

**VILLAGE OF GREENDALE
Board of Trustees Meeting Minutes
November 6, 2018**

President Birmingham called the meeting to order at 7:00 p.m. in the Village Hall Board Room at 6500 Northway.

Roll Call

Present: Trustee Ouellette, Trustee Barbian, Trustee Cyborowski, Trustee Genz, Trustee Chadwick,
President Birmingham
Also Present: Todd Michaels, Village Manager
Sarah Weishar, Assistant Village Manager
Ryan Rosenow, Police Chief
Ken Robers, Director of Inspection Services
Mark Uecker, Director of Public Works
Tim Saidler, Fire Chief
Brian Williams-Van Klooster, Library Director
Kristen Victory, Clerk- Treasurer

Approval of Minutes

Regular Board Meeting of October 16, 2018.
Special Board Meeting of October 18, 2018

Trustee Barbian moved, seconded by Trustee Ouellette, that the minutes from the Regular Board of Trustees Meeting held on October 16, 2018 and the Special board Meeting held on October 18, 2018 be approved since all Board members received copies of the same prior to tonight's meeting.

The Clerk Treasurer will correct to say pickle ball court, not pickle court.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

New Communications

#18-10 Daniel Zajackowski Special Use/Building Application to demolish and rebuild a garage and sunroom
J & J Contractors I LLC at 5708 Carnation Court, Greendale, Wisconsin in accordance with Section
17.36(3) of the Greendale Zoning Code.

Manager Michaels stated that staff is recommending this be forwarded to the Plan Commission and Planning Consultant for their review and comments.

Trustee Barbian moved, seconded by Trustee Ouellette, to refer the Special Use/Building Application to demolish and rebuild a garage and sunroom at 5708 Carnation Court, Greendale, Wisconsin in accordance with Section 17.36(3) of the Greendale Zoning Code to the Plan Commission and Planning Consultant.

Ayes: Ouellette, Barbian, Genz, Chadwick, Birmingham
Abstain: Cyborowski
Nays: NONE
Motion to approve: Carried

#18-11 Rob Nowak, President Special Use/Building Permit Application per Section 17.16(2) R-4 Single
Greendale Historical Society Family Detached and Semidetached Residence District to include
exterior and interior renovations to the home at 5597 Apple Court to
bring it back to its original condition in order to be used by the Greendale
Historical Society as a Historical Museum.

Manager Michaels stated that staff is recommending this be forwarded to the Plan Commission and Planning Consultant for their review and comments.

Trustee Chadwick moved, seconded by Trustee Barbian, to refer the Special Use/Building Application per Section 17.16(2) R-4 Single Family Detached and Semidetached Residence District to include exterior and interior renovations to the home at 5597 Apple Court to bring it back to its original condition in order to be used by the Greendale Historical Society as a Historical Museum to the Plan Commission and Planning Consultant.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

Citizens' Comments

Elaine Unger of 4815 Sutton Ln. representing Wisconsin for Safe Technology stood and commented on 5G technology, the resolution that the Board had prepared and updating Village ordinances regarding cell towers. Bill Kewan of 5306 Robin Dr. stood and commented on updating Village ordinances regarding cell towers. Julie Lewandowski of 5288 Oakton Ln. stood and commented on the resolution, small cell towers and 5G.

Standing Committee Reports

A) *Finance Committee-Trustee Barbian*

i. *Consider approving applications for New Beverage Operator Licenses. (FC 18-36)*

Beverage Operator

Jordan Stuner

Establishment

Peter's Food & Deli

Record Check

Approved by Police

Training

Not Completed

Trustee Barbian moved to approve the application for New Beverage Operator License contingent on completion of training as listed in Finance Committee Report (FC 18-36), seconded by Trustee Ouellette.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

ii. *Discussion and necessary action to approve Resolution R2018-17 to authorize the Village to borrow \$700,000 from the State Trust Fund Loan Program for the purpose of financing street rehabilitation and capital equipment. (FC 18-37)*

VILLAGE OF GREENDALE
MILWAUKEE COUNTY, WISCONSIN
RESOLUTION NO. R2018-17

A RESOLUTION AUTHORIZING THE VILLAGE TO BORROW \$700,000 FROM THE BOARD OF COMMISSIONERS OF PUBLIC LANDS STATE TRUST FUND LOAN PROGRAM

WHEREAS, by the provisions of Sec. 24.66 of the Wisconsin Statutes, all municipalities may borrow money for such purposes in the manner prescribed; and

WHEREAS, by the provisions of Chapter 24 of the Wisconsin Statutes, the Board of Commissioners of Public Lands of Wisconsin is authorized to make loans from the State Trust Funds to municipalities for such purposes (Municipality is defined by Sec. 24.60(2) of the Wisconsin Statutes means a town, village, city, county, public inland lake protection and rehabilitation district, town sanitary district created under Sec. 60.71 or 60.72, metropolitan sewerage district created under Sec. 200.05 or 200.23, joint sewerage system created under Sec. 281.43(4), school district or technical college district.)

