

**BROWN DEER VILLAGE BOARD  
MAY 20, 2019 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: Quirk, Schilz, Spencer, Wedward

Also, Present: Michael Hall, Village Manager; Erin Hirn, Assistant Village Manager; Matthew Maederer, Public Works Director; Nate Piotrowski, Community Development Director; Rebecca Boyle, Village Attorney; Cyndee Farnham, Deputy Clerk/Treasurer; Jill Kenda-Lubetski, Village Clerk; Mike Kass, Chief of Police

Absent: Trustee Baker

**II. Pledge of Allegiance**

**III. Persons Desiring to be Heard**

**A) Representatives from the Brown Deer Junior Woman's Club**

Janet Faught, President and Dorothy Protz, Treasurer of the Brown Deer Junior Woman's Club presented \$5,400 in donations to the North Shore Fire Department, Brown Deer Police Department, 4th of July Committee, Park & Recreation Department and the Brown Deer Public Library. In addition, funds were also distributed and shared with the Brown Deer School District for a variety of items. Dorothy Protz thanked the village staff for their support and help promoting the Brown Deer Junior Woman's Club.

Dale Gass, 8573 North 54th Street, stated he is currently appointed to two Village of Brown Deer committees, the Traffic & Public Safety Committee and the Police Commission. He wanted it to go on record that he wants to stay on both. He said it is a disservice to serve on only one committee, especially those with only a one-year term, as it takes the first year just to get to know what the committee is all about. He stated that he is also President of the Neighborhood Watch Program in Brown Deer and believes all three complement each other.

**IV. Public Hearing**

**A) Special Assessments of Culverts and Driveway Approaches for the 2019 Ditch Rehabilitation Project**

President Montgomery opened the public hearing.

There were no comments from the public.

President Montgomery closed the public hearing.

**V. Consent Agenda**

**A) Consideration of Minutes: May 6, 2019 – Regular Meeting**

**B) April 2019 Vouchers**

**C) March 2019 Financial Report**

**D) Resolution No. 19-, "Declaring May 19th through May 25th as National Public Works Week"**

Trustee Schilz requested the Village President read the resolution to acknowledge the work of the Brown Deer Department of Public Works.

*It was moved by Trustee Wedward and seconded by Trustee Quirk to approve the consent agenda items. The motion carried 5-0.*

**VI. New Business**

- A) Resolution No. 19-, “Assessing of the Culvert and Driveway Approach Costs for the 2019 Ditch Rehabilitation Project”

Mr. Maederer reported the area for this year’s project is 53rd Street (Goodrich to Willow/54th Street) and the 53rd Street cul-de-sac. He also said a public information meeting was held on May 15, 2019, with one individual attending.

Trustee Quirk inquired if there were any issues or problems with any of the residents in the project area. Mr. Maederer said the residents were all very happy with the project as well as the price.

He said bills will go out between October and January. The residents will have until October 15, 2020 to pay for the project (installments or one payment).

*It was moved by Trustee Quirk and seconded by Trustee Schilz to approve Resolution No. 19-, “Assessing of the Culvert and Driveway Approach Costs for the 2019 Ditch Rehabilitation Project”. The motion carried 5-0.*

- B) Approval of Limited License for the Use of Village Owned Property at 4429 West River Lane by Containers Up as a Seasonal Hub for Bike Path Activity

Nate Piotrowski introduced Lyle Stoflet, owner of Containers Up. Mr. Stoflet presented a PowerPoint proposal to place five containers along a strip of Village-owned vacant, and mostly unused, land just west of the fire station and just south of Brown Deer Road, the former API site that has been vacant for 20 years. The area would have a minimum of three portable bathrooms and be monitored to see if more would be needed. He stated this could be a fun and innovative destination on the bike path.

The concept is basically the placement of leased/rented temporary pop-up containers that would have bistro-type lighting, seating and possible vendors selling beer, wine, pre-packaged food, clothing, and a bike repair/rental shop. Mr. Stoflet said several vendors have expressed interest in leasing a container at this location. Because there is no electricity, the area would require generators and ongoing grounds maintenance and garbage pickup. These types of containers were utilized at the Eat & Greet on the Street event last year. They will also be utilized at the 2019 Eat & Greet and the 4th of July events.

