

**BROWN DEER VILLAGE BOARD  
MARCH 2, 2020 MEETING MINUTES  
HELD AT THE BROWN DEER VILLAGE HALL  
4800 WEST GREEN BROOK DRIVE**

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

**I. Roll Call**

Present: Village President Montgomery; Trustees: Baker, Quirk, Spencer, Springman, Wedward

Also Present: Michael Hall, Village Manager; Jill Kenda-Lubetski, Village Clerk; Susan Hudson, Comptroller; John Fuchs, Village Attorney; Mike Kass, Chief of Police; Matthew Maederer, Department of Public Works Director; Jonathan Schmitz, Police Captain

Excused: Trustee Booker

II. Pledge of Allegiance

III. Persons Desiring to be Heard

A moment of silence was observed for the employees, shooting victims and their families at Molson Coors.

Priscilla Hightower Thompson, 9563 Woods Circle, said her commentary is referenced back to the last Village Board meeting agenda. She opined that unbiased commentary allows for much more productive resolutions and that is the overall objective of the residents.

Armond Jenkins, 9585 North 52nd Street, requested to speak at Item V(E).

**IV. Consent Agenda**

A) Consideration of Minutes: February 17, 2020 – Regular Meeting

Trustee Spencer stated her comment about kicked off also included that it has a negative connotation.

*It was moved by Trustee Spencer and seconded by Trustee Quirk to approve the consent agenda item, with the minutes as amended. The motion carried unanimously.*

**V. New Business**

A) Approve Liquor License Transfer – Four Points Sheraton

The Village Clerk stated the Four Points Sheraton was being sold on March 9, 2020. This is the first sale of the property since it was built in 1989 by the Zetley Family. The two gentlemen who are buying the hotel were in attendance to answer any questions. The Village Clerk advised that all monetary fees have been paid by the applicants to obtain a liquor license. The previous agent, Howard Zetley, will remain the Agent until State of Wisconsin residency has been established for 90 days by one of the new owners.

*It was moved by Trustee Springman and seconded by Trustee Wedward to transfer the liquor license from Zefam Associates, Inc. to BRAVO 8900 LLC (Bravo Hospitality Group). The motion carried unanimously.*

B) Intergovernmental Agreement for Law Enforcement Services for 2020 Democratic National Convention

Chief Kass stated this is an agreement for the Village of Brown Deer Police Department to assist with law enforcement services during the 2020 Democratic National Convention being held in Milwaukee this summer. He said Village Attorney Fuchs and our insurance carrier, CVMIC, have reviewed the agreement. Chief Kass said a maximum of five (5) officers will be assisting as needed. The monies to

pay these officers comes from grant funds.

*It was moved by Trustee Quirk and seconded by Trustee Baker to approve the Intergovernmental Agreement for Law Enforcement Services for 2020 Democratic National Convention. The motion carried unanimously.*

- C) Approval of Resolution No. 20-, “Authorizing the Director of Public Works/Village Engineer to submit a Grant to the Wisconsin Department of Natural Resources (WDNR) for Municipal Flood Control at the Former Glendale Clinic (9233 North Green Bay Road)

Mr. Maederer stated this is a request to submit a grant application to the Wisconsin Department of Natural Resources (WDNR) for funding for flood control at the former Glendale Clinic property located at 9233 North Green Bay Road. The proposal is to raze the building and make the property a storm water wet detention basin location. Mr. Maederer said MMSD supports removing the property as well.

*It was moved by Trustee Wedward and seconded by Trustee Quirk to approve Resolution No. 20-, “Authorizing the Director of Public Works/Village Engineer to submit a Grant to the Wisconsin Department of Natural Resources (WDNR) for Municipal Flood Control at the Former Glendale Clinic. The motion carried unanimously.*

- D) An Ordinance to Repeal Sections 2-346, 2-347, 2-348 and 2-349 and to Recreate Section 2-346 of the Village of Brown Deer Code Establishing a Code of Ethics

Attorney Fuchs stated this was coming before the Village Board due to the ordinance being written that Village Trustees and/or Village employees could not work at the polls on Election Day, including the Village Clerk! He said due to so many changes, instead of re-writing it, he decided to just start over. He also clarified that some of the areas are now covered by state law. What he prepared and is presenting has been used either the same and/or similar in other communities with great success.

A discussion ensued regarding having a separate committee that would review complaints, how many committee members, can it be tied together with an existing committee, an attorney being one of the committee members, not having a committee but hiring an attorney and court reporter when an issue arises that needs to be addressed, all committee members from outside the community with the exception of one Village Trustee.

