented that no trustee has ever sat on the Board of Review or the Board of Appeals. It is a quasi-judicial function and is concerning having an appointed sitting trustee having authority over residents' tax appeal. After consulting with the Village Attorney, there is no prohibition against it in our ordinances, but the Police Commission does prohibit it. President Montgomery indicated that since Trustee Siegrist was appointed as a citizen it should not be an issue. Attorney Fuchs commented that Trustee Siegrist is eligible to serve on that committee.

It was moved by Trustee Booker and seconded by Trustee Spencer to approve the trustee appointments. The motion carried unanimously.

Trustee Booker inquired about the committee vacancies. President Montgomery commented that some applications are still being returned and the board is always working to encourage participation.

It was moved by Trustee Quirk and seconded by Trustee Siegrist to approve committee appointments & reappointments. The motion carried unanimously.

B) Resolution No. 21-, “Assessing of the Culvert and Driveway Approach Costs for the 2021 Ditch Rehabilitation Project”

President Montgomery inquired if there were any questions from the board as to the materials included in the packet. There were no comments or questions.

It was moved by Trustee Spencer and seconded by Trustee Booker to approve the Resolution. The motion carried unanimously.

C) Presentation on American Rescue Plan Act

Village Manager, Michael Hall, delivered a presentation to introduce this Act. This new federal funding will be coming in the next 30-90 days. This is the first time all 19,000 municipal governments will not have to competitively apply for money and it will be allocated from the Treasury Dept. 65.1 billion dollars will be distributed to all cities, villages and towns in the United States. Brown Deer would fit into the category of a non-entitlement city, which means it will get the money 30 days after it is dispersed. Mr. Hall continued to explain the different categories the money can be spent in. President Montgomery inquired on the timeframe that the money had to be spent by. Mr. Hall replied it must be spent by 2024 and will be monitored by the Village Treasurer and then reported back to the federal government on how the money was spent. Trustee Cherry inquired if Milwaukee County has reached out to see if they had any proposed plans that would impact Brown Deer. Mr. Hall replied no. President Montgomery requested that staff put together a list of ideas on how the money should be used so the board could consider them.

D) Resolution No. 21- “Amendment of the 2021 Schedule of Fees for Live Entertainment”

Deputy Clerk Miranda Etzel discussed the fee schedule for live entertainment. Brown Deer currently has a fee of \$500.00 annually for this dance license. This is considerably higher than any other North Shore municipality. Trustee Quirk inquired if this only applies to businesses. Deputy Clerk Etzel replied that it usually comes into play with businesses who hold liquor licenses. President Montgomery inquired on the number of licenses Brown Deer issues per year. Deputy Clerk Etzel commented that according to the current records, there are 2 businesses with this license. They pertain to strictly music and dancing. Trustee Booker inquired on how long this fee has been in place. Deputy Clerk Etzel did not know. Trustee Cherry inquired on suggestions as to an appropriate amount. Deputy Clerk Etzel stated her recommendation would be an annual fee of \$150.00. Trustee Quirk commented that this would be a good year to make the fee change. Trustee Quirk inquired on why the fee was so high. Attorney Fuchs stated that the \$500.00 fee should have never been set that high and that licenses are not meant to be an additional revenue source for the tax levy. They are supposed to reflect the cost of issuance as it pertains to staff time, etc. Trustee Siegrist discussed if the fee could be \$100.00.

It was moved by Trustee Quirk and seconded by Trustee Baker to lower the fee to \$150.00. The motion carried unanimously.

E) Update regarding the Bi-annual Cycle of operator’s (Bartender’s) Licenses

Deputy Clerk Miranda Etzel presented the board with an update on these licenses. Most municipalities have bartender licenses on a 2-year cycle—a number of North Shore communities do their bartender licenses annually—some are two-year cycles. Deputy Clerk Etzel reports it is more efficient to have everyone on the same cycle not only for Village Staff, but for license holders, as well. Anyone renewing this year (2021) will be given a one-year license and will renew in 2022 with the licensing expiring in 2024. Trustee Booker inquired if the fee will remain the same. Deputy Clerk Etzel reported it will remain at \$70.00 for a bi-annual license.

F) Discussion and Possible Action on the Appointment of a Village Clerk

Attorney Fuchs put two options together for the Village Board to consider regarding the appointment of the Village Clerk. Attorney Fuchs explained that one option would put the hiring on the manager and the second option would put hiring on the Village Board. Both options are charter ordinances which means that whichever one the board is to pick it takes effect 60 days from adoption. Trustee Siegrist inquired if there would be a benefit to going back to the old ordinance and combining the role of Village Manager and Village Clerk. Attorney Fuchs explained that the prior ordinance is becoming more obsolete simply due to the functions of each are quite different.

It was moved by President Montgomery and seconded by Trustee Cherry to keep the responsibility of the appointment of the Village Clerk by the Village Board. The motion carried 5-2, with Trustee Quirk and Trustee Baker opposed.

It was also moved by Trustee Booker to direct the Village Manager to continue the search for additional candidates to fill the position of Village Clerk permanently and seconded by Trustee Siegrist. The motion carried 5-2, with Trustee Quirk and Trustee Baker opposed.

It was further moved by Trustee Quirk for the Village to hire Deputy Clerk Etzel as Interim Village Clerk with benefits, while the Village continues to search for additional candidates to fill the position of Village Clerk permanently and seconded by Trustee Baker. The motion carried unanimously.

G) Discussion and Possible Action on the Continuation of Village Board Virtual Meetings

Mr. Hall reported that during a meeting of the North Shore managers the question arose as to when each municipality's board would be returning to in-person meetings. A discussion ensued on if meetings would return to in-person and how that would be done safely due to the current public health situation.

It was moved by Trustee Quirk and seconded by Trustee Cherry to return to in-person meetings on July 19, 2021. The motion carried unanimously.

VII. Adjournment

It was moved by President Montgomery to adjourn at 8:11 p.m.

s/ Elizabeth Spaulding

Elizabeth Spaulding
Deputy Village Clerk