

**BROWN DEER VILLAGE BOARD
JUNE 20, 2016 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; Erin Hirn, Assistant Village Manager/Deputy Clerk; John Fuchs, Village Attorney; Jill Kenda-Lubetski, Village Clerk; Michael Kass, Chief of Police; Nate Piotrowski, Director of Community Development; Matthew Maederer, Director of Department of Public Works; Susan Hudson, Treasurer/Comptroller; Colette Reinke, Village Attorney; John Coons, CDA Committee Member; Scott Fleming, CDA Committee Member; Alan Marcuvitz, Attorney

II. Pledge of Allegiance

III. Persons Desiring to be Heard

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

It was moved by Mr. Fleming and seconded by Mr. Coons to recess into closed session at 6:43 p.m. The motion carried unanimously.

(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.

(e) Deliberating or negotiating the purchasing or public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

- a) DPW Property
- b) Warwick Court
- c) TIF #4 Property

V. CDA to Reconvene into Open Session for Possible Action on Closed Session Deliberations

It was moved by Mr. Fleming and seconded by Mr. Coons to reconvene into open session at 7:26 p.m. The motion carried unanimously.

VI. Community Development Authority Adjournment

It was moved by Mr. Fleming and seconded by Mr. Coons to adjourn at 7:27 p.m. The motion carried unanimously.

VII. Village Board to Reconvene into Open Session for Possible Action on Closed Session Deliberations

It was moved by Trustee Springman and seconded by Trustee Baker to reconvene into open session at 7:46 p.m. The motion carried unanimously.

VIII. Meeting with the Village Board

IX. Consent Agenda

- A. Consideration of Minutes: June 6, 2016 – Regular Meeting
- B. Consideration of Minutes: June 7, 2016 – Special Meeting
- C. Permanent Conditional Use Permit for a Commercial Dance Studio at 9036 North 51st Street
- D. Permanent Conditional Use Permit for Self Service Storage Warehouse at 4059 West Bradley Road

- E. Permanent Conditional Use Permit for a Cellular Tower at 5600 West Bradley Road
- F. Permanent Conditional Use Permit for a Cellular Tower at 8200 North 60th Street
- G. Committee Appointment
- H. April 2016 Financial Report
- I. May 2016 Vouchers

It was moved by President Krueger and seconded by Trustee Schilz to approve the consent agenda items A through I. The motion carried unanimously.

X. New Business

- A. Liquor License Application Submitted by AppeTHAI for 2016-2017

Mrs. Kenda-Lubetski introduced the application for AppeThai's liquor license. Verification was made that the necessary fees were paid, background check provided, and that the notice was published. Mrs. Kenda-Lubetski also mention that there was further interest by Appethai to purchase a full liquor license after July 1st in order to obtain Celebrations' original full liquor license.

It was moved by Trustee Boschert and seconded by Trustee Springman to approved the Liquor License Application Submitted by AppeTHAI for 2016-2017. The motion carried unanimously.

- B. Recommend Approval of Third Amendment to Substitute Redevelopment Agreement with Deerwood Offices, 8655 North Deerwood Drive

Mr. Piotrowski noted the requested modification was to allow for more borrowing from private financial sources so that property maintenance and upkeep could be handled. He also noted that this will not impact the repayment schedule or the TIF district. Mr. Piotrowski introduced Kelly from Peabody's Interior who was present to answer any questions.

It was moved by Trustee Springman and seconded by Trustee Baker to approve the Third Amendment to Substitute Redevelopment Agreement with Deerwood Offices, 8655 North Deerwood Drive. The motion carried unanimously.

- C. Recommendation of a Conditional Use Permit for an Automobile Service Station, Convenience Store, Automobile Laundry and Drive-Thru at 9001 North Green Bay Road

Mr. Piotrowski noted the developer Mr. Walia has changed his floor plan on the second floor to become offices instead of apartments and will also be removing his request to have a 24-hour attendant on site. Mr. Walia informed the board that he may request the 24-hour operation in the future.

Trustee Baker expressed concern on something happening in the car wash if there is no one on staff in regards to a 24-hour car wash.

Trustee Schilz also expressed concern around the car wash freezing during the winter and also that this was not mentioned during the initial approval through the planning commission.