*It was moved by Trustee Wedward and seconded by Trustee Baker to approve Ordinance No. 20-, “Repeal Section 2-346, 2-347, 2-348 and 2-349 and to Recreate Section 2-346 of the Village of Brown Deer Code Establishing a Code of Ethics” with the adjustment “at times of need to have a Hearing Examiner without a committee”. The motion carried 4-2, with Village President Montgomery and Trustee Spencer voting Nay.*

- E) Discussion of Committees, Commissions, and Board Appointments

Trustee Quirk confirmed that she requested this be on the agenda. She clarified that she believes the Village Clerk needs some guidance and direction on how long to keep committee interest applications/questionnaires. There was a discussion that some wanted two-year terms, five-year terms, new presidency, no more than three-years but two years is preferred.

A discussion ensued regarding terms, term limits, expiration of terms, can the Chair of each committee assist, the process, who is being replaced, purge the list on a regular basis, what is on a regular basis, committee listing on the website showing vacancies for those expressing an interest to get involved.

President Montgomery has her own spreadsheet of each committee/commission/board and who is on each

one, when the terms expires, names of individuals who have expressed an interest to serve, as she wants to maintain being fair, inclusive and equitable.

Armond Jenkins stated he attended his very first Village Board meeting in January. He stated he has lived in the Village for 2.5 years. He opined that he believes the committees need a rotation of people. He also stated that elected officials do not automatically renew their terms; they must file paperwork and run and campaign again for another term if they so desire.

Trustee Quirk stated this is a new problem for the Village Board and we are experiencing “Growing Pains”.

F) Request for the Village Board to Issue a Special Resolution for Village President Wanda Montgomery

Mr. Hall stated the Village received information from A-LEGO, African American Ladies Empowered to Grow Opportunities” a 501(c)(3) non-profit organization, requesting the Village issue a special resolution recognizing Village President Wanda Montgomery.

Trustee Wedward questioned if the Village has done something for an individual for an outside organization in the past?

Trustee Quirk opined that this request put her in a very awkward position as she received a similar request a few weeks ago and informed the individual that the Village does not do these types of things.

President Montgomery said these requests were sent to many municipalities and some individuals will be happy and some will be sad. She said this is to acknowledge the work she has done and continues to do. She also said that she would recuse herself from the vote.

Attorney Fuchs stated a resolution is an option available to the Village Board. He stated that one use of a resolution is to recognize an individual or group.

Trustee Wedward said we need to be consistent and fair. She said if we honor and recognize President Montgomery and Ms. Banks, would Trustee Quirk be able to contact the individual who requested same/similar from her that she denied?

Trustee Baker stated he did some research on A-LEGO and could not find much information on the organization. He opined that there was nothing stating this was specific for the Village of Brown Deer. He believes that a resolution or commendation should come from the Milwaukee Common Council or Milwaukee County.

Trustee Wedward stated she appreciates all the work both ladies are doing but cannot commit to authoring a resolution.

*It was moved by Trustee Spencer and seconded by President Montgomery to write a resolution to acknowledge and recognize the extraordinary contributions Village President Wanda Montgomery and Village Resident Brenda M. Banks have made and continue to do. The Chair did not call for any additional votes nor did the four Village Trustees who had not voted Yes offer any votes. Therefore, the motion failed with 2-Yes Votes and 4 Abstentions.*

G) Request for the Village Board to Issue a Special Resolution for Brenda M. Banks

Mr. Hall stated the Village received information from A-LEGO, African American Ladies Empowered to Grow Opportunities” a 501(c)(3) non-profit organization, requesting the Village issue a special resolution recognizing Village resident, Brenda M. Banks (same/similar to the request received for the Village

President).

(Refer to the additional information included in Agenda Item V(F).

VI. Village President's Report

- President Montgomery said to refer to her report in the packet dated 03/02/2020.

VII. Village Manager's Report

- The Village Manager will be attending the WCMA Conference this week Thursday and Friday.
- The Village Manager said the Library will be going to bid and coming before the Village Board in May. It is anticipated there will be six months of construction.
- Trustee Baker asked if they were able to get the larger drawings.
- Trustee Quirk inquired if the plans include the sunken garden/whole walk-out area. The Village Manager said this area will be bid out as an alternative.

1) Recess into Closed Session pursuant to SS 19.85 (1)(g) Wisconsin Statutes for the following reasons:

- (g) Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

a) Manuel L. Burnley

*It was moved by Trustee Quirk and seconded by Trustee Spencer to recess into closed session at 7:59 p.m. The motion carried unanimously.*

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

*It was moved by Trustee Wedward and seconded by President Montgomery to reconvene into open session at 8:24 p.m. The motion carried unanimously.*

There was no action taken in closed session.

IX. Adjournment

*It was moved by Trustee Quirk and seconded by Trustee Wedward to adjourn at 8:25 p.m. The motion carried unanimously.*

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Jill Kenda-Lubetski, Village Clerk