THEREFORE, BE IT RESOLVED, that the Village of Greendale, in the County of Milwaukee, Wisconsin, borrow from the Trust Funds of the State of Wisconsin the sum of Seven Hundred Thousand and 00/100 Dollars (\$700,000.00) for the purpose of financing street rehabilitation and capital equipment and for no other purpose.

The loan is to be payable within 8 years from the 15th day of March preceding the date the loan is made. The loan will be repaid in annual installments with interest at the rate of 4.25 percent per annum from the date of making the loan to the 15th day of March next and thereafter annually as provided by law.

RESOLVED FURTHER, that there shall be raised and there is levied upon all taxable property, within the Village of Greendale, in the County of Milwaukee, Wisconsin, a direct annual tax for the purpose of paying interest and principal on the loan as they become due.

RESOLVED FURTHER, that no money obtained by the Village of Greendale by such loan from the state be applied or paid out for any purpose except financing street rehabilitation and capital equipment without the consent of the Board of Commissioners of Public Lands.

RESOLVED FURTHER, that in case the Board of Commissioners of Public Lands of Wisconsin agrees to make the loan, that the president and clerk of the Village of Greendale, in the County of Milwaukee, Wisconsin, are authorized and empowered, in the name of the Village to execute and deliver to the Commission, certificates of indebtedness, in such form as required by the Commission, for any sum of money that may be loaned to the Village pursuant to this resolution. The president and clerk of the Village will perform all necessary actions to fully carry out the provisions of Chapter 24 Wisconsin Statutes, and these resolutions.

RESOLVED FURTHER, that this preamble and these resolutions and the aye and no vote by which they were adopted, be recorded, and that the clerk of this Village forward this certified record, along with the application for the loan, to the Board of Commissioners of Public Lands of Wisconsin.

PASSED AND APPROVED, this 6th day of November, 2018 by the Village Board of Trustees, Village of Greendale, Milwaukee County, Wisconsin.

Trustee Barbian moved to approve Resolution R2018-17 to authorize the Village to borrow \$700,000 from the State Trust Fund Loan Program for the purpose of financing street rehabilitation and capital equipment (FC 18-37), seconded by Trustee Ouellette.

The 2019 Budget includes a proposal to borrow \$700,000 to purchase a new refuse hauler and to put additional funds into street rehabilitation. Staff is recommending that the \$700,000 be borrowed from the State Trust Fund Loan program through the Board of Commissioners of Public Lands. The funds would be repaid back over an 8 year period at a 4.25% interest rate. The interest rate is locked for 60 days from the date we received the application materials from the State. In order to receive the funds the state must receive a completed application and a signed copy of the above resolution.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

- iii. Consider approving an initial Resolution authorizing not to exceed \$2,160,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 5, Resolution R2018-18. (FC 18-38)

Manager Michaels stated this is to fund obligations previously approved for the redevelopment of Sears.

Trustee Barbian moved to approve Resolution R2018-18 an initial Resolution authorizing not to exceed \$2,160,000 General Obligation Bonds for Community Development Projects in Tax Incremental District No. 5 (FC 18-38), seconded by Trustee Ouellette.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

- iv. Consider approving a Resolution providing for the sale of \$2,160,000 Taxable General Obligation Community Development Bonds, Resolution R2018-19. (FC 18-39)

Trustee Barbian moved to approve Resolution R2018-19 a Resolution providing for the sale of \$2,160,000 Taxable General Obligation Community Development Bonds (FC 18-39) as outlined, seconded by Trustee Ouellette.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

- v. *Finance Committee Internal Audit Review of Bills Presented for Payment.*

Trustee Barbian completed the internal audit for this month and took no exception to any of the 12 items he selected.

- vi. *Approval of Accounts Payable checks for payment.*

Trustee Barbian moved to approve the Accounts Payable 54711 to 54786 in the amount of \$ 410,041.00, ACH payments of \$ 647,513.01, and P-card purchases in the amount of \$ 95,822.12 for a total of \$1,153,376.13, seconded by Trustee Ouellette.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

- vii. *Status of Accounts – September 30, 2018*

Clerk Treasurer Victory stated that it is a busy election. Trustee Ouellette thanked all of the poll workers for their hard work.