A discussion ensued regarding the hours of operation, length of time open-seasonal, signage and promotion, insurance, cost to the Village, construction currently going on in the Original Village, liability, termination of agreement, zoning, relocation costs, damage/destruction/fire, work collaboratively with the businesses in the Original Village, unique destination to the area, liquor licenses, bartenders, police department concerns regarding this type of proposal.

*It was moved by Trustee Wedward and seconded by Trustee Spencer to approve the Limited License for the Use of Village Owned Property at 4429 West River Lane by Containers Up as a Seasonal Hub for Bike Path Activity, with the request that staff contact the businesses in the Original Village about this proposed concept and report back to the Village Board. The motion carried 5-0.*

- C) Resolution No. 19-, “Confirming Obligation to Contribute to North Shore Fire Department’s Budget to Pay Debt Service on Bonds Issued by the Village of Whitefish Bay on Behalf of the Fire Department

The Village Board approved their commitment to contribute to the North Shore Fire Department’s Budget for the Remodel of the Whitefish Bay fire station on March 4, 2019. This is formality.

*It was moved by Trustee Quirk and seconded by President Montgomery to approve Resolution No. 19-, Confirming Obligation to Contribute to North Shore Fire Department's Budget to Pay Debt Service on Bonds Issued by the Village of Whitefish Bay on Behalf of the Fire Department. The motion carried 5-0.*

**D) Resolution No. 19-, "Authorizing the Issuance of General Obligation Promissory Note to the Village of Whitefish Bay for North Shore Fire Department Project**

The Village Board approved their commitment to reimburse the Village of Whitefish Bay for our portion of the debt service on bonds issued by the Village of Whitefish Bay on Behalf of the North Shore Fire Department on March 4, 2019. This is formality.

*It was moved by Trustee Schilz and seconded by Trustee Quirk to approve Resolution No. 19-, Authorizing the Issuance of General Obligation Promissory Note to the Village of Whitefish Bay for North Shore Fire Department Project. The motion carried 5-0.*

**E) Discussion and Possible Action to Fill Vacant Village Trustee Seat**

President Montgomery stated she requested this item be on the agenda for tonight's meeting. It was the consensus to open the process up to all individuals that may be interested in serving as a Village Trustee and filling the vacant seat. The two candidates who ran for Village Trustee that were not elected will also be included. Village staff will attempt to locate the questions and application that was used for the same situation 12 years ago. Village Board meeting minutes from when this process took place will also be researched. It was requested this item be included on the June 3, 2019 Village Board agenda.

**F) Discussion and Possible Action about Citizens Serving on Multiple Committees/Commissions/Board and Terms Limited**

Trustee Quirk stated she had been told that several residents currently serving on multiple committees/commissions/boards were contacted by the Village President and asked to step down from all but one committee/commission/board appointment. She said the Village Board never agreed to this type of activity. She also said that she is not aware of any member ever being removed from a committee/commission/board for cause. She stated we recently had our appreciation dinner for the volunteers who receive no compensation for their work and time. She said being asked to step down from all but one is sending a negative message.

Trustee Schilz said it has always been a challenge to find good, qualified individuals. He said several residents agreed to serve on more than one to help the Village, so we would have a quorum and have a meeting. He said it certainly sends the wrong message to some folks.

Trustee Wedward stated she was upset that residents were asked to step down and this is not representative of the entire Village Board.

President Montgomery stated she did call several individuals, but she just asked them to consider stepping down from some of their volunteer commitments. She said she knows she cannot force someone to step down, but she can ask so we can rotate individuals and get as many different people as possible involved.

**VII. Village President's Report**

- Attended her first ICC Meeting.
- Attended her first NSFD Board of Directors Meeting
- Met with the Auditors
- Held her First Meet & Greet Your Village President
- Attended the Arbor Day Celebration
- Attended the Appreciation Dinner on Friday evening

- Jane's Run is Rescheduled to June 29, 2019

She said to refer to her report included in the packet dated May 20, 2019, which summarized all her activities.

**VIII. Village Committee Reports**

None.

**IX. Village Manager's Report**

- Met with a group that expressed interest in the Bank Mutual Headquarters Building.
- The Brown Deer Business Park is 77% Occupied.
- The newly formed Emergency Response Team had their first meeting on Monday, May 13, 2019 at New Perspectives. The group will be meeting again in June.

**X. Adjournment**

*It was moved by Trustee Quirk and seconded by Trustee Schilz to adjourn at 8:10 p.m. The motion carried 5-0.*

---

Jill Kenda-Lubetski, Village Clerk