Trustee Oates asked Chief Kass if there were any police issues around 24-hour pay at the pump in Brown Deer. Chief Kass verified that there have been no issues with 24-hour pay at the pump.

It was moved by Trustee Springman and seconded by Trustee Baker approval of the recommendation of a Conditional Use Permit for an automobile service station, convenience store, automobile laundry and drive-thru at 9001 North Green Bay Road 6 am to 11pm daily with a 24-hour pay at the pump while maintaining regular car wash hours. The motion carried 4-3 with Trustee Oates, Trustee Boschert, and Trustee Awe voting in opposition.

- D. Discussion on the Community Services Officer

Chief Kass gave a brief overview of the Community Service Officer position and annual report.

E. Discussion on the Interchange of Brown Deer Road and Green Bay Road

President Krueger introduced the request by the Department of Transportation to give them a consensus from the board for a Michigan U turn before they continue forward with this design. The staff and

Trustee Boschert asked about the consensus of the public meeting. Mr. Hall stated that the majority of the 75 people who attended the public intersection wanted an at grade intersection and a majority of those desired a Median U Turn. Mr. Hall verified that these results will be placed in the drop box and will be brought to the next meeting on July 18, 2016.

Trustee Awe asked about the potential roundabouts. Mr. Piotrowski verified that the two possibilities would be Bradley/Teutonia intersection and Green Bay/Teutonia intersection; however, these are just in their initial stages of review.

F. Approval of the Demolition Contract for the Former Lighthouse Property at 7909-11 North 47th Street

Mr. Hall noted that the former Lighthouse property is in the process of moving its residents into the new facility and once emptied the village would prefer to go through the demolition process to make the property more attractive to potential developers.

Trustee Boschert asked if this cost would come out of the TIF. Mr. Hall verified that it would be coming out of TIF #4.

It was moved by Trustee Springman and seconded by Trustee Oates to approve the demolition contract for the former Lighthouse Property at 7909-11 North 47th Street. The motion carried unanimously.

G. Recommend Approval for Expenditure of Funds for the 2016 EAB Treatment Project

Mr. Maederer explained the progress of the EAB Treatment Project.

President Krueger asked how many trees we treat a year. Mr. Maederer confirmed around 140 trees annually.

It was moved by President Krueger and seconded by Trustee Boschert to approve expenditure of funds for the 2016 EAB Treatment Project. The motion carried unanimously.

H. Review and Comment on the WPDES 2016 Annual Report for the Activities of 2015

Mr. Maederer reported the 2016 activities for the WPDES report.

I. Recommend Approval of the Compliance Maintenance Annual Report (CMAR) and Adoption of the Resolution Authorizing Submittal to the Wisconsin Department of Natural Resources (WDNR)

Mr. Maederer gave highlights on the CMAR which included sewer pipe lining and re-laid laterals on 60th street as well as the overflow investigations that have been completed and will result in further projects that will be requested this fall. The Village of Brown Deer received an A grade report this year and things are scheduled to continue as normal.

It was moved by President Krueger and seconded by Trustee Boschert to approve the Compliance Maintenance Annual Report (CMAR) and adoption of the Resolution Authorizing Submittal to the Wisconsin Department of Natural Resources (WDNR). The motion carried unanimously.

J. Department Presentation (Department of Public Works)

Mr. Maederer gave a brief presentation of the Public Works Department.

XI. Village President's Report

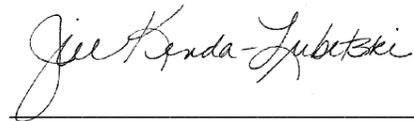
- Attended MMSD & ICMA meetings
- Reminded everyone of the 4th of July Celebration

XII. Village Manager's Report

- Michael & Erin will be attending the WCMA Conference this week
- Ross Dress for Less will be having their ribbon cutting on July 16, 2016 at 8:45 a.m.
- Next meeting will be July 18, 2016
- Firehouse Subs should be opening in September

XIII. Adjournment

It was moved by Trustee Springman and seconded by Trustee Schilz to adjourn at 9:32 p.m. The motion carried unanimously.



Jill Kenda-Lubetski, Village Clerk