- B) *Plan Commission-Trustee Chadwick - no meeting*
- C) *Library Board-Trustee Genz- no report*
- D) *Public Works Committee-Trustee Barbian – no meeting*
- E) *Board of Health-Trustee Genz –meeting next week*
- F) *Public Health, Welfare & Safety-Trustee Cyborowski -no meeting*
- G) *Park & Recreation-Trustee Ouellette – no meeting but Trustee Ouellette praised Jackie Schweitzer for a great job on the Park and Rec auction.*
- H) *Public Celebrations-Trustee Ouellette – meeting next week*

Old Business:

- A) *Board and Committee Appointments & Resignations.*

None

- B) *BOT 18-55 Discussion and necessary action pertaining to the vacant Village Trustee position.*

Trustee Genz moved, seconded by Trustee Barbian to leave the open trustee position open with any savings to go to road rehabilitation and capital equipment.

Ayes: Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: Ouellette
Motion to approve: Carried

- C) *BOT 18-60 Discussion and necessary action pertaining to Section 349.26 of the Wisconsin State Statutes which allows a municipality to permit persons to operate low-speed vehicles on local highways.*

Trustee Genz moved, seconded by Trustee Chadwick to table this item for 3 months for further research.

Ayes: Genz
Nays: Ouellette, Barbian, Cyborowski, Chadwick, Birmingham
Motion to approve: Failed

Trustee Cyborowski moved, seconded by Trustee Barbian to approve the necessary action pertaining to Section 349.26 of the Wisconsin State Statutes which allows a municipality to permit persons to operate low-speed vehicles on local highways (ordinance change-Chapter 7.11).

Ayes: Ouellette, Barbian, Cyborowski, Birmingham
Nays: Chadwick, Genz
Motion to approve: Carried

New Business:

- A) *BOT 18-64 Consider approving a Resolution asking the Federal Communications Commission to reconsider its decision related to expended use of public rights of way and asking for changes that maintain a reasonable level of local control, Resolution R2018-20.*

Manager Michaels drafted this resolution off resolutions of other communities. He confirmed with the Board that they were comfortable adding the changes recommended by Elaine Unger.

Trustee Cyborowski moved, seconded by Trustee Barbian to approve Resolution R2018-20 a Resolution asking the Federal Communications Commission to reconsider its decision related to expended use of public rights of way and asking for changes that maintain a reasonable level of local control including the changes as outlined.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Birmingham
Abstain: Chadwick
Nays: NONE
Motion to approve: Carried

Officers Reports:

- A) Village Manager's Report- nothing.
- B) Village President's Report- The next ICC meeting of Village Presidents and City Mayors will be held in Greendale at the Hose Tower in December. President Birmingham thanked Park and Rec for the wonderful auction and thanked all those who helped.

Citizens' Comments

Janet Bellot of 5698 Cardinal Court stood and commented on low speed vehicles, mini bikes and scooters on Schoolway. Jeff Birmingham of 5601 Bramble Court stood and commented on the open Trustee position.

Closed Session

President Birmingham read:

- A) The Board shall convene in Closed Session pursuant to Wisconsin State Statute Section 19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Specifically, to discuss strategy relevant to contract negotiations for the Village's Police Officer and Firefighter unions, discuss strategy relevant to negotiations with cellular telephone companies that lease property from the Village, discuss strategy relevant to redevelopment at Southridge Mall, and discuss strategy pertaining to correcting the deed restriction on the Former Police Station property at 6600 Schoolway.

Return to Open Session

The Board reserves the right to return to Open Session to act on matters discussed in Closed Session.

Trustee Barbian moved, seconded by Trustee Ouellette to convene in Closed Session at 7:56 p.m.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

Trustee Barbian moved, seconded by Trustee Barbian to reconvene in Open Session at 8:38 p.m.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

A) *BOT 18-65 Discussion and necessary action pertaining to amending the T-Mobile Water Tower Lease Agreement*

Trustee Barbian moved to approve the changes in the second amendment of the T-Mobile Water Tower Lease Agreement as discussed in closed session, seconded by Trustee Ouellette.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

B) *BOT 18-66 Discussion and necessary action to correct the deed restriction on the Former Police Station property at 6600 Schoolway.*

Trustee Genz moved to correct the deed restriction on the Former Police Station property at 6600 Schoolway, seconded by Trustee Ouellette.

Ayes: Ouellette, Barbian, Genz, Chadwick, Birmingham
Abstain: Cyborowski
Nays: NONE
Motion to approve: Carried

Adjournment

Trustee Ouellette moved, seconded by Trustee Genz to adjourn.

Ayes: Ouellette, Barbian, Cyborowski, Genz, Chadwick, Birmingham
Nays: NONE
Motion to approve: Carried

The meeting adjourned at 8:41 P.M.

Respectfully submitted,

Kristen Victory
Clerk Treasurer